

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

April 8, 2024

The Board of Supervisors of Brookshire-Katy Drainage District (the "District") met in regular session, open to the public, at 7:00 p.m. at 1111 Kenney Street, Brookshire, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Arnold England	President
Pat Keeling	Vice President
David Welch	Secretary
Blake Beckendorff	Supervisor
John Chisum	Supervisor

and all of the above were present except Supervisor England, thus constituting a quorum.

Also attending the meeting were Stan Kitman, General Manager of the District; Wendy Sidwell, District Administrator; Rod Pinheiro, P.E., and Michael McCarthy, P.E., of Quiddity Engineering ("Quiddity" or "Engineer"); Blair Bozoarth, P.E. of Quiddity Engineering Land Development Group representing Sunterra and Grange Developments; William Petrov, attorney, and Mirna Croon, paralegal, of Johnson Petrov, LLP ("Johnson Petrov" or "Attorney"); Johny Price of Gessner Engineering; and Ronnie Podraza and Craig Champion of Champco Inc.

Agenda Item No. 1
CALL TO ORDER

The Vice-President called the meeting to order.

Agenda Item No. 2
INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was opened with the Invocation and Pledge of Allegiance.

Agenda Item No. 3
PUBLIC COMMENT

There was no public comment.

Agenda Item No. 4
MINUTES OF MARCH 11, 2024, REGULAR BOARD MEETING AND MARCH 25, 2024 SPECIAL BOARD MEETING

Upon motion by Supervisor Welch, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved the minutes of the March 11, 2024 and March 25, 2024 Board meetings.

Agenda Item No. 5
ENGINEER'S REPORT

- (a) Permit Application for Drainage Study Analysis Report (ID:24-00034) and Tract Development Without Platting for J&J Packing Facility ID: 24-00035; Permit No. 2024-21. Mr. McCarthy updated the Board regarding Permit Application No. 2024-21.

**MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT**

April 8, 2024

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and all of the above were present except Supervisor England, thus constituting a quorum.

Also attending the meeting were Stan Kitzman, General Manager of the District; Wendy Sidwell, District Administrator; Rod Pinheiro, P.E., and Michael McCarthy, P.E., of Quiddity Engineering ("Quiddity" or "Engineer"); Blair Bozoarth, P.E. of Quiddity Engineering Land Development Group representing Sunterra and Grange Developments; William Petrov, attorney, and Mirna Croon, paralegal, of Johnson Petrov, LLP ("Johnson Petrov" or "Attorney"); Johny Price of Gessner Engineering; and Ronnie Podraza and Craig Champion of Champco Inc.

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Agenda Item No. 5
ENGINEER'S REPORT

- (a) Permit Application for Drainage Study Analysis Report (ID:24-00034) and Tract Development Without Platting for J&J Packing Facility ID: 24-00035; Permit No. 2024-21. Mr. McCarthy updated the Board regarding Permit Application No. 2024-21.

- (b) Detention Facilities Maintenance Agreement between Terry Luedtke, Robyn Luedtke and J&J Packing Company, Inc. and Brookshire-Katy Drainage District regarding J&J Packing Permit No. 2024-21. Upon motion by Supervisor Welch, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved (i) Permit Application for Drainage Study Analysis Report (ID:24-00034) and Tract Development Without Platting for J&J Packing Facility ID: 24-00035; Permit No. 2024-21, as recommended by Quiddity in the letter attached hereto as Exhibit "A-1"; and (ii) Detention Facilities Maintenance Agreement between Terry Luedtke, Robyn Luedtke and J&J Packing Company, Inc. and Brookshire-Katy Drainage District regarding J&J Packing Permit No. 2024-21.

[Mr. Podraza, Mr. Price, and Mr. Champion departed the meeting.]

- (c) (d) Permit Application for Tract Development Without Platting for Brookwood Community ID: 24-00108, Permit No. 2024-10; and Detention Facilities Maintenance Agreement between Brookwood Real Property and Brookshire-Katy Drainage District regarding Brookwood Community Permit No. 2024-10. Upon motion by Supervisor Chisum, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board (i) approved Permit Application for Tract Development Without Platting for Brookwood Community ID: 24-00108, Permit No. 2024-10, as recommended by Quiddity in the letter attached hereto as Exhibit "A-2"; and (ii) approved the Detention Facilities Maintenance Agreement between Brookwood Real Property and Brookshire-Katy Drainage District regarding Brookwood Community Permit No. 2024-10.
- (e) Permit Application for Tract Development With Platting and Final Drainage Plans (ID:00122) for Bartlett Road Street Dedication Section 4 - ID: 00123; Permit No. 2024-05 and Section 5 - ID: 00261; Permit No. 2024-06. Upon motion by Supervisor Chisum, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved Permit Application for Tract Development With Platting and Final Drainage Plans (ID:00122) for Bartlett Road Street Dedication Section 4 - ID: 00123; Permit No. 2024-05 and Section 5 - ID: 00261; Permit No. 2024-06, as recommended by Quiddity in the letter attached hereto as Exhibit "A-3". The approval is subject to two conditions:
- i. The Detention Facilities Maintenance Agreement between Sunterra and the District must be approved within the next 90 days; and
 - ii. Sunterra is required to pay additional review fees.
- (f) Permit Application for Final Drainage Plans (ID:24-00089) and Tract Development With Platting - Final Plat for Sunterra Section 65 - ID: 24-00088; Permit No. 2024-01. Mr. McCarthy reviewed the recommendation letter for Permit No. 2024-01, a copy of which is attached hereto as Exhibit "A-4".
- (g) Permit Application for Final Drainage Plans (ID: 24-00073) and Tract Development With Platting - Final Plat for Sunterra Section 66 - ID: 24-00079; Permit No. 2023-62. Mr. McCarthy reviewed the recommendation letter for Permit No. 2023-62, a copy of which is attached hereto as Exhibit "A-5".

(h) Permit Application for Final Drainage Plans (ID: 24-00075) and Tract Development With Platting - Final Plat for Sunterra Section 67 - ID: 24-00074; Permit No. 2023-63. Mr. McCarthy reviewed the recommendation letter for Permit No. 2023-63, a copy of which is attached hereto as Exhibit "A-6".

(i) Permit Application for Final Drainage Plans (ID: 24-00066) and Tract Development With Platting - Final Plat for Sunterra Section 68 - ID: 24-00085; Permit No. 2023-60. Mr. McCarthy reviewed the recommendation letter for Permit No. 2023-60, a copy of which is attached hereto as Exhibit "A-7".

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved Permit Nos. 2024-01, 2023-62, 2023-63, and 2023-60, as described in agenda items 5 (f) through (i).

The approval is subject to two conditions:

- iii. The Detention Facilities Maintenance Agreement between Sunterra and the District must be approved within the next 90 days; and
- iv. Sunterra is required to pay additional review fees.

(j) Permit Application for Tract Development With Platting for Lakes of Cane Island Drive Street Dedication - Preliminary Plat and Drainage Plans (ID: 00326). Mr. McCarthy reviewed the recommendation letter for Preliminary Plat and Drainage Plans (ID: 00326), a copy of which is attached hereto as Exhibit "A-8".

(k) Permit Application for Tract Development With Platting for Waller County Municipal Utility District No. 58 Lift Station No. 1 - Preliminary Plat and Drainage Plans (ID: 00327). Mr. McCarthy reviewed the recommendation letter for Preliminary Plat and Drainage Plans (ID: 00327), a copy of which is attached hereto as Exhibit "A-9".

(l) Permit Application for Tract Development With Platting for Lakes of Cane Island Detention Reserve A - Preliminary Plat and Drainage Plans (ID: 00329). Mr. McCarthy reviewed the recommendation letter for Preliminary Plat and Drainage Plans (ID: 00329), a copy of which is attached hereto as Exhibit "A-10".

Upon motion by Supervisor Welch, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved Preliminary Plat and Drainage Plans ID Nos. 00326, 00327, and 00329, as described in agenda items 5 (j) through (l).

(m) Permit Application for Tract Development With Platting for Riceland Real Estate, LLC - Preliminary Plat and Drainage Plans (ID: 00346). Upon motion by Supervisor Chisum, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved Preliminary Plat and Drainage Plans ID No. 00346, as recommended by Quiddity in the letter attached hereto as Exhibit "A-11".

- (n) Update on Sunterra Development. Mr. Bozoarth provided an update on the progress of the Sunterra Development. He mentioned that there are additional 10 sections and six roadway projects remaining to be finished. The plans for all of these pending projects have already been submitted to the District for their review and approval process.
- (o) Update on Grange Development. Mr. Bozoarth proceeded to give progress reports on the Grange development and reported on the status for the upcoming wastewater treatment plant and water plant. He stated that the development will have 2400 lots once completed.

Agenda Item No. 6

GENERAL MANAGER'S REPORT

Next, Mr. Kitzman reviewed the General Manager's Report, a copy of which is attached hereto as Exhibit "B". He provided an update on the status of the bids received for the construction of the new Administration Building. Additionally, he discussed the key points from the Inspector's Report.

Agenda Item No. 7

FINANCIAL REPORT

Ms. Sidwell presented to and reviewed with the Board the March 2024 bills.

Upon motion by Supervisor Beckendorff, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved paying the March 2024 bills.

Ms. Sidwell then presented to and reviewed with the Board the March Financial Report, a copy of which is attached hereto as Exhibit "C". Upon motion by Supervisor Welch, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved the March Financial Report along with checks listed therein.

Next, upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved the Quarterly Financial Advisor's Report, a copy of which is attached hereto as Exhibit "C-1".

Ms. Sidwell next reviewed the status of the 2023-2024 Budget.

ADJOURNMENT

With no additional matters to discuss, upon motion by Supervisor Welch, seconded by Supervisor Chisum, the Board adjourned the meeting at 8:26 p.m.

[EXECUTION PAGE FOLLOWS]

SIGNED this 13th day of May 2024.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors

- Exhibit "A-1" Quiddity Recommendation for Permit No. 2024-21
- Exhibit "A-2" Quiddity Recommendation for Permit No. 2024-10
- Exhibit "A-3" Quiddity Recommendation for Permit Nos. 2024-05 and 2024-06
- Exhibit "A-4" Quiddity Recommendation for Permit No. 2024-01
- Exhibit "A-5" Quiddity Recommendation for Permit No. 2023-62
- Exhibit "A-6" Quiddity Recommendation for Permit No. 2023-63
- Exhibit "A-7" Quiddity Recommendation for Permit No. 2023-60
- Exhibit "A-8" Quiddity Recommendation for Preliminary Plat and Drainage Plans (ID: 00326)
- Exhibit "A-9" Quiddity Recommendation for Preliminary Plat and Drainage Plans (ID: 00327)
- Exhibit "A-10" Quiddity Recommendation for Preliminary Plat and Drainage Plans (ID: 00329)
- Exhibit "A-11" Quiddity Recommendation for Preliminary Plat and Drainage Plans (ID: 00346)
- Exhibit "B" General Manager Report
- Exhibit "C" Financial Report
- Exhibit "C-1" Quarterly Financial Advisor's Report



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April 7, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: J&J Packing Company, Inc.
J&J Packing Facility – Final Drainage Plans
Application ID No. 24-00035
Permit No. 2024-21
Quiddity Job No. R0002-1020-01.005

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: Gessner Engineering

Application Type: Tract Development without Platting – Final Drainage Plans

Location: 35602 US 90 West, Brookshire, Texas 77423

Survey: William Cooper, Abstract 20, Waller County, Texas

Previous Approvals: N/A

Description: The Development is comprised of approximately 9.25 acres and located north of US Highway 90, west of FM 1489, east of Wilpitz Road, and south of FM 359. The Development is an expansion to the existing J&J Packing Company, Inc. development that abuts to and is located east of the proposed improvements. The existing J&J Packing development does not have a permit with the District.

The existing drainage conditions for the Development are split, with the majority of the tract sheet flowing to the south and outfalling to the US Highway 90 right-of-way (ROW), under TxDOT jurisdiction. The remaining area within the Development sheet flows to the northwest towards Union Pacific Railroad (UPRR) ROW.

The Development includes construction of two on-site detention ponds (Pond 1 and Pond B2). The total detention storage volume for the Development is 2.93 acre-feet and the detention storage rate is 1.17 ac-ft/ac. Pond 1 is proposed to be a dry bottom detention



QUIDDITY

Mr. Arnold England, President
April 7, 2024
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pond with a maximum water surface elevation of approximately 127.39 ft, minimum 1-ft of freeboard, 4:1 side slopes, concrete pilot channel, and 15-ft maintenance berms. Runoff from the proposed improvements will be routed to Pond 1 via storm sewer that discharges into two (2) open grass-lined channels, which will then discharge into Pond 1 via dual 18-inch HDPE pipes.

The Development includes one outfall from Pond 1 into US Highway 90 ROW. The outfall includes 4:1 concrete wingwalls, with a staged outlet structure using 18-inch and 10.75-inch orifices set at flowline elevations of 125.5-ft and 123.5-ft, respectively. The staged outlet structure connects to a 12-inch HDPE pipe that discharges to US Highway 90 ROW. Pond 1 includes an extreme event spillway that is sized to convey the peak 100-yr release flow from Pond 1 into US Highway 90 ROW at the outlet location.

As previously mentioned, there is a small area that naturally sheet flows to the northeast into UPRR ROW. The Development does not propose to direct any runoff from the proposed impervious cover to the UPRR ROW. However, there is approximately 0.03 acres of additional area with the proposed grading modifications which equates to an increase of 0.54 cfs of flow in the 100-yr storm event as compared to existing conditions that is directed to the UPRR ROW. To mitigate the increase in flow from this small area, the Development proposes Pond B2 with a controlled release to the UPRR ROW via an 8-inch HDPE outfall pipe. Pond B2 includes 0.32 ac-ft of detention, 3:1 side slopes, a depth less than 3-ft, and maintenance berm of 10-ft. The Pond B2 detention outfall results in a decrease in flow at the outlet into UPRR ROW of approximately 1.47 cfs in the 100-yr storm event.

TxDOT Permit:

The Applicant submitted TxDOT approval for the discharge to US Highway 90 under TxDOT Permit No. 23070320.

DFMA:

The Applicant submitted the executed original copies of the Detention Facilities Maintenance Agreement (DFMA) between the District, Terry Luedtke and Robyn Luedtke, and J&J Packing Company, Inc. The DFMA will be placed on the agenda for District approval once recommended by the District's legal counsel.

Technical Review:

Based on our review of the final drainage plans (plans), the permit application generally complies with the District's Rules and Regulations (R&R); we interpose no objection and recommend its approval by the District's Board of Supervisors.



Mr. Arnold England, President
April 7, 2024
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Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, the plans submitted have been prepared, dated, signed, and sealed by a Professional Engineer. They are licensed to practice in the State of Texas, which therefore conveys these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.

The applicant shall not use this letter to commence any construction activities prior to receiving the **approved permits** from all governing entities with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael H. McCarthy", written in a cursive style.

Michael H. McCarthy, PE

MHM/dme

[https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1020-01.005 J&J Packing Facility/3.0 - LETTERS/J&J Packing Facilities Final Drainage Plans Approval Ltr 040724.docx](https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared%20Documents/BKDD%20All%20Permits/R0002-1020-01.005%20J&J%20Packing%20Facility/3.0%20-%20LETTERS/J&J%20Packing%20Facilities%20Final%20Drainage%20Plans%20Approval%20Ltr%20040724.docx)

cc: Ms. Samantha Beevers – Gessner Engineering, Inc. via email sbeevers@gessnereng.com
Mr. Johnnie L. Price, Jr. - Gessner Engineering, Inc. via email jprice@gessnereng.com
Mr. Pedro Rico, PE - Gessner Engineering, Inc. via email prico@gessnereng.com
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



QUIDDITY

Exhibit "A-2"

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April 7, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Brookwood Real Property
Brookwood Community Site Development – **Final Drainage Plans**
Application ID No. 24-00108
Permit No. 2024-10
Quiddity Job No. R0002-1020-01.012

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: H2B, Inc.

Permit Type: Tract Development without Platting – Final Drainage Plans

Location: 1752 FM 1489, Brookshire, Texas 77423

Survey: William Cooper Survey, Abstract 20, Waller County, Texas

Previous Approvals: Drainage Impact Analysis (DIA) for Brookwood Community dated August 8, 2018 and revised March 23, 2020

Final Drainage Plans (FDP) 2020-21 for Brookwood Community Improvements – Residential Group Home Additions dated March 31, 2020,

Final Drainage Plans (FDP) 2022-97 for Brookwood Community Meadows & Derek Homes dated November 21, 2022,

Description: The Development encompasses approximately 4.64 acres of land for proposed residential development and associated drainage and detention improvements. The proposed drainage and detention facilities are intended to serve the residential development in this project in addition to a future Project B that will include approximately 6.57 acres for future residential development.



Mr. Arnold England, President

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The Development includes the construction of residential home improvements, three detention ponds (Pond A3, Pond H2, and Pond G2) and accompanying outfalls. The total detention storage volume proposed is 8.14 ac-ft and the detention storage rate applied for the Development is 0.72 ac-ft/ac, which exceeds the District's minimum criteria. Each pond includes a minimum detention storage rate of 0.65 ac-ft/ac, 1-ft of freeboard, 4:1 side slopes, concrete pilot channels, and maintenance berms in accordance with the District's criteria. The Development proposes emergency overflow spillways lined in flexamat material with each pond that are sized to convey peak 100-yr flow discharge rates. Each pond will outfall via proposed trapezoidal weirs and grass-lined swales that will connect to an existing ditch located in the middle of the property. The existing ditch conveys flow south to an existing 10-ft x 5-ft reinforced concrete box under FM 1489, which ultimately outfalls into Bessie's Creek further downstream. The proposed detention facilities only serve the detention storage needs for the Development and does not provide detention capacity for existing impervious cover within the Brookwood Community. A variance was previously approved by the District's Board of Supervisors on January 8, 2024 to exclude detention requirements for the existing impervious cover within the Brookwood Community.

TxDOT No Objection: The Development's outfall is directed to TxDOT right-of-way (ROW) with flow being directed under FM 1489 via an existing 10-ft x 5-ft reinforced concrete box. The Applicant provided a letter of no objection from TxDOT for the Development as it relates to the FM 1489 culvert.

DFMA: The Applicant submitted the executed original copies of the Detention Facilities Maintenance Agreement (DFMA) between the District and Brookwood Real Property. The DFMA will be placed on the agenda for District approval once recommended by the District's legal counsel.

Technical Review: The Development's final drainage plans (plans) have been reviewed by the District, and comments addressed. Based on our review of the plans, the permit application generally complies with the District's Rules and Regulations (R&R). We interpose no objection and recommend approval of the plans.

Please note that this recommendation does not necessarily mean that all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve those associated with the project related to the permit application from complying with the District's R&R or any other regulatory requirements from any other entity having jurisdiction. Moreover, the plans submitted



Mr. Arnold England, President

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have been prepared, signed, dated, and sealed by a Professional Engineer licensed to practice engineering in the State of Texas, which therefore conveys the licensed Engineer's responsibility and accountability.

At this time, no deviation or variance requests from the District's Rules and Regulations have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

The applicant shall not use this letter to commence any construction activities prior to receiving the **approved permit** from the governing entity with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

[https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1020-01.012 Brookwood Community/3.0 - LETTERS/Brookwood Community Final Drainage Plans Approval ltr 040724.docx](https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared%20Documents/BKDD%20All%20Permits/R0002-1020-01.012%20Brookwood%20Community/3.0%20LETTERS/Brookwood%20Community%20Final%20Drainage%20Plans%20Approval%20ltr%20040724.docx)

cc: Ms. Sylvia J. Patton – The Brookwood Community via email sylviap@brookwoodcommunity.org
Mr. Frank Espinal, PE - H2B, Inc. via email frank.espinal@h2bengineers.com
Mr. Ross McCall, PE – Waller County Engineer via email r.mccall@wallercounty.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 7, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Astro Sunterra, LP
Bartlett Road Street Dedication Section 4 and 5 – **Final Plats and Drainage Plans**
Application ID Nos. 00123 (FP Sec 4), 00261 (FP Sec 5), and 00122 (FDP Sec 4 and Sec 5)
Permit Nos. 2024-05 and 2024-06
Quiddity Job Nos. R0002-1019-01.010 and R0002-1019-01.035

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received permit applications as follows:

Applicant: Quiddity Engineering - LDS

Permit Type: Tract Development with Platting – Final Plat and Drainage Plans

Location: South of Beckendorff Road, west of Pitts Road, east of Schlipf Road, and north of Stockdick Road

Survey: H.T.&C. Railroad Company Survey Section 129, Abstract 204, Waller County, Texas

Description: The proposed Bartlett Road Street Dedication Section 4 and Section 5 (Development) encompasses approximately 3.47 and 2.63 acres of roadway and accompanying drainage infrastructure, respectively.

The drainage from the site contains two outfall locations. The first outfall is located in the southern area of the Development that collects flow into three (3) 6-ft x 6-ft reinforced concrete boxes (RCBs) under Bartlett Road and discharges into Detention Pond P to the east, which then outfalls to Detention Pond O, which outfalls to Detention Pond N. The construction of the three 6-ft x 6-ft RCBs, and Detention Ponds P, O, and N were included in the "Sunterra Mass Grading and Detention Phase IIB" plans and approved under Permit No. 2021-34 on September 13, 2021. Detention Pond N outfalls into the Phase IB Detention Pond, which then outfalls into the Cane Island Branch of Buffalo Bayou. The construction of the Phase IB Detention Pond was included in the plans titled "Sunterra Phase IB Mass Grading and Detention," which was approved under Permit No. 2020-90 on April 26, 2021.



Mr. Arnold England, President

April 7, 2024

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The second outfall connects to a drainage channel north of Section 55, which will then outfall into Detention Pond V. Detention Pond V will outfall into Detention Pond O, which will then follow the same detention routing as previously mentioned before ultimately outfalling into the Cane Island Branch of Buffalo Bayou. Detention Pond V was included in the plans titled "Sunterra Phase 3 North Detention and Mass Grading" and approved under Permit No. 2022-02 on April 11, 2022.

DFMA:

Detention Ponds V, O, P, N, and Phase IB are a part of the executed addendum to the original Detention Facilities Maintenance Agreement (DFMA).

The property owner will be required to execute a DFMA that includes Offsite Channel V. The Board will consider approval of this agreement once recommended by the District's attorney.

Technical Review:

The Sunterra developments started before the District Rules and Regulations changed on February 28, 2022, to include and adopt the Atlas 14 flow criteria. However, they were designed to satisfy Atlas 14 flow criteria adopted by Harris County.

Based on our review of the final plats and final drainage plans (plans), the permit applications generally comply with the District's Rules and Regulations (R&R); we interpose no objection and recommend their approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

For the Applicant:

Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.



Mr. Arnold England, President

April 7, 2024

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At least two business days prior to starting construction of the Detention Facilities and Drainage Infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).

The applicant shall not use this letter to commence any construction activities prior to receiving all **approved permits** from the governing entities with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1019-01.010 Bartlett Road Street Dedication Section 4/3.0 - LETTERS/Bartlett Rd Sec 4 & 5 Final Plat Approval Ltr_040324.docx

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1019-01.035 Bartlett Road Street Dedication Section 5/3.0 - LETTERS/Bartlett Rd Sec 4 & 5 Final Plat Approval Ltr_040324.docx

cc: Mr. Shamar O'Bryant – Astro Sunterra, L.P. via email sobryant@landtejas.com
Mr. Blair Bozoarth, PE – Quiddity Engineering via email bbozoarth@quiddity.com
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



2322 W Grand Parkway North, Suite 150
Katy, Texas 77449
Tel: 832.913.4000
www.quiddity.com

April 7, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Astro Sunterra, LP
Sunterra Section 65 - **Final Plat and Drainage Plans**
Application ID No. 24-00088 (FP) and 24-00089 (FDP)
Permit No. 2024-01
Quiddity Job No. R0002-1019-01.013

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: Quiddity Engineering - LDS

Permit Type: Tract Development with Platting – Final Plat and Drainage Plans

Location: East of future Bartlett Road, west of Pitts Road, north of Beckendorff Road, south of FM 529

Survey: W. I. Williamson Survey, Abstract 410, Waller County, Texas

Description: The District received a Permit Application for the Final Plat of Sunterra Section 65 (Development). The proposed residential Development encompasses 26.16 acres and includes 48 lots, 5 reserves, and 3 blocks.

The drainage for the Development will be conveyed through underground public storm sewer and outfall into the future Detention Pond Y. Detention Pond Y was included in the plans titled "Sunterra Phase V Detention and Mass Grading" which was approved under Permit No. 2023-57 on October 23, 2023. Detention Pond Y will connect to Detention Pond V. Detention Pond V was included in the plans titled "Sunterra Phase 3 North Detention and Mass Grading," which was approved under Permit No. 2022-02 on April 11, 2022.

Detention Pond V will outfall into Detention Pond O, which will then outfall into Detention Pond N. Detention Ponds O and N were included in the plans titled "Sunterra Mass Grading and Detention Phase IIB," which was approved under Permit No. 2021-34 on September 13, 2021. Detention Pond N will outfall into the Phase IB Detention Pond, which will then outfall into Cane Island Branch of Buffalo Bayou. The Phase IB Detention



Mr. Arnold England, President
April 7, 2024
Page 2

Pond was included in the plans titled "Sunterra Phase IB Mass Grading and Detention", and approved under Permit No. 2020-90 on April 26, 2021.

DFMA:

Detention Ponds V, O, N, and Phase IB are a part of the executed addendum to the original Detention Facilities Maintenance Agreement (DFMA).

The property owner will be required to execute a DFMA that includes Detention Pond Y. The Board will consider approval of this agreement once recommended by the District's attorney.

Technical Review:

The Sunterra development started before the District Rules and Regulations changed on February 28, 2022, to include and adopt the Atlas 14 flow criteria. However, it was designed to satisfy Atlas 14 flow criteria adopted by Harris County.

Based on our review of the final plat and final drainage plans (plans), the permit application generally complies with the District's Rules and Regulations (R&R); we interpose no objection and recommend its approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

For the Applicant:

Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.

At least two business days prior to starting construction of the Detention Facilities and Drainage Infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).



Mr. Arnold England, President

April 7, 2024

Page 3

The applicant shall not use this letter to commence any construction activities prior to receiving all **approved permits** from the governing entities with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1019-01.013 Sunterra Section 65/3.0 - LETTERS/Sunterra Sec 65 Final Plat Approval Ltr_040724.docx

Enclosures

cc: Mr. Shamar O'Bryant – Astro Sunterra, L.P. via email sobryant@landtejas.com
Mr. Blair Bozoarth, PE – Quiddity Engineering via email bbozoarth@quiddity.com
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 7, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Astro Sunterra, LP
Sunterra Section 66 - **Final Plat and Drainage Plans**
Application ID No. 24-00079 (FP) and 24-00073 (FDP)
Permit No. 2023-62
Quiddity Job No. R0002-1019-01.014

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: Quiddity Engineering - LDS

Permit Type: Tract Development with Platting – Final Plat and Drainage Plans

Location: East of future Bartlett Road, west of Pitts Road, north of Beckendorff Road, south of FM 529

Survey: W. I. Williamson Survey, Abstract 410, Waller County, Texas

Description: The District received a Permit Application for the Final Plat of Sunterra Section 66 (Development). The proposed single-family residential development encompasses 14.19 acres and includes 71 lots, 4 reserves, and 3 blocks.

The drainage for the Development will be conveyed through underground public storm sewer and connect to the future Sunterra Section 65 storm sewer system, which will then outfall into the future Detention Pond Y. The final drainage plans for Sunterra Section 65 have been submitted to the District with comments addressed, and will be considered for Board approval on the April 8, 2024 agenda. Detention Pond Y was included in the plans titled "Sunterra Phase V Detention and Mass Grading" which was approved under Permit No. 2023-57 on October 23, 2023. Detention Pond Y will connect to Detention Pond V. Detention Pond V was included in the plans titled "Sunterra Phase 3 North Detention and Mass Grading," which was approved under Permit No. 2022-02 on April 11, 2022.



Mr. Arnold England, President
April 7, 2024
Page 2

Detention Pond V will outfall into Detention Pond O, which will then outfall into Detention Pond N. Detention Ponds O and N were included in the plans titled "Sunterra Mass Grading and Detention Phase IIB," which was approved under Permit No. 2021-34 on September 13, 2021. Detention Pond N will outfall into the Phase IB Detention Pond, which will then outfall into Cane Island Branch of Buffalo Bayou. The Phase IB Detention Pond was included in the plans titled "Sunterra Phase IB Mass Grading and Detention", and approved under Permit No. 2020-90 on April 26, 2021.

DFMA:

Detention Ponds V, O, N, and Phase IB are a part of the executed addendum to the original Detention Facilities Maintenance Agreement (DFMA).

The property owner will be required to execute a DFMA that includes Detention Pond Y. The Board will consider approval of this agreement once recommended by the District's attorney.

Technical Review:

The Sunterra development started before the District Rules and Regulations changed on February 28, 2022, to include and adopt the Atlas 14 flow criteria. However, it was designed to satisfy Atlas 14 flow criteria adopted by Harris County.

Based on our review of the final plat and final drainage plans (plans), the permit application generally complies with the District's Rules and Regulations (R&R); we interpose no objection and recommend its approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.



Mr. Arnold England, President
April 7, 2024
Page 3

For the Applicant: Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.

At least two business days prior to starting construction of the Detention Facilities and Drainage Infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).

The applicant shall not use this letter to commence any construction activities prior to receiving all **approved permits** from the governing entities with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1019-01.014 Sunterra Section 66/3.0 - LETTERS/Sunterra Sec 66 Final Plat Approval Ltr_040724.docx

cc: Mr. Shamar O'Bryant – Astro Sunterra, L.P. via email sobryant@landtejas.com
Mr. Blair Bozoarth, PE – Quiddity Engineering via email bbozoarth@quiddity.com
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 7, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Astro Sunterra, LP
Sunterra Section 67 - **Final Plat and Drainage Plans**
Application ID No. 24-00074 (FP) and 24-00075 (FDP)
Permit No. 2023-63
Quiddity Job No. R0002-1019-01.015

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: Quiddity Engineering - LDS

Permit Type: Tract Development with Platting -- Final Plat and Drainage Plans

Location: East of future Bartlett Road, west of Pitts Road, north of Beckendorff Road, south of FM 529

Survey: W. I. Williamson Survey, Abstract 410, Waller County, Texas

Description: The drainage for the Development will be conveyed through underground public storm sewer and connect to the future Sunterra Section 68 storm sewer system, which will then outfall into the future Detention Pond Y. The final drainage plans for Sunterra Section 68 have been submitted to the District with comments addressed, and will be considered for Board approval on the April 8, 2024 agenda. Detention Pond Y was included in the plans titled "Sunterra Phase V Detention and Mass Grading" which was approved under Permit No. 2023-57 on October 23, 2023. Detention Pond Y will connect to Detention Pond V. Detention Pond V was included in the plans titled "Sunterra Phase 3 North Detention and Mass Grading," which was approved under Permit No. 2022-02 on April 11, 2022.

Detention Pond V will outfall into Detention Pond O, which will then outfall into Detention Pond N. Detention Ponds O and N were included in the plans titled "Sunterra Mass Grading and Detention Phase IIB," which was approved under Permit No. 2021-34 on September 13, 2021. Detention Pond N will outfall into the Phase IB Detention Pond, which will then outfall into Cane Island Branch of Buffalo Bayou. The Phase IB Detention Pond was included in the plans titled "Sunterra Phase IB Mass Grading and Detention", and approved under Permit No. 2020-90 on April 26, 2021.



Mr. Arnold England, President

April 7, 2024

Page 3

The applicant shall not use this letter to commence any construction activities prior to receiving all **approved permits** from the governing entities with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1019-01.015 Sunterra Section 67/3.0 - LETTERS/Sunterra Sec 67 Final Plat Approval Ltr_040724.docx

Enclosures

cc: Mr. Shamar O'Bryant – Astro Sunterra, L.P. via email sobryant@landtejas.com
Mr. Blair Bozoarth, PE – Quiddity Engineering via email bbozoarth@quiddity.com
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 7, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Astro Sunterra, LP
Sunterra Section 68 - **Final Plat and Drainage Plans**
Application ID No. 24-00085 (FP) and 24-00066 (FDP)
Permit No. 2023-60
Quiddity Job No. R0002-1019-01.016

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: Quiddity Engineering - LDS

Permit Type: Tract Development with Platting – Final Plat and Drainage Plans

Location: East of future Bartlett Road, west of Pitts Road, north of Beckendorff Road, south of FM 529

Survey: W. I. Williamson Survey, Abstract 410, Waller County, Texas

Description: The District received a Permit Application for the Final Plat of Sunterra Section 68 (Development). The proposed residential Development encompasses 13.12 acres and includes 59 lots, 3 reserves, and 5 blocks.

The drainage for the Development will be conveyed through underground public storm sewer and outfall into the future Detention Pond Y. Detention Pond Y was included in the plans titled "Sunterra Phase V Detention and Mass Grading" which was approved under Permit No. 2023-57 on October 23, 2023. Detention Pond Y will connect to Detention Pond V. Detention Pond V was included in the plans titled "Sunterra Phase 3 North Detention and Mass Grading," which was approved under Permit No. 2022-02 on April 11, 2022.

Detention Pond V will outfall into Detention Pond O, which will then outfall into Detention Pond N. Detention Ponds O and N were included in the plans titled "Sunterra Mass Grading and Detention Phase IIB," which was approved under Permit No. 2021-34 on September 13, 2021. Detention Pond N will outfall into the Phase IB Detention Pond, which will then outfall into Cane Island Branch of Buffalo Bayou. The Phase IB Detention



Mr. Arnold England, President

April 7, 2024

Page 2

Pond was included in the plans titled "Sunterra Phase IB Mass Grading and Detention", and approved under Permit No. 2020-90 on April 26, 2021.

DFMA:

Detention Ponds V, O, N, and Phase IB are a part of the executed addendum to the original Detention Facilities Maintenance Agreement (DFMA).

The property owner will be required to execute a DFMA that includes Detention Pond Y. The Board will consider approval of this agreement once recommended by the District's attorney.

Technical Review:

The Sunterra development started before the District Rules and Regulations changed on February 28, 2022, to include and adopt the Atlas 14 flow criteria. However, it was designed to satisfy Atlas 14 flow criteria adopted by Harris County.

Based on our review of the final plat and final drainage plans (plans), the permit application generally complies with the District's Rules and Regulations (R&R); we interpose no objection and recommend its approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

For the Applicant:

Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.



Mr. Arnold England, President
 April 7, 2024
 Page 3

At least two business days prior to starting construction of the Detention Facilities and Drainage Infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).

The applicant shall not use this letter to commence any construction activities prior to receiving all **approved permits** from the governing entities with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1019-01.016 Sunterra Section 68/3.0 - LETTERS/Sunterra Sec 68 Final Plat Approval Ltr_040724.docx

Enclosures

cc: Mr. Shamar O'Bryant – Astro Sunterra, L.P. via email sobryant@landtejas.com
 Mr. Blair Bozoarth, PE – Quiddity Engineering via email bbozoarth@quiddity.com
 Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
 Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 5, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: PHHOU – Cane Island 178, LLC
Lakes of Cane Island Drive Street Dedication – **Preliminary Plat**
Application ID No. 00326
Permit No. – N/A
Quiddity Job No. R0002-1033-01.001

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: Edminster Hinshaw Russ & Associates

Permit Type: Tract Development with Platting – Preliminary Plat and Preliminary Drainage Plan

Location: Along Morton Road, south of Clay Road, east of Schlipf Road, and west of Pitts Road

Technical Review: Based on our review of the Preliminary Plat of Lakes of Cane Island Drive Street Dedication, the permit application generally complies with the District's Rules and Regulations; we interpose no objection and recommend its acceptance by the District's Board of Supervisors.

It is to be understood that the **acceptance of the Preliminary Plat** by the District's Board of Supervisors does not constitute official acceptance of the proposed development by the District but does constitute an authorization to begin and proceed with the preparation of the Final Drainage Plans and Final Plat.

The applicant shall not use this Preliminary approval to commence any construction activities until the Final Drainage Plans and Final Plat have been **approved and accepted** in official actions by the District and from any governing entity with jurisdiction.

For the Applicant: The applicant's next step is to submit **two** separate applications: **one for the Final Plat**, outlining the development's layout and design, and **another for the Final Drainage Plans**, including construction plans and drainage calculations. Both applications should include all necessary engineering information and documents for a thorough and comprehensive review.



Mr. Arnold England, President

April 5, 2024

Page 2

DFMA: If proposing detention facilities, the proposed development will require a Detention Facilities Maintenance Agreement (DFMA) with the District. The submittal of the DFMA shall include all required information/documents for review and coordination with the District's Legal Counsel.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1033-01.001 Lakes of Cane Island Drive Street Dedication/2.0 - Letters/Lakes of Cane Island Dr St Ded PP Approval Ltr_040524.docx

Portal Application: https://permitportal.crm.dynamics.com/main.aspx?appid=01ee1176-2cc2-ed11-83ff-000d3a98bb9e&pagetype=entityrecord&etn=bp_defaultapplication&id=3a1dcc15-bbdc-ee11-a73c-000d3a7a5ec9

cc: Ms. Paige Lipetska – Edminster Hinshaw Russ & Associates - plipetska@ehra.team
Mr. Ross McCall, PE - Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III - Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 7, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: PHHOU – Cane Island 178, LLC
Waller County MUD No.58 Lift Station No. 1 – **Preliminary Plat**
Application ID No. 00327
Permit No. – N/A
Quiddity Job No. R0002-1034-01.001

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: Edminster Hinshaw Russ & Associates

Permit Type: Tract Development with Platting – Preliminary Plat and Preliminary Drainage Plan

Location: Along Morton Road, south of Clay Road, east of Schlipf Road, and west of Pitts Road

Technical Review: Based on our review of the Preliminary Plat of Waller County MUD No. 58 Lift Station No. 1, the permit application generally complies with the District's Rules and Regulations; we interpose no objection and recommend its acceptance by the District's Board of Supervisors.

It is to be understood that the **acceptance of the Preliminary Plat** by the District's Board of Supervisors does not constitute official acceptance of the proposed development by the District but does constitute an authorization to begin and proceed with the preparation of the Final Drainage Plans and Final Plat.

The applicant shall not use this Preliminary approval to commence any construction activities until the Final Drainage Plans and Final Plat have been **approved and accepted** in official actions by the District and from any governing entity with jurisdiction.

For the Applicant: The applicant's next step is to submit **two** separate applications: **one for the Final Plat**, outlining the development's layout and design, and **another for the Final Drainage Plans**, including construction plans and drainage calculations. Both applications should include all necessary engineering information and documents for a thorough and comprehensive review.



Mr. Arnold England, President

April 7, 2024

Page 2

DFMA:

If proposing detention facilities, the proposed development will require a Detention Facilities Maintenance Agreement (DFMA) with the District. The submittal of the DFMA shall include all required information/documents for review and coordination with the District's Legal Counsel.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://ionesandcarter-my.sharepoint.com/personal/deben_quiddity_com/Documents/Desktop/040824 BKDD letters/WCMUD No. 58 Lift Station No. 1 PP Approval Ltr_040724.docx

Portal Application: https://permitportal.crm.dynamics.com/main.aspx?appid=01ee1176-2cc2-ed11-83ff-000d3a98bb9e&pagetype=entityrecord&etn=bp_defaultapplication&id=3a1dcc15-bbdc-ee11-a73c-000d3a7a5ec9

cc: Ms. Paige Lipetska – Edminster Hinshaw Russ & Associates - plipetska@ehra.team
Mr. Ross McCall, PE - Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III - Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 5, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: PHHOU – Cane Island 178, LLC
Lakes of Cane Island Detention Reserve A – **Preliminary Plat**
Application ID No. 00329
Permit No. – N/A
Quiddity Job No. R0002-1033-01.002

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

<u>Applicant:</u>	Edminster Hinshaw Russ & Associates
<u>Permit Type:</u>	Tract Development with Platting – Preliminary Plat and Preliminary Drainage Plan
<u>Location:</u>	Along Morton Road, south of Clay Road, east of Schlipf Road, and west of Pitts Road
<u>Technical Review:</u>	Based on our review of the Preliminary Plat of Lakes of Cane Island Detention Reserve A, the permit application generally complies with the District's Rules and Regulations; we interpose no objection and recommend its acceptance by the District's Board of Supervisors. It is to be understood that the acceptance of the Preliminary Plat by the District's Board of Supervisors does not constitute official acceptance of the proposed development by the District but does constitute an authorization to begin and proceed with the preparation of the Final Drainage Plans and Final Plat. The applicant shall not use this Preliminary approval to commence any construction activities until the Final Drainage Plans and Final Plat have been approved and accepted in official actions by the District and from any governing entity with jurisdiction.
<u>For the Applicant:</u>	The applicant's next step is to submit two separate applications: one for the Final Plat, outlining the development's layout and design, and another for the Final Drainage Plans, including construction plans and drainage calculations. Both applications should include all necessary engineering information and documents for a thorough and comprehensive review.



QUIDDITY

Mr. Arnold England, President

April 5, 2024

Page 2

DFMA:

If proposing detention facilities, the proposed development will require a Detention Facilities Maintenance Agreement (DFMA) with the District. The submittal of the DFMA shall include all required information/documents for review and coordination with the District's Legal Counsel.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared_Documents/BKDD_All_Permits/R0002-1033-01.002_Lakes_of_Cane_Island_Detention_Reserve_A/2.0-Letters/Lakes_of_Cane_Island_Detention_Reserve_A_PP_Approval_Ltr_040524.docx

Portal Application: https://permitportal.crm.dynamics.com/main.aspx?appid=01ee1176-2cc2-ed11-83ff-000d3a98bb9e&pagetype=entityrecord&etn=bp_defaultapplication&id=3a1dcc15-bbdc-ee11-a73c-000d3a7a5ec9

cc: Ms. Paige Lipetska – Edminster Hinshaw Russ & Associates - plipetska@ehra.team
Mr. Ross McCall, PE - Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III - Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 7, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Cars and Pickups
Riceland Real Estate LLC – **Preliminary Plat**
Application ID No. 00346
Permit No. – N/A
Quiddity Job No. R0002-1004-03.001.01

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: Texas Land Engineers, Inc.

Permit Type: Tract Development with Platting – Preliminary Plat and Preliminary Drainage Plan

Location: Along 90 Highway Blvd., east of Cane Island Parkway, north of Katy Freeway, and west of Alabama Street

Technical Review: Based on our review of the Preliminary Plat of Riceland Real Estate, the permit application generally complies with the District's Rules and Regulations; we interpose no objection and recommend its acceptance by the District's Board of Supervisors.

It is to be understood that the **acceptance of the Preliminary Plat** by the District's Board of Supervisors does not constitute official acceptance of the proposed development by the District but does constitute an authorization to begin and proceed with the preparation of the Final Drainage Plans and Final Plat.

The applicant shall not use this Preliminary approval to commence any construction activities until the Final Drainage Plans and Final Plat have been **approved and accepted** in official actions by the District and from any governing entity with jurisdiction.

For the Applicant: The applicant's next step is to submit **two** separate applications: **one for the Final Plat**, outlining the development's layout and design, and **another for the Final Drainage Plans**, including construction plans and drainage calculations. Both applications should include all necessary engineering information and documents for a thorough and comprehensive review.



QUIDDITY

Mr. Arnold England, President

April 7, 2024

Page 2

DFMA:

If proposing detention facilities, the proposed development will require a Detention Facilities Maintenance Agreement (DFMA) with the District. The submittal of the DFMA shall include all required information/documents for review and coordination with the District's Legal Counsel.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://jonesandcarter-my.sharepoint.com/personal/deben_quiddity_com/Documents/Desktop/040824_BKDD_letters/Riceland_Real_Estate_PP_Approval_Ltr_040724.docx

Portal Application: https://permitportal.crm.dynamics.com/main.aspx?appid=01ee1176-2cc2-ed11-83ff-000d3a98bb9e&pagetype=entityrecord&etn=bo_defaultapplication&id=3a1dcc15-bbdc-ee11-a73c-000d3a7a5ec9

cc: Mr. Rene Gonzales – Texas Land Engineers, Inc. – rg@texaslandengineers.com
Mr. Ross McCall, PE - Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III - Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com

BROOKSHIRE-KATY DRAINAGE DISTRICT
MONTHLY EQUIPMENT MILEAGE/HOUR, AND EXPENSE REPORT

February 2024

TRACTORS

EQUIPMENT	YEAR MODEL	LIFETIME HOURS	HOURS THIS MONTH	FISCAL YTD HOURS	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
JD 5100E BAT-WING TRACTOR	2019	2,720	15	142	\$128.92	\$255.23
JD R15 15' Flex-Wing Cutter	2019	-	-	-	\$0.00	\$0.00
JD 6145M 2019 BOOM MOWER	2019	2,571	0	213	\$0.00	\$5,093.67
JD 6145M 2021 BOOM MOWER	2021	1,188	8	31	\$599.83	\$6,510.56
JD 6150M BOOM MOWER	2015	6,119	12	158	\$3,386.02	\$4,502.27
JD 930M Z-TRAK MOWER	2018	572	5	17	\$8.22	\$58.24

HEAVY EQUIPMENT

EQUIPMENT	YEAR MODEL	LIFETIME HOURS	HOURS THIS MONTH	FISCAL YTD HOURS	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
CAT D6k2 DOZER	2019	2,106	666	838	\$0.00	\$0.00
CAT 323 EXCAVATOR	2018	4,164	119	318	\$3,634.31	\$3,800.46
CAT 416E BACKHOE	2012	3,412	56	245	\$71.63	\$456.33
JD 755A TRACK LOADER	1982	2,632	14	18	\$2,496.68	\$2,605.99
NORAM 65E MOTOR GRADER	2014	2,938	11	30	\$0.00	\$13.99

VEHICLES

EQUIPMENT	YEAR MODEL	LIFETIME MILES	MILES THIS MONTH	FISCAL YTD MILES	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
F-250 4X4 w/FUEL TANK (CREW)	2020	15,031	348	2,053	\$6.58	\$672.09
TACOMA SR 4X4 (INSPECTOR)	2020	44,170	771	3,561	\$6.58	\$166.74
F-150 4X4 (INSPECTOR)	2017	86,055	1,377	6,001	\$0.00	\$54.70
F-250 4X4 (CREW)	2016	103,534	207	969	\$6.58	\$101.75
F-750 DUMP TRUCK	2011	44,815	1,249	6,393	\$306.00	\$749.94
FREIGHTLINER HAUL TRUCK	2000	300	51	394	\$2,320.99	\$7,651.11
DODGE RAM 4X4 (2301) (CREW)	2023	3,551	185	1,485	\$0.00	\$27.71
DODGE RAM 4X4 (2302) (FOREMAN)	2023	9,490	781	4,374	\$0.00	\$167.39
TACOMA TDR 4X4 (ASST GM)	2023	6,488	977	6,488	\$0.00	\$315.03
FREIGHTLINER DUMP TRUCK	2020	51,672	743	1,499	\$35.62	\$73.61
KAWASAKI MULE PRO	2024	5	3	5	\$16.75	\$16.75

TRAILERS

EQUIPMENT	YEAR MODEL	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
LOAD MAX TRAIL 20' TANDEM	2020	\$0.00	\$0.00
CARRY-ON 6'x8' 2-WHEEL	2017	\$0.00	\$0.00
NUTTALL LOWBOY	1985	\$0.00	\$0.00
SPRAYER TANK TRAILER	?	\$0.00	\$0.00
HOME-MADE 4-WHEEL	1980	\$0.00	\$0.00

MARCH 2024 - FINANCIAL REPORT

Exhibit "C"

General Fund	\$3,163,313.12
Payroll Fund	\$120,049.58
Petty Cash	\$1,791.73
Building Fund	\$2,748,445.13
Capital Improvement Fund	\$764,810.13
Texpool Fund	\$3,138.37
Amegy Bank Checking	\$69,600.84
Austin Co. State Bank CD	\$249,490.71
Bank of Shiner CD	\$184,090.06
Bank of Brenham CD	\$249,449.85
Citizens State Bank CD	\$236,590.24
Fayetteville Bank CD	\$180,645.69
First Nat. Bank Bellville CD	\$181,383.65
Industry State Bank CD	\$249,449.85
TOTAL RECONCILED BALANCE	\$8,402,248.95
<i>All accounts are reconciled.</i>	

RESERVES:
\$1,531,100.05

FUNDS						
	TexPool	Prosperity Bank General Fund	Prosperity Bank Payroll Fund	Amegy Bank Grant - Checking	Prosperity Bank Building Fund	Prosperity Bank Capital Imprvmnts
Fund Balance						
Beginning Balance 3/1	\$3,125.07	\$3,886,986.70	\$167,277.36	\$69,600.84	\$1,414,391.19	\$601,232.74
Deposits and Credits	\$13.30	\$992,560.68	\$19.32	\$0.00	\$1,336,715.24	\$163,577.39
Debits and Withdrawals	\$0.00	\$1,697,741.87	\$44,387.65	\$0.00	\$4,725.80	\$0.00
Ending Balance 3/31	\$3,138.37	\$3,181,805.51	\$122,909.03	\$69,600.84	\$2,746,380.63	\$764,810.13
Less Total Outstanding Drafts/Deposits (Net Amount)	\$0.00	-\$18,492.39	-\$2,859.45	\$0.00	\$2,064.50	\$0.00
Adjusted Ending Balance 3/31	\$3,138.37	\$3,163,313.12	\$120,049.58	\$69,600.84	\$2,748,445.13	\$764,810.13
Monthly Interest Earned	\$13.30	\$513.56	\$19.32	\$0.00	\$212.22	\$80.41

CERTIFICATES OF DEPOSIT							
	Austin County State Bank	Bank of Shiner	Citizens State Bank	Fayetteville Bank	First National Bank of Bellville	Industry State Bank	Bank of Brenham
Fund Balance							
Beginning Balance 3/1	\$246,067.65	\$184,090.06	\$236,590.24	\$180,645.69	\$181,383.65	\$249,449.85	\$249,449.85
Deposits and Credits	\$3,423.06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Debits and Withdrawals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Ending Balance 3/31	\$249,490.71	\$184,090.06	\$236,590.24	\$180,645.69	\$181,383.65	\$249,449.85	\$249,449.85
Interest/Earned	\$3,423.06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

BUDGET	
23-24 FY Budget	\$4,082,689.56
YTD Expenses	\$1,584,582.03
New Equipment	\$208,579.98
Total Budgeted Expenses YTD	\$1,793,162.01



Brookshire - Katy Drainage District

P.O. BOX 608
BROOKSHIRE, TEXAS 77423

QUARTERLY FINANCIAL ADVISOR'S REPORT

District investment activity in TexPool for the 1st quarter of 2024 is as follows:

Beginning Balance – January 1, 2024	\$3,096.62
Interest earned – January – March 31, 2024	\$41.75
Ending Balance – March 31, 2024	\$3,138.37

As of March 31, 2024, the Brookshire-Katy Drainage District had an ending TexPool balance of \$3,138.37.

All District financial transactions are made by Board action and documented in the minutes of each monthly board meeting of the Board of Supervisors.

The Brookshire-Katy Drainage District funds invested in Texpool Fund are invested in accordance with the District's Amended Financial Investment Policy and Texpool Participation Agreement. This investment policy is governed by the following objectives in order of priority:

- (1) Preservation and safety of principal;
- (2) Liquidity
- (3) Return on Investments
- (4) Diversification, and,
- (5) Public trust from prudent investment activities.

District revenue funds not needed for the daily operation of the District are invested in TexPool, Fayetteville Bank, Austin County State Bank, Amegy Bank (Grant Account), Citizen's State Bank, Bank of Shiner, First National Bank of Bellville, Industry State Bank and Bank of Brenham. Only those funds needed to pay the monthly bills and operating expenses are kept in the District's General Fund at Prosperity Bank. The Payroll Fund is used to pay the employees. The District also has a Petty Cash Fund of \$1,791.73, Capital Improvements Fund of \$764,810.13 for special drainage projects, and a Building Fund of \$2,748,445.13 for the new Brookshire Katy Drainage District Administration Building. The District has no other funds, such as debt service, bond fund.

The weighted average maturity of the TexPool Fund was 36 days, also weighted average life was 87 days with the current invested balance of the TexPool Fund being \$37,033,288,509.00. The net asset value is .99997%. The Standard and Poor's current rating is AAAM.

Pursuant to the Texpool Participation Agreement, market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. Federated Investors manages the portfolio and the assets are safe kept in a custodial account at the State Street Bank in the name of Texpool. The only source of payment to participants is the assets of Texpool. There is no secondary source of payment for the pool, such as insurance or State guarantee.

District Investment Activity in First National Bank of Bellville - FDIC Insured Certificate of Deposit

CD 1 yr, renewed, due at 11/20/2024 1.1% - Interest posted quarterly	
Beginning Balance 01/01/2024	\$180,881.45
Debits or Withdrawals	\$0.00
Interest Earned – 01/01/2024-03/31/2024	\$502.20
Ending Balance – 03/31/2024	\$181,383.65

District Investment Activity in Fayetteville Bank - FDIC Insured Certificate of Deposit

CD 1 yr, renewed, due at 2/22/2025 3.68% - Interest posted quarterly	
Beginning Balance 01/01/2024	\$180,140.10
Debits or Withdrawals	\$0.00
Interest Earned – 01/01/2024-03/31/2024	\$505.59
Ending Balance – 03/31/2024	\$180,645.69

District Investment Activity in Austin Co. State Bank – FDIC Insured Certificate of Deposit

CD 1 yr, renewed, due at 4/18/2024 2.75% - Interest posted quarterly	
Beginning Balance 01/01/2024	\$244,392.06
Debits or Withdrawals	\$0.00
Interest Earned – 01/01/2024-03/31/2024	\$5,098.65
Ending Balance – 03/31/2024	\$249,490.71

District Investment Activity in Citizen's State Bank – FDIC Insured Certificate of Deposit

CD 15 months due at 2/21/2025 3.54% - Interest posted annually	
Beginning Balance 01/01/2024	\$240,956.67
Debits or Withdrawals	\$15,000.00
Interest Earned – 01/01/2024-03/31/2024	\$10,633.57
Ending Balance – 03/31/2024	\$236,590.24

District Investment Activity in Bank of Shiner – FDIC Insured Certificate of Deposit

CD 1 yr. due 3/3/2025 3.68% - Interest posted annually	
Beginning Balance 01/01/2024	\$182,076.20
Debits or Withdrawals	\$0.00
Interest Earned – 01/01/2024-03/31/2024	\$2,013.86
Ending Balance – 03/31/2024	\$184,090.06

District Investment Activity in Industry State Bank – FDIC Insured Certificate of Deposit

CD 1 yr. due 1/12/2025 1.1% - Interest post annually	
Beginning Balance 01/01/2024	\$246,720.99
Debits or Withdrawals	\$0.00
Interest Earned - 01/01/2024-03/31/2024	\$2,728.86
Ending Balance - 03/31/2024	\$249,449.85

District Investment Activity in Bank of Brenham – FDIC Insured Certificate of Deposit

CD 1 yr. due 1/21/2025 1.1% - Interest post annually	
Beginning Balance - 01/01/2024	\$245,000.00
Debits or Withdrawals	\$0.00
Interest Earned – 01/01/2024 – 03/31/2024	\$4,449.85
Ending Balance – 03/31/2024	\$249,449.85

Total interest earned on District investments this quarter is \$25,932.58.

I hereby certify that all the investments made during the first quarter of 2024 comply with the Brookshire-Katy Drainage District's Amended Financial Investment Policy. Wendy Sidwell, Brookshire-Katy Drainage District Financial Advisor, submits this quarterly investment report for the first quarter of 2024.



Wendy Sidwell

April 3, 2024

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

April 22, 2024

The Board of Supervisors of Brookshire-Katy Drainage District (the "District") met in special session, open to the public, at 8:30 a.m., at 1111 Kenney Street, Brookshire, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Arnold England	President
Pat Keeling	Vice President
David Welch	Secretary
Blake Beckendorff	Supervisor
John Chisum	Assistant Secretary

and all of the above were present except Supervisor Keeling, thus constituting a quorum.

Also attending the meeting were Stan Kitzman, General Manager of the District; Buddy Brand, Assistant General Manager of the District; Wendy Sidwell, District Administrator; Steve Berckenhoff, P.E., and Michael McCarthy, P.E., of Quiddity Engineering ("Quiddity" or "Engineer"); Blair Bozoarth, P.E., of Quiddity Engineering Land Development Group representing Sunterra and Grange Tract Developments; Clayton Matcek and Randy Seitz, of LDD Blueline; and William Petrov, attorney, of Johnson Petrov, LLP ("Johnson Petrov" or "Attorney").

Agenda Item No. 1
CALL TO ORDER

The President called the meeting to order.

Agenda Item No. 2
INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was opened with the Invocation and Pledge of Allegiance.

Agenda Item No. 3
PUBLIC COMMENT

There was no public comment.

Agenda Item No. 4 was discussed in an executive session.

Agenda Item No. 21
EXECUTIVE SESSION

At 8:31 a.m., upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, the President called an Executive Session pursuant to Sections 551.071 to discuss matters of attorney-client privilege. Only the present Board members, Mr. Kitzman, Mr. Brand, Ms. Sidwell, Mr. McCarthy, Mr. Berckenhoff, Mr. Petrov, Mr. Seitz and Mr. Matcek were present during the executive session.

Agenda Item No. 22
REGULAR SESSION

At 9:46 a.m., upon motion by Supervisor Chisum, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board reconvened the meeting in regular session. No action was taken in the Executive Session.

Agenda Item No. 4

DISCUSS AND TAKE ACTION ON AWARDING A GENERAL CONTRACTOR FOR THE CONSTRUCTION OF BROOKSHIRE-KATY DRAINAGE DISTRICT NEW ADMINISTRATION BUILDING

Upon motion by Supervisor England, seconded by Supervisor Chisum, after full discussion and with Supervisor Welch abstaining, the Board awarded the Contract for the construction of the District's New Administration Building to CCM, Inc. in the amount of \$3,147,189, subject to the contract review and approval.

[Mr. Matcek and Mr. Seitz departed the meeting.]

[Directors Welch and Chisum stepped out of the meeting at 9:53 a.m. and returned to the meeting at 10:00 a.m.]

Agenda Item No. 5

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR KATY ISD ELEMENTARY SCHOOL NO. 48 - FINAL DRAINAGE PLANS ID: 00332; FINAL PLAT: ID: 00338; PERMIT NO. 2024-80.

Upon motion by Supervisor Chisum, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved the Final Plat and Drainage Plans related to Permit No. 2024-80, as recommended by Quiddity in the letter attached hereto as Exhibit "A".

Agenda Item No. 6

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR HWY 90 TRUCK LOT PHASE 2 - FINAL DRAINAGE PLANS: ID 00189; WEST KATY PRAIRIE TOUPS - FINAL PLAT: ID: 00184; PERMIT NO. 2024-41

Mr. McCarthy reviewed the recommendation letter.

Agenda Item No. 7

DETENTION FACILITIES MAINTENANCE AGREEMENT BETWEEN BROOKSHIRE-KATY DRAINAGE DISTRICT AND RAY CHILDRESS AND DPM HWY 90, LLC, PERMIT NO. 2024-41

Mr. Petrov updated the Board regarding this matter.

Agenda Item No. 8

AMENDMENT TO THE DETENTION FACILITIES MAINTENANCE AGREEMENT BETWEEN BROOKSHIRE-KATY DRAINAGE DISTRICT AND DPM HWY 90 LLC, PERMIT NO. 2023-11

Mr. Petrov updated the Board regarding this matter.

Next, upon motion by Supervisor Beckendorff, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved (i) West Katy Prairie Touns - Final Plat: ID: 00184; Permit No. 2024-41, attached hereto as Exhibit "A-1", (ii) Detention Facilities Maintenance Agreement Between Brookshire-Katy Drainage District and Ray Childress and DMP Hwy 90 LLC, Permit No. 2024-41, and (iii)

Amendment to the Detention Facilities Maintenance Agreement Between Brookshire-Katy Drainage District and DPM Hwy 90 LLC, Permit No. 2023-11. The approval is subject to execution of the Detention Facilities Maintenance Agreement between Brookshire-Katy Drainage District and Ray Childress and DPM Hwy 90, LLC, Permit No. 2024-41 and the Amendment to the Detention Facilities Maintenance Agreement between Brookshire-Katy Drainage District and DPM Hwy 90 LLC, Permit No. 2023-11.

Agenda Item No. 9

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR WALLER COUNTY MUD NO. 55 (PLOW) WASTEWATER TREATMENT PLANT - FINAL DRAINAGE PLANS: ID 24-00057; FINAL PLAT: ID: 00168; PERMIT NO. 2024-18

Upon motion by Supervisor Chisum, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved Waller County MUD No. 55 (Plow) Wastewater Treatment Plant - Final Drainage Plans ID: 24-00057, Final Plat: ID: 00168; Permit No. 2024-18, as recommended by Quiddity in the letter attached hereto as Exhibit "A-2". The approval is contingent upon receiving the fully executed Detention Facilities Maintenance Agreement.

Agenda Item No. 10

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR SUNTERRA SECTION 73 AND CAYMUS CREEK DRIVE STREET DEDICATION - FINAL DRAINAGE PLANS: ID 00227; SUNTERRA SECTION 73 - FINAL PLAT: ID: 00226; PERMIT NO. 2024-50; CAYMUS CREEK DRIVE - FINAL PLAT: ID: 00225; PERMIT NO. 2024-52

Upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved the Permit Application for Tract Development With Platting for Sunterra Section 73 and Caymus Creek Drive Street Dedication - Final Drainage Plans ID: 00227; Sunterra Section 73 - Final Plat ID: 00226, Permit No. 2024-50; Caymus Creek Drive - Final Plat: ID: 00225; Permit No. 2024-52, as recommended by Quiddity in the letter attached hereto as Exhibit "A-3".

Agenda Item No. 11

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITHOUT PLATTING FOR ONE STORY METAL BUILDING; ID: 24-00044; PERMIT NO. 2024-27

Mr. McCarthy reviewed the recommendation letter.

Agenda Item No. 12

DETENTION FACILITIES MAINTENANCE AGREEMENT BETWEEN BROOKSHIRE-KATY DRAINAGE DISTRICT AND MATEO MARMOLEJO REGARDING ONE STORY METAL BUILDING, PERMIT NO. 2024-27

Upon motion by Supervisor Welch, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved (i) Permit Application for Tract Development without Platting for One Story Metal Building; ID: 24-00044; Permit No. 2024-27, as recommended by Quiddity in the letter attached hereto as Exhibit "A-4", and (ii) Detention Facilities Maintenance Agreement Between Brookshire-Katy Drainage District and Mateo Marmolejo regarding One Story metal Building, Permit No. 2024-27. The approval is contingent upon receiving the fully executed Detention Facilities Maintenance Agreement.

Agenda Item No. 13

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITHOUT PLATTING FOR TWINWOOD URBAN - 55K SPEC BUILDING; ID: 00173; PERMIT NO. 2024-45

Upon motion by Supervisor Welch, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved the Permit Application for Tract Development without Platting for Twinwood Urban - 55k Spec Building; ID: 00173; Permit No. 2024-45, as recommended by Quiddity in the letter attached hereto as Exhibit "A-5".

Agenda Item No. 14

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITHOUT PLATTING FOR FRANZ ROAD EXTENSION SEGMENT 1: ID: 24-00109; PERMIT NO. 2024-12

Upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved the Permit Application for Tract Development without Platting for Franz Road Extension Segment 1: ID: 24-00109; Permit No. 2024-12, as recommended by Quiddity in the letter attached hereto as Exhibit "A-6".

Agenda Item No. 15

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITHOUT PLATTING FOR SH 359 PARKING LOT; ID: 24-00076; PERMIT NO. 2024-29

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved the Permit Application for Tract Development without Platting for SH 359 Parking Lot; ID: 24-00076; Permit No. 2024-29, as recommended by Quiddity in the letter attached hereto as Exhibit "A-7".

Agenda Item No. 16

DETENTION FACILITIES MAINTENANCE AGREEMENT BETWEEN BROOKSHIRE-KATY DRAINAGE DISTRICT AND CANEY CREEK CAPITAL, LLC FOR SH 359 PARKING LOT, PERMIT NO. 2024-29

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved the Detention Facilities Maintenance Agreement between Brookshire-Katy Drainage District and Caney Creek Capital, LLC for SH 359 Parking Lot, Permit No. 2024-29.

Agenda Item No. 17

DRAINAGE RIGHT-OF-WAY EASEMENT BETWEEN CANEY CREEK CAPITAL, LLC AND BROOKSHIRE-KATY DRAINAGE DISTRICT

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved the Drainage Right-of-Way Easement between Caney Creek Capital, LLC and Brookshire-Katy Drainage District.

Agenda Item No. 18

POLICY AND PROCEDURES FOR COMMERCIAL MINING & PUMPING OPERATION

Upon motion by Supervisor Chisum, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved the Policy and Procedures for Commercial Mining & Pumping Operation, a copy of which is attached hereto as Exhibit "B".

Agenda Item No. 19

EMPLOYER-INSURED DEDUCTIBLE REIMBURSEMENT IN COMPLIANCE WITH AMERIFLEX HRA

Upon motion by Supervisor Chisum, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved the Employer-Insured deductible reimbursement to Joy Shipman in the amount of \$1541.11 in compliance with Ameriflex HRA.

Agenda Item No. 19

AMENDED DISTRICT INFORMATION FORM 2024

The Board then discussed approval of an Amended and Restated District Information Form, a copy of which is attached hereto as Exhibit "C", which is required to be amended to show the current tax rate, the outstanding debt and the Notice to Purchasers form. All of these records must be recorded in the Waller County Real Property Records (the "WCRPR") and filed with the TCEQ.

Upon motion by Supervisor Welch, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved the Amended District Information Form and authorized filing of same with the WCRPR and TCEQ, as legally required.

ADJOURNMENT

With no additional matters to discuss, upon motion by Supervisor Chisum, seconded by Supervisor Welch, and with all Supervisors voting aye, the Board adjourned the meeting at 10:58 a.m.

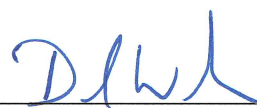
[EXECUTION PAGE FOLLOWS]

SIGNED this 13th day of May 2024.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors

- | | |
|---------------|---|
| Exhibit "A" | Quiddity Recommendation for Permit No. 2024-80 |
| Exhibit "A-1" | Quiddity Recommendation for Permit No. 2024-41 |
| Exhibit "A-2" | Quiddity Recommendation for Permit No. 2024-18 |
| Exhibit "A-3" | Quiddity Recommendation for Permit No. 2024-50 and 2024-52 |
| Exhibit "A-4" | Quiddity Recommendation for Permit No. 2024-27 |
| Exhibit "A-5" | Quiddity Recommendation for Permit No. 2024-45 |
| Exhibit "A-6" | Quiddity Recommendation for Permit No. 2024-12 |
| Exhibit "A-7" | Quiddity Recommendation for Permit No. 2024-29 |
| Exhibit "B" | Policy and Procedures for Commercial Mining & Pumping Operation |
| Exhibit "C" | Amended and Restated District Information Form |



2322 W Grand Parkway North, Suite 150
Katy, Texas 77449
Tel: 832.913.4000
www.quiddity.com

April 18, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Katy Independent School District
Katy ISD Elementary School No. 48 - **Final Plat and Drainage Plans**
Application ID No. 00338 (FP) and 00332 (FDP)
Permit No. 2024-80
Quiddity Job No. R0002-1020-01.021

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: West Belt Surveying, Inc.

Permit Type: Tract Development with Platting – Final Plat and Drainage Plans

Location: East of Schlipf Road, west of Bartlett Road, north of Clay Road, south of Stockdick Road

Survey: H. & T.C.R.R. Co. Survey, Abstract 201, Waller County, Texas

Description: The District received a Permit Application for the Final Plat of Katy ISD Elementary School No. 48 (Development). The proposed Development is located within the Sunterra development and encompasses 19.291 acres and includes 1 reserve and 1 block.

The drainage for the Development will be conveyed through an underground private storm sewer and connect to an existing public storm sewer system along Sunterra Shores Drive. The flow within the Sunterra Shores Drive storm sewer is directed east and connects to the existing public storm sewer system along Sunterra Beach Drive. The public storm sewer system along Sunterra Shores Drive and Sunterra Beach Drive was included in the construction plans titled "WSD&P on Sunterra Beach Drive Seg 1 & Sunterra Shores Drive Seg 1" that were approved under Permit No. 2020-73 on March 8, 2021. The flow from Sunterra Beach Drive continues east and outfalls into Detention Pond C, which outfalls into Detention Pond D, which outfalls into Detention Pond E, which then outfalls into Cane Island Branch of Buffalo Bayou. Detention Ponds C, D, and E were included in the construction plans titled "Sunterra Mass Grading and Detention Phase I" under Permit No. 2020-18



Mr. Arnold England, President
April 18, 2024
Page 2

and approved by the District on August 10, 2020. The associated outfalls with Ponds C, D, and E were included in the construction plans titled "Sunterra Phase I Pipes and Outfalls" under Permit No. 2020-64 and approved by the District on November 9, 2020.

DFMA:

Detention Ponds C, D, and E are a part of the executed addendum to the original Detention Facilities Maintenance Agreement (DFMA).

Technical Review:

The Sunterra developments started before the District Rules and Regulations changed on February 28, 2022, to include and adopt the Atlas 14 flow criteria. However, they were designed to satisfy Atlas 14 flow criteria adopted by Harris County.

Based on our review of the final plat and final drainage plans (plans), the permit applications generally comply with the District's Rules and Regulations (R&R); we interpose no objection and recommend their approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

For the Applicant:

Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.

At least two business days prior to starting construction of the Detention Facilities and Drainage Infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).



Mr. Arnold England, President

April 18, 2024

Page 3

The applicant shall not use this letter to commence any construction activities prior to receiving all **approved permits** from the governing entities with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1020-01.021 Katy ISD Elementary School No. 48/2.0 - Letters/Katy ISD Elementary School No. 48 Final Plat Approval Ltr_041824.docx

Enclosures

cc: Mr. Trey Barnett – Katy Independent School District via email johnwbarnett@katyisd.org
Mr. Abraham Nimrooz – West Belt Surveying, Inc. via email abrahimn@westbeltsurveying.com
Mr. Phasith Nanthavongdouangsy, PE - Adico, LLC via email sid@adico-llc.com
Mr. Ross McCall, PE – Waller County Engineer via email r.mccall@wallercounty.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 18, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Doyle Touns and DryPort Capital
West Katy Prairie Touns – **Final Plat and**
Hwy 90 Truck Lot Phase 2 **Drainage Plans**
Application ID No. 00184 (FP West Katy Prairie Touns) and
Application ID No. 00189 (FDP Hwy 90 Truck Lot Phase 2)
Permit No. 2024-41
Quiddity, Inc. Job No. R0002-1020-01.017 and R0002-1003-54.002

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: Windrose Land Surveying and Kimley-Horn

Permit Type: Tract Development with Platting – Final Plat

Location: 0 US Hwy 90, Katy, TX 77494

Survey: H. & T.C. R.R.Co. Survey Section 103, Abstract 169, Waller County, Texas

Previous Approvals: The District approved the Preliminary Plat for Highway 90 Truck Lot on October 24, 2022, under Permit No. 2022-104 and the Final Plat for Highway 90 Truck Lot on February 13, 2023 under Permit No. 2023-11. The District approved the Preliminary Plat for West Katy Prairie Touns on October 23, 2023.

Description: The proposed HWY 90 Truck Lot Phase 2 (Development) is located east of Willow Fork and South of US-Hwy 90. The Development encompasses 11.709 acres and includes 2 reserves. The property lies within the City of Katy and contains 1.406 acres of land restricted for a future private joint detention facility that was originally intended to serve only the proposed West Katy Warehouse development. The joint private detention pond was included in the plans titled, "Paving, Drainage, Waterline, and Sanitary Sewer on US 90 Near Igloo Rd. to serve West Katy Warehouse" and approved by the District on May 8, 2023 under Permit No. 2023-23. The West Katy Warehouse development previously provided an executed joint detention pond agreement which outlined the location of the proposed detention facility and responsibilities between the two owners.

The Development includes the construction of a proposed concrete truck parking lot and associated drainage improvements as an expansion to the existing HWY 90 Phase 1 development located directly east of the Development. The drainage for the site will be conveyed through an internal underground storm sewer system which outfalls at two



Mr. Arnold England, President
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locations. The first outfall location is located in the southwest corner of the Development with approximately 4.96 acres of the site's drainage area discharging into the West Katy Warehouse joint detention pond, which will then outfall into the Willow Fork of Buffalo Bayou.

The second outfall is located in the northeast corner of the Development with approximately 2.54 acres of the site's drainage area sheetflowing into the existing HWY 90 Phase I development via concrete driveway and flumes. The flow within HWY 90 Phase I will then be captured and conveyed by the existing underground storm sewer system, which outfalls into the Willow Fork of Buffalo Bayou.

The Development utilized excess detention capacity within the West Katy Warehouse joint detention pond and HWY 90 Phase I detention pond in order to satisfy the District's detention requirements. In summary, the Development requires 5.96 ac-ft of detention storage. The West Katy Warehouse detention pond will allocate 3.90 ac-ft of surplus detention capacity and HWY 90 Phase I detention pond will allocate 2.06 ac-ft of surplus detention capacity to adequately serve the Development. Given the additional flow to both detention systems, the Development includes the construction of an additional inflow pipe to the West Katy Warehouse detention pond and modifications to the emergency overflow spillway and outfall pipe at the HWY 90 Phase I detention pond.

District Easement:

The District contains a 80-ft wide drainage easement across the channel segment of Willow Fork that is located within the Development's boundaries which ends at the centerline of Willow Fork. The District contains an additional 80-ft wide drainage easement to the south of the centerline of Willow Fork for a total drainage easement of 160-ft in width across this channel segment of Willow Fork. As of today, and based on our review of the findings from the Master Drainage Plan – Phase I, we understand that the 160 ft wide drainage easement is sufficient to satisfy ultimate right-of-way conditions for this channel segment of Willow Fork.

DFMA:

A Detention Facilities Maintenance Agreement (DFMA) is required for the proposed drainage and detention facilities within the Development. The DFMA will be considered for Board approval once recommended by the District's Legal Counsel.

Technical Review:

Based on our review of the final plat and final drainage plans (plans), the permit applications generally comply with the District's Rules and Regulations (R&R); we interpose no objection and recommend their approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the



Mr. Arnold England, President
 April 18, 2024
 Page 3

Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

For the Applicant:

Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.

At least two business days prior to starting construction of the Detention Facilities and Drainage Infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).

The applicant shall not use this letter to commence any construction activities prior to receiving the **approved permit** from the governing entity with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1003-54.002 Hwy 90 Truck Lot Phase 2/2.0 - LETTERS/West Katy Prairie Troups FP & Hwy 90 Truck Lot Ph 2 FDP Approval Ltr 041824.docx>

cc: Mr. Ben Sims, PE – Kimley-Horn via email ben.sims@kimley-horn.com
 Ms. Amanda Rabius – Windrose Land Services via email amanda.rabius@windroseservices.com
 Mr. Doyle Troups – Katy/Brookshire Business Park via email dtroups1@comcast.net
 Mr. Mike Burney – Dryport Capital mike.burney@dryportcapital.com
 Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
 Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 18, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Katy 2855 Development, LLC
Waller County MUD No. 55 Wastewater Treatment Plant - **Final Plat and Drainage Plans**
Application ID Nos. 00168 (FP) and 24-00057 (FDP)
Permit No. 2024-18
Quiddity Job No. R0002-1021-01.003

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: Quiddity Engineering LDS

Permit Type: Tract Development with Platting – Final Plat and Drainage Plans

Location: West of Bartlett Road, east of Schlipf Road, south of Morton Road, and north of US Hwy 90.

Survey: H. & T.C. Railroad Company Survey, Section 123, Abstract 202, Waller County, Texas

Description: The proposed Waller County MUD No. 55 Wastewater Treatment Plant (Development) encompasses approximately 4.26 acres and includes 1 reserve.

The Development includes the construction of a 0.2 MGD Wastewater Treatment Plant and lift station, paving, and drainage improvements. The drainage for the site contains two outfall locations. The first outfall is located at the northwestern end of the Development. Approximately half of the Development sheetflows to the north and is captured by a swale, which then discharges into a perimeter drainage channel located directly north of the Development. The perimeter drainage channel will then discharge into the District's drainage easement along Bartlett Road. The second outfall is located at the southwestern corner of the Development. The remaining area within the Development sheetflows to the south and is captured by a swale, which then discharges into Detention Pond 3. Pond 3 discharges into Pond 2, which discharges into Pond 1, which then outfalls into Snake Creek. The perimeter drainage channel and Ponds 3, 2, and 1 are included in the construction plans titled "Plow Tract Phase 1 Mass Grading and Detention" which was approved by the District under Permit No. 2024-17 on March 25, 2024.



Mr. Arnold England, President
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DFMA: A fully executed Detention Facilities Maintenance Agreement (DFMA) that includes the referenced drainage and detention facilities is required. The DFMA will be considered for Board approval once recommended by the District's Legal Counsel.

Technical Review: Based on our review of the final plat and final drainage plans (plans), the permit applications generally comply with the District's Rules and Regulations (R&R); we interpose no objection and recommend their approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

For the Applicant: Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.

At least two business days prior to starting construction of the Detention Facilities and Drainage Infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).

The applicant shall not use this letter to commence any construction activities prior to receiving all **approved permits** from the governing entities with jurisdiction.



Mr. Arnold England, President
April 18, 2024
Page 3

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1021-01.003 Plow Tract Waste Water Treatment Plant 0.2 MGD & Lift Station/3.0 - LETTERS/WCMUD No. 55 WWTP Final Plat Approval Ltr_041824.docx

cc: Ms. Chantelle Jamnik – Quiddity Engineering, LLC. via email cjamnik@quiddity.com
Mr. Blair Bozoarth, PE – Quiddity Engineering, LLC. via email bbozoarth@quiddity.com
Mr. Nick Heilenman, PE – Quiddity Engineering, LLC. via email nheilenman@quiddity.com
Mr. Jacob Rice – Katy 2855 Development, LLC via email jacobr@johnsondev.com
Mr. Ross McCall, PE – Waller County Engineer via email r.mccall@wallercounty.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 18, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Astro Sunterra, LP
Sunterra Section 73 and Caymus Creek Drive Street Dedication – **Final Plats and Drainage Plans**
Application ID Nos. 00225 (FP Caymus Creek Drive Street Dedication), 00226 (FP Sunterra
Section 73), and 00227 (FDP Sunterra Section 73 and Caymus Creek Drive Street Dedication)
Permit Nos. 2024-50 and 2024-52
Quiddity Job Nos. R0002-1019-01.029 and R0002-1019-01.037

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received permit applications as follows:

Applicant: Quiddity Engineering - LDS

Permit Type: Tract Development with Platting – Final Plat and Drainage Plans

Location: North of Stockdick School Road and west of Pitts Road

Survey: Fred Eule Survey, Abstract 375, Waller County, Texas

Description: The proposed Sunterra Section 73 and Caymus Creek Drive Street Dedication (Development) encompasses approximately 19.87 and 0.92 acres of single-family residential development and roadway improvements, respectively. The Development includes 109 lots and 6 reserves.

The drainage for the site is conveyed through curb and gutter inlets, which connects to an underground storm sewer system that outfalls into Detention Pond T, which will then outfall into Detention Pond Q. Detention Pond T and Q were included in the construction plans titled "Sunterra Phase 4 Detention and Mass Grading" that was approved by the District under Permit No. 2024-33 on January 8, 2024. Detention Pond Q outfalls into Detention Pond P, which outfalls into Detention Pond O, which outfalls to Detention Pond N. The construction of Detention Ponds P, O, and N were included in the construction plans titled "Sunterra Mass Grading and Detention Phase IIB" that was approved by the District under Permit No. 2021-34 on September 13, 2021. Detention Pond N outfalls into the Phase IB Detention Pond, which then outfalls into the Cane Island Branch of Buffalo Bayou. The construction of the Phase IB Detention Pond was included in the plans titled "Sunterra Phase IB Mass Grading and Detention," which was approved under Permit No. 2020-90 on April 26, 2021.



Mr. Arnold England, President
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Page 2

DFMA: Detention Ponds P, O, N, and Phase IB are a part of the executed addendum to the original Detention Facilities Maintenance Agreement (DFMA).

The property owner will be required to execute a DFMA that includes Detention Ponds T and Q. The Board will consider approval of this agreement once recommended by the District's attorney.

Technical Review: The Sunterra developments started before the District Rules and Regulations changed on February 28, 2022, to include and adopt the Atlas 14 flow criteria. However, they were designed to satisfy Atlas 14 flow criteria adopted by Harris County.

Based on our review of the final plats and final drainage plans (plans), the permit applications generally comply with the District's Rules and Regulations (R&R); we interpose no objection and recommend their approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

For the Applicant: Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.

At least two business days prior to starting construction of the Detention Facilities and Drainage Infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).



Mr. Arnold England, President
April 18, 2024
Page 3

The applicant shall not use this letter to commence any construction activities prior to receiving all **approved permits** from the governing entities with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1019-01.029 Sunterra Section 73/2.0 - Letters/Sunterra Sec 73 & Caymus Creek Dr St Ded Final Plat Approval Ltr_041824.docx

cc: Mr. Shamar O'Bryant – Astro Sunterra, L.P. via email sobryant@landtejas.com
Mr. Blair Bozoarth, PE – Quiddity Engineering via email bbozoarth@quiddity.com
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 19, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Mateo Marmolejo
One Story Metal Building – **Final Drainage Plans**
Application ID No. 24-00044
BKDD Permit No. 2024-27
Quiddity, Inc. Job No. R0002-1020-01.010

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: Odarc, LLC

Permit Type: Tract Development without Platting – Final Drainage Plans

Location: 940 FM 359, Brookshire, Texas 77423

Survey: W. Cooper Survey, Abstract 20, Waller County, Texas

Description: The proposed One Story Metal Building (Development) encompasses approximately 4 acres for commercial use.

The Development includes the construction of one building, paving, and an on-site detention facility with associated outfalls. The detention storage volume for the Development is approximately 1.0 acre-feet and the detention storage rate is approximately 0.79 ac-ft/ac. The detention facility is proposed to be a wet bottom detention pond with a normal water surface elevation of approximately 154.0 ft, maximum water surface elevation of approximately 157.0 ft, and minimum of 1-ft of freeboard.

The drainage for the site is directed from east to west via overland sheetflow which will be captured by proposed backslope interceptor swales and structures, which will then discharge into the detention pond. The Development incorporates approximately 1-acre of offsite sheetflow from the east into their design which is routed through their drainage and detention system. The detention pond will then discharge into an existing swale directly west of the Development that is owned and maintained by the Crystal Lakes



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Page 2

Subdivision. The flow is then conveyed to the Crystal Lakes Subdivision detention system via an existing 54-inch reinforced concrete pipe. The Crystal Lakes Subdivision internal storm sewer and detention system was designed to accommodate the flows from the Development, as further outlined in the construction plans titled "Crystal Lakes Section 1 WSD&P" and approved by the District on February 13, 2017 under Permit No. 2017-10. The Development restricts and control releases their discharge release rate to the swale in the proposed conditions, which does not exceed the release rate in the pre-developed conditions. The Crystal Lakes Subdivision detention system outfalls into the Lakeside detention system, which discharges into the West Fork of Brookshire Creek. Currently, the Lakeside detention and outfall system contains deficiencies and requires repairs by the Lakeside subdivision and/or City of Brookshire. However, One Story Metal Building's project does meet all current District criteria for on-site drainage, detention, and outfall. The previously noted deficiencies at Lakeside subdivision's outfall have no adverse impacts to this permit based on the information provided by the Applicant.

DFMA:

A Detention Facilities Maintenance Agreement (DFMA) is required for the proposed drainage and detention facilities located within the Development. The DFMA will be considered for Board approval once recommended by the District's Legal Counsel.

Technical Review:

Based on our review of the final drainage plans (plans), the permit application generally complies with the District's Rules and Regulations (R&R); we interpose no objection and recommend its approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, a Professional Engineer has prepared, dated, signed, and sealed the plans submitted. This Professional is licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

For the Applicant:

Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.



Mr. Arnold England, President
April 19, 2024
Page 3

At least two business days prior to starting construction of the Detention Facilities and Drainage infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).

The Applicant shall not use this letter to commence any construction activities prior to receiving the **approved permits** from all applicable governing entities with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1020-01.010 One Story Metal Building/3.0 - LETTERS/One Story Metal Building Approval Ltr 041824.docx>

cc: Mr. Roberto Gonzalez – Odarc, LLC via email roberto@odarc.com
Mr. Mateo Marmolejo – via email marmolejo_mateo@comcast.net
Mr. Abdullah Ahmadi, PE – via email info@mana-ce.com
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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April 18, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Urban Twinwood, LP
Twinwood Urban 55K Spec Building – **Final Drainage Plans**
Application ID No. 00173
Permit No. 2024-45
Quiddity Job No. R0002-1003-23.003

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: RSG Companies

Application Type: Tract Development without Platting – Final Drainage Plans

Location: 2700 Twinwood Business Drive East, Brookshire, Texas 77423

Survey: Nathan Brookshire League, Abstract 16, Waller County, Texas

Previous Approvals: N/A

Description: The Twinwood Urban 55k Spec Building (Development) is a proposed commercial development located within Reserve 15A of the Twinwood Commerce Center Replat. The Development encompasses 2.844 acres and lies within Waller County Municipal Utility District No. 18 (WCMUD No. 18). The Development includes the construction of proposed paving, utilities, drainage, and grading for the site to serve a future warehouse building.

The drainage from the site is conveyed through a proposed underground private storm sewer system that connects to an existing private storm sewer system near the southern boundary of the Development before discharging into an existing public storm sewer system within Discovery Hills Parkway. The existing private storm sewer was designed to provide drainage conveyance for Reserves 15A, 15B, and 15C and was included in the construction plans titled "Proposed Paving, Utilities, Drainage, and Grading Construction Plans to serve Twinwood Commerce Center – Q Trade Parcel" that was approved by the



Mr. Arnold England, President
April 18, 2024
Page 2

District under Permit No. 2024-35 on January 29, 2024. Each of these reserves are owned by the same developer, Urban Twinwood, LP. The developer previously provided a letter of no objection for the encroachment within Reserve 15A and acknowledgment of a required storm sewer easement should a future sale of Reserve 15A occur.

The flow within Discovery Hills Parkway is routed to the Twinwood Business Park Phase 4 and Phase 5 Detention Facilities and Amenity Lake (South Pond), which will then outfall to a tributary of East Fork of Brookshire Creek. The Twinwood Business Park Phase 4 and 5 Detention Facilities and Amenity Lake were included in the plans titled "Twinwood Business Park Phase 4 and 5 Detention Facilities and Amenity Lake" and approved by the District under Permit No. 2021-55 on February 10, 2022. The Applicant provided a letter of no objection from WCMUD No. 18 which certified there is available detention and storm sewer capacity to serve the Development.

DFMA:

The Twinwood Business Park Phase 4 and 5 Detention Facilities and Amenity Lake are part of the originally executed Detention Facilities Maintenance Agreement.

Technical Review:

Based on our review of the final drainage plans (plans), the permit application generally complies with the District's Rules and Regulations (R&R); we interpose no objection and recommend its approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, the plans submitted have been prepared, dated, signed, and sealed by a Professional Engineer. They are licensed to practice in the State of Texas, which therefore conveys these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.



Mr. Arnold England, President
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Page 3

For the Applicant:

Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.

At least two business days prior to starting construction of the Detention Facilities and Drainage infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).

The Applicant shall not use this letter to commence any construction activities prior to receiving the **approved permits** from all applicable governing entities with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1003-23.003 Twinwood Urban 55k Spec/2.0 - LETTERS/Twinwood Urban - 55K Spec Bldg Final Drainage Plans Approval Ltr 041824.docx>

cc: Mr. Hind Saad – RGS Companies via email hind@rsgcompanies.com
Mr. Mark Overton, Urban Twinwood, LP via email moverton@urbancompanies.com
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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Katy, Texas 77449
Tel: 832.913.4000
www.quiddity.com

April 18, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Katy 2855 Development, LLC
Franz Road Extension Segment 1 – **Final Drainage Plans**
Application ID No. 24-00109
BKDD Permit No. 2024-12
Quiddity, Inc. Job No. R0002-1021-01.011

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: Quiddity Engineering LDS

Permit Type: Tract Development without Platting – Final Drainage Plans

Location: Southeast corner of Bartlett Road at Franz Road, northeast of Snake Creek

Survey: H. & T.C.R.R. Co. Survey, Section 123, Abstract 202, Waller County, Texas

Description: The proposed Franz Road Extension Segment 1 (Development) encompasses approximately 1.28 acres of land and is located within the Cane Island development. The Development is being funded, designed, and constructed by the Grange development.

The Development includes construction of roadway improvements and associated drainage infrastructure. The drainage is collected by curb inlets and conveyed through underground storm sewer which connects to an existing E-inlet before discharging into Pond S, which is located to the south of the Development. The runoff from the Development was previously accounted for in the design of the Cane Island storm sewer and detention system as outlined the Drainage Impact Analysis titled, "Drainage Impact Analysis for the Development of Cane Island West". Pond S discharges into Pond R, which discharges into Pond Q, which then discharges into Snake Creek. Pond S, R, and Q are part of the Cane Island regional detention system and maintained by Harris-Waller Counties Municipal Utility District (HWCMD No. 3). The existing E-inlet, Pond S, R, and Q were included in the construction plans titled, "Cane Island Detention Ponds Q, R, and S" that was provided to the District. The applicant provided a letter of no objection from HWCMD No. 3 which certified there is adequate detention and outfall capacity available to serve the Development.



Mr. Arnold England, President
April 18, 2024
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DFMA: Not Applicable.

Technical Review: Based on our review of the final drainage plans (plans), the permit application generally complies with the District's Rules and Regulations (R&R); we interpose no objection and recommend its approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, a Professional Engineer has prepared, dated, signed, and sealed the plans submitted. This Professional is licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

For the Applicant: Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.

At least two business days prior to starting construction of the Detention Facilities and Drainage infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).

The Applicant shall not use this letter to commence any construction activities prior to receiving the **approved permits** from all applicable governing entities with jurisdiction.



Mr. Arnold England, President

April 18, 2024

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Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1021-01.011 Franz Road Extension Segment 1/2.0 - Letters/Franz Road Extension Approval Ltr 041824.docx>

cc: Ms. Jeanne Marie Fletcher, PE– Quiddity Engineering LDS via email jfletcher@quiddity.com
Mr. Hayden Dixon, PE – Quiddity Engineering LDS via email hdixon@quiddity.com
Mr. Jacob Rice – Katy 2855 Development, LLC via email jacobr@johnsondev.com
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



2322 W Grand Parkway North, Suite 150
Katy, Texas 77449
Tel: 832.913.4000
www.quiddity.com

April 19, 2024

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Caney Creek Capital, LLC
SH 359 Parking Lot – **Final Drainage Plans**
Application ID No. 24-00076
Permit No. 2024-29
Quiddity Job No. R0002-1020-01.016

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: SEK Engineering

Application Type: Tract Development without Platting – Final Drainage Plans

Location: 2126 FM 359, Pattison, Texas 77423

Survey: W.H. Landrum, Abstract 214, Waller County, Texas

Previous Approvals: N/A

Description: The proposed SH 359 Parking Lot (Development) is comprised of approximately 3.91 acres and located along FM 359, west of Durkin Road and south of Red Bird Lane.

The Development includes the construction of paving, detention, and drainage improvements. The Development includes the construction of a detention pond, underground storm sewer, perimeter swales, and a stormwater pump station. The total detention storage volume for the Development is 2.207 acre-feet and the detention storage rate is 1.04 ac-ft/ac. The detention pond is proposed to be a dry bottom pond with a maximum water surface elevation of approximately 166.60 ft, minimum 1-ft of freeboard, 3:1 side slopes, concrete pilot channel, and 30-ft maintenance berms. Runoff from the proposed improvements will be routed to the detention pond via swales, inlets, and underground storm sewer.



Mr. Arnold England, President
April 19, 2024
Page 2

There are two outfalls from the detention pond. The primary outfall discharges flow to the stormwater pump station, which is routed to a junction box, which then discharges into the FM 359 ditch. The second outfall is a gravity-only discharge that directs flow to the referenced junction box before discharging into the FM 359 ditch. The Development utilizes 70-percent of the detention pond's capacity via pumped discharge and 30-percent by means of gravity discharge which complies with the District's rules and regulations for pumped outfalls into TxDOT right-of-way. The Development utilizes perimeter swales along its boundaries to convey offsite sheetflow entering the Development to the FM 359 ditch.

TxDOT Permit: The Applicant submitted TxDOT's approval for the discharge into FM 359 ditch as outlined in the TxDOT Permit No. 23070044.

District Easement: The Applicant submitted a metes & bounds and exhibit for a proposed 15-ft wide drainage easement to be dedicated to the District. The proposed drainage easement is located along the northern boundary of the Development and is planned to assist with future drainage conveyance from the runoff collected at the back of lots along Red Bird Lane. Following District approval of this permit and associated Detention Facilities Maintenance Agreement (DFMA), the District will coordinate and finalize the easement recordation.

DFMA: A DFMA is required for the proposed drainage and detention facilities within the Development. The DFMA will be considered for Board approval once recommended by the District's Legal Counsel.

Technical Review: Based on our review of the final drainage plans (plans), the permit application generally complies with the District's Rules and Regulations (R&R); we interpose no objection and recommend its approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, the plans submitted have been prepared, dated, signed, and sealed by a Professional Engineer. They are licensed to practice in the State of Texas, which therefore conveys these professional responsibilities and accountability.



Mr. Arnold England, President
April 19, 2024
Page 3

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

For the Applicant:

Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.

At least two business days prior to starting construction of the Detention Facilities and Drainage infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).

The Applicant shall not use this letter to commence any construction activities prior to receiving the **approved permits** from all applicable governing entities with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael H. McCarthy".

Michael H. McCarthy, PE

MHM/dme

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1020-01.016 SH 359 Parking Lot/3.0 - LETTERS/SH 359 Parking Lot Final Drainage Plans Approval Ltr 041824.docx>

cc: Mr. Nicholas Khazzoum – SEK Engineering via email nicholas@sekengineering.net
Mr. Anshul Gupta, SEK Engineering via email anshul@sekengineering.net
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



BROOKSHIRE-KATY DRAINAGE DISTRICT POLICY AND PROCEDURES FOR COMMERCIAL MINING & PUMPING OPERATIONS

On March XX, 2024, at a regularly held meeting of the Brookshire-Katy Drainage District (District) Board of Supervisors, the following Policy was adopted and shall become effective April XX, 2024.

SECTION 1 - GENERAL INFORMATION

- All new developments within the District that include proposed commercial mining activity (such as, but not limited to, sand, fill, aggregate, and similar materials) shall be governed by and meet the requirements stated herein. This Policy does not apply to **detention or mass grading projects** as those would follow the District's Rules, Regulations, and Guidelines (for subdivisions).
- This Policy and procedures include the **minimum requirements** for mining and associated groundwater (and surface water) pumping on those sites. Additional requirements may be imposed or waived as deemed necessary based on the complexity and scale of the operation.
- In addition to these requirements, all mining operations are subject to the District's Rules, Regulations, and Guidelines.

SECTION 2 – PROCEDURE

- A pre-development (pre-mining) meeting shall be held with the District Staff and Engineer prior to initiating the design and preparing engineering drawings for the proposed mining operation.
- The Applicant's Engineer is responsible for initiating the preparation of the design and construction plans for the District review and approval. The District recognizes that for certain less complex operations, engineering drawings may not be mandatory; however, any alternative approaches desired by the Applicant must be coordinated with, reviewed, and approved in writing by the District Engineer. Please note that any alternative approach must be accompanied by a drainage impact analysis and a no-impact statement from the Applicant's Engineer.
- Applicant (or Agent) must coordinate all appropriate review processes with the appropriate agencies, such as the Texas Commission on Environmental Quality (TCEQ) and other agencies with jurisdictional authority (i.e., Flood Plain Administrator, TxDOT, others) and provide the District with proof of such coordination.
- Applicant (or Agent) submits the required items to the District for review and comment. Applicant and/or Applicant's Engineer make corrections as required.
- Upon approval of the Permit Application by the Board of Supervisors, the District shall sign the Permit Application granting the Applicant approval for the **Commercial Mining & Pumping Operations Permit**. The Applicant shall maintain a signed copy of the approved Permit and drawings on the project site.

No construction or mining-related excavation activities shall begin until the project receives Board approval and the **Commercial Mining & Pumping Operations Permit** has been issued.



BROOKSHIRE-KATY DRAINAGE DISTRICT POLICY AND PROCEDURES FOR COMMERCIAL MINING & PUMPING OPERATIONS

SECTION 3 – REQUIREMENTS

- Drainage calculations shall be in conformance with the District's Rules, Regulations, and Guidelines. At a minimum, the plans and calculations shall show the existing and proposed 2-year, 10-year, and 100-year run-on and runoff. This will include an analysis of off-site flows which drain toward the subject tract. The calculations shall show no adverse impact on neighboring tracts as a result of the proposed mining and/or pumping operation.
- Dewater Pumping
 - Calculations shall show that no net increase in water leaving the site will occur as a result of rainfall and/or pumping operations.
 - **Pumping rates shall not exceed the site's pre-developed 2-year and 100-year discharge runoff rates or create a rise in water surface elevation within the receiving waterway.**
 - Suppose it is determined that pumping discharge from the site promotes drainage-related concerns upstream or downstream of the discharge point. In that case, the pumping discharge shall be further assessed and may require modifications to ensure no adverse impacts.
 - Pumping shall discontinue during rain events and when rainfall is imminent.
 - Pumping from the site to a roadside ditch shall only be allowed during periods of no rainfall and the receiving ditch is in excess of 75%. ***Notes to this effect must be on the plans.**
 - Pumping from the site to a District easement/channel shall only be allowed during periods of no rainfall, and the receiving channel is in excess of 50%. ***Notes to this effect must be on the plans.**
- The plans shall include stormwater quality features to meet TCEQ regulations and properly control sediment from pumped water such that it does not enter any adjacent properties and facilities located downstream or upstream facilities prior to discharge from the site.
- Settling calculations must be included in the plans, demonstrating how the proposed development will protect adjacent properties and facilities located downstream or upstream from silt and sediment. These calculations must adhere to the following minimum criteria:
 - Provide the flow velocity across the cross-section of each settling ditch and sedimentation basin.
 - Velocities in settling ditches shall not exceed 0.1 feet per second (fps).
 - Velocities in sedimentation basins shall not exceed 0.01 fps.
 - The cross-sections used in these calculations shall account for sediment accumulation prior to cleaning.
 - Provide the settling time for each settling ditch and sedimentation basin.
 - The minimum treatment time for settling ditches shall be 5 hours.
 - The minimum treatment time for sedimentation basins shall be 10 hours.
 - The total treatment time before the site's release shall be no less than 15 hours.
 - All transitions between pumps, ditches, basins, and the outfall point shall be manufactured conduit, reinforced, or concrete lined to prevent erosion and resuspension of sediment.
- Any final excavation shall be no closer than **twenty (20) feet plus twice the depth** from any property line.
- When applicable, the Applicant must obtain approval or a letter of no objection from the **Floodplain**



BROOKSHIRE-KATY DRAINAGE DISTRICT POLICY AND PROCEDURES FOR COMMERCIAL MINING & PUMPING OPERATIONS

Administrator. This approval will be required prior to the Board's approval of the plan and issuance of the pumping permit.

- Construction plans must comply with the District's Rules, Regulations, and Guidelines.
- Provide the following Texas Commission on Environmental Quality (TCEQ) related items (when applicable)
 - Storm Water Pollution Prevention Plan (SWPPP) showing the temporary erosion control measures to prevent sediment-laden stormwater from leaving the site during the initial disturbance and setup of the mining operation. This plan would typically include, but is not limited to, a reinforced filter fabric fence, diversion swales, stabilized construction entrance, and concrete truck washout. This plan must include procedures for maintenance of the erosion control measures and requirements for regular record keeping regarding rainfall and maintenance events on-site.
 - Storm Water Quality Management Plan (SWQMP) showing the permanent measures that will be put in place to remove sediment prior to discharge as water is pumped from the excavation area. This plan would typically include settling ditches, sedimentation basins, and other anti-scour erosion control measures. This plan must also include an operations manual for maintaining and cleaning permanent stormwater control measures on-site. Records shall be kept on-site for all maintenance and cleaning activities. The manual and records shall be made available to the District upon request.

SECTION 4 – PERMIT & RENEWALS

- Coordinate with Legal about proposed language (see below)
- Require DFMA & Exhibit "C"?
- Engr. needs to develop **Annual Inspection Certificate** Form for Detention & Commercial Mining.
- Upon the Board's approval of the **Commercial Mining & Pumping Operations Permit Application**, the Permit remains **valid for twelve (12) months from the approval date**. Should the Applicant fail to initiate construction of an approved project within this timeframe, such inaction will render the approvals null and void. All fees paid will be forfeited and will not be refunded to the Applicant.
- The District reserves the right to grant up to five extensions for the Permit, each not exceeding a duration of twelve months. The granting of each extension depends on the Applicant providing an **Annual Inspection Certificate**, which must be signed and sealed by a Texas Registered Professional Engineer to prove progress and that the initial plan concept is still being followed. Furthermore, **all extension requests must be submitted prior to the current Permit's expiration date**.

SECTION 5 - FEES

- The Permit Application fee is as indicated on the Fee Schedule Worksheet. Fees are payable by cash or check and shall be submitted with the District Permit Application Form. This fee shall provide for two (2) reviews of the complete Permit Application. The review fees for any additional reviews shall be as indicated on the Fee Schedule Worksheet, and said fees shall be submitted with the revised Permit Application package.



BROOKSHIRE-KATY DRAINAGE DISTRICT POLICY AND PROCEDURES FOR COMMERCIAL MINING & PUMPING OPERATIONS

SECTION 6 – SUBMITTAL REQUIREMENTS

One (1) complete set of construction plans and supporting documentation containing the following items shall be submitted to the District office.

- Provide a complete set of plans for the proposed mining operation signed and sealed by a Professional Engineer registered in the State of Texas. The plans shall include, at a minimum:
 - Cover sheet including a vicinity map.
 - General construction notes, including the District Standard Notes.
 - Topographic survey prepared by a Professional Land Surveyor registered in the State of Texas and including actual on-the-ground survey collected within the last year.
 - Overall layout showing the ultimate excavation, stormwater outfall, and other pertinent improvements.
 - Drainage Plan showing how on-site and off-site runoff will be managed without an adverse impact on site or to neighboring property.
 - Plan and profile drawing showing the outfall per District requirements and details.
 - Detailed drawings and cross-sections for mining areas, settling ditches, and sedimentation basins.
 - Drainage, pumping, and settling calculations.
 - Technical specifications for the pumping equipment to be used on-site, including pump curves and other data to substantiate the actual pumping rates.
 - Construction details.
 - Storm Water Pollution Prevention Plan (SWPPP) – when required by TCEQ.
 - Storm Water Quality Management Plan (SWQMP) – when required by TCEQ.
 - A **Geotechnical Report** prepared by a Professional Engineer registered in the State of Texas.
 - Additional paperwork and documentation as required by District Staff and Engineer.
- Provide a copy of the Storm Water Permit and the TCEQ Aggregate Production Operation (APO) Registration form with the assigned APO number. <https://www.tceq.texas.gov/permitting/registration/aggregates> (when applicable).
- Provide a copy of the approved Texas Commission on Environmental Quality (TCEQ) Storm Water Permit. <https://www.tceq.texas.gov/permitting/stormwater> (when applicable).

Brookshire-Katy Drainage District

Stan Kitzman
General Manager

AMENDED DISTRICT INFORMATION FORM OF BROOKSHIRE-
KATY DRAINAGE DISTRICT

THE STATE OF TEXAS §
WALLER COUNTY §

We, the undersigned, constituting a majority of the members of the Board of Supervisors of Brookshire-Katy Drainage District, (the "District"), do hereby make, execute and affirm this District Information Form in compliance with TEXAS WATER CODE §49.452 and 49.455 and 30 TEXAS ADMIN. CODE §293.92. We do hereby certify as follows:

1. The name of the District is Brookshire-Katy Drainage District.
2. The form Notice to Purchasers required by §49.452, Texas Water Code, as amended, to be furnished by a seller to a purchaser of real property in the District is attached hereto as **Exhibit "A"** and incorporated herein for all purposes.
3. The District consist of 47,000 acres, more or less, more particularly described by metes and bounds in **Exhibit "B"** attached hereto and incorporated herein for all purposes.
4. The most recent rate of taxes levied by the District on all property within the District is \$0.060420 per \$100 of assessed valuation.
5. The total amount of bonds which have been approved by the voters and which may be issued by the District is \$0.00.
6. The District is performing functions as follows: the purchasing, constructing, acquiring, owning, repairing, maintaining, improving or extending a drainage system for the District to permit controlling, abating and changing harmful excesses of water, and the controlling of local storm water or other harmful excesses of water in the District.
7. Any clearing, grubbing, filling, channelization, development (with or without platting), or construction within the boundaries of the District is or may be subject to regulation and permitting by the District and/or any municipality within the boundaries of the District. The District's Rules and Regulations and Permit Application may be found at www.bkdd.dst.tx.us.

[EXECUTION PAGE TO FOLLOW]

WITNESS OUR HANDS THIS ____ day of _____, 2024

Arnold England, President

Pat Keeling, Vice President

David Welch, Secretary

Richard Beckendorff, Supervisor

John Chisum, Supervisor

THE STATE OF TEXAS

§

§

WALLER COUNTY

§

This instrument was affirmed and acknowledged before me on the ____ day of _____, 2024, by Arnold England, Pat Keeling, David Welch, Richard Beckendorff, and John Chisum, members of the Board of Supervisors of Brookshire-Katy Drainage District, in the capacity herein stated.

Notary Public in and for the State of Texas

(NOTARY SEAL)

EXHIBIT "A"

NOTICE TO PURCHASER OF SPECIAL TAXING OR ASSESSMENT DISTRICT

STATE OF TEXAS

§

§

WALLER COUNTY

§

The real property that you are about purchase is located in **BROOKSHIRE-KATY DRAINAGE DISTRICT** (the "District") and may be subject to district taxes or assessments. The district may, subject to voter approval, impose taxes and issue bonds. The district may impose an unlimited rate of tax in payment of such bonds. The rate of the District property tax for year 2024 is \$0.060420 on each \$100 of assessed valuation, comprised of \$0.00 per \$100 assessed valuation for debt service purposes and \$0.060420 per \$100 assessed valuation for operation and maintenance purposes.

The total amount of bonds payable wholly or partly from property taxes, excluding refunding bonds that are separately approved by the voters, approved by the voters is \$0.00.

The District has the authority to adopt and impose a standby fee on property in the District that has water, sanitary sewer, or drainage facilities and services available but not connected and which does not have a house, building, or other improvement located thereon and does not substantially utilize the utility capacity available to the property. The District may exercise the authority without holding an election on the matter. As of this date, the most recent amount of the standby fee is \$0. An unpaid standby fee is a personal obligation of the person that owned the property at the time of imposition and is secured by a lien on the property. Any person may request a certificate from the District stating the amount, if any, of unpaid standby fees on a tract of property in the District.

The District is located in whole or in part in the extraterritorial jurisdiction of the City of Houston, City of Katy, City of Brookshire, and Pattison. By law, a district located in the extraterritorial jurisdiction of a municipality may be annexed without the consent of the district or the voters of the district. When a district is annexed, the district is dissolved.

The District is performing functions as follows: the purchasing, constructing, acquiring, owning, repairing, maintaining, improving or extending a drainage system for the District to permit controlling, abating and changing harmful excesses of water, and the controlling of local storm water or other harmful excesses of water in the District.

Any clearing, grubbing, filling, channelization, development (with or without platting), or construction within the boundaries of the District is or may be subject to regulation and permitting by the District and/or any municipality within the boundaries of the District.

The District's Rules and Regulations and Permit Application may be found at **www.bkdd.dst.tx.us**.

THE PURCHASER IS ADVISED THAT THE INFORMATION SHOWN IN THIS FORM IS SUBJECT TO CHANGE BY THE DISTRICT AT ANY TIME. THE DISTRICT ANNUALLY ESTABLISHES TAX RATES. PURCHASER IS ADVISED TO CONTACT THE DISTRICT TO DETERMINE THE STATUS OF ANY CURRENT OR PROPOSED CHANGES TO THE INFORMATION SHOWN ON THIS FORM.

The legal description of the property which you are acquiring is as follows:

Date

Signature of Seller(s)

THE PURCHASER IS ADVISED THAT THE INFORMATION SHOWN IN THIS FORM IS SUBJECT TO CHANGE BY THE DISTRICT AT ANY TIME. THE DISTRICT ANNUALLY ESTABLISHES TAX RATES. PURCHASER IS ADVISED TO CONTACT THE DISTRICT TO DETERMINE THE STATUS OF ANY CURRENT OR PROPOSED CHANGES TO THE INFORMATION SHOWN ON THIS FORM.

Date

Signature of Purchaser(s)

EXHIBIT "B"

By: Banfield

H. B. No. 302

A BILL TO BE ENTITLED

AN ACT

creating a Conservation and Reclamation District under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Brookshire-Katy Drainage District"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; providing for dividing said District for election of Supervisors; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Under and pursuant to the provisions of Section 59 of Article XVI, Constitution of Texas, a Conservation and Reclamation District is hereby created and incorporated in Waller County, Texas, to be known as "Brookshire-Katy Drainage District," hereinafter referred to as the "District," and the boundaries of said District shall be as follows:

BEGINNING at the most South Easterly corner of Waller County, Texas, same being a common corner of Waller, Fort Bend and Harris Counties;

THENCE Southwesterly, along the common line of Waller and Fort Bend Counties, to the Southeast corner of the Wm. Cooper League, Abstract 20, for a corner;

THENCE Westerly, continuing along the common line of Waller and Fort Bend Counties, to a point in the South line of the Wm. Cooper League, Abstract 20, which point is the Northeast corner of the Randolph Foster Survey, Abstract 27, for a corner;

H. B. No. 302

THENCE Southerly, continuing along the common line of Waller and Fort Bend Counties, to the intersection of the common County lines with the centerline of Bessie Creek, for a corner;

THENCE up the centerline of Bessie Creek, following its meanders in a generally North Northwesterly direction, to a point, same being the common corner on said centerline of said creek of the J. H. Jones 336.7 Acre Tract and the A. D. Bains 58 Acre Tract, in the Wm. Cooper League, Abstract 20, for a corner;

THENCE Northerly, along the common line of the said Jones and Bains Tracts, to a point in the Southeast line of the J. S. Dozier Estate 80 Acre Tract, for a corner;

THENCE Northeasterly, along the Southeast line of the said J. S. Dozier Estate 80 Acre Tract, to the most Easterly common corner of said Dozier Estate Tract and the A. D. Bains 25.9 Acre Tract, for a corner;

THENCE Northwesterly, along the common line of said Dozier Estate and said Bains Tract to the centerline of Bessie Creek, for a corner;

THENCE up the centerline of Bessie Creek, following its meanders in a generally Northerly direction, to the intersection of the centerlines of Bessie Creek and Bell Bottom Creek, in the J. McFarland Survey, Abstract 46, for a corner;

THENCE up the centerline of Bell Bottom Creek, following its meanders in a generally Northerly direction, to the intersection of the centerline of Bell Bottom Creek and the Northeast line of the Samuel Hady Survey, Abstract 31, for a corner;

H. B. No. 302

THENCE Southeasterly, along the Northeast line of the Samuel Hady Survey, Abstract 31, to the West corner of the C. D. Nixon Survey, Abstract 226, same being the South corner of the Noel Nixon Survey, Abstract 225, for a corner;

THENCE Northeasterly, along the common line of the said C. D. Nixon and Noel Nixon Surveys to the North corner of the C. D. Nixon Survey, for a corner;

THENCE Southeasterly, along the Northeast line of the C. D. Nixon Survey, Abstract 226, to a point, same being the most Westerly Southwest corner of the J. G. Bennett Survey, Abstract 288, and the Southeast corner of H. & T.C.R.R. Co. Survey, Abstract 185, for a corner;

THENCE Northerly, along the West lines of the J. G. Bennett Survey, Abstract 288 and the W. McCutcheon Survey, Abstract 310, to the Northwest corner of the W. McCutcheon Survey, Abstract 310, for a corner;

THENCE Easterly, along the North line of the said W. McCutcheon Survey, Abstract 310, to the West line of the H. & T.C.R.R. Co. Survey, Abstract 143, for a corner;

THENCE Northerly, along the West line of the H. & T.C.R.R. Co. Survey, Abstract 143, and the West line of W. McCutcheon Survey, Abstract 311, to the Northwest corner of the W. McCutcheon Survey, Abstract 311, for a corner;

THENCE Easterly, along the North lines of the W. McCutcheon Survey, Abstract 311, H. & T.C.R.R. Co. Survey, Abstract 150, J. M. Bennett Survey, Abstract 282, H. & T.C.R.R. Co. Survey,

H. B. No. 302

Abstract 164, J. H. Garrett Survey, Abstract 377, and the H. & T.C.R.R. Co. Abstract 199, to an intersection with the Waller-Harris County line, for a corner;

THENCE Southeasterly, along the Waller-Harris County line to the most Southeasterly corner of Waller County, Texas, the point and place of beginning and containing approximately 47,000 Acres.

Sec. 2. Said District shall be considered to be organized and existing for the sole purpose of the reclamation and drainage of its overflowed lands and other lands needing drainage, and to accomplish such purpose the District shall have and exercise, and is hereby vested with, all of the rights, powers, privileges, and duties conferred and imposed by the General Laws of the State of Texas, now in force or hereafter enacted, applicable to fresh water supply districts created under authority of Section 59 of Article XVI, Constitution of Texas, but to the extent that the provisions of such General Laws may be in conflict or inconsistent with the provisions of this Act, the provisions of this Act shall prevail. All such General Laws are hereby incorporated with the same effect as if incorporated in full in this Act. Without limiting the generalization of the foregoing, it is expressly provided that all said powers now or hereafter conferred by such General Laws upon fresh water supply districts for the purpose of conserving, transporting and distributing fresh water are hereby specifically conferred upon this District for the purpose of reclaiming and draining its overflowed lands and other lands needing drainage. In the event that the District, in the exercise

FILED AND RECORDED

Instrument Number: 2307914

Filing and Recording Date: 07/11/2023 03:51:54 PM Pages: 11 Recording Fee: \$52.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



A handwritten signature in black ink that reads "Debbie Hollan".

Debbie Hollan, County Clerk
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

simplifile, Deputy

Returned To:
BROOKSHIRE-KATY DRAINAGE DISTRICT
1111 KENNEY ST
BROOKSHIRE, TX 77423

