

**Rezoning
Staff Report**

Planning & Zoning Commission Public Hearing Date: December 9, 2024
City Council Public Hearing Date: December 16, 2024

Rezoning Case: Z24-020
Property Owner(s): Indus Equities, LLC
Applicant(s): Windrose Land Services
Legal Description: A 1.800-acre tract of land situated in the John M. Hooper Survey, Abstract No. 375
Location: 14615 FM 2920 (Exhibit "A")
Area: 1.800 acres
Comp Plan Designation: Corridor Commercial (Exhibit "B")
Present Zoning: Agricultural (AG) District (Exhibit "C")
Request: Rezone from the Agricultural (AG) to the Commercial (C) District

Adjacent Zoning & Land Uses:

North: Commercial (C) / Undeveloped land
South: Tomball's Extraterritorial Jurisdiction (ETJ) / PT Welding & Custom Fabrication
East: Commercial (C) / Undeveloped land
West: Commercial (C) and Tomball's ETJ / Moore Supply Co. and undeveloped land

BACKGROUND

The subject property currently has an approximately 13,000 square foot building on site, with over half of the property being undeveloped. The property was once home to the Gospel Assembly Church but has been unoccupied in recent years. This request aims to allow for the development of a multi-tenant retail center and car wash.

ANALYSIS

Comprehensive Plan Recommendation: The property is designated as “Corridor Commercial” by the Comprehensive Plan’s Future Land Use Map. The Corridor Commercial category is intended for predominantly nonresidential uses along high-traffic, regionally serving thoroughfares.

According to the Comprehensive Plan, land uses should consist of regional commercial businesses, professional offices, multi-family, retail, entertainment, dining, hotels, and brew pubs/distilleries. Appropriate secondary uses include private gathering spaces, local utility series, government facilities, and transportation uses.

The Comprehensive Plan identifies the following zoning districts as compatible with the Corridor Commercial category: Office (O), General Retail (GR), Commercial (C), Mixed Use (MU), and Multi-family (MF). Also identified in the Comprehensive Plan is development guidance, which focuses on providing primary access from an arterial street while incorporating safe and comfortable pedestrian enhancements.

Staff Review Comments: The request to rezone the subject property to the Commercial (C) district is in conformance with the Future Land Use Plan. Furthermore, the subject property will have frontage onto FM 2920 which is designated as a Major Arterial on Tomball’s Major Thoroughfare Plan. Roadways such as this are designed to accommodate the volume and character of traffic that can be expected within the Commercial District. The approval of the requested rezoning will promote a new development that is consistent with the type of development patterns and character endorsed by the Future Land Use Plan for this area.

PUBLIC COMMENT

A Notice of Public Hearing was published in the paper and property owners within 300 feet of the project site and within the city limits were mailed notification of this proposal on November 20, 2024. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City Staff recommends approval of Zoning Case Z24-020.

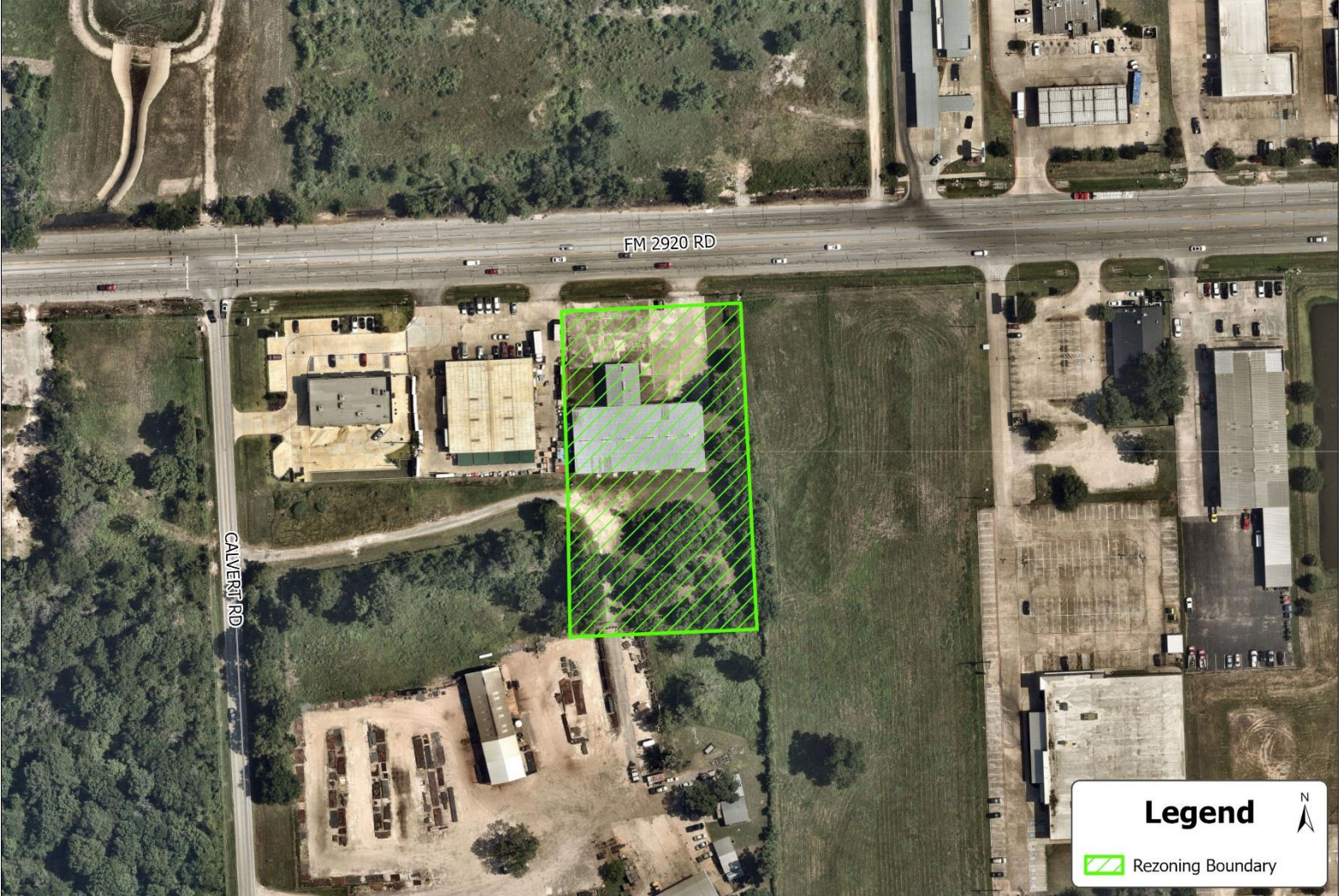
EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Plan
- C. Zoning Map
- D. Site Photos
- E. Rezoning Application

Exhibit "A"
Aerial Location Map



Location



Legend 

 Rezoning Boundary

Exhibit "B"
Future Land Use Plan



Future Land Use

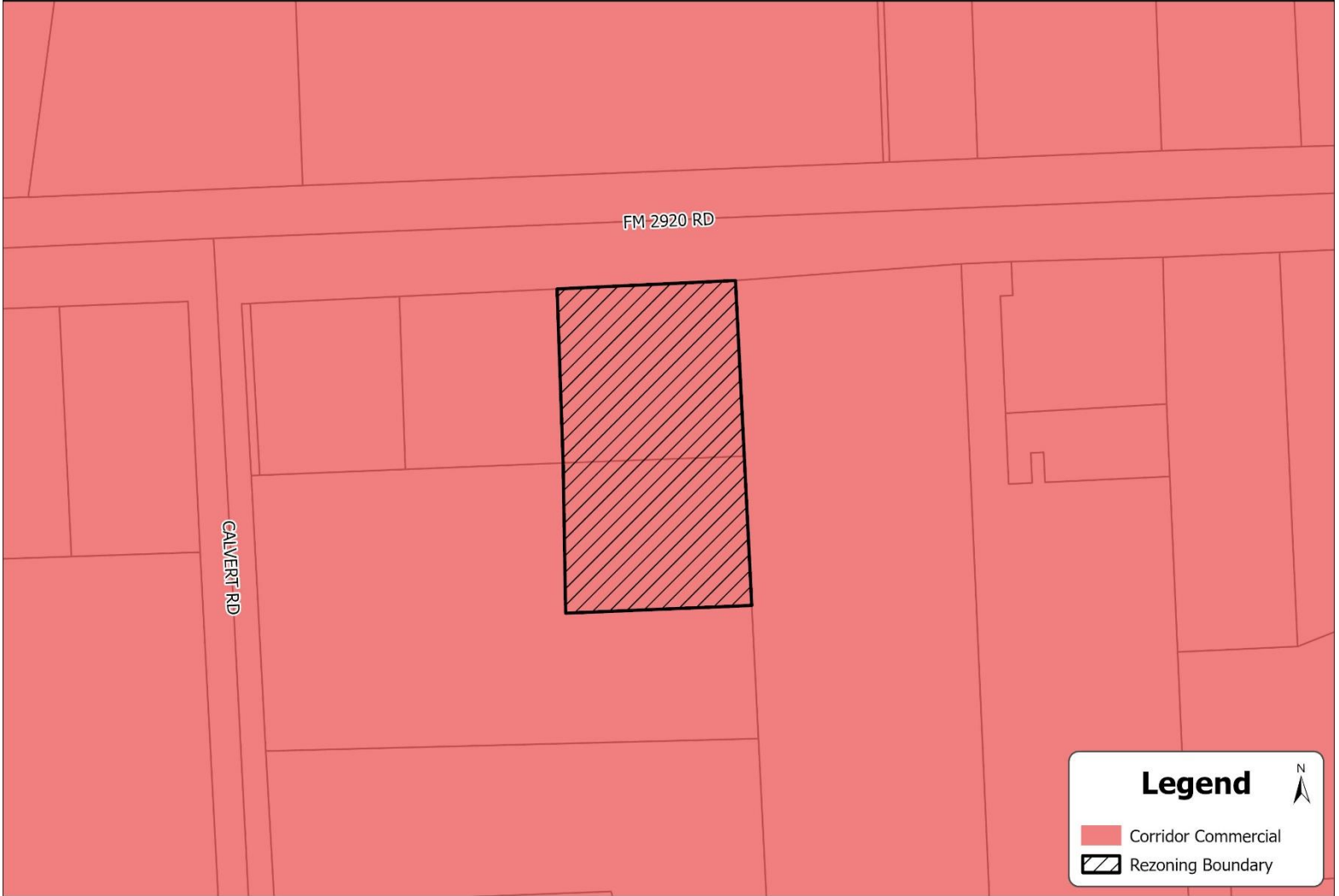


Exhibit "C"
Zoning Map



Zoning

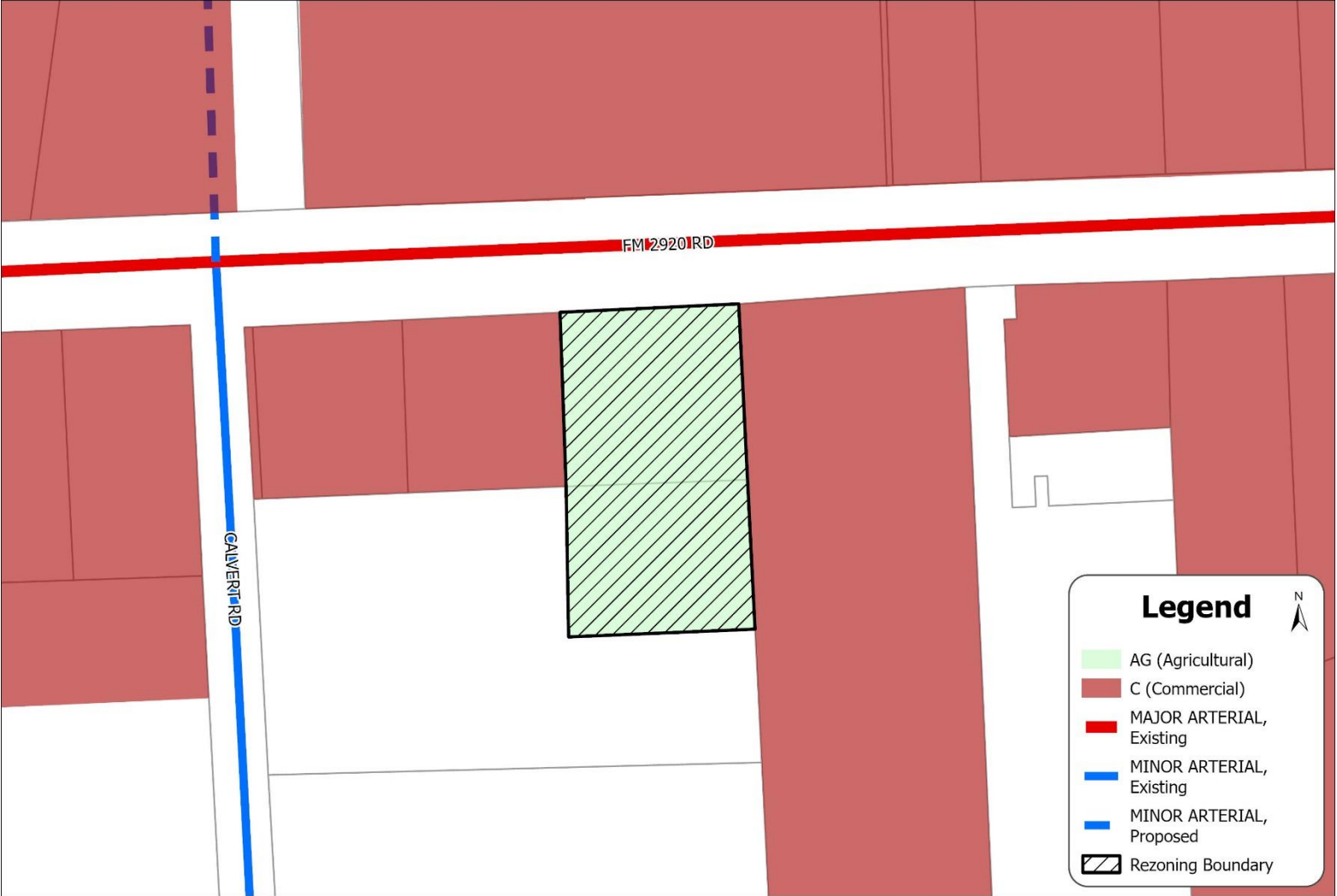


Exhibit "D"
Site Photo(s)

Subject Site



Neighbor (North)



Neighbor (South)



Neighbor (East)



Neighbor (West)



Exhibit "E"
Rezoning Application

Revised: 08/25/2023



APPLICATION FOR RE-ZONING

Community Development Department
Planning Division

APPLICATION REQUIREMENTS: Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

FEES: Must be paid at time of submission or application will not be processed.

- \$1,000.00 fee for requests to rezone to standard zoning districts
- \$1,500.00 fee for request to rezone to Planned Development districts.

DIGITAL APPLICATION SUBMITTALS:

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY WITHIN SMARTGOV

WEBSITE: ci-tomball-tx.smartgovcommunity.com

Applicant

Name: Windrose Land Services Title: Project Manager
Mailing Address: 5353 W Sam Houston Pkwy N, Suite 150 City: Houston State: TX
Zip: 77041 Contact: Lucy Magana
Phone: (713) 458-2281 Email: lucy.magana@windroseservices.com

Owner

Name: Indus Equities LLC Title: _____
Mailing Address: 14518 Winding Springs Dr City: Cypress State: TX
Zip: 77429 Contact: Nandu Konat
Phone: (713) 591-5146 Email: nandu.konat@gmail.com

Engineer/Surveyor (if applicable)

Name: Windrose Land Services Title: Platting Manager/ Surveyor
Mailing Address: 0430410000184 City: Houston State: TX
Zip: 77041 Contact: Matthew Carpenter
Phone: (713) 458-2281 Fax: () Email: matt.carpenter@windroseservices.com

Description of Proposed Project: To create 1 commercial Lot and rezone from AG to Commercial.

Physical Location of Property: 14615 F.M. 2920, Tomball, TX, 77377
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: John. M. Hooper Survey, Abstract No. 375
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: (C) : Commercial

Current Use of Property: Parcel ending in 184 is a Church - Not in use & the other parcel ending in 183 is land only.

Proposed Zoning District: (C) : Commercial

Proposed Use of Property: Express Car Wash - Repurpose building to retail/ office

HCAD Identification Number: _____ Acreage: 1.800

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

Lucy Magana 10/7/24
Signature of Applicant Date

[Signature] 10/7/24
Signature of Owner Date

Submittal Requirements

The following summary is provided for the applicant's benefit. However, fulfilling the requirements of this summary checklist does not relieve the applicant from the responsibility of meeting the regulations in the Zoning Ordinance, subdivision regulations, and other development related ordinances of the City of Tomball.

Applications must be received by the City of Tomball at least 40 calendar days prior to the City Planning and Zoning Commission hearing date.

- **Application Fee: \$1,000.00 (standard zoning) or \$1,500.00 (PD zoning)**
- **Completed application form**
- ***Copy of Recorded/Final Plat**
- **Letter stating reason for request and issues relating to request**
- **Conceptual Site Plan (if applicable)**
- **Metes & Bounds of property**
- **Payment of all indebtedness attributed to subject property must be paid with application or an arrangement in accordance with Section 50-36(a)(3) of the Code of Ordinances as cited below:**

(No person who owes delinquent taxes, delinquent paving assessments, or any other fees, delinquent debts or obligations or is otherwise indebted to the City of Tomball, and which are directly attributed to a piece of property shall be allowed to submit any application for any type of rezoning, building permit, or plan review until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof to the City of Tomball shall have been first fully discharged by payment, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence of proof that all taxes, fees, etc.. have been paid, or that other arrangements satisfactory to the City have been made for payment of said taxes, fees, etc.)

The City's staff may require other information and data for specific required plans. Approval of a required plan may establish conditions for construction based upon such information.

***Legal Lot Information:** If property is not platted, a plat will be required to be filed with the Community Development Department unless evidence of a legal lot is provided. To be an un-platted legal lot, the applicant is required to demonstrate that the tract existed in the same shape and form (same metes and bounds description) as it currently is described prior to August 15, 1983, the date the City adopted a subdivision ordinance.

Application Process

1. The official filing date is the date the application and fee are received by the City.
2. The City will review the application for completeness and will notify the applicant in writing within 10 days if the application is deemed incomplete.
3. Property owners within two-hundred (300) feet of the project site will be notified by letter within 10 calendar days prior to the public hearing date and legal notice will appear in the official newspaper of the City before the eighth calendar day prior to the date of the hearing.
4. A public hearing will be held by the Planning and Zoning Commission at 6:00 p.m. in the City Council chambers, unless otherwise noted. The Planning and Zoning Commission meetings are scheduled on the second Monday of the month. The staff will review the request with the Commission and after staff presentations the chair will open the public hearing. The applicant will have ten (10) minutes to present the request. The chair will then allow those present in favor of the request and those in opposition to the request to speak. The Commission may then ask staff or anyone present additional questions, after which the Commission may close or table the public hearing. The Commission may then vote to recommend approval or denial to the City Council. The Commission may also table the request to a future date before a recommendation is sent to the City Council.
5. A second public hearing will be scheduled before the City Council after fifteen (15) days of legal notice. The Council meetings are held on the first (1st) and third (3rd) Mondays of the month at 6:00 p.m. in the City Council chambers (401 Market Street, Tomball, Texas, 77375).
6. The City Council will conduct a public hearing on the request in the same manner as the Planning and Zoning Commission. In the event that there has been a petition filed with the City Secretary with twenty percent (20%) of the adjoining property owners in opposition to the subject zoning request, it will require a three fourths (3/4) vote of the full Council to approve the request. Upon approval of the request by the City Council, an amended ordinance shall be prepared and adopted. The ordinance shall have two separate readings and will be effective at such time that it is adopted by City Council and signed by the Mayor and attested by the City Secretary.

FAILURE TO APPEAR: It is the applicant/property owner's responsibility to attend all Planning and Zoning Commission and City Council meetings regarding their case. Failure of the applicant or his/her authorized representative to appear before the Planning and Zoning Commission or the City Council for more than one (1) hearing without approved delay by the City Manager, or his/her designee, may constitute sufficient grounds for the Planning and Zoning Commission or the City Council to table or deny the application unless the City Manager or his/her designee is notified in writing by the applicant at least seventy-two (72) hours prior to the hearing. If the agenda item is tabled the Planning and Zoning Commission shall specify a specific date at which it will be reconsidered.



WINDROSE

LAND SURVEYING | PLATTING

October 7, 2024

City of Tomball
401 Market Street
Tomball, TX 77375
blashley@tomballtx.gov

To Whom It May Concern:

I am enclosing a copy of a proposed plat of **Island Xpress Tomball**. The purpose of the zoning change request is to plat **to create 1 Commercial Lot**. It is currently empty land on HCAD parcel 0430410000184 and HCAD 0430410000183 is a church building, not currently in use. The proposed use of the property would be an Express Car Wash and repurpose building to retail/ office.

If you have any questions or comments, please contact **Lucy Magana at 713-297-8315**.
lucy.magana@windroseservices.com.

Thank you,

Lucy Magana

Lucy Magana

PLATTING PROJECT MANAGER

WINDROSE LAND SURVEYING

5353 W. Sam Houston Pkwy N, Suite 150 Houston, TX 77041

O: [\(713\) 458-2281](tel:7134582281) | D: [\(713\)-297-8315](tel:7132978315)

WINDROSESERVICES.COM | FIRM REGISTRATION NO. 10108800

GENERAL WARRANTY DEED
(With Vendor's Lien Retained)

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

THE STATE OF TEXAS §
COUNTY OF HARRIS §

KNOW ALL MEN BY THESE PRESENTS:

THAT the undersigned, GOSPEL ASSEMBLY CHURCH, an unincorporated religious organization (the "Grantor", whether one (1) or more), whose mailing address is P.O. Box 578, Humble, Tx 77344 for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration to the Grantor in hand paid by INDUS EQUITIES LLC, a Texas limited liability company (the "Grantee", whether one (1) or more), whose mailing address is 14518 Winding Springs Dr., Cypress, Texas 77429, the receipt and sufficiency of which is hereby acknowledged; and

THE FURTHER CONSIDERATION of the sum of ONE MILLION ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$1,100,000.00), paid by AMERICAN FIRST NATIONAL BANK, a national banking association (the "Lender"), the receipt and sufficiency of which is hereby acknowledged and confessed, said sum having been advanced at the special insistence and request of the Grantee as part of the purchase price of the Property (as herein defined), and which sum is included in and as evidence of which the Grantee has executed and delivered its certain promissory note of even date herewith in said sum payable to the order of the Lender, due in accordance with the terms and at the interest rate therein stipulated, and providing for acceleration of maturity in the event of default and for attorney's fees, the payment of which note is secured by the Vendor's Lien and superior title herein retained and further secured by a Deed of Trust of even date herewith executed by the Grantee to WALTER A. SCHROEDER, TRUSTEE, for the benefit of the Lender, reference to which is hereby made for all purposes:

has, subject to the exceptions hereinafter set forth, GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY, unto the Grantee, all that certain lot, tract or parcel of land, located in Harris County, Texas (the "Land"), to-wit:

See Exhibit "A", which is attached hereto and incorporated herein by reference for all purposes

together with all improvements lying and situated on the Land, all easements, hereditaments and appurtenances belonging to or inuring to the benefit of the Grantor and pertaining to the Land, if any,

WAS106.061

FILED BY
ALAMO TITLE COMPANY
(HOUSTON)

AT (H) 23130039-RW

RP-2023-365920

and all right, title and interest of the Grantor in and to any land lying in the bed of any street, road or access way, open or proposed, in front of, at a side of or adjoining the Land to the centerline thereof (such Land, improvements and other interests being collectively referred to as the "Property").

THIS CONVEYANCE IS MADE by the Grantor and accepted by the Grantee subject to any and all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, as well as any and all restrictions, covenants, conditions, easements and reservations of record now in effect, relating to the Property. The current ad valorem taxes on the Property having been prorated, the Grantee assumes payment of all taxes for the current year.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the Grantee, its heirs and assigns, forever; and the Grantor does hereby bind itself and its heirs, executors and administrators, to WARRANT AND FOREVER DEFEND all and singular the Property unto the Grantee, its heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

BUT IT IS EXPRESSLY AGREED and stipulated that a Vendor's Lien as well as superior title in and to the Property are retained against the Property until the above described note and all interest thereon are fully paid according to their face and tenor, effect and reading, when this Deed shall become absolute. Said Vendor's Lien and superior title herein retained are hereby TRANSFERRED, ASSIGNED, SOLD and CONVEYED to the Lender, its successors and assigns, the payee named in the above described note, without recourse on the Grantor.

WHEN this Deed is executed by more than one (1) person, or when the word Grantor or Grantee is more than one (1) person, this instrument shall read as though pertinent verbs, nouns and pronouns were changed correspondingly, and when executed by or to an entity other than a natural person, the words "heirs, executors and administrators" or "heirs and assigns" shall be construed to mean "successors and assigns." Reference to any gender shall include either gender and in the case of a legal entity other than a natural person, shall include the neuter gender, all as the case may be.

The contract between Grantor as the seller and Grantee as the buyer may contain various matters which are to be performed after closing or limitations as to warranties, and to the extent that said contract provides for such limitations or contemplates that such post closing matters shall be performed or remain in effect after closing, such matters shall survive this conveyance and such limitations and matters shall be deemed incorporated herein by reference, provided however, that the warranty of title contained in this Deed is hereby expressly excluded from any such limitations referenced in this paragraph.

(Signature(s) appear on following page.)

WAS1506.061

RP-2023-365920

EXECUTED on 9/17, 2023

GOSPEL ASSEMBLY CHURCH

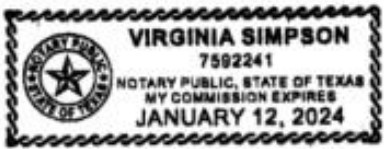
By: Rev Chad Wright
Rev. Chad Wright, Pastor and Trustee
Chairman

By: [Signature]
Johnny Ramirez, Trustee

By: [Signature]
Timothy Gidcum, Trustee

THE STATE OF TEXAS §
COUNTY OF Harris §

This instrument was acknowledged before me on 9/17, 2023 by Rev. Chad Wright, the Pastor and Trustee Chairman of GOSPEL ASSEMBLY CHURCH, an unincorporated religious organization, on behalf of said unincorporated religious organization.



Virginia Simpson
Notary Public, State of Texas

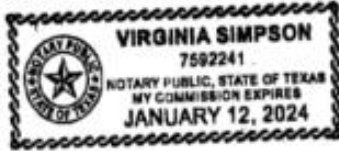
RP-2023-365920

UNOFFICIAL COPY

THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on 9/17, 2023 by Johnny Ramirez, the Trustee of GOSPEL ASSEMBLY CHURCH, an unincorporated religious organization, on behalf of said unincorporated religious organization.

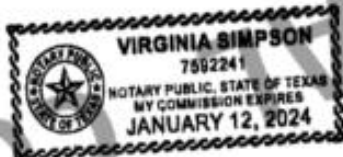


Virginia Simpson
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on 9/17, 2023 by Timothy Gidcum, the Trustee of GOSPEL ASSEMBLY CHURCH, an unincorporated religious organization, on behalf of said unincorporated religious organization.



Virginia Simpson
Notary Public, State of Texas

After recording, please return to:

RP-2023-365920

COPY UNOFFICIAL

EXHIBIT A

A TRACT OR PARCEL CONTAINING 1.800 ACRES OR 78,408 SQUARE FEET OF LAND, SITUATED IN THE JOHN M. HOOPER SURVEY, ABSTRACT NO. 375, HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 1.800 ACRE TRACT CONVEYED TO GOSPEL ASSEMBLY CHURCH, AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE (H.C.C.F.) NUMBER (NO.) Y941823, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE (NAD83):

COMMENCING AT A CAPPED 5/8 INCH IRON ROD STAMPED "E.I.C. SURVEYING" FOUND AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY (R.O.W.) LINE OF F.M. 2920 (CALLED 120' WIDE) AS RECORDED UNDER VOLUME (VOL) 1420, PAGE (PG.) 64, HARRIS COUNTY DEED RECORDS (H.C.D.R.) AND THE EASTERLY R.O.W. LINE OF CALVERT ROAD (70' WIDE) AS RECORDED UNDER FILM CODE (F.C.) NO. 678950, FOR THE NORTHWEST CORNER OF LOT ONE, BLOCK ONE, DUNNCO TOMBALL, MAP OR PLAT THEREOF RECORDED UNDER F.C. NO. 678950, HARRIS COUNTY MAP RECORDS (H.C.M.R.);

THENCE, NORTH 87 DEG. 41 MIN. 03 SEC. EAST, WITH THE SOUTHERLY R.O.W. LINE OF SAID F.M. 2920, A DISTANCE OF 357.94 FEET TO A 1/2 IRON ROD FOUND, FOR THE NORTHEAST CORNER OF LOT TWO, BLOCK ONE, OF SAID DUNNCO TOMBALL AND THE NORTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 87 DEG. 41 MIN. 03 SEC. EAST, CONTINUING WITH THE SOUTHERLY R.O.W. LINE OF SAID F.M. 2920, A DISTANCE OF 208.02 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "TEAM 281-491-4525" FOUND FOR THE NORTHWEST CORNER OF A CALLED 5.750 ACRE TRACT CONVEYED TO BDC FAMILY LIMITED PARTNERSHIP, AS RECORDED UNDER H.C.C.F. NO. RP-2017-63823, AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02 DEG. 59 MIN. 55 SEC. EAST, WITH THE COMMON LINE OF SAID 5.750 ACRE TRACT AND SAID 1.800 ACRE TRACT, A DISTANCE OF 376.95 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE MOST EASTERLY NORTHEAST CORNER OF A CALLED 3.4315 ACRE TRACT CONVEYED TO PAUL HANKS AND WIFE, MARIAN S. HANKS AS RECORDED UNDER H.C.C.F. NO. T178748, AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 87 DEG. 41 MIN. 03 SEC. WEST, WITH THE COMMON LINE OF SAID 5.750 ACRE TRACT, A DISTANCE OF 208.02 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR AN INTERIOR CORNER OF SAID 3.4315 ACRE TRACT AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 02 DEG. 59 MIN. 55 SEC. WEST, WITH THE COMMON LINE OF SAID 5.750 ACRE TRACT, PASSING AT A DISTANCE OF 178.80 FEET A 5/8 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID LOT TWO AND THE MOST NORTHERLY NORTHEAST CORNER OF SAID 3.4315 ACRE TRACT, CONTINUING FOR A TOTAL DISTANCE OF 376.95 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.800 ACRES OR 78,408 SQUARE FEET OF LAND.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

RP-2023-365920

RP-2023-365920

RP-2023-365920
Pages 6
09/25/2023 08:17 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$34.00

COPY UNOFFICIAL

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS



WINDROSE

LAND SURVEYING | PLATTING

DESCRIPTION OF 1.800 ACRES OR 78,408 SQ. FT.

A TRACT OR PARCEL CONTAINING 1.800 ACRES OR 78,408 SQUARE FEET OF LAND, SITUATED IN THE JOHN M. HOOPER SURVEY, ABSTRACT NO. 375, HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 1.800 ACRE TRACT CONVEYED TO GOSPEL ASSEMBLY CHURCH, AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE (H.C.C.F.) NUMBER (NO.) Y941823, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE (NAD83):

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THENCE, NORTH 87 DEG. 41 MIN. 03 SEC. EAST, WITH THE SOUTHERLY R.O.W. LINE OF SAID F.M. 2920, A DISTANCE OF 357.94 FEET TO A 1/2 IRON ROD FOUND, FOR THE NORTHEAST CORNER OF LOT TWO, BLOCK ONE, OF SAID DUNNCO TOMBALL AND THE NORTHWEST CORNER AND **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 87 DEG. 41 MIN. 03 SEC. EAST, CONTINUING WITH THE SOUTHERLY R.O.W. LINE OF SAID F.M. 2920, A DISTANCE OF 208.02 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "TEAM 281-491-4525" FOUND FOR THE NORTHWEST CORNER OF A CALLED 5.750 ACRE TRACT CONVEYED TO BDC FAMILY LIMITED PARTNERSHIP, AS RECORDED UNDER H.C.C.F. NO. RP-2017-63823, AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02 DEG. 59 MIN. 55 SEC. EAST, WITH THE COMMON LINE OF SAID 5.750 ACRE TRACT AND SAID 1.800 ACRE TRACT, A DISTANCE OF 376.95 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE MOST EASTERLY NORTHEAST CORNER OF A CALLED 3.4315 ACRE TRACT CONVEYED TO PAUL HANKS AND WIFE, MARIAN S. HANKS AS RECORDED UNDER H.C.C.F. NO. T178746, AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 87 DEG. 41 MIN. 03 SEC. WEST, WITH THE COMMON LINE OF SAID 5.750 ACRE TRACT, A DISTANCE OF 208.02 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR AN INTERIOR CORNER OF SAID 3.4315 ACRE TRACT AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 02 DEG. 59 MIN. 55 SEC. WEST, WITH THE COMMON LINE OF SAID 5.750 ACRE TRACT, PASSING AT A DISTANCE OF 176.80 FEET A 5/8 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID LOT TWO AND THE MOST NORTHERLY NORTHEAST CORNER OF SAID 3.4315 ACRE TRACT, CONTINUING FOR A TOTAL DISTANCE OF 376.95 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 1.800 ACRES OR 78,408 SQUARE FEET OF LAND.


MATTHEW CARPENTER
R.P.L.S. NO. 6942
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



07/28/2023
DATE: