

PETITION FOR CONSENT TO ANNEX LAND INTO  
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 57

THE STATE OF TEXAS                   §  
  §  
COUNTY OF BRAZORIA               §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:

The undersigned, BEAZER HOMES TEXAS, L.P., a Delaware limited partnership (the "Petitioner") and BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 57 (the "District") acting pursuant to the provisions of Chapter 49, Texas Water Code, particularly Section 49.301, together with all amendments and additions thereto, respectfully petition the City Council of the City of Iowa Colony, Texas (the "City"), for its written consent to the annexation by the District of approximately 5.006 acres of land described by metes and bounds in **Exhibit A** (the "Land"), which is attached hereto and incorporated herein for all purposes. In support of this petition, the undersigned would show the following:

I.

The District is a municipal utility district duly created under the laws of the State of Texas on August 16, 2007. The District was created and organized under the terms and provisions of Article XVI, Section 59, of the Constitution of Texas, and is governed by the provisions of Chapters 49 and 54, Texas Water Code, as amended.

II.

The Petitioner holds fee simple title to the Land, as indicated by the certificate of ownership provided by the Brazoria Central Appraisal District.

III.

The Petitioner represents that there are no lienholders on the Land.

IV.

The Land is situated within the corporate limits of the City of Iowa Colony, Texas. All of the Land may properly be annexed into the District.

V.

The general nature of the work to be done within the Land is the construction, acquisition, maintenance and operation of a waterworks and sanitary sewer system, and a drainage and storm sewer system, road facilities, and parks and recreational facilities.

VI.

There is, for the following reasons, a necessity for the above-described work. The Land, which will be developed for commercial and/or residential purposes, is urban in nature, is within the growing environs of the City, is in close proximity to populous and developed sections of Brazoria County, Texas, and within the immediate future will experience a substantial and sustained residential and commercial growth. There is not now available within the Land an adequate waterworks and sanitary sewer system nor an adequate drainage system, nor road facilities, nor parks or recreational facilities, and it is not presently economically feasible for the Land to provide for such systems and facilities itself. Because the health and welfare of the present and future inhabitants of the Land and of lands adjacent thereto require the construction, acquisition, maintenance and operation of an adequate waterworks and sanitary sewer system and a drainage and storm sewer system, road facilities, and parks and recreational facilities, a public necessity exists for the annexation of the Land into the District, to provide for the purchase, construction, extension, improvement, maintenance and operation of such waterworks and sanitary sewer system and such drainage and storm sewer system, such road facilities, and such parks and recreational facilities, so as to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VII.

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

WHEREFORE, the undersigned respectfully pray that this petition be heard and granted in all respects and that the City give its written consent to the annexation of the Land into the District.

[EXECUTION PAGES FOLLOW]

RESPECTFULLY SUBMITTED on April 9, 2026.

BRAZORIA COUNTY MUNICIPAL  
UTILITY DISTRICT NO. 57

By: Lance E Taylor

Name: LANCE E. TAYLOR

Title: President

ATTEST:

(SEAL)

By: [Signature]

Name: TIMOTHY AUSTIN

Title: SECRETARY

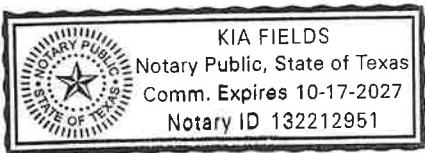


THE STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on April 9, 2026,  
by LANCE E. TAYLOR, as PRESIDENT, and  
TIMOTHY AUSTIN, as SECRETARY, of the  
Board of Directors of BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 57, a  
political subdivision of the State of Texas, on behalf of said political subdivision.

(NOTARY SEAL)



[Signature]  
Notary Public, State of Texas

BEAZER HOMES TEXAS, L.P.,  
a Delaware limited partnership

By: Beazer Homes Texas Holdings, Inc.,  
a Delaware corporation,  
its General Partner

By: Erik Haaland

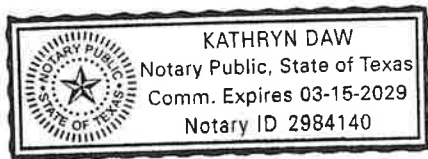
Name: Erik Haaland

Title: Authorized Signatory - West Region

THE STATE OF TEXAS           §  
  §  
COUNTY OF Harris           §

This instrument was acknowledged before me on April 1, 2026, by Erik Haaland, as Authorized Signatory - West Region of Beazer Homes Texas Holdings, Inc., a Delaware corporation, General Partner of BEAZER HOMES TEXAS, L.P., a Delaware limited partnership, on behalf of said corporation and said limited partnership.

(NOTARY SEAL)



Kathryn Daw  
Notary Public, State of Texas

**Attachments:**

**Exhibit A:** Description of the Land

**Exhibit B:** Conditions of the City

**EXHIBIT A**

**METES AND BOUNDS DESCRIPTION  
5.006 ACRES OF LAND  
SITUATED IN THE  
W.H. DENNIS SURVEY, ABSTRACT 512  
BRAZORIA COUNTY, TEXAS**

DESCRIPTION OF 5.006 ACRES OF LAND SITUATED IN THE W.H. DENNIS SURVEY, ABSTRACT 512, BRAZORIA COUNTY, TEXAS, BEING ALL OF THAT CERTAIN TRACT OF LAND CALLED 5.00 ACRES OUT OF LOT 469 OF THE EMIGRATION LAND CO. SUBDIVISION, AS PER THE PLAT RECORDED UNDER VOLUME (VOL.) 2, PAGE (PG.) 113 OF THE BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.), AND CONVEYED TO TRACIE McCAULLEY BY DEED RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER (B.C.C.F. No.) 2013013921; SAID 5.006 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE 4204, AS DETERMINED BY GPS MEASUREMENTS):


**BEGINNING** at 1/2-inch iron rod with cap stamped "RPLS 6086" found marking the southeasterly corner of Lot 461 of the Emigration Land Subdivision and a called 0.5501 acre tract (Tract 1) conveyed to Beazer Homes Texas, L.P. by deed recorded under B.C.C.F. NO. 2024051164, being the southwesterly corner of Lot 468 of said Emigration Land Co. Subdivision and a called 233.54 acre tract conveyed to KLLB AIV LLC by deed recorded under B.C.C.F. NO. 2023036335, also being the northwesterly corner of said Lot 469 of said Emigration Land Co. Subdivision and said 5.00 acre tract, also being the northeasterly corner of Lot 462 of said Emigration Land Co. Subdivision and the said 233.54 acre tract, and being generally located within County Road 758 (based on a width of 40 feet by the plat of Emigration Land Co. and widened to 60 feet by easement recorded under Vol. 819, Pg. 416-B.C.D.R.), from which a 5/8" iron rod called for and found bears South 02°11' East for a distance of 4.35 feet;

- 1) **THENCE**, North 87°20'14" East, along the common line of said Lots 468 and 469 being the northerly line of the said 5.00 acre tract common to a southerly line of said 233.54 acre tract and generally with the said County Road 758 for a distance of 247.60 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713.784.7500" found marking the northeasterly corner of said 5.00 acre tract, same being an interior corner of said 233.54 acre tract;
- 2) **THENCE**, South 02°54'07" East, along the easterly line of said 5.00 acre tract common to a westerly line of said 233.54 acre tract passing at distance of 30.00 feet a 5/8-inch iron rod with cap stamped "BL" in the southerly right-of-way of said County Road 758 and continuing therefrom for a total distance of 880.34 feet to the southeasterly corner of the said 5.00 acre tract from which a 1/2-inch iron rod with cap stamped "RPLS 6086 found bears North 69°36' East for a distance of 0.30 feet, same being an interior corner of said 233.54 acre tract;
- 3) **THENCE**, South 87°03'07" West, along the southerly line of said lot 469 and the said 5.00 acre tract common to a northerly line said 233.54 acre tract for a distance of 247.48 feet to a fence post marking the southwesterly corner of said 5.00 acre tract from which a 1/2-inch iron rod with cap stamped "RPLS 6086 found bears North 47°34' East for a distance of 0.47 feet, same being an interior corner of said 233.54 acre tract;
- 4) **THENCE**, North 02°54'34" West, along the westerly line of said lot 469 and the said 5.00 acre tract common to a easterly line of said 233.54 acre tract passing at a distance of 851.57 feet a 5/8-inch iron rod with cap stamped "BL" in the southerly right-of-way of said County Road 758 and continuing therefrom for a total distance of 881.57 feet to the **POINT OF BEGINNING** and containing 5.006 acres of land.

**ASSOCIATES,**

**EDMINSTER, HINGSHAW, RUSS AND** dba EHRA, Inc. TBPELS No. 10092300

Charles Jurica, R. P.L.S. 6696  
 10011 Meadowglen  
 Houston, Texas  
 713-784-4500



Date: August 18, 2024; Revised September 10, 2025  
 Job No: 221-022-00  
 File No: R:\2022\221-022-00\Docs\Description\Boundary\22102200V-PBLT04.doc

## **Exhibit B**

### **Consent Conditions**

The “Tract” as referred to herein shall mean the land described in Exhibit A to the City’s Consent Ordinance.

(a) The District may issue bonds, including refunding bonds, only for the purpose of purchasing, refinancing, designing and constructing, or otherwise acquiring waterworks systems, sanitary sewer systems, storm sewer systems, drainage facilities, and fire, parks and recreational facilities, and streets and thoroughfares, or parts of such systems or facilities, and to make any and all necessary purchases, constructions, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way, easements, sites, equipment, buildings, plants, structures, and facilities therefor, and to operate and maintain same, and to sell water, sanitary sewer, and other services within or without the boundaries of the District. No bonds will be issued with a final maturity date more than 25 years from the date of issuance, and the first principal maturity must occur within five years of the date of issuance. The Bonds shall have level debt service requirements. Level debt service shall mean that during the period beginning with the calendar year of the first principal payment on a bond issue and ending in the calendar year of the final scheduled maturity of said issue, the spread from the greatest debt service in a calendar year during said period to the least debt service in a calendar year during said period shall not be more than \$20,000. Compliance with this requirement may be satisfied by submitting a proposed Preliminary Official Statement and estimated bid with a pro-forma debt service schedule for the purpose of bonds showing the proposed maturity pattern that shows coupons, interest and total debt service requirements that meets the required standard above to the City for prior approval. Having shown intent to comply by getting approval of the structure by the City in advance of advertising for sale will be sufficient in the event the actual results of a competitive sale return debt service payments that otherwise would not meet the standard of \$15,000 difference between maximum and minimum annual debt service payments. Such bonds must provide that the District reserves the right to redeem said bonds on any date subsequent to the 10th anniversary of the date of issuance (or any earlier date at the discretion of the District) without premium, and none of such bonds, other than refunding bonds, will be sold for less than 97 percent of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent above the highest average interest rate reported by the Daily Bond Buyer in its weekly “20 Bond Index” during the one-month period next preceding the date of the advertisement for the sale of such bonds. No bonds of the District may be issued without specific City consent if the City has given notice to the District that it intends to dissolve the District in accordance with applicable law within 120 or fewer days after such notice.

(b) Any refunding bonds of the District must provide for level debt service savings (annual savings must be approximately equal for each year with no more than \$7,500 between the maximum and minimum savings per year except for the first partial year and the first full calendar year), a minimum of three percent present value savings, and no maturity beyond the latest maturity of the refunded bonds, unless approved by the City in writing prior to the sale thereof.

(c) Before the commencement of any construction within the Tract, the District, its directors, officers, or developers and landowners will submit to the City, or to its designated representative, all plans and specifications for the construction of water, sanitary sewer, drainage facilities and roadways and thoroughfares to serve the Tract and obtain the approval of such plans and specifications. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, installed or used within the Tract,

will conform to the standard specifications of the City. All water service lines and sewer service lines, lift stations, and appurtenances thereto, installed or used within the Tract will comply with the City's standard plans and specifications as amended from time to time. The construction of the Tract's water, sanitary sewer, and drainage facilities will be in accordance with the approved plans and specifications and with applicable standards and specifications of the City; and during the progress of the construction and installation of such facilities, the City may make periodic on-the-ground inspections. All roads and thoroughfares within the Tract will comply with the City's standard plans and specifications as amended from time to time.

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

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

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

(g) Prior to the sale of any lot or parcel of land equal to or less than five (5) acres, the owner or the developer of the land included within the Tract will obtain the approval of the City of Iowa Colony of a plat which will be duly recorded in the Real Property Records of Brazoria County, Texas, or otherwise comply with the rules and regulations of the City of Iowa Colony.

(h) This consent shall take effect only upon all of the land comprising the Tract being annexed into the corporate limits of the City prior to the inclusion of the Tract in the District.

(i) This consent shall automatically be revoked if the Tract is not fully annexed into the District on or prior to June 30, 2022.

(j) The District or its developer shall bear all out-of-pocket expenses incurred by the City in the City's review and analysis of the development of the land within the Tract, including without limitation, such out-of-pocket expenses as the costs of the City's outside legal counsel, engineer and other consultants. The District or its developer shall deposit such funds as requested by the City, provided that no single deposit will exceed \$25,000.00, to be used for these costs. Upon periodic receipt of invoices for such out-of-pocket expenses, the City will pay such invoice(s) and provide the District or its developer with appropriate documentation of such expenses and the remaining balance of the deposit. As such deposit is depleted, the City will request additional funds, which the District or its developer agree to pay within 30 days of receipt of such a request.

Developer further agrees to pay all fees and charges imposed by the City pursuant to and in accordance with the City Subdivision Ordinances and any and all other City ordinances that concern or may concern the development of the land within the Tract. These fees and charges may include, but are not limited to, fees for building permits, platting, and plan reviews.

(k) As each phase of the District's water, sewer and drainage facilities serving the Tract are acquired and/or constructed, the District shall transfer same to the City, free and clear of any lien or encumbrance, for ownership, operation and maintenance by the City; provided, however, that no conveyance hereunder shall become effective until the City accepts the conveyance in writing, which may occur, at the election of the City, after the City inspects the infrastructure and determines that it has been completed in accordance with the final plans and specifications approved by the City and all applicable laws, rules and regulations. The District shall have reserved to itself all capacity funded by the District in any conveyed facilities, provided that any excess capacity not required to serve the Tract following full build-out within the Tract or any other tracts subsequently annexed into the District with the consent of the City shall be available to the City to serve other areas. The City shall incorporate conveyed facilities into its utility system and shall bill and collect for services provided by such facilities from its customers, including customers within the Tract. All revenues from conveyed facilities shall be the property of the City. Notwithstanding the foregoing, in the event that the City does not have adequate water and sewer capacity to serve the Tract at the time required for conveyance of such facilities, then either (i) the City shall delay acquisition of the District's water, sewer, and drainage facilities serving the Tract until the City has adequate water and sewer capacity to serve the Tract, in which instance the District shall bill and collect for services provided by such facilities from its customers within the Tract, or (ii) the City shall purchase adequate water and sewer capacity from Brazoria County Municipal Utility District No. 55 on terms mutually agreeable between the City and Brazoria County Municipal Utility District No. 55 in order to serve the Tract.

CERTIFICATE

THE STATE OF TEXAS                   §  
  §  
COUNTY OF BRAZORIA               §

I, the undersigned Secretary of the Board of Directors of BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 57, do hereby certify that the attached and foregoing is a true and correct copy of the Petition for Consent to Annex Land into BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 57 that was filed with the Board of Directors of the District on April 9, 2026.

WITNESS MY HAND AND SEAL OF SAID DISTRICT on April 9, 2026.



(SEAL)

BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 57

By: [Signature]  
Secretary, Board of Directors