

Dias

TOWN OF FULTON
201 N. 7th Street
Fulton, TX 78358
(361) 463-1387

ZONING AND LAND DEVELOPMENT APPLICATION

INSTRUCTIONS: Please fill out completely. If more space is needed, attach additional page.

A. REQUESTING: _____ Rezoning
_____ Special Permit
 Planned Unit Development (P.U.D.) by Special Permit _____
PD

B. ADDRESS OF PROPERTY:
TRACT 1: 4131-4159 HWY 35 N
TRACT 2: 4139-4159R HWY 35 N
_____ Fulton, Texas 78358

C. CURRENT ZONING OF PROPERTY: COMMERCIAL & R1

D. PRESENT USE OF PROPERTY: UNIMPROVED

E. ZONING DISTRICT REQUESTED: P.U.D.

F. SPECIAL USE REQUESTED: P.U.D.

G. LEGAL DESCRIPTION: (Fill in the one that applies)

TRACT 1: FULTON OUTLOTS, LOT N/2 OF 8 ALL OF 9 THRU 11 & S/2 OF 12 - WEST OF HWY 35 (13.5634 ACRES)

TRACT 2: RAILROAD RESERVE, ACRES 0.765, W OF & ADJ TO N/2 OF OL 8, ALL OF OL 9-11 & S/2 OF 12
(Addition as platted and recorded in the records of Aransas County, Texas)

(Survey as per metes ad bounds)

H. NAME OF PROPOSED DEVELOPMENT: PARK PLACE
(If applicable)

I. TOTAL ACREAGE OR SQ. FT OF SITE (S): 14.3284 ACRES

J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT: (Be specific)

THE DEVELOPMENT IS PRIVATELY OWNED RV LOTS THAT ARE BETWEEN 4,000 AND 5,000 SQUARE FEET

K. OWNER'S NAME: OCB DEVELOPMENT LLC Darrin Shandley 979-417-8021
Address 4570 Hwy 35 N
City ROCKPORT State TX Zip 78382-7683

L. LIST OF REQUIRED DOCUMENTS: (Must have before application will be accepted)

- Plat of property
- Site plan
- Development plan
- Proof of property ownership

M. FILING FEE:

- Rezoning \$150.00 + \$10 per acre
- Planned Unit Development \$200.00 + \$10 per acre
- PUD Revision \$200.00 + \$10 per acre
- Special Permit \$150.00 + \$10 per acre

Submit application, required documents and filing fee to Building Codes Supervisor.

Town of Fulton * 201 N. 7th Street * Fulton, TX 78358
361.729.5533

FOR OFFICE USE ONLY

Date: 8-12-24 Received by: J. Davis Fees paid:

Submitted Information: Accepted Rejected By: _____

If rejected, why: _____

Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709

Filing Fee: \$300



**Certificate of Formation
Limited Liability Company**

**Filed in the Office of the
Secretary of State of Texas
Filing #: 805343635 12/18/2023
Document #: 1315124980002
Image Generated Electronically
for Web Filing**

Article 1 - Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

OCB Development, LLC.

Article 2 - Registered Agent and Registered Office

A. The initial registered agent is an organization (cannot be company named above) by the name of:

R Dias Construction LLC

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

C. The business address of the registered agent and the registered office address is:

Street Address:

4570 Highway 35 N Rockport TX 78382-78382

Consent of Registered Agent

A. A copy of the consent of registered agent is attached.

OR

B. The consent of the registered agent is maintained by the entity.

Article 3 - Governing Authority

A. The limited liability company is to be managed by managers.

OR

B. The limited liability company will not have managers. Management of the company is reserved to the members.

The names and addresses of the governing persons are set forth below:

Managing Member 1: **Richard Dias**

Title: **Managing Member**

Address: **4570 Highway 35 N Rockport TX, USA 78382-78382**

Managing Member 2: **Darrin Shandley**

Title: **Managing Member**

Address: **4570 Highway 35 N Rockport TX, USA 78382-78382**

Article 4 - Purpose

The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.

Supplemental Provisions / Information

[The attached addendum, if any, is incorporated herein by reference.]

Initial Mailing Address

Address to be used by the Comptroller of Public Accounts for purposes of sending tax information.

The initial mailing address of the filing entity is:

**4570 Highway 35 N
Rockport, TX 78382
USA**

Organizer

The name and address of the organizer are set forth below.

Darrin Shandley 4570 Highway 35 N, Rockport, TX 78382

Effectiveness of Filing

A. This document becomes effective when the document is filed by the secretary of state.

OR

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is: **December 19, 2023**

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Darrin Shandley

Signature of Organizer

FILING OFFICE COPY

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

WARRANTY DEED WITH VENDOR'S LIEN

DATE: January 8, 2024

GRANTOR: 3T Investments Properties, LLC – Series Fulton (see exhibit attached)

GRANTOR'S MAILING ADDRESS:

3T Investments Properties, LLC
8728 FM 23 W.
Rusk, TX 75785

GRANTEE: OCB Development, LLC

GRANTEE'S MAILING ADDRESS:

OCB Development, LLC
4570 Hwy 35 N
Rockport, Texas 78381

PROPERTY (legal description):

FIRST TRACT: BEING 13.569 ACRES OR 591,084 SQUARE FEET OF LAND COMPRISING THE NORTH ONE-HALF (N/2) OF OUTLOT EIGHT (8), ALL OF OUTLOTS NINE (9), TEN (10), AND ELEVEN (11), THE SOUTH ONE-HALF (S/2) OF OUTLOT TWELVE (12), FULTON OUTLOTS, AND BEING SITUATED WEST OF TEXAS HIGHWAY NO. 35 BUSINESS ROUTE, ALL SHOWN BY PLAT OF RECORD IN VOLUME "E", PAGES 540-541, DEED RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING THAT SAME PROPERTY DESCRIBED AS 13.5634 ACRES CONVEYED TO PRISCILLA C. WILKERSON, ET AL UNDER CLERK'S FILE NO. 229725, PROPERTY RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 13.569 ACRES BEING MORE PARTICULARLY V DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at a 5/8" steel rebar found at the intersection of the West R.O.W. line of Texas State Highway No. 35 Business Route with the common line of the North one-half of Outlot 8 and the South one-half of Outlot 8 and being the North line of that property conveyed to Delfil, Inc, called 3.04 acres under Clerk's File No. 225309, Property Records of Aransas County, Texas, with said 5/8" steel rebar being the SOUTHEAST corner and PLACE OF BEGINNING of this survey;

THENCE, North 79°39'10" West along and with the common North line of said Delfil, Inc. 3.04 acres and South line of Wilkerson Tract a distance of 843.47 feet to a 5/8" steel rebar found in the East R.O.W. line of Railroad Avenue as shown on the map of Fulton Townsite recorded in

Volume "E", Pages 540-541, Deed Records of Aransas County, Texas, and being the SOUTHWEST corner of this survey;

THENCE, North 10°31'50" East along and with the East R.O.W. line of said Railroad Avenue a distance of 698.49 feet to a 5/8" steel rebar found on the common line of the North line of said Wilkerson Tract with the South line of the North one-half of Outlot 12 conveyed to J. L. Stewart, et ux, under Volume 184, Page 131, Deed Records of Aransas County, Texas, and being the NORTHWEST corner of this survey;

THENCE, South 79°59'45" East along and with the South line of said Stewart Tract and North line of said Wilkerson Tract a distance of 843.04 feet to a 5/8" steel rebar found on the West R.O.W. line of Texas State Highway No. 35 Business Route for the NORTHEAST corner of this survey;

THENCE, South 10°30'00" West along and with the West R.O.W. line of said Texas State Highway No. 35 Business Route a distance of 703.53 feet to the PLACE OF BEGINNING and containing 13.569 acres or 591,084 square feet of land, more or less.

SECOND TRACT: BEING 0.516 ACRES OF LAND OUT OF THE OLD RAILROAD R.O.W. WEST OF AND ADJACENT TO THE NORTH ONE-HALF (N 1/2) OF OUTLOT NO. EIGHT (8), ALL OF OUTLOT NOS. NINE (9), TEN (10) AND ELEVEN (11). AND THE SOUTH ONE-HALF (S 1/2) OF OUTLOT NO. TWELVE (12), OF THE FULTON OUTLOTS, ACCORDING TO THE MAP RECORDED IN VOLUME "E", PAGES 540 AND 541, DEED RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 0.516 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at a 5/8" steel rebar found in the East R.O.W. line of Railroad Avenue and being the Southwest corner of the North one-half said Outlot No. 8 and being the SOUTHERLY corner and PLACE OF BEGINNING of this survey;

THENCE, North 10°31'50" East along and with the East R.O.W. line of Railroad Avenue and the West boundary line of North one-half of Outlot No. 8 and all of Outlot Nos. 9, 10, 11 and the South one-half of Outlot No. 12, a distance of 698.49 feet to a 5/8" steel rebar found for the Southwest corner of the North one-half said Outlot No. 12 as conveyed to J. L. Stewart, et ux, by Deed Recorded in Volume 184, Page 131, Deed Records of Aransas County, Texas, and being the NORTHEAST corner of this survey;

THENCE, North 79°59'45" West along and with the Westerly projection of the South boundary of said North one-half of Outlot No. 12, a distance of 49.2 feet to a 5/8" steel rebar set in the East boundary of a 2.312 acre tract known as Tract No. 7 portion of Old San Antonio and Aransas Pass Railroad purchased by Mortex Corporation from Steve Paul by special Warranty Deed dated July 30, 1938, in Volume S-2, pages 594 and 595, Deed Records of Aransas County, Texas, and being the NORTHWEST corner of this survey;

THENCE, South 10°17'13" West along and with the East boundary of said 2.312 acre tract a distance of 228.13 feet to a 5/8" steel rebar set for the North corner of a 0.249 acre described this date and being an EXTERIOR corner of this survey;

THENCE, South 04°40'14" West along and with an old meandering fence line a distance of 472.38 feet to the PLACE OF BEGINNING and containing 0.516 acres or 22,455 square feet of land more or less.

THIRD TRACT: BEING 0.249 ACRES OF LAND OUT OF THAT PORTION OF RAILROAD AVENUE LYING WEST OF AND ADJACENT TO THE NORTH ONE-HALF (N 1/2) OF OUTLOT NO. EIGHT (8), ALL OF OUTLOT NOS. NINE (9), TEN (10) AND ELEVEN (11), AND THE SOUTH ONE-HALF (S 1/2) OF OUTLOT NO. EIGHT (8), OF THE FULTON OUTLOTS, ACCORDING TO THE MAP RECORDED IN VOLUME "E", PAGES 540 AND 541, DEED RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 0.249 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at a 5/8" steel rebar found in the East R.O.W. line of Railroad Avenue and being the Southwest corner of the North one-half of Outlot Lot No. 8, of said Fulton Outlots, and being the SOUTHEAST corner and PLACE OF BEGINNING of this survey;

THENCE, North 79°39'10" West along and with the Westerly projection of the South boundary of said North one-half of Outlot No. 8 a distance of 46.23 feet to a 5/8" steel rebar set in the East boundary of a 2.312 acre tract called Tract No. 7 and being a portion of Old San Antonio and Aransas Pass Railroad purchased by Mortex Corporation from Steve Paul by special Warranty Deed dated July 30, 1938, in Volume S-2, Pages 594 and 595, Deed Records of Aransas County, Texas, and being the SOUTHWEST corner of this survey;

THENCE, North 10°17'13" East along and with the East boundary of said 2.312 acre tract a distance of 470.06 feet to a 5/8" steel rebar set in an old meandering fence line and being the NORTHERLY corner of this survey;

THENCE, South 04°40'14" West along and with the meanders of said old fence line a distance of 472.38 feet to the PLACE OF BEGINNING and containing 0.249 acres or 10,865 square feet of land more or less.

CONSIDERATION:

This conveyance is made for the following consideration, the receipt and sufficiency of which is acknowledged:

First-lien Note: Grantee's execution of a promissory note in the amount of \$488,250.00, payable to the order of Charter Bank and Grantee's execution of a deed of trust securing said note to Sid Ridlehuber as trustee, both of which were executed this same date.

VENDOR'S LIEN AND SUPERIOR TITLE:

Charter Bank having paid a portion of the purchase price as is represented by the First Lien Note, and such payment being made at the request of Grantee, the superior vendor's lien

and superior title to the Property are retained for the benefit of and are hereby transferred to Charter Bank.

RESERVATIONS FROM CONVEYANCE: NONE

EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is made subject to the following exceptions:

Liens described or referenced above relating to the Consideration;

Valid and enforceable easements and prescriptive rights of record or which are open and obvious;

Valid and enforceable matters of record, including restrictions, reservations of interest, covenants, conditions, leases (including but not limited to oil, gas and mineral leases), reservations or conveyances of water interests, and any other instruments (other than a conveyance of a fee estate in the surface) affecting the Property;

Standby fees, taxes, and assessments of any taxing authority for the current year and subsequent years; and

Taxes and assessments for prior years of any taxing authority due to a change in land ownership or usage, payment of which Grantee assumes and agrees to pay.

CONVEYANCE:

For the consideration stated above, the receipt and sufficiency of which is acknowledged, Grantor grants, sells and conveys the Property, together with all and singular any improvements, rights and appurtenances belonging thereto, to Grantee and Grantee's heirs and assigns, TO HAVE AND TO HOLD FOREVER. This conveyance, however, is made subject to all Exceptions and Reservations stated herein.

Grantor assigns to Grantee all funds, if any, on deposit for payment of property taxes and insurance premiums due or coming due against the property.

WARRANTY:


Except for the Reservations and Exceptions stated above, Grantor binds Grantor and Grantor's heirs, executors, and administrators to WARRANT AND FOREVER DEFEND all and singular title to the Property for the benefit of Grantee and Grantee's heirs, executors and assigns, against any and all claims of every person lawfully claiming or to claim the Property or any part thereof.

(Remainder of this page left intentionally blank)

3T Investments Properties, LLC -Series Fulton

**By: 3T Investments Partnership, LP, manager of
3T Investments Properties, LLC**

**By: 3T Investments Management, LLC, general
partner of 3T Investments Partnership**


**Douglas Hilton Hassell, Jr., Manager of 3T
Investments Management, LLC**

ACKNOWLEDGMENT

STATE OF TEXAS

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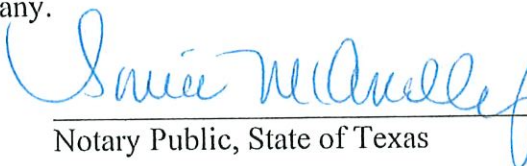
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COUNTY OF CHEROKEE

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This instrument was acknowledged before me on January 9, 2024, by Douglas Hilton Hassell, Jr., a manager of 3T Investments Management, LLC on behalf of 3T Investments Properties, LLC, a limited liability company.




Notary Public, State of Texas

PREPARED BY:

Law Office of Cliff Williams PLLC
215 E. Commerce St.
Jacksonville, TX 75766

AFTER RECORDING RETURN TO:

Attorney's Title of Cherokee County
215 E Commerce St.
Jacksonville, Texas 75766