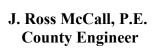
WALLER COUNTY





MEMORANDUM

To: Honorable Commissioners' Court

Item: Final Plat Approval-Sunterra Northeast Commercial Development

Date: March 5, 2025

Background

Final Plat of Sunterra Northeast Commercial Development which consists of 1.301 acres will include 1 Block and 1 Reserve in Precinct 3.

Staff Recommendation

Approve Plat

ABBREVIATIONS

AERIAL EASEMENT DΕ

DRAINAGE EASEMENT

EASEMENT FSMT.

FND FOUND

WALLER COUNTY CLERK FILE W.C.C.F. WALLER COUNTY DEED RECORDS W.C.D.R. WALLER COUNTY MAP RECORDS W.C.M.R.

W.C.P.R. WALLER COUNTY PLAT RECORDS

- IRON ROD IR

NO. NUMBER

- PAGE PG. - RIGHT-OF-WAY R.O.W.

AC. **ACRES**

SQ. FT. SQUARE FEET

VOL. VOLUME

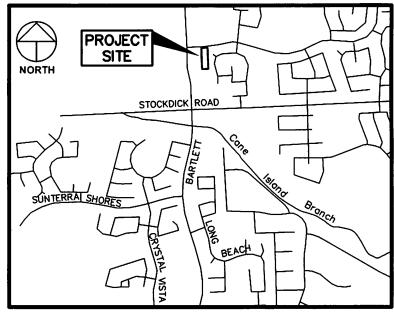
B.L.

BUILDING LINE W.L.E.

WATER LINE EASEMENT SANITARY SEWER EASEMENT S.S.E.

UTILITY EASEMENT

SET 5/8" CAPPED IR "WINDROSE"



WALLER COUNTY, TEXAS

VICINITY MAP

BENCHMARK PUBLISHED ELEVATION - 156.48' HARRIS COUNTY FLOODPLAIN REFERNCE MARK NO. 190105 BEING AN ALUM ROD STAMPED 190105 LOCATED FROM THE INTERSECTION OF CLAY ROAD AND PITTS ROAD, TRAVEL NORTH APPROXIMATELY 0.2 MILES TO THE BRIDGE.

TEMPORARY BENCHMARK "A" ELEVATION - 163.93'

COMMENCING AT THE NORTHEAST CORNER OF A CALLED 2.29 ACRE TRACT, AS RECORDED UNDER W.C.C.F. NO 2203434. SOUTH 49 DEG. 46 MIN 48 SEC. EAST, A DISTANCE OF 54 FEET TO A BOX CUT ON CURB INLET ON THE NORTH SIDE OF PROPOSED STOCKDICK SCHOOL ROAD.

Owner / Developer MH SUNTERRA HOLDINGS LLC

6003 Isla Vista Ct Houston Tx 77041 832-858-5016 Chris@NobleMerchantProperties.com

Engineer ALJ LINDSEY, LLC

18635 N. Eldridge Parkway, Ste. 200 Tomball, TX 77377 281-301-5955 DDenton@aljlindsey.com

Surveyor



WINDROSE

LAND SURVEYING | PLATTING

FIRM REGISTRATION NO. 10108800 713.458.2281 | WINDROSESERVICES.COM 5353 W SAM HOUSTON PKWY N, SUITE 150, HOUSTON TX 77041

PROPOSED SITE USE: COMMERCIAL DEVELOPMENT

FINAL PLAT OF

SUNTERRA NORTHEAST COMMERCIAL DEVELOPMENT

A SUBDIVISION OF 1.301 AC. / 56,664 SQ. FT. SITUATED IN THE H. & T. C. RR. CO. SURVEY NO. 129, ABSTRACT NO. 204 WALLER COUNTY, TEXAS

> I RESERVE I BLOCK JANUARY 2025

STATE OF TEXAS COUNTY OF WALLER

We, MH SUNTERRA HOLDINGS LLC, acting by and through MALABAR HILL CAPITAL LLC, its General Partner, acting by and through PARVEZ MERCHANT and MOUNANG DESAI, owner, hereinafter referred to as the Owners of the 1.301 acre tract described in the above and foregoing map of SUNTERRA NORTHEAST COMMERCIAL DEVELOPMENT, do hereby make and establish said subdivision and development plan of property according to all lines, dedications, restrictions, and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'6") for ten feet (10'0") perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen feet (16'0") above ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty—one feet, six inches (21'6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'0") for ten feet (10'0") back—to—bock ground easements, or eight feet (8'0") for fourteen feet (14'0") back—to—bock ground easements or seven feet (7'0") for sixteen feet (16'0") back—to—bock ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easements totals thirty feet (30'0") in width.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley, or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters (1-3/4) square feet (18" diameter) with culverts or bridges to be provided for all the private driveways or walkways crossing such drainage facilities.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen feet (15' 0") wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Houston, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

IN TESTIMONY WHEREOF, MH SUNTERRA HOLDINGS LLC, acting by and through MALABAR HILL CAPITAL LLC, its General Partner, has caused these presents to be signed by PARVEZ MERCHANT and MOUNANG DESAI, thereunto authorized, this the day of

, 2025 -concer!

MH SUNTERRA HOLDINGS LLC

By: MALABAR HILL CAPITAL LLC, its General Partner

PARVEZ MERCHANT

Manager

MOUNANG DESAL

Manager

STATE OF TEXAS COUNTY OF WALLER

BEFORE ME, the undersigned authority, on this day personally appeared PARVEZ MERCHANT and MOUNANG DESAI of MALABAR HILL CAPITAL LLC, 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 therein expressed and in the capacity therein and herein expressed, and as the act and deed for said corporation. for said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 23 day of

JOHN PAUL ANDERS Notary Public, State of Texas Comm. Expires 03-30-2026 Notary ID 130150263

Notary Public in and for the

ate of Texas

30 2026

My Commission Expires:

FINAL PLAT OF

SUNTERRA NORTHEAST COMMERCIAL DEVELOPMENT

A SUBDIVISION OF 1.301 AC. / 56,664 SQ. FT. SITUATED IN THE H. & T. C. RR. CO. SURVEY NO. 129, ABSTRACT NO. 204 WALLER COUNTY, TEXAS

I BLOCK

I RESERVE

- LDAVIS DEVELOPMENT-58517-P127777.DWG 58517-SUNTERRA\PLAT\SEC2 P127777\LEGAL-20250115-PLAT-FINAL-SUNTERRA NORTHEAST COMMERCIAL I, Kyle Atchison of Frost Bank, Owner and Holder of a lien against the property described in the plat known as SUNTERRA NORTHEAST COMMERCIAL DEVELOPMENT, said lien being eveidenced by instrument of record in the Clerk's File No. 2300916 of the O.P.R.O.R.P. of Waller County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said subdivision plat and I hereby confirm that Frost Bank is the present owner, of said lien and have not assigned the same nor any part thereof.

KYLE ATCHISON Senior Vice President Frost Bank

STATE OF TEXAS COUNTY OF WALLER

BEFORE ME, the undersigned authority, on this day personally appeared Kyle Atchison of Frost Bank, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this the 17th day of January

_, 20,25

JOHN PAUL ANDERS Notary Public, State of Texas Comm. Expires 03-30-2026 Notary ID 130150263

otary Public in and for the

of tate Texas

30 My Commission Expires:

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, at such time this plat was approved. No construction or other development within this subdivision may begin until all Waller County permit requirements have been met.

2-14-25

Ross McCall, P.E., County Engineer

I, LUCAS G. DAVIS, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, South Central Zone.



LUCAS G. DAVIS

Registered Professional Land Surveyor Texas Registration No. 6599

BROOKSHIRE-KATY DRAINAGE DISTRICT PERMIT NO. 2024-72

Approved by the Board of Supervisor on

10.38.24

Date

President

Secretary

District Engineer

THE ABOVE HAVE SIGNED THESE PLANS AND/OR PLAT BASED ON THE RECOMMENDATION OF THE DISTRICT'S ENGINEER WHO HAS REVIEWER ALL SHEETS PROVIDED AND FOUND THEM TO BE IN GENERAL COMPLIANCE WITH THE DISTRICT'S "RULES, REGULATIONS, AND GUIDELINES." THIS APPROVAL IS ONLY VALID FOR THREE HUNDRED SIXTY—FIVE (365) CALENDAR DAYS. AFTER THAT TIME RE—APPROVAL IS REQUIRED. PLEASE NOTE, THIS DOES NOT NECESSARILY MEAN THAT ALL THE CALCULATIONS PROVIDED IN THESE PLANS AND/OR PLAT HAVE BEEN COMPLETELY CHECKED AND VERIFIED. PLANS SUBMITTED HAVE BEEN PREPARED, SIGNED AND SEALED BY A PROFFESSIONAL ENGINEER LICENSED TO PRACTICE ENGINEERING IN THE STATE OF TEXAS AND PLAT HAS BEEN SIGNED AND SEALED BY A REGISTERED PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF TEXAS, WHICH CONVEYS THE ENGINEER'S AND/OR SURVEYOR'S RESPONSIBILITY AND ACCOUNTABILITY.

FINAL PLAT OF

SUNTERRA NORTHEAST COMMERCIAL DEVELOPMENT

A SUBDIVISION OF 1.301 AC. / 56,664 SQ. FT. SITUATED IN THE H. & T. C. RR. CO. SURVEY NO. 129, ABSTRACT NO. 204 WALLER COUNTY, TEXAS

I BLOCK

I RESERVE

day of, 20	<u> </u> .
	rey" J. Duhon III ounty Judge
John A. Amsler	Walter E. Smith, P.E., RLPS
Commissioner, Precinct 1	Commissioner, Precinct 2
Kendric D. Jones	Justin Beckendorff
Commissioner, Precinct 3	Commissioner, Precinct 4

NOTE:

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 Regulation, in this regard.

Privately maintained paved streets: M H Sunterra Holdings LLC, by filing this Plat of Record, and all future owners of property within this subdivision, by purchasing such property, acknowledge and agree that Waller County shall have no obligation whatsoever to repair or accept maintenance of the roads shown on this subdivision until and unless M H Sunterra Holdings LLC and/or the Property Owner's Association has improved the roadways to the then current standards required by Waller County and the roads have been accepted for maintenance by formal, written action of the Waller County Commissioners Court and the roadway, with all required right of way, has been dedicated by the owners thereof, and accepted by the County, as a public street. M H Sunterra Holdings LLC and all future owners of property within this subdivision shall look solely to M H Sunterra Holdings LLC and/or the Property Owner's Association for future maintenance and repair of the roads and streets shown on this Subdivision.

	I, Debbie Hollan, Clerk of the County Court of Waller County, Texas, do hereby certify that n instrument with its certificate of authentication was filed for registration in my office
on	, 20, at o'clockM., and duly recorded
on	, 20, at o'clockM., and under File
No	of the Official Public Records of Waller County, Texas.
	Debbie Hollan County Clerk
	By: Deputy

FINAL PLAT OF SUNTERRA NORTHEAST COMMERCIAL DEVELOPMENT

A SUBDIVISION OF 1.301 AC. / 56,664 SQ. FT. SITUATED IN THE H. & T. C. RR. CO. SURVEY NO. 129, ABSTRACT NO. 204 WALLER COUNTY, TEXAS

DESCRIPTION

A TRACT OR PARCEL CONTAINING 1.301 ACRES OR 56,664 SQUARE FEET OF LAND BEING OUT OF A CALLED 12.28 ACRE TRACT, DESCRIBED IN A DEED TO MH SUNTERRA HOLDINGS, LLC, AS RECORDED UNDER WALLER COUNTY CLERK?S FILE (W.C.C.F.) NO. 2300914, SITUATED IN THE H. & T. C. RR. CO. SURVEY NO. 129, ABSTRACT NO. 204, WALLER COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE (NAD 83):

BEGINNING AT FOUND CAPPED 5/8-INCH IRON ROD STAMPED "QUIDDITY END" ON THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF TANTARA BEND DRIVE (60 FOOT R.O.W.) AS RECORDED UNDER PLAT NO. 2215870, WALLER COUNTY PLAT RECORDS (W.C.P.R.), FOR THE NORTHWEST CORNER OF RESERVE "D", SUNTERRA SEC. 50, MAP OR PLAT THEREOF AS RECORDED UNDER PLAT NO. 2215869, W.C.P.R., AND THE NORTHEAST CORNER OF SAID 12.28 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02 DEG. 01 MIN. 40 SEC. EAST, ALONG SAID SUNTERRA SEC. 50 TRACT, A DISTANCE OF 443.26 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE" SET, ON THE WEST LINE OF LOT 37 OF SAID SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, OVER AND ACROSS SAID CALLED 12.28 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 87 DEG. 58 MIN. 20 SEC. WEST, A DISTANCE OF 128.00 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE" SET, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT:

NORTH 02 DEG. 01 MIN. 40 SEC. WEST, A DISTANCE OF 442.32 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE" SET, ON THE SAID SOUTH R.O.W. LINE SAID OF TANTARA BEND DRIVE FOR THE NORTWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 87 DEG. 39 MIN. 15 SEC. EAST, ALONG SOUTH R.O.W. LINE OF SAID TANTARA BEND DRIVE OF A DISTANCE OF 105.04 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE" SET, TO THE BEGINNING OF TANGENT CURVE TO THE LEFT;

THENCE, WITH SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,130.00 FEET, A CENTRAL ANGLE OF 01 DEG. 09 MIN. 51 SEC., AN ARC LENGTH OF 22.96 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 87 DEG. 04 MIN. 20 SEC. EAST, — 22.96 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.301 ACRES OR 56,664 SQUARE FEET OF LAND.

FINAL PLAT OF SUNTERRA NORTHEAST COMMERCIAL DEVELOPMENT

A SUBDIVISION OF 1.301 AC. / 56,664 SQ. FT. SITUATED IN THE H. & T. C. RR. CO. SURVEY NO. 129, ABSTRACT NO. 204 WALLER COUNTY, TEXAS

GENERAL NOTES

- BEARINGS WERE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE (NAD83).
- SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED WITH INFORMATION CONTAINED IN THE CITY PLANNING LETTER, FILE NO. 2791023-01477, DATED MARCH 8, 2023, AND IS SUBJECT TO THE LIMITATIONS OF THAT LETTER.
- 3. ALL COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD 83), AND MAY BROUGHT TO SURFACE BY APPLYING THE FOLLOWING SCALE FACTOR 0.999899866.
- 4. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) FOR WALLER COUNTY, TEXAS, MAP NO. 48473C0375E AS REVISED BY LOMR CASE NO. 22-06-27777P, EFFECTIVE DATE NOVEMBER 20, 2023, THE SUBJECT TRACT APPEARS TO LIE WITHIN UNSHADED ZONE "X". THIS DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY AND HAS NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES.
- 5. NO PIPELINES OR PIPELINE EASEMENTS EXIST WITHIN THE BOUNDARIES OF THIS PLAT.
- 6. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ONSITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY WALLER COUNTY ENVIRONMENTAL DEPARTMENT.
- 7. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE-APPROVED COMMUNITY WATER SYSTEM.
- 8. ALL PROPERTY CORNERS ARE MARKED WITH A 5/8-INCH CAPPED IRON ROD STAMPED "WINDROSE", UNLESS OTHERWISE INDICATED.
- THIS PROPERTY IS FULLY LOCATED WITHIN THE CITY OF HOUSTON ETJ, WALLER COUNTY, BROOKSHIRE-KATY DRAINAGE DISTRICT, HARRIS-WALLER MUD #4, AND KATY INDEPENDENT SCHOOL DISTRICT.
- 10. UNLESS OTHERWISE INDICATED, THE BUILDING LINES (B.L.), WHETHER ONE OR MORE, SHOWN ON THIS SUBDIVISION PLAT ARE ESTABLISHED TO EVIDENCE COMPLIANCE WITH THE APPLICABLE PROVISIONS OF WALLER COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS, WALLER COUNTY, TEXAS, IN EFFECT AT THE TIME THIS PLAT WAS APPROVED, WHICH MAY BE AMENDED FROM TIME TO TIME.
- 11. ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBSTRUCTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE. WHILE WOODEN POSTS AND PANELED WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND ALONGSIDE REAR LOT LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAID WOODEN POSTS AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE NEW FENCING.
- 12. IT IS TO BE UNDERSTOOD THAT THE APPROVAL OF THE PRELIMINARY PLAT BY BKDD DOES NOT CONSTITUTE OFFICIAL ACCEPTANCE OF THE PROPOSE DEVELOPMENT BY BKDD BUT DOES CONSTITUTE AN AUTHORIZATION TO BEGIN AND PROCEED WITH THE PREPARATION OF THE DRAINAGE PLANS AND PLAT.
- 13. THE APPLICANT SHALL NOT USE THIS PRELIMINARY APPROVAL TO COMMENCE ANY CONSTRUCTION ACTIVITIES UNTIL THE FINAL DRAINAGE PLANS AND PLAT HAVE BEEN APPROVED AND ACCEPTED IN OFFICIAL ACTIONS BY THE DISTRICT AND FROM ANY GOVERNING ENTITY WITH JURISDICTION.
- 14. SUBJECT TO SHORT FORM BLANKET EASEMENT RECORDED UNDER W.C.C.F. NO. 2208302.

FINAL PLAT OF SUNTERRA NORTHEAST COMMERCIAL DEVELOPMENT

A SUBDIVISION OF 1.301 AC. / 56,664 SQ. FT. SITUATED IN THE H. & T. C. RR. CO. SURVEY NO. 129, ABSTRACT NO. 204 WALLER COUNTY, TEXAS

