

WALLER COUNTY

J. Ross McCall, P.E.
County Engineer



MEMORANDUM

To: Honorable Commissioners' Court

Item: Final Plat Approval-Sunterra Commercial Development Section 1

Date: July 10, 2024

Background

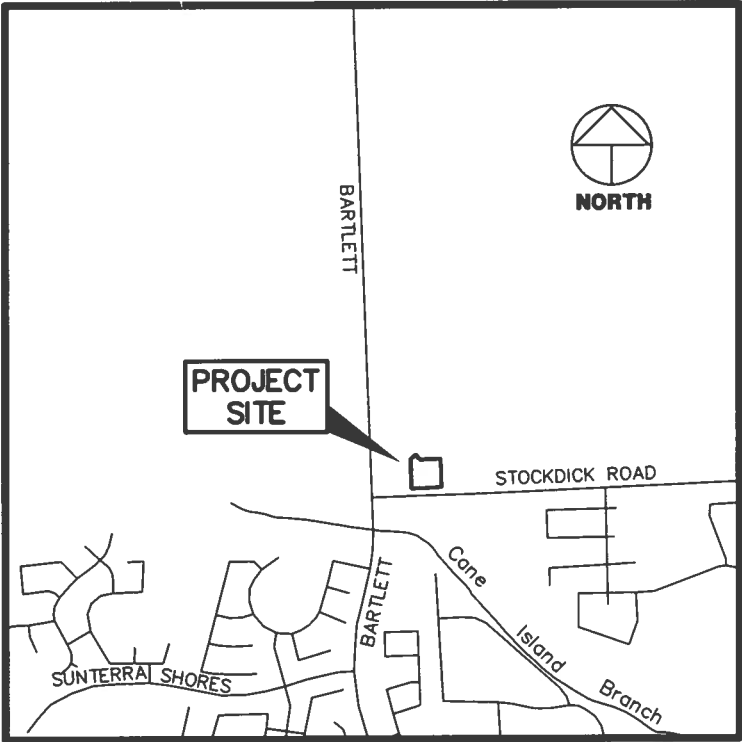
Final Plat of Sunterra Commercial Development Section 1 which consists of 2.1618 acres will include 1 Block and 1 Reserve and accept the Letter of Credit in Precinct 3.

Staff Recommendation

Approve Plat

ABBREVIATIONS

- A.E. — AERIAL EASEMENT
- D.E. — DRAINAGE EASEMENT
- ESMT. — EASEMENT
- FND. — FOUND
- W.C.C.F. — WALLER COUNTY CLERK FILE
- W.C.D.R. — WALLER COUNTY DEED RECORDS
- W.C.M.R. — WALLER COUNTY MAP RECORDS
- W.C.P.R. — WALLER COUNTY PLAT RECORDS
- IR — IRON ROD
- NO. — NUMBER
- PG. — PAGE
- R.O.W. — RIGHT-OF-WAY
- AC. — ACRES
- SQ. FT. — SQUARE FEET
- VOL. — VOLUME
- B.L. — BUILDING LINE
- W.L.E. — WATER LINE EASEMENT
- S.S.E. — SANITARY SEWER EASEMENT
- U.E. — UTILITY EASEMENT
-  — SET 5/8" CAPPED IR "WINDROSE"



WALLER COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 1/2 MILE

BENCHMARK PUBLISHED ELEVATION — 156.48'
HARRIS COUNTY FLOODPLAIN REFERENCE 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 ROAD.

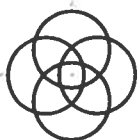
Engineer
ALJ Lindsey, LLC

18635 N. Eldridge Parkway, Ste. 200
Tomball, TX 77377
281-301-5955
Firm # F-11526
DDenton@aljindsey.com

Owner and Developer
MH SUNTERRA HOLDINGS LLC,
a Texas limited liability company

6003 ISLA VISTA CT
HOUSTON TX 77041
832-858-5016
chris@noblemerchantproperties.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 COMMERCIAL
DEVELOPMENT SEC 1**

A SUBDIVISION OF
2.1618 AC. / 94,169 SQ. FT.
SITUATED IN THE
H.&T.C. RR. CO. SURVEY,
ABSTRACT NO. 204
WALLER COUNTY, TEXAS
I BLOCK I RESERVE
JANUARY 2024

STATE OF TEXAS
COUNTY OF WALLER

We, MH SUNTERRA HOLDINGS LLC, a Texas limited liability company, acting by and through MALABAR HILL CAPITAL LLC, its General Partner, acting by and through PARVEZ MERCHANT and MOUNANG DESAI, Managers, being officers of MALABAR HILL CAPITAL LLC, owner, hereinafter referred to as the Owners of the 2.1618 acre tract described in the above and foregoing map of SUNTERRA COMMERCIAL DEVELOPMENT SEC 1, do hereby make and establish said subdivision and development plan of said 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-back ground easements, or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easements, from a plane sixteen feet (16'0") above 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, a Texas limited liability company, acting by and through MALABAR HILL CAPITAL LLC, its General Partner, has caused these presents to be signed by PARVEZ MERCHANT and MOUNANG DESAI, Managers, thereunto authorized, this the 19 day of January, 2024.

MH SUNTERRA HOLDINGS LLC, a Texas limited liability company
By: MALABAR HILL CAPITAL LLC, its General Partner



PARVEZ MERCHANT
Manager



MOUNANG DESAI
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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

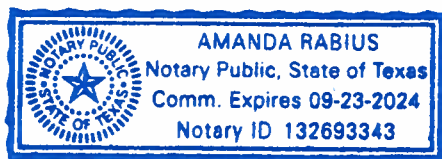
this the 19 day of January, 2024.



Notary Public in and for the
State of Texas

9-23-24

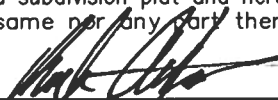
My Commission Expires:



FINAL PLAT OF
**SUNTERRA COMMERCIAL
DEVELOPMENT SEC 1**

A SUBDIVISION OF
2.1618 AC. / 94,169 SQ. FT.
SITUATED IN THE
H.&T.C. RR. CO. SURVEY,
ABSTRACT NO. 204
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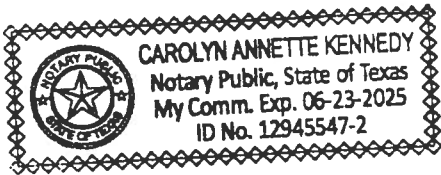
I, Kyle Atchison of Frost Bank, Owner and Holder of a lien against the property described in the plat known as SUNTERRA COMMERCIAL DEVELOPMENT SEC 1, said lien being evidenced by Instrument of Reocrd in the Clerk's File No. 2300916, of the O.P.R.O.R.P of Waller County, Texas do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shwon herein to said subdivision plat and hereby confirm that Frost Bank is the present owner of said lien and have no 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 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 23 day of January, 2024.



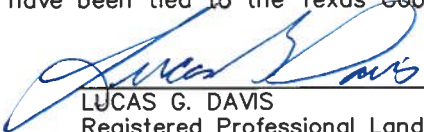

Notary Public in and for the
State of Texas
4/23/25
My Commission Expires:

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.

Date

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

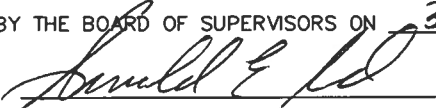
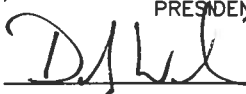
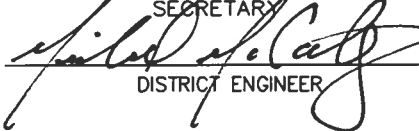
I, LUCAS G. DAVIS, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary 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. 2024-07

APPROVED BY THE BOARD OF SUPERVISORS ON 3-25-24
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 PROFESSIONAL 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 COMMERCIAL
DEVELOPMENT SEC 1**
A SUBDIVISION OF
2.1618 AC. / 94,169 SQ. FT.
SITUATED IN THE
H.&T.C. RR. CO. SURVEY,
ABSTRACT NO. 204
WALLER COUNTY, TEXAS
I BLOCK I RESERVE
JANUARY 2024

Z:\58517-SUNTERRA\PLAT\SEC1 P123090\LEGAL-20240117-PLAT-FINAL-SUNTERRA COMMERCIAL DEVELOPMENT SEC 1-58517-P123090.DWG - LDAVIS -

APPROVED by Commissioners Court of Waller County, Texas, this
day of _____, 20__.

Carbett "Trey" J. Duhon III
County Judge

John A. Amsler
Commissioner, Precinct 1

Walter E. Smith, P.E., RLPS
Commissioner, Precinct 2

Kendric D. Jones
Commissioner, Precinct 3

Justin Beckendorff
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 Regulation, in this regard.

This is to certify that the Planning Commission of the City of Houston, Texas, has approved this plat and subdivision of SUNTERRA COMMERCIAL DEVELOPMENT SEC 1 in conformance with the laws of the State of Texas and the ordinances of the City of Houston, as shown hereon, and authorized the recording of this plat this the 28 day of February, 2024

By: Martha L. Stein or M. Sonny Garza By: Jennifer Ostlind for
Martha L. Stein Chair M. Sonny Garza Vice Chairman Jennifer Ostlind, AICP Secretary



I, Debbie Hollan, Clerk of the County Court of Waller County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office

on _____, 20__, at _____ o'clock__M., and duly recorded

on _____, 20__, at _____ o'clock__M., and under File

No. _____ of the Official Public Records of Waller County, Texas.

Debbie Hollan
County Clerk

By: _____
Deputy

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Z:\58517-SUNTERRA\PLAT\SEC1 P123090\LEGAL-20240212-PLAT-FINAL-SUNTERRA COMMERCIAL DEVELOPMENT SEC 1-58517-P123090.DWG - JP ANDERS

GENERAL NOTES

1. BEARINGS WERE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE (NAD83).
2. 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 REVISED/DATED UNDER LETTER OF MAP REVISION NO. 19-06-01115 DATED APRIL 27, 2020, THE SUBJECT TRACT APPEARS TO LIE WITHIN ZONE "A". 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 SURVEYING AND 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. PER TEXAS ADMINISTRATIVE CODE 285.4, FACILITY PLANNING REVIEW OF SUBDIVISIONS OR DEVELOPMENT PLANS. PERSONS PROPOSING RESIDENTIAL SUBDIVISIONS, MANUFACTURED HOUSING COMMUNITIES, MULTI-UNIT RESIDENTIAL DEVELOPMENTS, BUSINESS PARKS, OR OTHER SIMILAR STRUCTURES THAT USE OSSFS FOR SEWAGE DISPOSAL SHALL SUBMIT MATERIALS FOR THESE DEVELOPMENTS TO THE PERMITTING AUTHORITY AND RECEIVE APPROVAL PRIOR TO SUBMITTING AN OSSF APPLICATION.
9. ALL PROPERTY CORNERS ARE MARKED WITH A 5/8-INCH CAPPED IRON ROD STAMPED "WINDROSE", UNLESS OTHERWISE INDICATED.
10. 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.
11. 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 CHAPTER 42, CODE OF ORDINANCES, CITY OF HOUSTON, TEXAS, IN EFFECT AT THE TIME THIS PLAT WAS APPROVED, WHICH MAY BE AMENDED FROM TIME TO TIME.
12. ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AN AERIRAL 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.
13. SUBJECT TO SHORT FORM BLANKET EASEMENT RECORDED UNDER W.C.C.F. NO. 2208302.

DESCRIPTION

A TRACT OR PARCEL CONTAINING 2.1618 ACRES OR 94,169 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, 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 A BENT 5/8-INCH IRON ROD FOUND ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF STOCKDICK SCHOOL ROAD (100' R.O.W.) AS RECORDED UNDER PLAT NO. 2208260 AND PLAT NO. 2301831, OF THE WALLER COUNTY PLAT RECORDS (W.C.P.R.), FOR THE SOUTHWEST CORNER OF RESERVE "C", SUNTERRA SEC 50, AS RECORDED UNDER PLAT NO. 2215869, W.C.P.R., AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE NORTH R.O.W. LINE OF SAID STOCKDICK SCHOOL ROAD, SOUTH 87 DEG. 51 MIN. 24 SEC. WEST, A DISTANCE OF 309.50 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE" SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, THROUGH AND ACROSS SAID CALLED 12.28 ACRE TRACT, AS FOLLOWS:

NORTH 02 DEG. 01 MIN. 02 SEC. WEST, A DISTANCE OF 302.99 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE" SET FOR THE MOST WESTERLY NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

NORTH 48 DEG. 44 MIN. 41 SEC. EAST, A DISTANCE OF 70.47 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE" SET ON THE SOUTHWESTERLY LINE OF LOT 28, BLOCK 2, SAID SUNTERRA SEC. 50, FOR THE MOST NORTHERLY NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

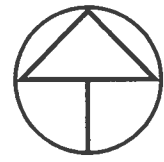
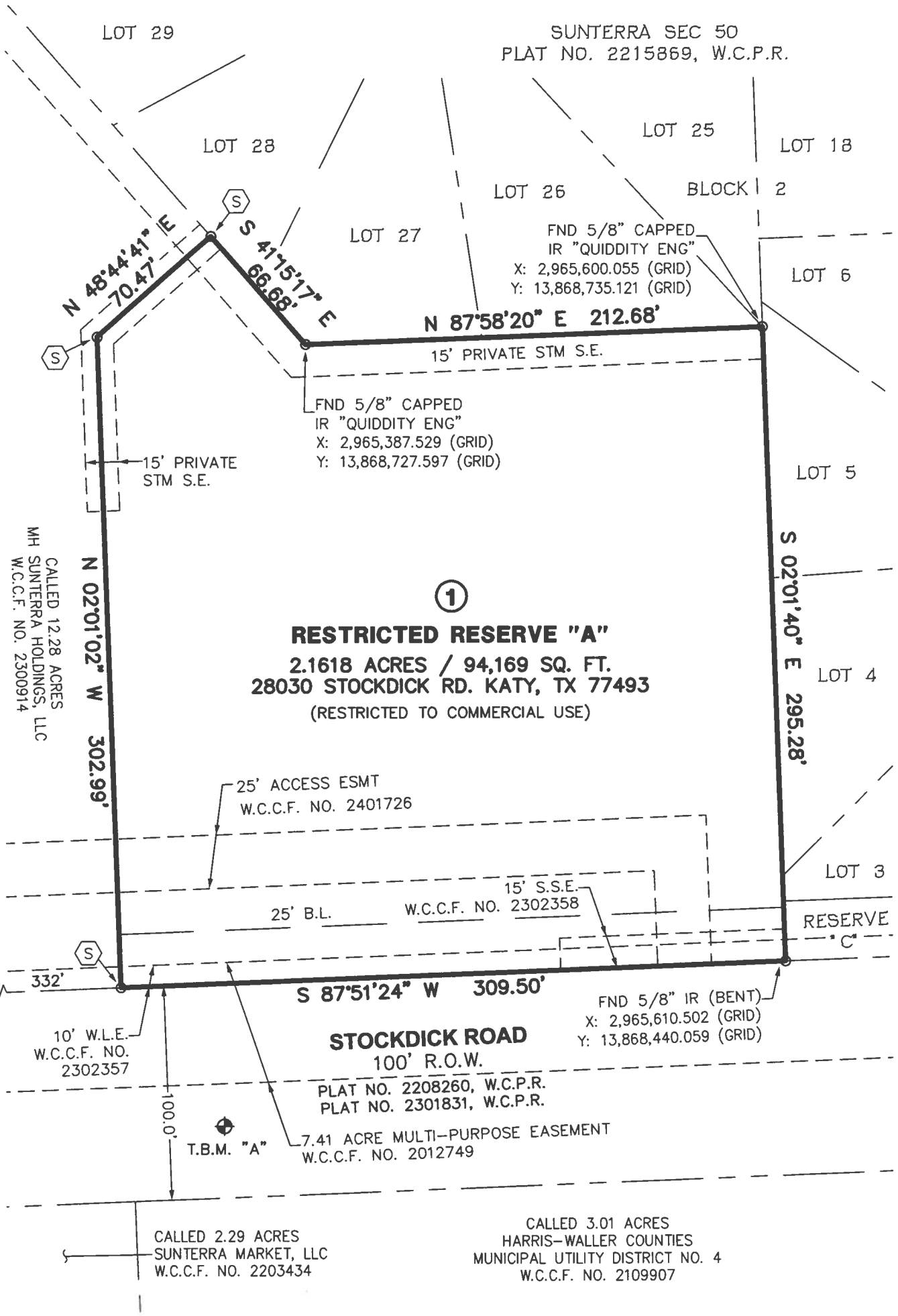
THENCE, SOUTH 41 DEG. 15 MIN. 17 SEC. EAST, A DISTANCE OF 66.68 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "QUIDDY ENG" FOUND FOR THE SOUTHWEST CORNER OF LOT 27, SAID BLOCK 2, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 87 DEG. 58 MIN. 20 SEC. EAST, A DISTANCE OF 212.68 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "QUIDDY ENG" FOUND ON THE WEST LINE OF LOT 5, SAID BLOCK 2, FOR THE SOUTHEAST CORNER OF LOT 26, THE SOUTH CORNER OF LOT 25, SAID BLOCK 2, AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

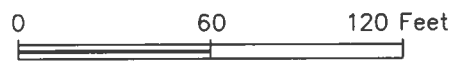
THENCE, SOUTH 02 DEG. 01 MIN. 40 SEC. EAST, A DISTANCE OF 295.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.1618 ACRES OR 94,169 SQUARE FEET OF LAND.

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NORTH



GRAPHIC SCALE: 1" = 60'

FINAL PLAT OF SUNTERRA COMMERCIAL DEVELOPMENT SEC 1

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