

PETITION FOR CONSENT TO ANNEX LAND INTO
GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 79

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

TO THE HONORABLE MAYOR AND CITY COMMISSION OF THE CITY OF TEXAS
CITY, TEXAS:

The undersigned, GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 79 (the "District"), and HERON'S LANDING DEVELOPMENT, LLC, a Texas limited liability company (the "Petitioner"), acting pursuant to the provisions of Chapter 49, Texas Water Code, particularly Section 49.301 of that Code, together with all amendments and additions thereto, respectfully petition the City Commission of the City of Texas City, Texas (the "City"), for its written consent to the annexation by the District of the 22.375-acre tract of land described by metes and bounds in **Exhibit A** (the "Land"), which is attached hereto and incorporated herein for all purposes. In support of this petition, the undersigned would show the following:

I.

The District is a municipal utility district duly created under the laws of the State of Texas on August 17, 2020. The District was created and organized under the terms and provisions of Article XVI, Section 59, of the Constitution of Texas, and is governed by the provisions of Chapters 49 and 54, Texas Water Code.

II.

The Petitioner holds fee simple title to the Land, as indicated by the certificate of ownership provided by the Galveston Central Appraisal District.

III.

The Petitioner represents that there are no lienholders on the Land except Gulf Coast Capital Lending LLC, a Texas limited liability company.

IV.

The Land is situated wholly within Galveston County, Texas. No part of the Land is within the limits of any incorporated city, town or village, except the City and no part of the Land is within the extraterritorial jurisdiction (as such term is defined in Local Government Code Section 42.001 et seq., as amended) of any city, town or village. All of the Land may properly be annexed into the District.

V.

The general nature of the work to be done within the Land is the construction, acquisition, maintenance and operation of a waterworks and sanitary sewer system, and a drainage and storm sewer system, road facilities, and parks and recreational facilities.

VI.

There is, for the following reasons, a necessity for the above-described work. The Land, which will be developed for commercial and/or residential purposes, is urban in nature, is within the growing environs of the City, is in close proximity to populous and developed sections of Galveston County, and within the immediate future will experience a substantial and sustained residential and commercial growth. There is not now available within the Land an adequate waterworks and sanitary sewer system nor an adequate drainage system, nor road facilities, nor parks or recreational facilities, and it is not presently economically feasible for the Land to provide for such systems and facilities itself. Because the health and welfare of the present and future inhabitants of the Land and of lands adjacent thereto require the construction, acquisition, maintenance and operation of an adequate waterworks and sanitary sewer system and a drainage and storm sewer system, road facilities, and parks and recreational facilities, a public necessity exists for the annexation of the Land into the District, to provide for the purchase, construction, extension, improvement, maintenance and operation of such waterworks and sanitary sewer system and such drainage and storm sewer system, such road facilities, and such parks and recreational facilities, so as to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VII.

Petitioner and the District agree and hereby covenant that if the requested consent to the annexation of the Land to the District is given, the Petitioner and the District will adopt and abide by the conditions set forth in **Exhibit B**, attached hereto and incorporated herein for all purposes.

WHEREFORE, the undersigned respectfully pray that this petition be heard and granted in all respects and that the City give its written consent to the annexation of the Land into the District.

[EXECUTION PAGES FOLLOW]

RESPECTFULLY SUBMITTED on April 23, 2025.

GALVESTON COUNTY MUNICIPAL
UTILITY DISTRICT NO. 79

By: Mitchell Hollas
Name: Gretchen Hollas
Title: Vice President

ATTEST:

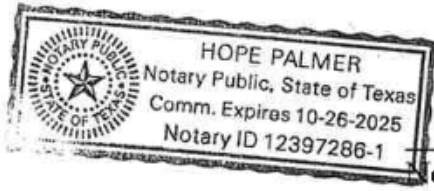
By: [Signature]
Name: Cosme Reyes
Title: Secretary



THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

This instrument was acknowledged before me on April 23, 2025,
by Gretchen Hollas, as Vice President and
Cosme Reyes, as Secretary, of the Board
of Directors of GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 79, a
political subdivision of the State of Texas, on behalf of said political subdivision.

(Seal)



[Signature]
Notary Public, State of Texas

HERON'S LANDING DEVELOPMENT, LLC,
a Texas limited liability company

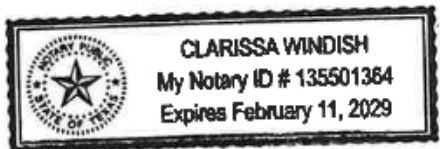
By: Binnacle Development, LLC,
a Texas limited liability company,
its Managing Member

By: 
Jerry W. LeBlanc
Managing Member

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on APRIL 16, 2025,
by Jerry W. LeBlanc, Managing Member of Binnacle Development, LLC, a Texas limited
liability company, Managing Member of HERON'S LANDING DEVELOPMENT, LLC, a
Texas limited liability company, on behalf of said limited liability companies.

(Seal)




Notary Public, State of Texas

- Attachments:**
Exhibit A: Description of the Land
Exhibit B: Conditions of the City

EXHIBIT A



Metes and Bounds Description of Heron's Landing Section 5

Being a tract of land situated in the Daniel Richardson Survey, Abstract No. 167, and the T.G. Western Survey, Abstract No. 204, both in Galveston County, Texas, said tract also being portions of that certain 22.911 acre "Tract B" and 17.025 acre "Tract C" conveyed to Heron's Landing Development, LLC., according to deed recorded under File No. 2018072699, in the Office of the County Clerk of Galveston County, Texas, together with part of that certain 25.464 acre "Tract D", conveyed to Heron's Landing Development, LLC., according to deed recorded under File No. 2016020375, in the Office of the County Clerk of Galveston County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of HERON'S LANDING, SECTION THREE, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded under Instrument No. 2024018387, in the Office of the County Clerk of Galveston County, Texas, said point also lying in the Northerly line of ISLANDS, PHASE 5, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded Volume 18, Page 857, in the Office of the County Clerk of Galveston County, Texas;

THENCE South 88°00'03" West along the Northerly line of said ISLANDS, PHASE 5, a distance of 874.16 feet to a point for corner;

THENCE over and across said 25.464 acre "Tract D" the following courses and distances:

North 01°59'57" West, a distance of 436.10 feet to a point for corner;

South 88°00'03" West, a distance of 305.00 feet to a point for corner;

North 01°59'57" West, a distance of 71.00 feet to a point for corner;

South 88°00'03" West, a distance of 9.00 feet to a point for corner;

North 01°59'57" West, a distance of 180.00 feet to a point for corner;

North 88°00'03" East, a distance of 400.00 feet to a point for corner;

North 85°43'18" East, a distance of 48.30 feet to a point for corner;

North 70°06'33" East, a distance of 45.44 feet to a point for corner;

North 52°41'06" East, a distance of 45.44 feet to a point for corner;

North 35°15'38" East, a distance of 45.44 feet to a point for corner;

North 19°32'15" East, a distance of 36.62 feet to a point for corner;

North 02°31'28" East, a distance of 58.76 feet to a point for corner;

North 02°26'57" West, a distance of 251.00 feet to a point for corner;

South 88°00'03" West, a distance of 94.28 feet to a point of tangency;

Along a curve to the left, said curve having a radius of 25.00 feet, a chord bearing of South 42°00'03" West, a chord length of 35.36 feet and an arc length of 39.27 feet to a point for corner;

South 88°00'03" West, a distance of 60.00 feet to a point for corner;

Along a curve to the left, said curve having a radius of 25.00 feet, a chord bearing of North 46°59'57" West, a chord length of 35.36 feet, and an arc length of 39.27 feet to a point of tangency;

South 88°00'03" West, a distance of 27.73 feet to a point for corner;

North 02°26'57" West, a distance of 250.00 feet to a point for corner lying in the Southerly line of a 200 foot wide City of Texas City rainwater pumping outfall channel;

THENCE North 88°00'03" East along the Southerly line of said outfall channel, a distance of 532.00 feet to a point for corner;

THENCE over and across said 17.025 acre "Tract C" and said 22.911 acre "Tract B", the following courses and distances:

South 02°26'57" East, a distance of 533.82 feet to a point for corner;

North 87°59'48" East, a distance of 2.66 feet to a point of curvature;

Along a curve to the right, said curve having a radius of 750.00 feet, a chord bearing of South 74°55'07" East, a chord length of 108.49 feet, and an arc length of 108.58 feet to a point of tangency;

South 70°46'16" East, a distance of 280.33 feet to a point for corner;

South 17°35'58" West, a distance of 89.04 feet to a point of curvature and the most Northwestern corner of said HERON'S LANDING, SECTION THREE;

THENCE along the Westerly line of said HERON'S LANDING, SECTION THREE, the following courses and distances:

Along a curve to the right, said curve having a radius of 30.00 feet, a chord bearing of South 63°16'18" West, a chord length of 43.13 feet, and an arc length of 48.12 feet to a point of non-tangency;

South 19°11'22" West, a distance of 60.00 feet to a point for corner;

South 70°46'16" East, a distance of 39.46 feet to a point for corner;

South 01°59'57" East, a distance of 519.74 feet to the POINT OF BEGINNING of the herein described tract, and containing 22.375 acres (974,648 square feet) of land, more or less.

I hereby certify that this description is based on a survey performed on the ground under my direction on October 14, 2024.



Stephen C. Blaskey

Registered Professional Land Surveyor 5856



Exhibit B

(a) Bonds will be issued by the District only for the purpose of purchasing and constructing, or purchasing or constructing under contract with The City of Texas City, Texas, or otherwise acquiring waterworks systems, sanitary sewer systems, storm sewer systems, drainage facilities, fire-fighting facilities, parks and recreational facilities, and street, road and bridge facilities or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way easements, sites, equipment, buildings, plants, structures, and facilities therefor, and to operate and maintain same, and to sell water, sanitary sewer, and other services within or without the boundaries of the District. Such bonds will expressly provide that the District reserves the right to redeem the bonds on any interest-payment date subsequent to the fifteenth (15th) anniversary of the date of issuance without premium and will be sold only after the taking of public bids therefor, and none of such bonds, other than refunding bonds, will be sold for less than 95% of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent (2%) above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date notice of the sale of such bonds is given, and that bids for the bonds will be received not more than forty-five (45) days after notice of sale of the bonds is given. The resolution authorizing the issuance of the District's bonds will contain a provision that any pledge of the revenues from the operation of the District's water and sewer and/or drainage system to the payment of the District's bonds will terminate when and if the City of Texas City, Texas, dissolves the District, takes over the assets of the District and assumes all of the obligations of the District. No land will be added or annexed to the District until The City of Texas City, Texas, has given its written consent by resolution of the City Commission to such addition or annexation.

(b) Any refunding bonds of the District must provide for a minimum of three percent present value savings and no maturity of the refunding bonds may extend beyond the latest maturity of the refunded bonds, unless approved by the City in writing prior to the sale thereof.

(c) Before the commencement of any construction within the District, the District, its directors, officers, or the developers and landowners will submit to the Director of Public Works and the City Engineer of The City of Texas City, Texas, or to his/her designated representative, all plans and specifications for the construction of water, sanitary sewer, and drainage facilities and street, road and bridge facilities to serve the District and obtain the approval of such plans and specifications. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, installed or used within the District, will conform exactly to the specifications of The City of Texas City, Texas. All water service lines and sewer service lines, lift stations, sewage treatment facilities, and appurtenances thereto, installed or used within the District will

comply with The City of Texas City, Texas' standard plans and specifications. Prior to the construction of such facilities within the District, the District or its engineer will give written notice by registered or certified mail to the Director of Public Works and the City Engineer, stating the date that such construction will be commenced. The construction of the District's water, sanitary sewer, and drainage facilities and street, road, and bridge facilities will be in accordance with the approved plans and specifications, and with applicable standards and specifications of The City of Texas City, Texas; and during the progress of the construction and installation of such facilities, the District Engineer of record shall periodically monitor and observe the construction of facilities and submit to the City a certification that all facilities have been installed to City and State plans and specifications. Additionally, the District shall provide funds to pay the City's cost of contracting with an inspector to provide full time monitoring and inspection of the construction of facilities. The Director of Public Works and the City Engineer of the City of Texas City, Texas, or his/her designated representative, may make periodic on-the-ground inspections.

CERTIFICATE

THE STATE OF TEXAS §
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COUNTY OF GALVESTON §

I, the undersigned Secretary of the Board of Directors of GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 79, do hereby certify that the attached and foregoing is a true and correct copy of the Petition for Consent to Annex Land into Galveston County Municipal Utility District No. 79 that was filed with the Board of Directors of the District on April 23, 2025.

WITNESS MY HAND AND SEAL OF SAID DISTRICT on April 23, 2025.

GALVESTON COUNTY MUNICIPAL
UTILITY DISTRICT NO. 79



By: [Signature]
Secretary, Board of Directors