

City of Houston, Texas, Ordinance No. 2020 - 809

AN ORDINANCE CONSENTING TO THE ADDITION OF 5.676 ACRES OF LAND TO HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 133, FOR INCLUSION IN THE DISTRICT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the District was organized, created, and established pursuant to an Order of the Texas Water Rights Commission dated March 26, 1970, which was passed pursuant to the terms and provisions of Article XVI, Section 59 of the Constitution of Texas, confirmed at an election held for said purpose within and for said District on September 12, 1970, converted to a Municipal Utility District on December 13, 1973, and governed by the provisions of Chapters 49 and 54 of the Texas Water Code, as amended; and

WHEREAS, the City of Houston, Texas (the "City") consented to the creation of Harris County Water Control and Improvement District No. 133 (the "District") by Resolution No.69-82, passed and adopted by the City Council on July 9, 1969; and

WHEREAS, Ordinance No. 2006-160, passed and adopted by the City Council on February 21, 2006, sets forth certain conditions for the creation or inclusion of land within conservation and reclamation district in the ETJ, and permitting such district to issue bonds for certain recreational, road, and fire-fighting facilities; and

WHEREAS, the District is located in Harris County, and one or more drainage plans for grading, fill, construction of buildings or infrastructure within the proposed area to be annexed into an existing district, will be required to be submitted and approved by Harris County; and

WHEREAS, components of the drainage plan may include a variety of engineering solutions to manage and mitigate flooding based on the County's floodplain management rules and regulations; and

WHEREAS, the District and Seton Lake Logistics Center, LLC, Generations Legacy Properties, LP, and its lienholder, Iberia Bank, have petitioned the City to add 5.676 acres of land for inclusion into the District; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings and recitals contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That attached to this ordinance and made a part hereof is a petition ("Petition") requesting for the consent of the City to the annexation of 5.676 acres of land, described in Exhibit A to the Petition and within the extraterritorial jurisdiction of the City, into the District. The Petition is hereby granted, subject to the terms and conditions set forth in Exhibit B to the Petition.

Section 3. That the City Council further hereby notifies the referenced District, its residents and property owners of the provisions of applicable law allowing the City to annex any portion of the district located within the City's extraterritorial jurisdiction, including without limitation, the land authorized to be included in the District hereby. The City requires that the District include a statement in its form required under Section 49.455, Texas Water Code, reflecting the possibility of such annexation by the City.

Section 4. That a public emergency exists requiring that this ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this

ordinance shall take effect immediately upon its passage and approval by the Mayor; provided, however, that if the Mayor fails to sign this ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 23rd day of September, 2020.

APPROVED this _____ day of _____, 2020.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is SEP 29 2020.

Pat J. Harrel
City Secretary

Prepared by Legal Dept. *Arva L. Howard*
AH/sec 8/4/20 Senior Assistant City Attorney
Requested by Carol Ellinger Haddock, P.E.
Director – Houston Public Works Department
(L.D. File No. 0911600001002)

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AYE	NO	
✓		MAYOR TURNER
....	COUNCIL MEMBERS
✓		PECK
✓		DAVIS
✓		KAMIN
✓		EVANS-SHABAZZ
✓		MARTIN
✓		THOMAS
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		POLLARD
✓		MARTHA CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		PLUMMER
✓		ALCORN
CAPTION	ADOPTED	

**PETITION FOR CONSENT TO INCLUDE
LAND IN A MUNICIPAL UTILITY DISTRICT**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

**TO THE HONORABLE MAYOR AND CITY
COUNCIL OF THE CITY OF HOUSTON:**

The undersigned **HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 133** (the "District"), organized, created and established pursuant to an Order of the Texas Water Rights Commission dated March 26, 1970, which was passed pursuant to the terms and provisions of Article XVI, Section 59 of the Constitution of Texas, confirmed at an election held for said purpose within and for said District on September 12, 1970, converted to a Municipal Utility District on December 13, 1973, and governed by the provisions of Chapters 49 and 54 of the Texas Water Code, as amended; and **SETON LAKE LOGISTICS CENTER, LLC**, a Delaware limited liability company, doing business in Texas as SL Logistics Center, LLC, Petitioner as to a **1.439** acre tract of land and a portion of a **4.237** acre tract of land, **GENERATIONS LEGACY PROPERTIES, LP**, Petitioner as to the remaining portion of the 4.237 acre tract of land, and its lienholder, **IBERIA BANK**, (hereinafter collectively designated as the "Petitioner") respectfully petition the Honorable Council for its written consent, pursuant to Sections 49.301 and 54.016, Texas Water Code, as amended, and Section 42.042 Local Government Code, as amended, for the inclusion of certain land within the boundaries of the District.

In support of this petition for consent to include said lands within the District, the Petitioner would respectfully show the following:

I.

Said lands sought to be included within the boundaries of the District contain an area of approximately 1.439 acres of land, and an area of approximately 4.237 acres of land (totaling approximately 5.676 acres of land), situated within Harris County, Texas, as further described in Exhibits "A-1" and "A-2", attached hereto and incorporated herein for all purposes, and no part of said lands lie within the corporate limits of any incorporated village, town or city. Said District is located within the extraterritorial jurisdiction of the City of Houston pursuant to Section 42.021, Local Government Code, as amended, and is not within such jurisdiction of any other city.

II.

Petitioner Seton Lake Logistics Center, LLC is the sole holder of fee title to the 1.439 acre tract of land, and Petitioners Seton Lake Logistics Center, LLC and Generations Legacy Properties, LP are the joint holders of fee title to the 4.237 acre tract of land sought to be added to the District, as shown by the county tax rolls and conveyances of record since the date of preparation of said county tax rolls. Petitioner Seton Lake Logistics Center, LLC represents and warrants that there are no lienholders holding liens against the land and portion of land it owns being sought to be annexed to the District. Petitioner, Iberia Bank, is the lienholder for Generations Legacy Properties, LP, on its portion of the 4.237 acre tract of land sought to be added to the District.

III.

The District has been created for the following purposes:

(1) The control, storage, preservation and distribution of its waters and flood waters, the waters of its rivers and streams, for all useful purposes, including municipal, domestic, industrial and communal uses;

(2) The control, abatement and change of any shortage or harmful excess of waters, and the protection, preservation and restoration of the purity and sanitary condition of water within the District; and

(3) The collection, transportation, processing, disposal and control of all domestic, industrial or communal wastes, whether of fluids, solids or composites.

The aforementioned purposes are to be accomplished by any and all mechanical and chemical means and processes incident, necessary or helpful to such purposes, to the end that public health and welfare may be conserved and promoted and the purity and sanitary condition of the State's waters protected, effected and restored.

IV.

The general nature of the work completed or to be completed by and within the land to be included within the District at the present time is the construction, maintenance and operation of a waterworks system for domestic, industrial and commercial purposes, and the construction, maintenance and operation of a sanitary sewer collection system and sewage disposal plant, and such other construction, installation, maintenance, purchase and operation of such additional facilities, systems, plants and enterprises as shall be consonant with the purpose for which the District is organized.

V.

There is a necessity for the improvements above described because the land to be included within the District is located within an area experiencing a substantial and sustained residential or commercial growth within the immediate future, and is urban in nature. The health and welfare of the inhabitants of the land to be included within the District and of the inhabitants of the area adjacent thereto requires the acquisition and/or installation of an adequate waterworks system and sanitary sewer collection and disposal system.

The purchase, construction, extension, improvement, maintenance and operation of such waterworks system and sanitary sewer collection and disposal system will conserve and preserve the natural resources of this State by promoting and protecting the purity and sanitary condition of the State's waters and will promote and protect the public health and welfare of the community; therefore, a public necessity exists for the inclusion of said land within the District.

VI.

Said proposed acquisitions and/or improvements are practicable and feasible, in that the terrain of the territory to be included in the District is of such a nature that a waterworks system and sanitary sewer system has been or can be constructed at a reasonable cost; and said territory will be rapidly developed as residential or commercial property and will continue so to develop until the majority of the territory located therein is used for residential or commercial purposes.

VII.

A preliminary investigation has been instituted to determine the cost of the project attributable to the lands to be included within the District, and it is now estimated by those filing this petition, from such information as they have at this time, that the cost to extend the District's facilities and system contemplated will be approximately \$-0-.

VIII.

The undersigned, in requesting that the City Council grant its written consent as above stated, are willing to accept such consent based upon the terms and conditions set out herein and as set forth in Exhibit "B" attached hereto and incorporated by reference herein; and in consideration of the City granting its consent for the inclusion of said lands within the District, the undersigned do expressly agree and covenant to comply with and abide by said conditions listed on the attached Exhibit "B".

* * * * *

RESPECTFULLY SUBMITTED, this 10th day of July, 2020.

PETITIONER:

**HARRIS COUNTY WATER CONTROL &
IMPROVEMENT DISTRICT NO. 133**

ATTEST:

Matthew Chavez
Secretary

Sam A. Montalbano
Sam A. Montalbano, President



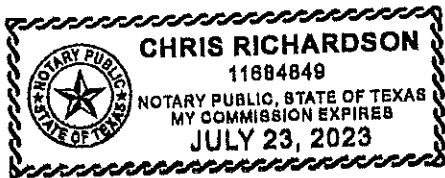
THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on May 13, 2020, by Sam A. Montalbano, President of the Board of Directors of HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 133.

Chris Richardson

Notary Public in and for the
State of TEXAS

(NOTARY SEAL)



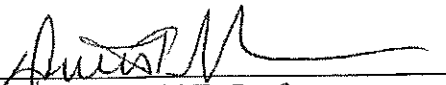
PETITIONER:
(1.439 acres, Exhibit "A-1")
(Portion of 4.237 acres, Exhibit "A-2")

SETON LAKE LOGISTICS CENTER, LLC,
a Delaware limited liability company, doing
business in Texas as SL Logistics Center, LLC

By: Lion-TCC Development II, LLC,
a Delaware limited liability company
Its: Sole Member

By: LIT Industrial Limited Partnership,
a Delaware limited partnership,
Its: Manager

By: LIT Holdings GP, LLC,
a Delaware limited liability company
Its: General Partner

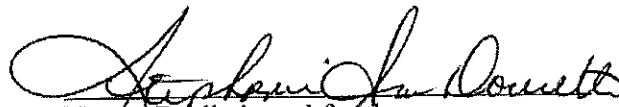
By: 
Name: David T. Confer
Title: President

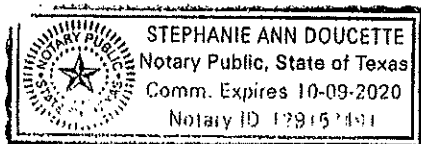
THE STATE OF TEXAS
COUNTY OF Dallas

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§

This instrument was acknowledged before me on May 26, 2020 by David T. Confer, President of LIT Holdings GP, LLC, a Delaware limited liability company, on behalf of said company, as the General Partner of LIT Industrial Limited Partnership, a Delaware limited partnership, as the Manager of Lion-TCC Development II, LLC, a Delaware limited liability company, as the Sole Member of Seton Lake Logistics Center, LLC, a Delaware limited liability company, doing business in Texas as SL Logistics Center, LLC, on behalf of said company.

(NOTARY SEAL)

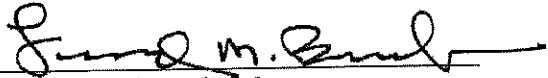

Notary Public in and for the
State of TEXAS



PETITIONER:
(Portion of 4.237 acres, Exhibit "A-2")

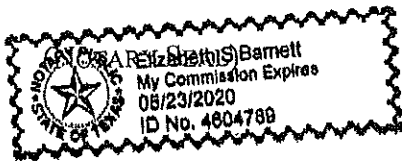
GENERATIONS LEGACY PROPERTIES, LP,
a Texas limited partnership

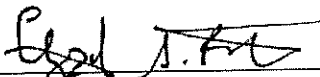
By: L&L Legacy Properties, LLC,
a Texas limited liability company
Its: General Partner

By: 
Leonard M. Bench, Manager

THE STATE OF TEXAS §
 §
COUNTY OF Harris §

This instrument was acknowledged before me on April 30, 2020, by Leonard M. Bench, Manager of L&L Legacy Properties, LLC, a Texas limited liability company, on behalf of said company, as the General Partner of Generations Legacy Properties, LP, a Texas limited partnership, on behalf of said partnership.




Notary Public in and for the
State of TEXAS

LIENHOLDER for Generations Legacy Properties, LP:

IBERIA BANK,
a Louisiana state bank

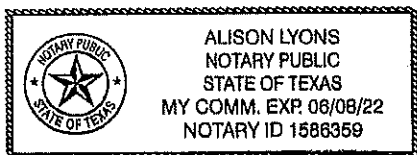
By: Beau Warren
Name: Beau Warren
Title: AVP

THE STATE OF Texas
COUNTY OF Harris

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§
§

This instrument was acknowledged before me on May 1, 2020, by Beau Warren, AVP of IBERIA BANK, a Louisiana state bank, on behalf of said bank.

(NOTARY SEAL)



Alison Lyons
Notary Public in and for the
State of Texas

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 133
PROPOSED ANNEXATION SEVENTH TRACT
1.439 ACRES

DECEMBER 2019

A TRACT OR PARCEL CONTAINING 1.439 ACRES OF LAND SITUATED IN THE SIDON HARRIS SURVEY, ABSTRACT NO. 1324 AND THE WILLIAM MORRIS SURVEY, ABSTRACT NO. 1274, HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 1.439 ACRE TRACT OF LAND CONVEYED TO SETON LAKE LOGISTICS AS RECORDED UNDER HARRIS COUNTY CLERKS FILE (H.C.C.F.) NO. RP-2017-559470, WITH SAID 1.439 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY (R.O.W.) LINE OF OLD FAIRBANKS NORTH HOUSTON ROAD (CALLED 60' WIDTH), FOR THE SOUTHWESTERLY CORNER OF SAID 1.439 ACRE TRACT;

THENCE, N 00°20'32" W ALONG THE WESTERLY LINE OF SAID 1.439 ACRE TRACT, A DISTANCE OF 696.35 FEET TO A POINT FOR THE NORTHWESTERLY CORNER OF SAID 1.439 ACRE TRACT;


THENCE, N 89°55'58" E ALONG THE NORTHERLY LINE OF SAID 1.439 ACRE TRACT, A DISTANCE OF 90.00 FEET TO A POINT FOR THE NORTHEASTERLY CORNER OF SAID 1.439 ACRE TRACT;

THENCE, S 00°20'32" E ALONG THE EASTERLY LINE OF SAID 1.439 ACRE TRACT, A DISTANCE OF 696.35 FEET TO A POINT ON SAID NORTHERLY R.O.W. LINE OF OLD FAIRBANKS NORTH HOUSTON ROAD, FOR THE SOUTHEASTERLY CORNER OF SAID 1.439 ACRE TRACT;

THENCE, S 89°56'00" W ALONG SAID NORTHERLY R.O.W. LINE OF OLD FAIRBANKS NORTH HOUSTON ROAD, A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.439 ACRES OF LAND.

BEARING ORIENTATION BASED ON THE DISTRICT BOUNDARY MAP OF HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 133, DATED SEPTEMBER 2016.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.


ROBERT KNESS
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6486
WINDROSE SERVICES
FIRM REGISTRATION NO. 10108800
AEI JOB NO. 291-039-001



12-09-19
DATE

EXHIBIT A-1

**HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 133
PROPOSED ANNEXATION EIGHTH TRACT
4.237 ACRES**

DECEMBER 2019

A TRACT OR PARCEL CONTAINING 4.237 ACRES OF LAND SITUATED IN THE SIDON HARRIS SURVEY, ABSTRACT NO. 1324 AND THE WILLIAM MORRIS SURVEY, ABSTRACT NO. 1274, HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 0.407 ACRE TRACT OF LAND CONVEYED TO SETON LAKE LOGISTICS CENTER, LLC AS RECORDED UNDER HARRIS COUNTY CLERKS FILE (H.C.C.F.) NO. RP-2019-465577, ALSO BEING ALL OF A CALLED 3.067 ACRE TRACT OF LAND AND ALL OF A CALLED 0.763 ACRE TRACT OF LAND CONVEYED TO GENERATIONS LEGACY PROPERTIES, LP AS RECORDED UNDER H.C.C.F. NO. RP-2019-237305, WITH SAID 4.237 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY (R.O.W.) LINE OF OLD FAIRBANKS NORTH HOUSTON ROAD (CALLED 60' WIDTH), FOR THE SOUTHWESTERLY CORNER OF SAID 0.407 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, N 00°02'09" W ALONG THE WESTERLY LINE OF SAID 0.407 ACRE TRACT, A DISTANCE OF 227.47 FEET TO A POINT FOR THE NORTHWESTERLY CORNER OF SAID 0.407 ACRE TRACT;

THENCE, N 89°37'05" E ALONG THE NORTHERLY LINE OF SAID 0.407 ACRE TRACT, A DISTANCE OF 63.47 FEET TO A POINT FOR A COMMON CORNER OF SAID 0.407 ACRE TRACT AND SAID 3.067 ACRE TRACT;

THENCE, N 04°23'45" W ALONG A WESTERLY LINE OF SAID 3.067 ACRE TRACT, A DISTANCE OF 347.64 FEET TO A POINT FOR THE NORTHWESTERLY CORNER OF SAID 3.067 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, N 89°56'19" E ALONG THE NORTHERLY LINE OF SAID 3.067 ACRE TRACT, A DISTANCE OF 256.62 FEET TO A POINT FOR THE NORTHEASTERLY CORNER OF SAID 3.067 ACRE TRACT;

THENCE, S 00°03'41" E ALONG THE EASTERLY LINE OF SAID 3.067 ACRE TRACT, A DISTANCE OF 362.45 FEET TO A POINT FOR A COMMON CORNER OF SAID 3.067 ACRE TRACT AND SAID 0.763 ACRE TRACT;

THENCE, N 89°56'00" E ALONG THE NORTHERLY LINE OF SAID 0.763 ACRE TRACT, A DISTANCE OF 156.55 FEET TO A POINT FOR THE NORTHEASTERLY CORNER OF SAID 0.763 ACRE TRACT;

THENCE, S 00°10'56" E ALONG THE EASTERLY LINE OF SAID 0.763 ACRE TRACT, A DISTANCE OF 212.00 FEET TO A POINT ON SAID NORTHERLY R.O.W. LINE OF OLD FAIRBANKS NORTH HOUSTON ROAD, FOR THE SOUTHEASTERLY CORNER OF SAID 0.763 ACRE TRACT;

THENCE, S 89°56'00" W ALONG SAID NORTHERLY R.O.W. LINE OF OLD FAIRBANKS NORTH HOUSTON ROAD, A DISTANCE OF 450.92 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.237 ACRES OF LAND.

BEARING ORIENTATION BASED ON THE DISTRICT BOUNDARY MAP OF HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 133, DATED SEPTEMBER 2016.

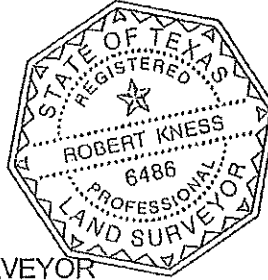
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EXHIBIT A-2

INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



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REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6486
WINDROSE SERVICES
FIRM REGISTRATION NO. 10108800
AEI JOB NO. 291-039-001



12-09-19
DATE



EXHIBIT "B"

(a) To the extent authorized by law, the District will issue bonds only for the purpose of purchasing and constructing, or purchasing, or constructing under contract with the City of Houston, or otherwise acquiring waterworks systems, sanitary sewer systems, storm sewer systems, drainage facilities, recreational facilities, road facilities, or facilities for fire-fighting services, or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way, easements, sites, equipment, buildings, plants, structures, and facilities therefor, and to operate and maintain same, and to sell water, sanitary sewer, and other services within or without the boundaries of the District. Such bonds will expressly provide that the District reserves the right to redeem the bonds on any interest-payment date subsequent to the fifteenth (15th) anniversary of the date of issuance without premium and will be sold only after the taking of public bids therefor, and none of such bonds, other than refunding bonds, will be sold for less than 95% of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent (2%) above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date notice of the sale of such bonds is given, and that bids for the bonds will be received not more than forty-five (45) days after notice of sale of the bonds is given. The resolution authorizing the issuance of the District's bonds will contain a provision that any pledge of the revenues from the operation of the District's water and sewer and/or drainage system to the payment of the District's bonds will terminate when and if the City of Houston, Texas, annexes the District, takes over the assets of the District and assumes all of the obligations of the District. No land located within the extraterritorial jurisdiction of the City of Houston will be added or annexed to the District until the City of Houston has given its written consent by resolution or ordinance of the City Council to such addition or annexation.

(b) (1) Before the commencement of any construction within the District, its directors, officers, or developers and landowners will submit to the Director of the Department of Public Works and Engineering of the City of Houston, or to his designated representative, all plans and specifications for the construction of water, sanitary sewer, drainage, and road facilities and related improvements to serve the District and obtain the approval of such plans and specifications therefrom. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, installed or used within the District, will conform exactly to the specifications of the City of Houston. All water service lines and sewer service lines, lift stations, sewage treatment facilities, and road facilities, and appurtenances thereto, installed or used within the District will comply with the City of Houston's standard plans and specifications as amended from time to time. Prior to the construction of any water, sanitary sewer, drainage or road facilities within or by the District, the District or its engineer will give written notice by registered or certified mail to the Director of Public Works and Engineering, stating the date that such construction will be commenced. The construction of the District's water, sanitary sewer, drainage and road facilities will be in accordance with the approved plans and specifications, and with applicable standards and specifications of the City of Houston; and during the progress of the construction and installation of such facilities, the Director of Public Works and

Engineering of the City of Houston, or an employee thereof, may make periodic on-the-ground inspections.

(2) Before the expenditure by the District of bond proceeds for the acquisition, construction or development of recreational facilities, the District shall obtain and maintain on file, from a registered landscape architect, registered professional engineer or a design professional allowed by law to engage in architecture, a certification that the recreational facilities, as constructed, conform to the applicable recreational facilities design standards and specifications of the City of Houston's Department of Parks and Recreation and shall submit a copy of the certification and the "as built" plans and specifications for such recreational facilities to the Director of the City of Houston Parks and Recreation Department.

(3) Before the expenditure by the District of bond proceeds for the acquisition, construction or development of facilities for fire-fighting services, the District shall obtain and maintain on file, from a registered architect, registered professional engineer or a design professional allowed by law to engage in facility design and construction, a certification that the facilities for fire-fighting services, as constructed, conform to the applicable fire-fighting facilities design standards and specifications of the City of Houston's Fire Department and shall submit a copy of the certification and the "as built" plans and specifications for such facilities for fire-fighting services to the Chief of the City of Houston Fire Department.

(c) The District will agree to engage a sewage plant operator holding a valid certificate of competency issued under the direction of the Texas Commission on Environmental Quality, or such successor agency as the legislature may establish ("TCEQ"), as required by Section 26.0301, Texas Water Code, as may be amended from time to time. The District will agree to make periodic analyses of its discharge pursuant to the provisions of Order No. 69-1219-1 of the Texas Water Quality Board (predecessor agency to the TCEQ) and further to send copies of all such effluent data to the Department of Public Works and Engineering, City of Houston, as well as to the TCEQ. The District will agree that representatives of the City of Houston may supervise the continued operations of the sewage treatment facility by making periodic inspections thereof.

(d) The District, its board of directors, officers, developers, and/or landowners will not permit the construction, or commit to any development within, the District that will result in a wastewater flow to the serving treatment facility which exceeds that facility's legally permitted average daily flow limitations or the District's allocated capacity therein.

(e) Prior to the sale of any lot or parcel of land, the owner or the developer of the land included within the limits of the District will obtain the approval of the Planning Commission of the City of Houston of a plat which will be duly recorded in the Real Property Records of Harris County, Texas, and otherwise comply with the rules and regulations of the Department of Planning and Development and the Department of Public Works and Engineering of the City of Houston.