

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WALLER

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**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KATY, TEXAS
AND WALLER COUNTY, TEXAS RELATING TO PLAN REVIEW, INSPECTIONS,
AND PERMITTING FOR TEXAS HERITAGE MARKETPLACE DEVELOPMENT**

The purpose of this non-binding Memorandum of Understanding between Waller County, Texas (the “County”) and the City of Katy, Texas (the “City”), or collectively the “Parties”, is to memorialize the mutual intent of the Parties to work cooperatively in pursuit of the Texas Heritage Marketplace development.

RECITALS

WHEREAS, the Texas Heritage Marketplace development, located at Texas Heritage Parkway and Interstate 10 and further described by survey map and metes and bounds attached hereto as **Exhibit A** (the “Development”), is currently within the extraterritorial jurisdiction of the City of Katy and subject to Waller County’s jurisdiction, but ultimately will be within the City’s corporate limits and subject to the jurisdiction of the City; and

WHEREAS, the developer is moving forward with the Development and has requested this MOU for plan review, inspections, and permitting as related to the Texas Heritage Marketplace development; and

WHEREAS, the Parties agree that plan review, inspections, and permitting for the Texas Heritage Marketplace development by the County in addition to the City would constitute an extra, unnecessary step and a waste of the County’s resources; and

WHEREAS, the Parties further recognize that Brookshire Katy Drainage District is the plan review and permitting authority for drainage within the Development.

NOW, THEREFORE, in order to work cooperatively and in good faith to advance their mutual objectives with respect to the Texas Heritage Marketplace development, the Parties enter in to this Memorandum of Understanding and agree as follows:

Section 1. The City shall be the entity to conduct the plan review, inspections, and permitting required for the Texas Heritage Marketplace development.

Section 2. No additional plan review, inspections, or permitting for the Development will be required by the County.

Section 3. Brookshire-Katy Drainage District will serve as the reviewing and permitting entity for drainage purposes for the Texas Heritage Marketplace development.

Section 4. The City will file with the County a copy of each plat approved by the City for the Development, provided that the County will have no approval rights with respect thereto.

IN WITNESS WHEREOF, the undersigned Parties acknowledge and agree to this Memorandum of Understanding:

WALLER COUNTY, TEXAS

CITY OF KATY, TEXAS

Carbett "Trey" J. Duhon III

William H. "Dusty" Thiele

Date: _____

Date: _____

ATTEST:

ATTEST:

Debbie Hollan,
County Clerk

Becky L. McGrew,
City Secretary

EXHIBIT A

Survey Map and Metes and Bounds Description