

City of Houston, Texas, Ordinance No. 2021 - 197

**AN ORDINANCE CONSENTING TO THE ADDITION OF 7.548 ACRES OF LAND TO SHELDON ROAD MUNICIPAL UTILITY DISTRICT, FOR INCLUSION IN THE DISTRICT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, Sheldon Road Municipal Utility District (the "District") , to which the land hereinafter described is sought to be annexed, exists under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas and Chapters 49 and 54, Texas Water Code, as amended and was created by order of the Texas Department of Water Resources on August 20, 1959; 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 a 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;

**WHEREAS**, the District and Harris County Emergency Services District No. 60, Landowner, have petitioned the City of Houston, Texas ("City") to add 7.548 acres of land, consisting of two (2) tracts, 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 7.548 acres of land, consisting of two (2) tracts, 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 24<sup>th</sup> day of MARCH, 2021.


**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is MAR 3 0 2021.

  
 Interim City Secretary

Prepared by Legal Dept.   
 AH/sec 2/5/21 Senior Assistant City Attorney  
 Requested by Carol Ellinger Haddock, P.E.  
 Director – Houston Public Works Department  
 (L.D. File No.0912100007001)  
 Z:\REALESTATE\ARVA\MUDS\SHELDON RD\ORD\_7.548AC.DOC

AYE	NO	
✓		<b>MAYOR TURNER</b>
....	....	<b>COUNCIL MEMBERS</b>
✓		PECK
✓		JACKSON
		ABSENT-ON PERSONAL BUSINESS KAMIN
✓		EVANS-SHABAZZ
		ABSENT-ON PERSONAL BUSINESS MARTIN
✓		THOMAS
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		POLLARD
✓		MARTHA CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		PLUMMER
✓		ALCORN
CAPTION	ADOPTED	

CAPTION PUBLISHED IN DAILY COURT REVIEW  
 DATE: **MAR 3 0 2021**

PETITION FOR CONSENT TO INCLUDE ADDITIONAL LAND IN  
SHELDON ROAD MUNICIPAL UTILITY DISTRICT

THE STATE OF TEXAS       §  
  §  
COUNTY OF HARRIS       §

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

HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 60, a political subdivision of the State of Texas, being the holder of title to all of, and therefore, a majority in value of the land hereinafter described, as such values are indicated by the tax rolls of the central appraisal district of HARRIS County, Texas ("Landowner"), and SHELDON ROAD MUNICIPAL UTILITY DISTRICT ("District") (Landowner and District herein referred to collectively as "Petitioner"), acting pursuant to the provisions of Section 54.016, Texas Water Code, as amended, respectfully petition for consent to include additional land in a municipal utility district. In support of this petition, Petitioner shows as follows:

I.

The District, to which the land hereinafter described is sought to be annexed, exists under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas and Chapters 49 and 54, Texas Water Code, as amended and was created by order of the Texas Water Commission of Water Resources on August 20, 1959. Landowner is the sole owner and holder of fee simple title to the land sought to be annexed to the District, as indicated by the tax rolls of the central appraisal district of Harris County, Texas. Landowner represents and warrants that there are no holders of liens against the land.

II.

The land sought to be added to the District contains approximately 7.548 acres of land, more or less, and lies wholly within Harris County, Texas. No part of the land is within the limits of any incorporated city or town. Under the provisions of Texas Local Government Code, Section 42.001, et seq., as amended, the land is within the extraterritorial jurisdiction of the City of Houston and is not within such jurisdiction of any other city. All of the territory to be annexed may properly be annexed to the District.

III.

The land sought to be added to the area of the District is described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes.

IV.

The general nature of the work proposed to be done in the area sought to be annexed shall be the purchase, construction, acquisition, repair, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:

- (1) provide a water supply for municipal, domestic and commercial purposes;
- (2) collect, transport, process, dispose of and control all domestic, industrial or communal wastes whether in fluid, solid or composite state;
- (3) gather, conduct, divert and control local storm water or other harmful excesses of water in the area; and
- (4) finance, develop and maintain recreational facilities for the people of the District if and as allowed by applicable law; and
- (5) to provide such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created and permitted under state law.

#### V.

The area of the District is urban in nature, is within the growing environs of the City of Houston, and is in close proximity to populous and developed sections of Harris County. The District's area will, within the immediate future, experience a substantial and sustained residential and commercial growth. Therefore, there is a necessity for the improvements described above for the following reasons:

(1) The land sought to be added to the District is not supplied with adequate water and sanitary sewer facilities and services, or with adequate drainage facilities nor is it presently economically feasible for such facilities to be added to the land. The health and welfare of the present and future inhabitants of the District, the land sought to be added to the District, and of territories adjacent thereto require the installation and acquisition of adequate water, sanitary sewer, and drainage facilities for and within the land sought to be added to the District.

(2) A public necessity exists for the addition of said lands to the District to promote and protect the purity and sanitary condition of the State's waters and the public health and welfare of the community, by and through the purchase, construction, extension, improvement, maintenance and operation of a water supply and sanitary sewer system, drainage facilities, and recreational facilities (if allowed by applicable law).

#### VI.

The Petitioner agrees and hereby covenants that if the requested consent to the annexation of the land to the District is given, the Petitioner will adopt and abide by the conditions set forth in Exhibit "B" attached hereto and incorporated herein for all purposes.

#### VII.

It is now estimated by the Petitioner from such information as is available at this time, that the amount of bonds necessary to be issued to finance development costs contemplated within the area proposed to be annexed will be approximately \$0.00.

WHEREFORE, Petitioner respectfully prays that this petition be granted in all respects and that the City of Houston give its consent to the annexation of the aforesaid land into said District.

Dated this the 28<sup>th</sup> day of August, 2020

HARRIS COUNTY EMERGENCY SERVICES  
DISTRICT NO. 60

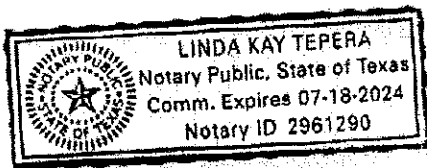
By: Helen Lauersdorf

Name: Helen Lauersdorf

Title: President

THE STATE OF TEXAS       §  
  §  
COUNTY OF HARRIS       §

This instrument was acknowledged before me on this 28<sup>th</sup> day of August, 2020, by Helen Lauersdorf, President of Harris County Emergency Services District No. 60, a political subdivision of the State of Texas.



Linda K Tepera  
Notary Public in and for the  
State of Texas

(SEAL)

SHELDON ROAD MUNICIPAL UTILITY DISTRICT

By: *Wade Landry*  
Name: Wade Landry  
Title: President, Board of Directors

THE STATE OF TEXAS       §  
  §  
COUNTY OF Harris       §

This instrument was acknowledged before me on this 27 day of August, 2020, by Wade Landry the President of SHELDON ROAD MUNICIPAL UTILITY DISTRICT, on behalf of said district.

*Gabriela Rodriguez*  
Notary Public in and for the  
State of Texas



## Exhibit "A"

### Tract 1

Being a tract of land containing 6.722 acres (292,809 square feet), situated in the John Jones Survey, Abstract 483, Harris County, Texas, being a portion of a tract of land conveyed unto Dorothy Palermo, by deed recorded under County Clerk's File No. H537202 of the Official Public Records of Harris County, Texas. Said 6.722-acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument in the southeast right-of-way line of Old Beaumont Highway (a.k.a. U.S Highway 90) (a.k.a. Houston-Crosby Road) (width varies) for the northwest corner of Reserve "A", in Block 1, of Sheldon ISD Agriculture and Education Complex, a subdivision plat recorded in Film Code No 517138 of the Map Records of Harris County, Texas, and for the northeast corner of the said tract herein described;

THENCE South 25° 40' 13" East, with the southwest line of said Reserve "A", a distance of 184.71 feet (called 188.00 feet) to a point for an angle point in west line of said Reserve "A", being in the east line of the said tract herein described, from which a found 1 -inch iron pipe bears South 42° 11' 53" West a distance of 0.83 feet;

THENCE South 00° 27' 11" West (called South), with the west line of said Reserve "A", a distance of 518.66 feet (called 512.00 feet) to a found 5/8-inch iron rod for the southwest corner of said Reserve "A", and the southeast corner of the said tract herein described;

THENCE North 89° 30' 25" West (called West), a distance of 502.41 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the southwest corner of the said tract herein described;

[HENCE North 00° 11' 57" East, a distance of 466.37 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" in the southeast right-of-way line of said Old Beaumont Highway for the northwest corner of the said tract herein described;

THENCE North 64° 40' 00" East, with the southeast right-of-way line of said Old Beaumont Highway, a distance of 113.76 feet to a set 1/2 -inch iron rod with cap marked "SURVEY 1" for an angle point in southeast right-of-way line of said Old Beaumont Highway, and being in the northwest line of the said tract herein described;

THENCE North 57° 48' 30" East, with the southeast right-of-way line of said Old Beaumont Highway, a distance of 100.71 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for an angle point in southeast right-of-way line of said Old Beaumont Highway, and being in the northwest line of the said tract herein described;



THENCE North 64° 40' 00" East, with the southeast right-of-way line of said Old  
Beaumont Highway, a distance of 262.00 feet to the POINT OF BEGINNING  
and containing 6.722 acres (292,809 square feet), more or less.

**NOTE: THE COMPANY DOES NOT REPRESENT THAT THE ABOVE  
ACREAGE OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.**

RP-2020-107982

**Exhibit "A"**

Tract 2

that certain tract or parcel of land containing 0.826 acre, more or less, out of Lot 20, Houston Farms Subdivision, a subdivision in Harris County, Texas, according to the map or plat recorded in Volume 5, Page 61 of the Map Records of Harris County, Texas. Also out of the J.E. Gustafson 167.156 acre tract more or less, located in John Jones Survey, Abstract No. 483, Harris County, Texas, said 0.826 acre, more or less, tract of land being more particularly described in that Warranty Deed recorded April 23, 1982 in the Real Property Records of Harris County, Texas, under File Clerk No. H422878

**EXHIBIT "B"**  
**CITY OF HOUSTON CONDITIONS**



## 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

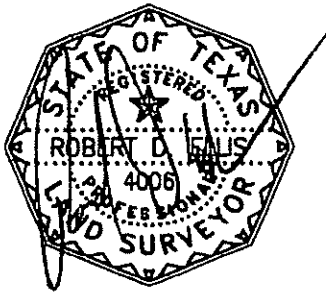
Exhibit B

**HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 60  
6.722 ACRES  
JOHN JONES SURVEY A-483**

Being a 6.722 acres tract described in conveyance to Harris County Emergency Services District No. 60 recorded at Harris County clerk's File No. 20150278583 and being RESTRICTED RESERVE "A" BLOCK 1 of the SHELDON COMMUNITY FIRE AND RESCUE NO. 2 SUBDIVISION as per the map or plat thereof recorded in the Harris County Map Records at Film Code No. 681175

Basis of Bearing: Grid North Texas State Coordinate System, NAD83, South Central Zone.

NOTE: THIS PROPERTY DESCRIPTION HAS BEEN PREPARED BASED ON AN ACTUAL SURVEY MADE ON THE GROUND UNDER THE DIRECTION OF ROBERT D. ELLIS REGISTERED PROFESSIONAL LAND SURVEYOR 4006, DATED AUG. 24, 2020 AND TO WHICH REFERENCE IS HEREBY MADE.

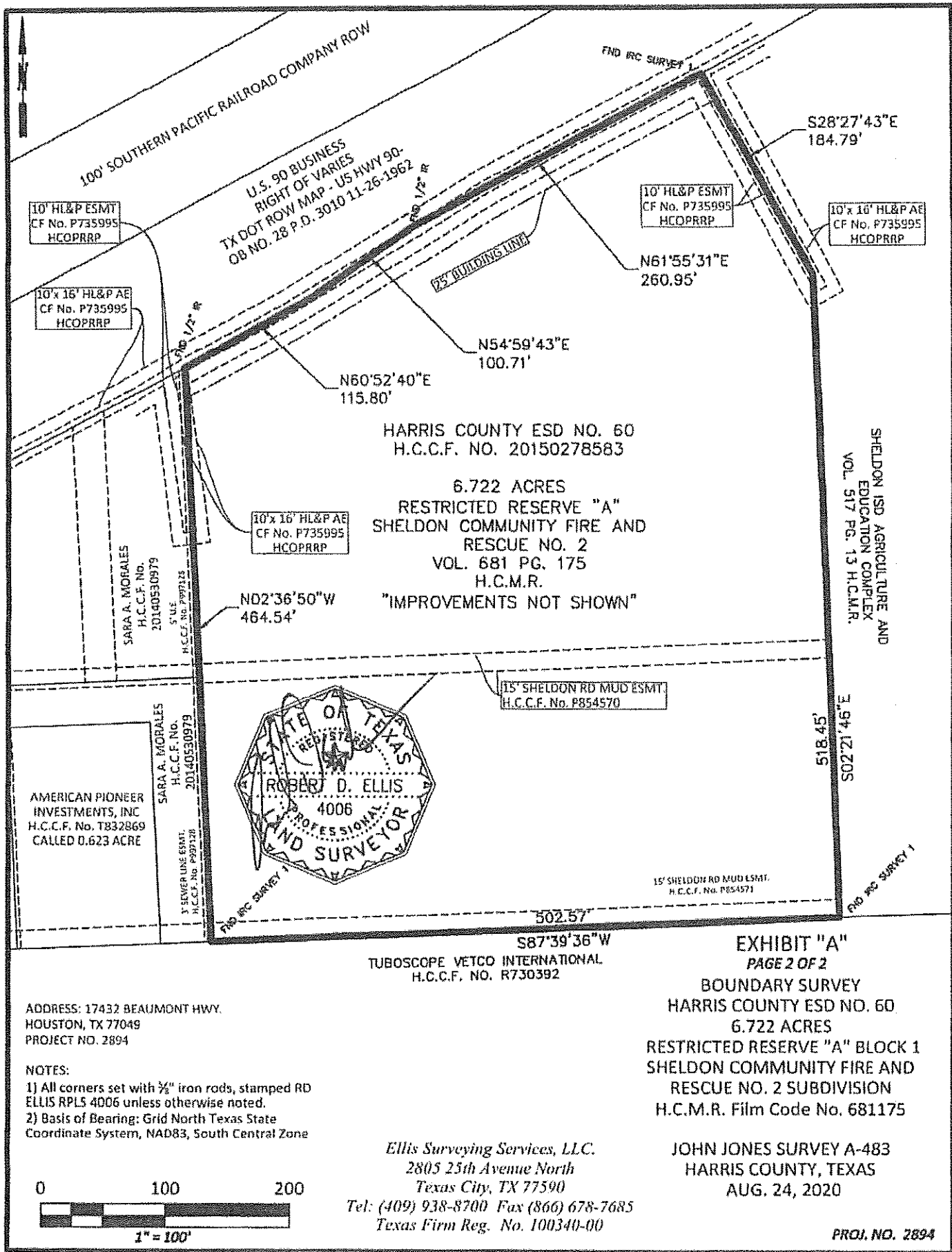


*Ellis Surveying Services, LLC.  
2805 25th Avenue North  
Texas City, TX 77590  
Tel: (409) 938-8700 Fax (866) 678-7685  
Texas Firm Reg. No. 100340-00*

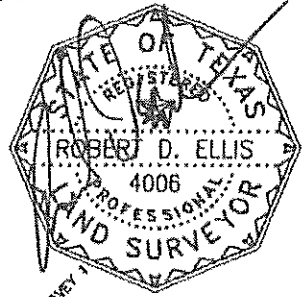
**PROJ. NO. 2894**

**EXHIBIT "A"**  
*PAGE 1 OF 2*  
**BOUNDARY SURVEY  
HARRIS COUNTY ESD NO. 60  
6.722 ACRES  
RESTRICTED RESERVE "A" BLOCK 1  
SHELDON COMMUNITY FIRE AND  
RESCUE NO. 2 SUBDIVISION  
H.C.M.R. Film Code No. 681175**

**JOHN JONES SURVEY A-483  
HARRIS COUNTY, TEXAS  
AUG. 24, 2020**

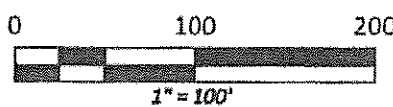


HARRIS COUNTY ESD NO. 60  
 H.C.C.F. NO. 20150278583  
 6.722 ACRES  
 RESTRICTED RESERVE "A"  
 SHELDON COMMUNITY FIRE AND  
 RESCUE NO. 2  
 VOL. 681 PG. 175  
 H.C.M.R.  
 "IMPROVEMENTS NOT SHOWN"



ADDRESS: 17432 BEAUMONT HWY.  
 HOUSTON, TX 77049  
 PROJECT NO. 2894

- NOTES:
- 1) All corners set with 3/8" iron rods, stamped RD ELLIS RPL5 4006 unless otherwise noted.
  - 2) Basis of Bearing: Grid North Texas State Coordinate System, NAD83, South Central Zone



S87°39'36"W  
 TUBOSCOPE VETCO INTERNATIONAL  
 H.C.C.F. NO. R730392

EXHIBIT "A"  
 PAGE 2 OF 2  
 BOUNDARY SURVEY  
 HARRIS COUNTY ESD NO. 60  
 6.722 ACRES  
 RESTRICTED RESERVE "A" BLOCK 1  
 SHELDON COMMUNITY FIRE AND  
 RESCUE NO. 2 SUBDIVISION  
 H.C.M.R. Film Code No. 681175

Ellis Surveying Services, LLC.  
 2805 25th Avenue North  
 Texas City, TX 77590  
 Tel: (409) 938-8700 Fax (866) 678-7685  
 Texas Firm Reg. No. 100340-00

JOHN JONES SURVEY A-483  
 HARRIS COUNTY, TEXAS  
 AUG. 24, 2020

**METES & BOUNDS DESCRIPTION  
HARRIS COUNTY ESD NO. 60  
9035 JOHNS ROAD  
HOUSTON TEXAS 77049  
H.C.C.F. NO. 2018-329420**

All that certain 0.826 acre lot, tract or parcel of land out of Lot 20 Houston Farms Subdivision, a subdivision in Harris County, Texas, according to the map or plat recorded in Volume 5 Page 61 of the Map Records of Harris County, Texas. Also out of J.E. Gustafson 167.156 acre tract located in the John Jones Survey, Abstract No. 483 and being that same tract as described in conveyance to Harris County ESD No. 60 recorded at Harris County Clerk's File No. 2018-329420, said 0.826 acre tract being more particularly described by metes and bounds as follows, to-wit:

**COMMENCING** at point in the south right of way line of U.S. Highway No. 90 for the northeast corner of the said 167.156 acre tract;

**THENCE** S02°00'56"E, along the upper east line of said 167.156 acre tract, a distance of 675.25 feet to a point for corner;

**THENCE** S87°23'04"W, along the most northerly south line of said 167.157 acre tract, at 48.95 feet pass an interior corner of said 167.145 acre tract, and continuing for a total distance of 273.95 feet to a point for corner;

**THENCE** S02°36'56"E, along the west line of a road easement (Johns Road) per instrument in Volume 7659, Page 564 of the Deed Records of Harris County Texas, at 460.8 feet pass the South line of the E.E. Miller tract recorded in Volume 7484 Page 317 Deed Records of Harris County Texas, continuing for a total distance of 1460.80 feet to the northeast corner of the herein described tract, and the **PLACE OF BEGINNING**;

**THENCE** S87°23'04"W, a distance of 180.00 feet to a point;

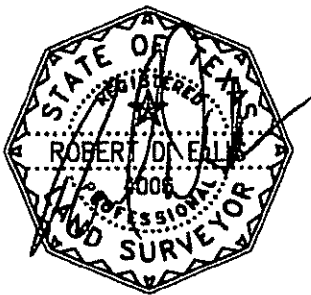
**THENCE** S02°36'56"E a distance of 200.00 feet to the northwest corner of a tract of land described and recorded in Volume 7609 Page 99 of the Deed Records of Harris County Texas;

**THENCE** N87°23'04"E, a distance of 180.00 feet to the west line of said road easement (Johns Road)

**THENCE** N02°36'56"W, a distance of 200.00 feet to the **PLACE OF BEGINNING**, being 0.826 acres of land more or less.

Basis of Bearing: Grid North Texas State Coordinate System, NAD83, South Central Zone.

**NOTE: THIS PROPERTY DESCRIPTION HAS BEEN PREPARED BASED ON A SURVEY MADE ON THE GROUND UNDER THE DIRECTION OF ROBERT D. ELLIS REGISTERED PROFESSIONAL LAND SURVEYOR REG. NO. 4006 DATED AUG. 25, 2020 AS DEPICTED ON SURVEY PLAT ATTACHED HERETO AND TO WHICH REFERENCE IS HEREBY MADE.**



*Ellis Surveying Services, LLC.  
2805 25th Avenue North  
Texas City, TX 77590  
Tel: (409) 938-8700 Fax (866) 678-7685  
Texas Firm Reg. No. 100340-00*

**EXHIBIT "A"**  
**PAGE 1 OF 2**

**BOUNDARY SURVEY  
0.826 ACRE TRACT  
H.C.C.F. NO. 2018-329420  
OUT OF THE  
JOHN JONES SURVEY A-483  
HARRIS COUNTY, TEXAS**

PATRIOT PIPE REAL ESTATE, LLC  
H.C.CF.NO. 20140509481

HOUSTON FARMS SUBDIVISION  
LOT 20  
VOL. 5 PG 61  
H.C.M.R.

JOHN JONES SURVEY A-483

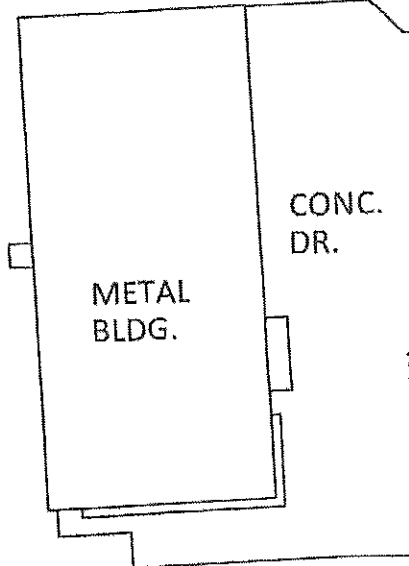
FND. 5/8" IR

S87°23'04"W  
180.00'

FND. 1/2" IR

S2°36'56"E  
1460.80'

S2°36'56"E  
200.00'



200.00'  
N2°36'56"W

JOHNS ROAD  
VOL. 7639 PG.564  
H.C.D.R.

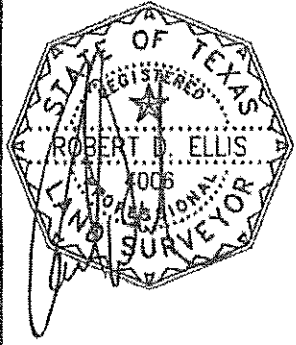
HARRIS CO. ESD NO. 60  
0.826 ACRES  
H.C.CF.NO. 2018-329420

FND. 1/2" IR

N87°23'04"E  
180.00'

FND. 1/2" IR

ROBERT LOCKHARDT  
H.C.CF.NO. N296908

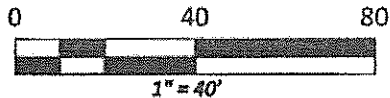


ADDRESS: 9035 JOHNS ROAD  
HOUSTON, TX 77049  
PROJECT NO. 2894

EXHIBIT "A"  
PAGE 2 OF 2

NOTES:

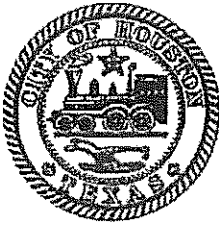
- 1) All corners set with 3/8" iron rods, stamped RD ELLIS RPLS 4006 unless otherwise noted.
- 2) Basis of Bearing: Grid North Texas State Plane Coordinate System, Nad83, South Central Zone



Ellis Surveying Services, LLC.  
2805 25th Avenue North  
Texas City, TX 77590  
Tel: (409) 938-8700 Fax (866) 678-7685  
Texas Firm Reg. No. 100340-00

BOUNDARY SURVEY  
0.826 ACRE TRACT  
H.C.C.F. NO. 2018-329420  
OUT OF THE  
JOHN JONES SURVEY A-483  
HARRIS COUNTY, TEXAS





## 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.