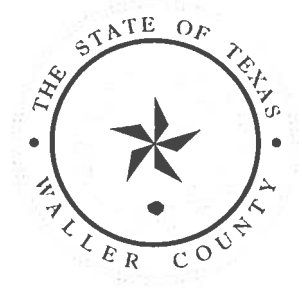


WALLER COUNTY

J. Ross McCall, P.E.
County Engineer



MEMORANDUM

To: Honorable Commissioners' Court

Item: Variance Request – by Douglas Burkhalter

Date: July 22, 2026

Background

Douglas Burkhalter is requesting a variance request to the Waller County Subdivision and Development Regulations regarding Access Easements to allow 40' access easement width instead of the standard 60' width. The proposed access easements extend into the proposed plat from the East R-O-W line of Klaus Road in Precinct 1.

Staff Recommendation

None



Waller County Road & Bridge Department

775 Bus 290 E – Hempstead TX 77445
979-826-7670 www.co.waller.tx.us

\$1,000.00 Fee

NON-SINGLE FAMILY VARIANCE REQUEST APPLICATION

This form is used to request a variance to Waller County Standards. No variance will be granted unless the general purpose and intent of the Standards is maintained. Any variance granted will only be applicable to the specific site and conditions for which the variance was granted, and will not modify or change any standards as they apply to other sites or conditions.

The applicant must clearly demonstrate that the variance request meets minimum acceptable engineering and safety standards. The applicant must also clearly demonstrate that the variance is not detrimental to the health, safety, and welfare of the public.

Instructions: Complete all fields below. Additional sheets may be attached, however, a summary of your responses must be included in the spaces provided below. Simply stating "see attached" is considered insufficient information.

PROPERTY OWNER INFORMATION	APPLICANT INFORMATION
Name: Douglas Burkhalter	Name: Joyce Owens
Mailing Address: 15131 Old Richmond Road	Mailing Address: 12401 S. Post Oak Road, Suite H
City, State, Zip: Sugar Land, TX 77498	City, State, Zip: Houston, TX 77045
Email: bessiescreek2016@yahoo.com	Email: info@omsbuild.com
Phone: 281-667-5429	Phone: 713-643-6333

Location of Parent Tract (Picture of posted 9-1-1 numbers required before variance will be granted)

38130 Klaus Lane, Brookshire, TX 77423	6160	13.7248
Address of Property	Property ID #	Acreage

PLEASE PROVIDE THE FOLLOWING:

- ☒ Sketch, drawing, boundary survey or WCAD map noting proposed development
☒ Copy of Recorded Deed

VARIANCE REQUEST OVERVIEW & JUSTIFICATION

Note the specific regulation(s) to which this variance is being requested. Describe why the County's minimum requirements can't be met and what the proposed deviation will achieve. (Attached additional sheets if more room is needed.)

A variance is sought to allow an east-west 40' access easement rather than a 60' easement that extends east from Klaus Road for vehicular access; and to allow a 30' north-south access easement that extends from the curve of Klaus Road north to the northwest plat boundary.

OWNER/APPLICANT CERTIFICATION & ACKNOWLEDGEMENT

The owner and applicant declare under the penalty of perjury, and any other applicable state or federal law, that all information provided on this form and submitted attachments are true, factual, and accurate. The owner and applicant also hereby acknowledge any false misleading information contained herein is grounds for variance denial and/or permit revocation.

Joyce Owens		7/1/2026
Printed Owner/Applicant Name	Signature Owner/Applicant	Date

OFFICE USE ONLY

☐ Approved ☐ Denied		NOTES
Waller County Commissioner Prct 1 2 3 4 Date		
Waller County Judge Date		

OFFICE USE ONLY Payment: Cash _____ Check _____ # _____ CC _____ ID # _____

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.

GENERAL WARRANTY DEED
(With Third Party Vendor's Lien)

THE STATE OF TEXAS

§

COUNTY OF WALLER

§

THAT CONNIE KLAUS FOLMER AND CHARLES RAY FOLMER, hereinafter referred to as "Grantor" (whether one or more), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by TIFFANY LYNN FOLMER AND DOUGLAS ROYDER BURKHALTER, WIFE AND HUSBAND, hereinafter referred to as "Grantee" (whether one or more), the receipt and sufficiency of which are hereby acknowledged and confessed, and for the further consideration of the execution and delivery by Grantee of one certain Promissory Note of even date herewith, in the original principal sum of Two Hundred Fifty Thousand And No/100 Dollars (\$250,000.00), payable to the order of FLAGSTAR BANK, FSB, hereinafter called "Mortgagee"; said Promissory Note being secured by a Vendor's Lien and the Superior Title herein retained and reserved in favor of Grantor and assigned and conveyed, without recourse, to Mortgagee, and also being secured by a Deed of Trust of even date herewith from Grantee to THOMAS E. BLACK, JR, Trustee, reference to said Promissory Note and Deed of Trust being hereby made for all purposes; Grantor has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, the following described real property, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

together with all improvements thereon, if any, and all rights, privileges, tenements, hereditaments, rights of way, easements, appendages and appurtenances, in anyway appertaining thereto, and all right, title, and interest of Grantor in and to any streets, ways, alleys, strips or gores of land adjoining the above described property or any part thereof (hereinafter referred to as the "Property").

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

But it is expressly agreed that Grantor reserves and retains for Grantor, and Grantor's heirs and assigns, a Vendor's Lien, as well as the Superior Title, against the Property until the above described Promissory Note and all interest therein have been fully paid according to the terms thereof, when this Deed shall become absolute.

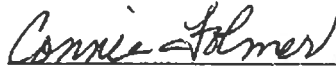
WHEREAS, Mortgagee, at the special instance and request of Grantee, having paid to Grantor a portion of the purchase price of the Property, as evidenced by the above described Promissory Note, Grantor hereby assigns, transfers, conveys and delivers, without recourse, to Mortgagee said Vendor's Lien and Superior Title against said Property to secure the payment of said Promissory Note, and subrogates Mortgagee to all rights and remedies of Grantor in the Property by virtue thereof.

To the extent applicable to and enforceable against the Property, this Deed is executed, delivered and accepted subject to the following: any liens described herein; ad valorem taxes for the current and all subsequent years, and subsequent assessments for prior years due to changes in land usage or ownership; zoning ordinances, utility district assessments, and standby fees, if any; all valid utility easements created by the dedication deed or plat of the platted subdivision in which the Property is located, covenants and restrictions common to the platted subdivision in which the Property is located, mineral reservations, and maintenance or assessment liens (if any), all as shown by the real property records of the County Clerk of the County in which said Property is located; and any title or rights asserted by anyone (including, but not limited to, persons, corporations, governments or other entities) to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or to any land extending from the line of the harbor or bulkhead lines as established or changed by any government or to filled-in lands, or artificial islands, or to riparian rights or other statutory water rights, or the rights or interests of the State of Texas or the public generally in the area extending from the line of mean low tide to the line of vegetation or the right of access thereto, or right of easement along and across the same, if any.

The contract between Grantor, as the seller, and Grantee, as the buyer, may contain limitations as to warranties. To the extent said contract provides for such limitations to survive this conveyance, they shall be deemed incorporated herein by reference. However, the warranty of title contained in this Deed is hereby expressly excluded from any limitations as to warranties contained in the contract referenced in this paragraph.

When this Deed is executed by more than one person, or when Grantee is more than one person, the instrument shall read as though pertinent verbs, nouns and pronouns were changed correspondingly, and when executed by or to a legal 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 term "Mortgagee" shall include the Mortgagee's heirs, successors and assigns, as applicable.

DATED the 27TH day of MAY, 2022.


CONNIE KLAUS FOLMER


CHARLES RAY FOLMER

After Recording Return To Grantee
At GRANTEE'S MAILING ADDRESS:

TIFFANY LYNN FOLMER
38114 KLAUS RD
PATTISON, TX 77423-2452

ACKNOWLEDGMENTS

The State of TEXAS §

County of WALLER §

This instrument was acknowledged before me on the 27th day of may, 2022, by CONNIE KLAUS FOLMER and CHARLES RAY FOLMER

[Signature]
Notary Public

My commission expires:

5/6/24

SHERYL WARREN
Notary's Name (printed)

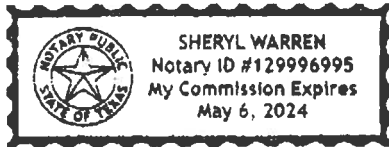


EXHIBIT "A"

BEING A 10.002 ACRE TRACT OF LAND SITUATED IN THE SAMUEL C. HEADY SURVEY, A-31. BEING OUT OF AND PART OF THAT CALLED 17252 ACRE TRACT OF LAND DESCRIBED IN DEED TO LILLIE MAE KLAUS ADAMS AND HUSBAND WAYNE ADAMS RECORDED IN VOLUME 232, PAGE 255 OF THE WALLER COUNTY DEED RECORDS, TRACT 3, BEING 6.1745 ACRES SITUATED IN SAMUEL C. HARDY SURVEY, ABSTRACT 31, SAID 3-0784 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED:

POINT OF BEGINNING AT A CORNER FROM WHICH A 1/2 INCH IRON ROD WITH PC, BEARS SOUTH 68°59'25" WEST A DISTANCE OF 0.25 FEET;

THENCE SOUTH 73°10'48" EAST, A DISTANCE OF 301.44 FEET TO A FOUND 5/8 INCH IRON ROD WITH FDS CAP;

THENCE NORTH 33°45'32" EAST, A DISTANCE OF 179.71 FEET TO A FOUND 5/8 INCH IRON ROD WITH FDS CAP;

THENCE SOUTH 17°14'39" EAST A DISTANCE OF 623.10 FEET TO A SET 5/8 INCH IRON ROD WITH FDS CAP;

THENCE NORTH 72°45'21" WEST A DISTANCE OF 472.03 FEET TO A FOUND 5/8 INCH IRON ROD WITH FDS CAP;

THENCE NORTH 16°19'29" EAST, A DISTANCE OF 177.91 FEET TO A POINT FOR CORNER FROM WHICH BEARS A 1/2 INCH IRON ROD WITH PC NORTH 47°09'28" WEST A DISTANCE OF 0.53 FEET OF HEREIN DESCRIBED TRACT;

THENCE NORTH 72°50'09" WEST, A DISTANCE OF 499.01 TO A FOUND 1/2 INCH ROD WITH PC OF HEREIN DESCRIBED TRACT;

THENCE NORTH 32°45'39" EAST WITH KLAUS LANE, A DISTANCE OF 277.45 FEET TO A FOUND 3/8 INCH IRON ROD TO THE POINT OF BEGINNING AND CONTAINING 10.0002 ACRES (435,609 SQ. FT.);

FILED AND RECORDED

Instrument Number: 2207238

Filing and Recording Date: 06/02/2022 03:25:10 PM Pages: 5 Recording Fee: \$28.00

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.



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:
CAPITAL TITLE OF TEXAS, LLC
2400 DALLAS PKWY STE 560
PLANO, TX 75093-4371



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.

SPECIAL WARRANTY GIFT DEED

Effective Date: January 29, 2021

Grantor: HOWARD E. KLAUS, a single person

Grantor's Mailing Address:

38130 Klaus Road
Brookshire, Waller County, Texas 77423

Grantee: TIFFANY LYNN FOLMER, a married person as her separate property

Grantee's Mailing Address:

38114 Klaus Road
Brookshire, Waller County, Texas 77423

Consideration:

Love of, and affection for, Grantee.

Property (including any improvements):

TRACT TWO: Being 5.000 acres of land, more or less, situated in the Samuel C. Hady Survey, Abstract 31, Waller County, Texas, and being out of that certain called 17.253 acre tract conveyed by deed to Howard H. Klaus, recorded in Volume 232, Page 251, of the Waller County Deed Records; said Tract Two being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

This conveyance is made and accepted SUBJECT TO any and all restrictions, covenants, conditions, outstanding mineral and/or royalty interests and easements, if any, relating to the hereinabove described property, but only to the extent that they are still in effect and shown of record in Waller County, Texas.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Current ad valorem taxes on the Property having been prorated, the payment thereof is assumed by Grantee.

Grantor grants and conveys the Property to Grantee as separate property.

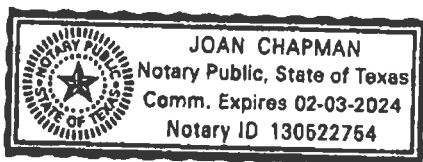
When the context requires, singular nouns and pronouns include the plural.



HOWARD E. KLAUS

STATE OF TEXAS §
 §
COUNTY OF WALLER §

This instrument was acknowledged before me on the 29 day of January, 2021, by HOWARD E. KLAUS.





Notary Public, State of Texas

AFTER RECORDING RETURN TO:

The Gostecnik Law Firm, P.C.
P. O. Box 449
Pattison, Texas 77466

**TRACT 2
DESCRIPTION
5.000 ACRES
OUT OF THE SAMUEL C. HADY SURVEY ABSTRACT 31
WALLER COUNTY, TEXAS**

Being 5.000 acres situated in the Samuel C. Hady Survey Abstract 31, Waller County, Texas and being out of that certain called 17.253 acre tract conveyed by deed to Howard H. Klaus, recorded in Volume 232 Page 251 Waller County Deed Records (W.C.D.R.) and being more particularly described by metes and bounds as follows with all coordinates (grid feet) and bearings being Texas Coordinate System NAD 83 derived from OPUS report, all distances being surface feet and may be converted to grid by multiplying by a combined factor of 0.99989929:

COMMENCING at a found ½ inch iron rod (bent C.M.) having coordinates of X=2915645.12, Y=13865804.91, in the southeast line of Klaus Lane, marking the most westerly corner of said called 17.253 acre tract:

THENCE North 32° 44' 44" East, along the southeast line of said Klaus Lane, a distance of 31.23 feet to a ½ inch iron with cap set for the POINT OF BEGINNING;

THENCE North 32° 44' 44" East, continuing along the southeast line of Klaus Lane, a distance of 32.01 feet to a ½ inch iron rod with cap set for an angle point in said called 17.253 acre tract;

THENCE North 27° 18' 23" West, a distance of 24.19 feet to the south corner of that certain called 15 acre tract conveyed by deed to Adolph J. Weis, recorded in Volume 1098 Page 205 W.C.D.R., from which a found ½ inch iron rod bears North 27° 45' 38" East, 0.40 feet;

THENCE North 33° 44' 37" East, along the southeast line of said Weis tract, a distance of 236.61 feet to a ½ inch iron rod with cap set for corner of the herein described tract;

THENCE South 73° 11' 43" East, at 1543.30 feet pass a ½ inch iron rod with cap and continuing a total distance of 1582.14 feet to a point in the center of Bessies Creek;

THENCE South 19° 22' 05" East, along the center of Bessies Creek, a distance of 0.34 feet to an angle point;

THENCE South 27° 19' 01" West, continuing along the center of Bessies Creek, a distance of 104.05 feet to a point for corner;

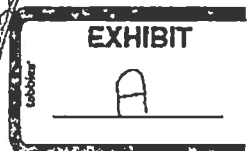
THENCE North 73° 11' 43" West, at 25.85 feet pass a ½ inch iron rod with cap set on line and continuing a total distance of 1270.45 feet to a ½ inch iron rod with cap set for an angle point;

THENCE South 33° 44' 37" West, a distance of 179.71 feet to a ½ inch iron rod with cap set for an angle point;

THENCE North 73° 11' 43" West, a distance of 301.44 feet to the POINT OF BEGINNING and containing 5.000 acres of land.

This description is accompanied by a drawing of even survey date.

S.W. Freudensprung 4/9/10
S. W. Freudensprung
Registered Professional Land Surveyor No. 5260
Job No. 10014b - April 9, 2010



FILED AND RECORDED

Instrument Number: 2101187

Filing and Recording Date: 01/29/2021 01:14:09 PM Pages: 4 Recording Fee: \$24.00

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,



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.

Marlene Arranaga, Deputy

Returned To:
DORA GOSTECNIK

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.

SPECIAL WARRANTY GIFT DEED

Grantor: CONNIE KLAUS FOLMER and spouse, CHARLES RAY FOLMER

Grantor's Mailing Address:

38114 Klaus Road
Brookshire, Waller County, Texas 77423

Grantee: TIFFANY LYNN FOLMER, a married person as her separate property

Grantee's Mailing Address:

38114 Klaus Road
Brookshire, Waller County, Texas 77423

Consideration:

Love of, and affection for, Grantee.

Property (including any improvements):

11.2847 acre (491,563 sq. ft), more or less, tract of land situated in the Samuel C. Heady Survey, A-31, being out of and a part of that called 17.252 acre tract of land described in deed to Lillie Mae Klaus Adams and husband, Wayne Adams, recorded in Volume 232, Page 255, of the Waller County Deed Records, Tract 3, being 6.1745 acres situated in the Samuel C. Hardy Survey, Abstract 31; said Tract Two being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

This conveyance is made and accepted SUBJECT TO any and all restrictions, covenants, conditions, outstanding mineral and/or royalty interests and easements, if any, relating to the hereinabove described property, but only to the extent that they are still in effect and shown of record in Waller County, Texas.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Current ad valorem taxes on the Property having been prorated, the payment thereof is assumed by Grantee.

Grantor grants and conveys the Property to Grantee as separate property.

When the context requires, singular nouns and pronouns include the plural.

Connie F. Folmer

CONNIE KLAUS FOLMER

Charles Ray Folmer

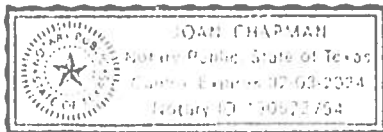
CHARLES RAY FOLMER

STATE OF TEXAS

§
§
§

COUNTY OF WALLER

This instrument was acknowledged before me on the 16th day of June, 2022, by
CONNIE KLAUS FOLMER.

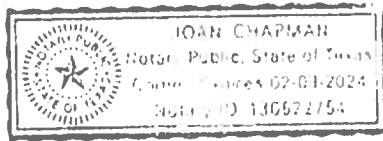


Joan Chapman
Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF WALLER

This instrument was acknowledged before me on the 16th day of June, 2022, by
CHARLES RAY FOLMER.



Joan Chapman
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Tiffany Folmer
38114 Klaus Road
Brookshire, Texas 77423

FIELD DATA SERVICE, INC.
 1613 AVE B
 KATY, TEXAS 77493
 PHONE 281-793-5192

METES AND BOUNDS DESCRIPTION

BEING A 11.2847 ACRE (491,563 SQ. FT.) TRACT OF LAND SITUATED IN THE SAMUEL C. HEADY SURVEY, A-31, BEING OUT OF AND PART OF THAT CALLED 17.252 ACRE TRACT OF LAND DESCRIBED IN DEED TO LILLIE MAE KLAUS ADAMS AND HUSBAND WAYNE ADAMS RECORDED IN VOLUME 232, PAGE 255 OF THE WALLER COUNTY DEED RECORDS, TRACT 3, BEING 6.1745 ACRES SITUATED IN SAMUEL C. HARDY SURVEY, ABSTRACT 31, SAJD 18.2032 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED:

POINT OF BEGINNING A SET 5/8" IRON ROD WITH FDS CAP OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 73°10'48" EAST, A DISTANCE OF 712.68 FEET TO A POINT OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 24°37'30" WEST, A DISTANCE OF 118.24 FEET TO A POINT OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 04°20'21" EAST, A DISTANCE OF 208.00 FEET TO A POINT OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 14°25'56" EAST, A DISTANCE OF 127.19 FEET TO A POINT OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 65°35'35" EAST, A DISTANCE OF 101.11 FEET TO A POINT OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 67°19'52" EAST, A DISTANCE OF 72.45 FEET TO A POINT OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 42°08'21" EAST, A DISTANCE OF 167.00 FEET TO A POINT OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 26°40'21" EAST, A DISTANCE OF 69.00 FEET TO A POINT OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 05°11'11" EAST, A DISTANCE OF 93.95 FEET TO A POINT OF HEREIN DESCRIBED TRACT;

THENCE NORTH 72°03'21" WEST, A DISTANCE OF 589.00 FEET TO A SET 5/8 IRON ROD WITH FDS CAP OF HEREIN DESCRIBED TRACT;

THENCE NORTH 18°11'39" EAST, A DISTANCE OF 197.41 TO A FOUND 5/8 INCH IRON ROD WITH FDS CAP FEET OF HEREIN DESCRIBED TRACT;

THENCE NORTH 72°44'21" WEST, A DISTANCE OF 445.40 TO A FOUND 5/8 INCH IRON ROD WITH FDS CAP FEET OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 15°28'39" WEST, A DISTANCE OF 168.16 TO A POINT FOR CORNER FROM WHICH BEARS A 3/8 INCH IRON ROD, NORTH 26°06'19" A DISTANCE OF 0.77 FEET OF HEREIN DESCRIBED TRACT;

THENCE NORTH 72°45'21" WEST, WITH A DISTANCE OF 198.53 TO A SET 5/8 INCH
IRON ROD WITH FDS CAP FEET OF HEREIN DESCRIBED TRACT;

THENCE NORTH 17°14'39" EAST, WITH A DISTANCE OF 623.10 TO THE POINT OF
BEGINNING AND CONTAINING 11.28747 ACRE (491,563.41 SQ FT) MORE OR LESS.

*** ALL BEARINGS AND COORDINATES ARE BASED ON LEICA SMARTNET RTK
(NAD83(CORS 96) 2001 EPOCH (ADJ.) SOUTH CENTRAL ZONE, TO COVER THE
SURFACE DISTANCE TO GRID DISTANCE, MULTIPLY BY COMBINATION SCALE
FACTOR OF 0.999951143. ***

WITNESS MY HAND AND SEAL THIS 3RD DAY OF MARCH 2022

Rodric R. Reese
RODRIC R. REESE
R.P.S. NO. 5883
JOB NO. 2010-110 3/4/22



FILED AND RECORDED

Instrument Number: 2207979

Filing and Recording Date: 06/17/2022 09:13:33 AM Pages: 6 Recording Fee: \$32.00

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



Debbie Hollen

Debbie Hollen, 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.

Vividife Deputy

Returned To:
THE GODFREY LAW FIRM, P.C.
3811 AVONDALE
DALLAS, TX 75246-5449

LEGAL DESCRIPTION

Being a tract of land containing 13.7248 acres (597,852 square feet), situated in the Samuel C. Heady Survey, Abstract 31, Waller County, Texas, being out of those same tracts of land conveyed unto Tiffany Lynn Folmer, by deed recorded under County Clerk's File No (s) 21011878, 2207979 and 2207238 of the Official Public Records of Waller County, Texas and being out of a called 17.252 acre tract of land conveyed unto Lillie Mae Klaus Adams and Wayne Adams, by deed recorded in Volume 232, Page 255, of the Deed Records of Waller County, Texas. Said 13.7248-acre tract being more particularly described by metes and bounds as follows:

(Note: Bearings shown herein are referenced to the Texas State Plane Coordinate System, South Central Zone 4204, NAD 83.)

COMMENCING at a found 1/2-inch iron rod at the intersection of southeast right-of-way line of Klaus Lane (variable in width) and the northeast right-of-way line of Cemetery Road (30.00 feet wide);

THENCE North 32°41'25" East, along the southeast right-of-way line of said Klaus Lane, a distance of 183.99 feet to a found 5/8-inch iron rod with cap marked "FIELD DATA RPT.S 1730" for the **POINT OF BEGINNING** and the southwest corner of the said tract herein described;

THENCE North 32°41'25" East, along the southeast right-of-way line of said Klaus Lane, a distance of 109.45 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for an angle point in the northwest line of the said tract herein described;

THENCE North 27°18'47" West, a distance of 24.19 feet to a found 3/8-inch iron rod with cap marked "2085" for an angle point in the northwest line of the said tract herein described;

THENCE North 33°44'13" East, a distance of 236.61 feet to a found 1/2-inch iron rod for the northwest corner of the said tract herein described;

THENCE South 73°12'07" East, a distance of 865.15 feet to a found 1/2-inch iron rod with cap marked "SURVEY 1" for the northeast corner of the said tract herein described;

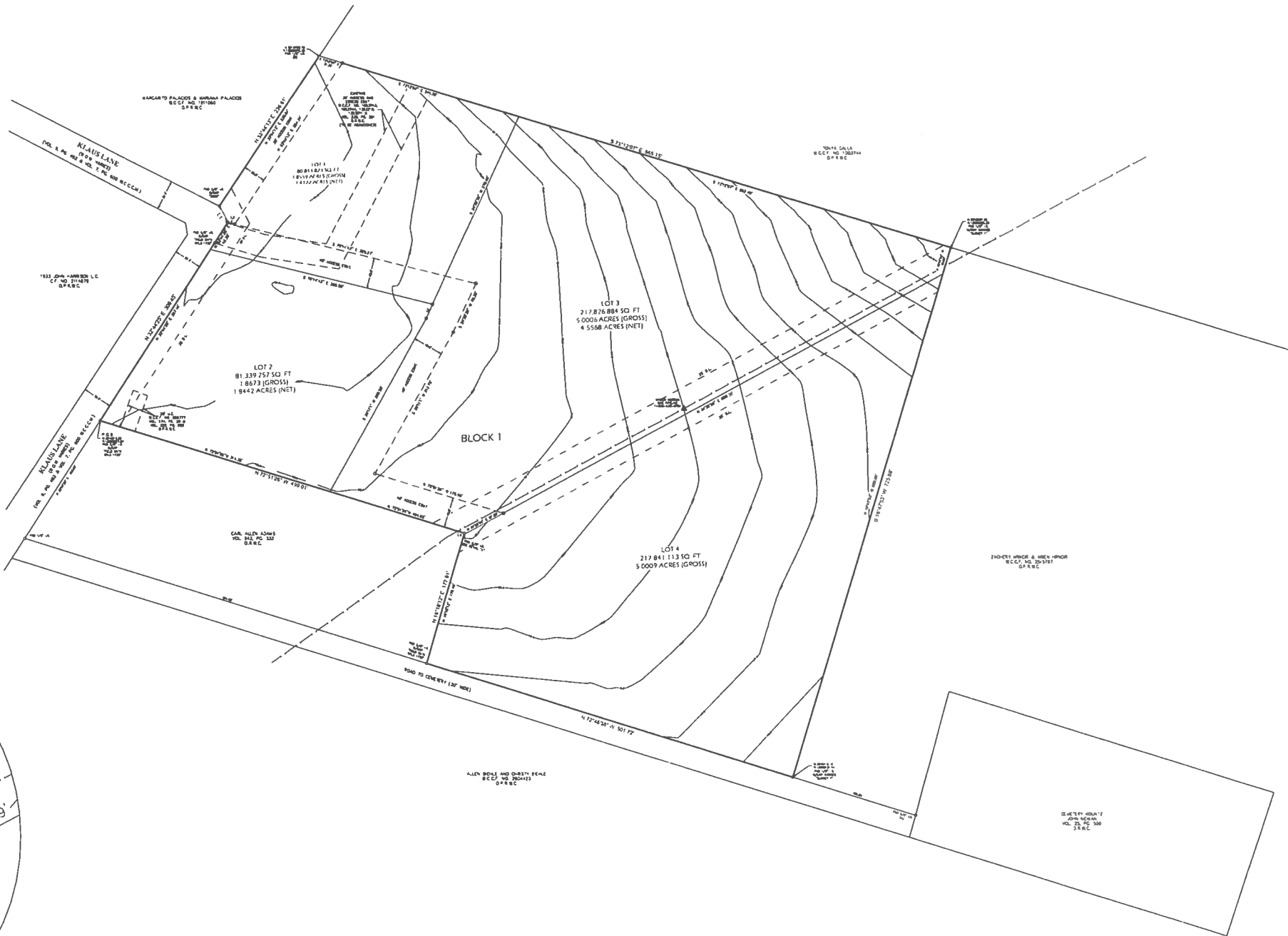
THENCE South 16°47'53" West, a distance of 725.88 feet to a found 1/2-inch iron rod with cap marked "SURVEY 1", in the northeast right-of-way line of said Cemetery Road, for the southeast corner of the said tract herein described;

THENCE North 72°46'38" West, along the northeast right-of-way line of said Cemetery Road, a distance of 501.72 feet to a found 5/8-inch iron rod with cap marked "FIELD DATA RPT.S 1730" for a southwest corner of the said tract herein described;

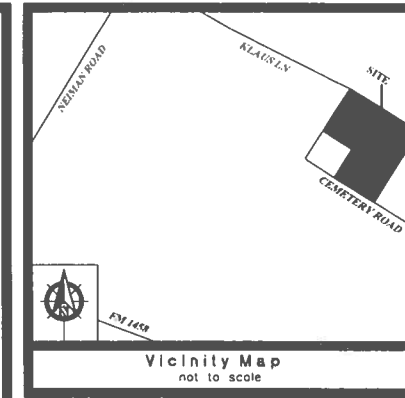
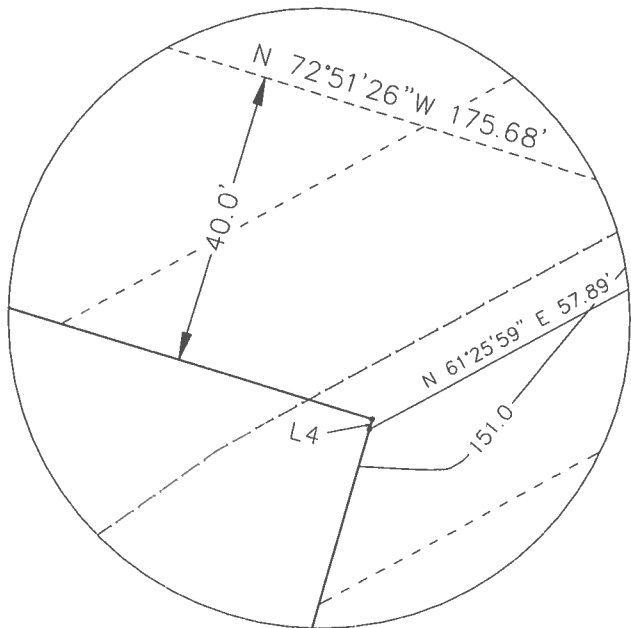
THENCE North 16°18'12" East, a distance of 177.91 feet to a found 5/8-inch iron rod for an interior corner of the said tract herein described;

THENCE North 72°51'26" West, a distance of 499.01 feet to the **POINT OF BEGINNING** and containing 13.7248 acres (597,852 square feet), more or less.

LINE	BEARING	DISTANCE
L1	N 27°18'47" W	24.19'
L2	S 76°14'43" E	9.39'
L3	S 24°35'39" W	20.36'
L4	N 16°18'12" E	1.45'



DETAIL "A"
NOT TO SCALE



LEGEND

R.O.W. - RIGHT-OF-WAY
O.P.R.W.C. - OFFICIAL PUBLIC RECORDS OF WALLER COUNTY
D.R.W.C. - DEED RECORDS OF WALLER COUNTY
W.C.C.F. NO. - WALLER COUNTY CLERK FILE NUMBER
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I.R. - IRON ROD
FND. - FOUND
B.L. - BUILDING LINE
SQ. FT. - SQUARE FEET
P.O.B. - POINT OF BEGINNING
VOL. - VOLUME
PG. - PAGE



SCALE:
1"=80'



PRELIMINARY PLAT OF
BESSIES CREEK RANCH

A SUBDIVISION OF 13.7248 ACRES (597,852 SQUARE FEET) OF LAND
OUT OF THE SAMUAL C. HEADY SURVEY, ABSTRACT 31,
WALLER COUNTY, TEXAS

4 LOTS 1 BLOCK

OWNERS:
TIFFANY LYNN FOLMER AND DOUGLAS ROYDER BURKHALTER
38114 KLAUS ROAD
PATTISON, TEXAS 77423
281-667-5429
BESSIESCREEK2016@YAHOO.COM

DEVELOPER
DOUGLAS BURKHALTER
38114 KLAUS ROAD
PATTISON, TEXAS 77423
281-667-5429
BESSIESCREEK2016@YAHOO.COM

JULY, 2026 SCALE 1" = 80'

SURVEYOR

www.survey1inc.com
survey1@survey1inc.com

Survey 1, Inc.
Your Land Survey Company
Form Resurveyor No. 180758-00
P.O. Box 2541, A.M., TX 77571 (281)393-1587

LAND PLANNER

OWENS MANAGEMENT SYSTEMS, LLC
12401 S. POST OAK ROAD, SUITE 11
HOUSTON, TX 77045
713-643-6333 • WWW.OWENSBUILD.COM



STATE OF TEXAS
COUNTY OF WALLER

We, Tiffany Lynn Folmer and Douglas Royder Burkhalter, Owners of the property subdivided in the above map of Bessies Creek Ranch, make subdivision of the property, according to the lines, streets, lots, alleys, parks, building lines, and easements as shown and waive all claims for damages occasioned by the establishment of grades, as approved for the streets and drainage easements indicated, or occasioned by the alteration of the surface, or any portion of the streets and drainage easements to conform to the grades, and bind ourselves, our heirs, successors and assigns, to warrant and defend the title to the land so dedicated.

We, the aforementioned, hereby dedicate for utilities, an aerial easement five (5) feet wide taken from a plane twenty (20) feet above the ground, located adjacent to all utility easements and streets shown thereon.

FURTHER, all of the property subdivided in the above and foregoing plat shall be restricted in its use, which restrictions shall run with the title to the property and shall be enforceable at the option of Waller County, by Waller County, or any citizen thereof, by injunction as follows:

1. That drainage of septic tanks into roads, streets, alleys, or public ditches, streams, etc., either directly or indirectly is strictly prohibited.
2. All stock animals, horses, and fowl shall be fenced in and not allowed to run at large in the subdivision.
3. Drainage structures under private drives shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and shall be a minimum of one and one quarters (1-1/4) square feet (15" diameter pipe) reinforced concrete pipe, unless specified by the County Road Administrator, or County Engineer. Culverts and bridges must be used for all driveways and/or walks, although dip-style driveways are encouraged where appropriate.
4. Property owners will obtain Development Permits/Permit Exemptions from the County Floodplain Administrator for all development.
5. There are underground pipelines within the confines of this subdivision, as shown on the above plat.
6. There shall be no sanitary sewer system or any water well constructed within 50 feet of any lot line that does not adjoin a public road.

WITNESS our hands in, _____, County, Texas
this _____ day of _____, 2026.

By: _____
Tiffany Lynn Folmer
Owner

By: _____
Douglas Royder Burkhalter
Owner

STATE OF TEXAS
COUNTY OF WALLER

BEFORE ME, the undersigned authority, on this day personally appeared Tiffany Lynn Folmer and Douglas Royder Burkhalter, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this
_____ day of _____, 2026.

Notary Public in and for the State of Texas
Print Name _____
My Commission expires _____

APPROVED by Commissioners Court of Waller County, Texas, this
_____ day of _____, 20____ A.D.

Carbett "Trey" J. Duhan III
County Judge

John A. Amsler
Commissioner, Precinct 1

Walter E. Smith, P.E., R.P.L.S.
Commissioner, Precinct 2

Kendric Jones
Commissioner, Precinct 3

Justin Beckendorf
Commissioner, Precinct 4

Acceptance of the above plat by the Commissioners Court does not signify Waller County acceptance of the dedicated roads for integration into the County Road System. The developer is required to comply with Sections 5 and 6 of the then current Waller County Subdivision and Development Regulations, in this regard.

I, Debbie Hollan, Clerk of the County Court of Waller County, Texas, do hereby certify that the within Instrument with the certificate of authentication was filed for registration in my office on the _____ day of _____, 2026, A.D. at _____ o'clock _____ M, in File # _____ of the Official Public Records of Waller County for said county.

Witness my hand and seal of office, at Hempstead, the day and date last above written

Debbie Hollan
Clerk of the Court
Waller County, Texas

By: _____
Deputy

I, J. Ross McCall, P.E. County Engineer of Waller County, certify that the plat of this subdivision complies with all existing rules and regulations of Waller County.

No construction or other development within this subdivision may begin until all Waller County permit requirements have been met.

Date _____ J. Ross McCall, P.E.
County Engineer

NOTES:

1. THIS SUBDIVISION IS INTENDED TO PROVIDE LOTS FOR SINGLE-FAMILY RESIDENTIAL USE.
2. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD 83, AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR OF 0.99990653269272.
3. PIPELINES OR EASEMENTS EXIST WITHIN THE BOUNDARIES OF THE PLAT.
4. PIPELINE EASEMENTS TO PHILLIPS PIPE LINE COMPANY AS RECORDED IN VOLUME 486, PAGE 208. (UNABLE TO LOCATE BY DEED).
5. PIPELINE EASEMENTS TO UNITED TEXAS TRANSMISSION COMPANY AS RECORDED IN VOLUME 302, PAGE 353 AND VOLUME 303, PAGE 519. (UNABLE TO LOCATE BY DEED).
6. ALL EASEMENTS SHOWN ON THE LOT LINES ARE CENTERED UNLESS OTHERWISE NOTED.
7. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, WALLER COUNTY, TEXAS, COMMUNITY PANEL NO. 48473C0325E DATED FEBRUARY 18, 2009. THE SUBJECT PROPERTY LIES WITHIN UNSHADED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD) AND ZONE "A" (SPECIAL FLOOD HAZARD AREAS WITHOUT BASE ELEVATION) AND ZONE X.
8. ELEVATIONS AND CONTOUR LINES SHOWN HEREON ARE BASED UPON WALLER COUNTY FLOODPLAIN REFERENCE, MARK NUMBER AW0121 ELEV 130.50' (NAVD 1988, 2001 ADJ).
9. SUBDIVISION BENCHMARK: MAG NAIL IN KLAUSE LANE BEARING N 21°51' E, A DISTANCE OF 115.04' FROM A FOUND 5/8" IRON ROD W/ CAP MARKED "FIELD DATA RPLS 1730" FOR THE SOUTHWEST CORNER OF THE SUBJECT PROPERTY.
10. ALL LOTS SHALL HAVE A MINIMUM INTERIOR SIDE BUILDING LINE OF FIVE (5) FEET MEASURED FROM THE PROPERTY LINE.
11. ALL CORNERS OF THE SUBJECT TRACT ARE MARKED WITH 5/8" IRON ROD WITH CAP STAMPED "SURVEY 1" UNLESS OTHERWISE NOTED.
12. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL SEPTIC SYSTEM OR A PUBLIC SEWER SYSTEM.
13. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE-APPROVED COMMUNITY WATER SYSTEM.
14. SINGLE FAMILY RESIDENTIAL LOTS SHALL NOT HAVE DIRECT ACCESS OR FRONT AN URBAN ARTERIAL OR AN URBAN COLLECTOR STREET.
15. PRIVATE STREETS SHALL BE CONSTRUCTED TO COUNTY STANDARDS IN ALL MATTERS. COUNTY SHALL NOT BE DELEGATED IN THE FUTURE TO ACCEPT ANY PRIVATE STREET INTO THE COUNTY ROAD MAINTENANCE SYSTEM.
16. RIGHT-OF-WAY EASEMENTS FOR WIDENING STREETS OR IMPROVING DRAINAGE SHALL BE MAINTAINED BY THE LANDOWNER UNTIL ALL STREET OR DRAINAGE IMPROVEMENTS ARE ACTUALLY CONSTRUCTED ON THE PROPERTY. THE COUNTY HAS THE RIGHT AT ANY TIME TO TAKE POSSESSION OF ANY STREET WIDENING EASEMENT FOR CONSTRUCTION, IMPROVEMENT OR MAINTENANCE.
17. OWNERS RESPONSIBILITIES:
 - 17.1. THE BUILDING OF ALL STREETS, BRIDGES OR CULVERTS IS THE RESPONSIBILITY OF THE OWNERS IN ACCORDANCE WITH THE PLANS PRESCRIBED BY COMMISSIONERS COURT. COMMISSIONERS COURT ASSUMES NO OBLIGATION TO BUILD OR MAINTAIN ANY OF THE STREETS SHOWN ON THE PLAT OR CONSTRUCTING ANY OF THE BRIDGES OR DRAINAGE IMPROVEMENTS. UPON COMPLETION OF ALL OBLIGATIONS BY THE DEVELOPER AND WRITTEN APPROVAL FROM THE COMMISSIONERS COURT, THE COUNTY WILL ASSUME FULL RESPONSIBILITY FOR MAINTENANCE OF THE STREETS. THE COUNTY WILL ASSUME NO RESPONSIBILITY FOR THE DRAINAGE WAYS OR EASEMENTS IN THE SUBDIVISION, OTHER THAN THOSE DRAINING OR PROTECTING THE STREETS.
 - 17.2. THE COUNTY ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF REPRESENTATIONS BY OTHER PARTIES ON THE PLAT, FLOODPLAIN DATA, IN PARTICULAR MAY CHANGE DEPENDING ON SUBSEQUENT DEVELOPMENT.
 - 17.3. THE OWNERS OF LAND COVERED BY THIS PLAT MUST INSTALL AT THEIR OWN EXPENSE ALL TRAFFIC CONTROL DEVICES AND SIGNAGE THAT MAY BE REQUIRED BEFORE THE STREETS IN THE SUBDIVISION HAVE FINALLY BEEN ACCEPTED FOR MAINTENANCE BY THE COUNTY.
18. IN A SUBDIVISION THAT IS NOT SERVED BY FIRE HYDRANTS AS PART OF A CENTRALIZED WATER SYSTEM CERTIFIED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AS MEETING MINIMUM STANDARDS FOR WATER UTILITY SERVICE. THE COMMISSIONERS COURT MAY REQUIRE A LIMITED FIRE SUPPRESSION SYSTEM THAT REQUIRES A DEVELOPER TO CONSTRUCT:
 - 18.1. FOR A SUBDIVISION OF FEWER THAN 50 HOUSES, 2500 GALLONS OF STORAGE; OR
 - 18.2. FOR A SUBDIVISION OF 50 OR MORE HOUSES, 2,500 GALLONS OF STORAGE, WITH A CENTRALIZED WATER SYSTEM OR 5,000 GALLONS OF STORAGE.
19. TERMS, CONDITIONS, PROVISIONS AND STIPULATIONS CONTAINED IN THE DOCUMENT ENTITLED AFFIDAVIT TO THE PUBLIC EVIDENCING AN ON-SITE WASTEWATER TREATMENT SYSTEM OR ON-SITE SEWAGE FACILITY (OSSF), AS RECORDED ON JANUARY 02, 2013, IN VOLUME 1335, PAGE 142, OFFICIAL PUBLIC RECORDS, WALLER COUNTY, TEXAS.
20. STATEMENT OF LOCATION RECORDED ON FEBRUARY 04, 2013, IN VOLUME 1340, PAGE 303, OFFICIAL PUBLIC RECORDS, WALLER COUNTY, TEXAS.
21. THE EXISTENCE OF AN ON-SITE SEWAGE FACILITY (OSSF), TOGETHER WITH THE TERMS AND PROVISIONS AS SET-OUT IN THE AFFIDAVIT TO THE PUBLIC DATED DECEMBER 31, 2012, FILED JANUARY 2, 2013, RECORDED IN VOLUME 1335, PAGE 144, REAL PROPERTY RECORDS, WALLER COUNTY, TEXAS.

This is to certify that I, Richard Fussell, a Registered Professional Land Surveyor of the State of Texas, have platted the above subdivision from an actual survey on the ground; and that all block corners, lot corners and permanent referenced monuments have been set, that permanent control points will be set at completion of construction and that this plat correctly represents that survey made by me.

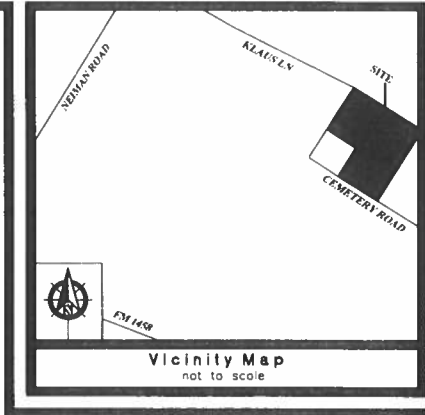
No portion of this subdivision lies within the boundaries of any municipality's corporate city limits, or area of extra territorial jurisdiction.

No portion of this subdivision lies within the boundaries of the 1% annual chance (100 year) floodplain as delineated on Waller County Community Panel # 48473C0325E, dated 2/18/2009.

No portion of this subdivision lies within the boundaries of the 0.2% annual chance (500 year) floodplain as delineated on Waller County Community Panel # 48473C0100E, dated 2/18/2009.



Richard Fussell
Texas Registration No. 4148



LEGEND

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SURVEYOR

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Your Land Survey Company
P.O. Box 2543 | Austin, TX 78712 | (281) 396-1362

LAND PLANNER

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