Reserve at Sulphur Springs
SITE DESIGN AND DEVELOPMENT FEASIBILITY REPORT

NWC League Street and Bell Street
Sulphur Springs, TX 75482

Prepare For:
Reserve at Sulphur Springs Townhomes – TDHCA Application #20016

MVAH Partners
5950 Fairview Road, Ste 402
Charlotte, NC 28210

Prepared By:
BGE, Inc.
777 Main Street, Ste. 1900
Fort Worth, TX 76102
February 27, 2020
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All persons who have a property interest in this report hereby acknowledge that the Department may publish the full report on the Department's website, release the report in response to a request for public information and make other use of the report as authorized by law.

NOTE: The information and exhibits contained herein are, to the best of our knowledge, the most current and accurate at the time of the preparation of this report. The information has been obtained from various public sources. The scope of this report is limited to contacting city staff and making a fair effort to obtain readily available information. BGE, Inc. does not make any representation for the issues which may arise from local/state policy or rule changes.
## APPENDIX ITEMS

<table>
<thead>
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<th>ITEMS DESCRIPTION</th>
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<tbody>
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<td>Warranty Deeds</td>
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<td>Boundary Survey</td>
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<td>Copy of Zoning Certificate Letter</td>
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<td>Existing Zoning Map</td>
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<td>City of Sulphur Springs Ordinance</td>
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<td>Building Application</td>
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<td>Zoning Application</td>
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<td>Plat Application</td>
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<td>Water &amp; Sewer Tap Application</td>
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<td>3</td>
<td>Water/Sanitary Sewer/Storm Drain Aerial View Map</td>
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<td>4</td>
<td>FEMA Firm</td>
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<td>5</td>
<td>Will Serve Letters</td>
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I. EXECUTIVE SUMMARY

This report has been prepared for the Reserve at Sulphur Springs Townhomes project, for which MVAH Partners is the applicant. Pursuant to Section 11.204(15) of the Uniform Multifamily Rules requiring a Site Design and Development Feasibility Report are to be submitted with an application for competitive housing tax credits for a project that is a New Construction Development. The sources of information used to prepare this report include consultation with City staff, City reference materials and site visits by BGE, Inc. A summary of the investigation follows:

- The Reserve at Sulphur Springs project is an 72-unit new construction multi-family development located on a 5.48 acre lot. The Subject Property’s address is NWC League Street and Bell Street, Sulphur Springs, TX 75482.

- The existing zoning for the Subject Property is consistent with the proposed use. A zoning confirmation letter was obtained from the City of Sulphur Springs on February 18, 2020.

  Please refer to Section 2 of the Appendix for copies of the zoning letter.

- A final re-plat (all with supporting documents) will be required to be processed and approved by the City of Sulphur Springs.

- The site plan for development of the Subject Property indicates 72 residential dwelling units in a total of 2 residential buildings. The site plan features common areas in each building. The site plan also proposes 121 parking spaces being provided. Please refer to Section 1 of the Appendix for the Site Plan for the Subject Property.

- Upon completion of the platting, the site will materially conform to the applicable zoning, platting, subdivision and land development ordinances.

- Development of the site will require an internal water loop connecting at the 6” line in League Street. Pending confirmation from a 3rd party flow test, the internal water line loop will be used to provide domestic, irrigation and fire protection.

- Sanitary sewer service for the Subject Property will be via connection to the existing 6” line that runs along League Street on the north east side of the Subject Property, and an 12” line in Rockdale Road.

- The subject site is bisected by an existing 100’ wide electric easement. Initial indications are that parking and driveways will be allowed within the easement limits, but building structures will not.
The proposed development will increase the amount of storm water runoff being generated by the site. A detention pond will be required to mitigate the increased flow rate. A proposed storm systems will connect to the detention pond that will hold and detain enough run off to allow for the discharge to be maintained at the pre-developed rate.

The Subject Property has approximately 416’ of street frontage along its eastern line, League Street. The City’s Comprehensive Plan does not show any future development for the streets surrounding the Subject Property. League Street currently has a variable width right-of-way.

The Subject Property has approximately 164’ of street frontage along its western line, Rockdale Road. The City’s Comprehensive Plan does not show any future development for the streets surrounding the Subject Property.

The Subject Property has no area within the FEMA 100-year floodplain limits.

This feasibility report has been prepared based in part on information provided by the City of Sulphur springs planning, engineering, and permitting departments. Additional issues may arise during detailed design and development.

This feasibility report endeavors to apply sound engineering judgement and identify all ordinances, building codes and criteria that may be encountered during the development of the Subject Property. Based on BGE’s investigation and efforts associated with preparing this feasibility report, we believe that upon completion of the zoning and platting the Subject Property will be suitable for the proposed development.
An expanded discussion related to the above Executive Summary points can be found in the following sections and appendix to this report. The sections and appendix address application zoning requirements, subdivision requirements, development ordinances, fire department requirements, ingress/egress requirements and impact/building permit fees with respect to the development and infrastructure requirements.

II. SITE LOCATION AND CONDITIONS

The Subject Property is 5.48 acres of land that is located west of League Street in Sulphur Springs, Hopkins County, Texas. The associated address with the site is NWC League Street and Bell Street, Sulphur Springs, TX 75482. For ease of reference, the site will be called the “Subject Property”.

The Subject Property is currently vacant and appears undeveloped. League Street abuts the property on the east and Rockdale Road abuts the property on the west. Both streets provide connection to a public thoroughfare. The properties to the west, north and south are multiple family dwelling. The properties east of the site, along League Street, are single family dwelling in use.

The Subject Site parcel per the Hopkins County Appraisal District. The following are the account numbers:

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<thead>
<tr>
<th>Parcel</th>
<th>R000027614</th>
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<tbody>
<tr>
<td>Parcel</td>
<td>R000027617</td>
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Please refer to Section 1 of the Appendix for a Location Map, Site Plan and Boundary Survey.

III. ANNEXATION, ZONING AND DEVELOPMENT PERMIT PROCESS

The Subject Property lies within the limits of the City of Sulphur Springs, Texas.

A zoning confirmation letter has been obtained from the City stating that the proposed multi-family use is currently allowed by rights.

Please refer to Section 2 of the Appendix for copies of the zoning confirmation letter.

Outlined below are a few of the major site development standards required by the City of Sulphur Spring’s codes and are considered critical design elements for the Subject Property.

Fire Code

- Fire Lane Regulations - Minimum width of 24’, with an interior radius of 35’ and an exterior radius of 59’
- No point on a structure shall exceed 150’ of hose lay distance from a fire hydrant

Zoning Ordinance – (MF district)

- Maximum Lot Coverage 50%
- Front Yard Setback 25-ft
- Rear Yard Setback 10-ft
Subdivision

Permit Processing

- Civil engineering plans for the required public improvements must be prepared and processed prior to the final plat being approved. The process for civil plans involves submittal to the City, staff review, consultant addresses comments made by staff, consultant resubmits the plans, staff reviews the plans and either makes additional comments or approves the plans. This process can take 2-3 months depending on the complexity of the engineering requirements.

- Final Re-Plat – A plat will be required to combine the two existing lots into one building lot and to dedicate the necessary access, utility, and drainage easements. The City of Sulphur Springs requires a final plat be processed and approved by the Planning Commission prior to any building permits being issued.
  
  - Based on the City’s Comprehensive Plan, the platting activity will not be affected by a right-of-way dedication along League Street and Rockdale Road.
  
  - Tax certificates indicating a zero balance are required as part of the initial submittal of the final plat.

Building Permit

- Architectural, MEP, landscape, structural, and civil engineering plans will be submitted to the City of Sulphur Springs Building Inspection department for review. The city review process typically takes 3-5 business days.

- Building permit fees are assessed in accordance with the city’s development code and are based on a variety of factors that will be established after detailed design is complete.


Please refer to Section 2 of the Appendix for applications, checklists and fee schedules.

IV. WATER DISTRIBUTION
According to the GIS information provided by the City of Sulphur Springs, there is an existing 6” water line running north/south along the center right-of-way of League Street. There is also an existing 2” water line running west/east along the southern right-of-way line of The Subject Property. The Subject Property can be served by the existing lines for domestic, irrigation and fire purposes. An internal public water loop connecting the line in League Street with the line located on the southern right-of-way of the Subject Property may be necessary to ensure adequate pressure and capacity. Public meters will be tapped into this loop.

The City of Sulphur Springs will perform the required taps and connections to existing public infrastructure through their official connection application process.

Please refer to Section 3 of the Appendix for a Water/Sewer Aerial View Map.

V. SANITARY SEWER SERVICE

According to GIS information provided by the City of Sulphur Springs, there is an existing 6” line running north along the eastern property line on League Street. There is also an existing 12” line running north on Rockdale Road just west of the site.

The topography of the site and building orientation will allow for the development to connect to the 6” or 12” line. Per the preliminary site plan, the northern most building is slated to connect to the existing 6” sewer and the southern building will connect to the existing 12” main.

Please refer to Section 3 of the Appendix for a Water/Sewer Aerial View Map.

VI. FRANCHISE UTILITIES

The following franchise utility providers serve the Subject Property. There are no anticipated difficulties in providing service to the Subject Property.

- Natural Gas – Will Serve Letters for these providers are still pending
- Electricity – Will Serve Letters for these providers are still pending
- Internet – ATT provides service to this area
- Television – ATT provides service to this area
- Telephone – ATT provides service to this area

Texas Power and Light Company (aka Oncor) owns a 100’ wide electric transmission easement that bisects the site. An encroachment agreement between the owner and Oncor will be required in order to utilize the area within the easement limits for paving & grading. Certain construction limitations area required as part of the agreement. For example, the existing grade elevation cannot be raised, site lighting poles are not allowed, and access to the poles must be provided.

Please refer to Section 5 of the Appendix for the Will Serve Letters.

VII. DRAINAGE / FLOODPLAIN
The Subject Property is located within the limits of FEMA FIRM Panel 330 of 525 Map number 48223C0330E (dated March 17, 2011). The Subject Property is designated as Zone X which indicates that it has an elevation that is above the 500-year floodplain.

The site currently drains southwest to the storm system along Rockdale Road. Based on the Existing Drainage Area Map and city drainage policy, it appears that a detention pond will be required to detain enough runoff to allow for the discharge to be maintained at the pre-developed rate. The detention pond is currently shown within the green space adjacent to Rockdale Road, as an expansion to an existing pond.

A proposed underground storm system will collect site drainage in a series of inlets and convey flows to the proposed detention pond. The pond outfall will connect to the existing underground system in Rockdale Road.

*Please refer to Section 4 of the Appendix for FEMA FIRM map.*

VIII. TRANSPORTATION

The Subject Property is located west of League Street.

Currently, League Street is a 2 lane, bi-directional road with asphalt pavement in a Variable width right-of-way. This roadway is under the City of Sulphur Springs jurisdiction. TXDOT has confirmed that League Street is a city street and not a TXDOT road. The City’s Comprehensive Plan does not show any future development for the streets surrounding the Subject Property.

Additionally, Rockdale Road is a 2 lane, bi-directional road with asphalt pavement in a 30-foot width right-of-way. This roadway is under the City of Sulphur Springs jurisdiction. TXDOT has confirmed that Rockdale is a city street and not a TXDOT road. The City’s Comprehensive Plan does not show any future development for the streets surrounding the Subject Property. The required platting activity will not need to include a right-of-way dedication.

There is approximately 416’ of frontage along League Street. The Site Plan indicates one point of access along this roadway. No issues are anticipated.

There is approximately 164’ of frontage along Rockdale Road. However, no access is proposed to Rockdale Road.

Bases on the preliminary evaluation, a Traffic Impact Analysis will need to be completed. However, this may change as the project evolves and confirmation from the city staff is still to be discussed.

IX. TAXING JURISDICTION

The Hopkins County Appraisal District assesses the property taxes for the Subject Property.

The Subject Property is comprised of the following parcels/lots:

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>ACCT No.</th>
<th>LEGAL</th>
</tr>
</thead>
</table>
The millage rates for 2019 follow (tax rate per $100 of value):

- City of Sulphur Springs $0.44
- Sulphur Springs ISD $1.28048
- Hopkins County $0.624892
- Memorial Hospital $0.25

X. IMPACT FEES / PRO-RATA FEES / ASSESSMENTS

The City of Sulphur Springs imposes street maintenance fees under Section 21.65 of the City’s Ordinance. The street maintenance fee for multi-family residential units shall be charged $5 per dwelling unit per month. The calculation for the street maintenance fee results $360 per month.

Based on the site plan and past experience with developments of this nature, it is anticipated that each building will require a domestic water tap and one irrigation tap for the whole site. The domestic water taps will require water and wastewater fees while the irrigation tap requires only the water portion. Utility tap fees are to be confirmed with The City of Sulphur Springs.

After platting and zoning are complete, the building plans can be submitted to the City for review and approval. This process typically takes 2-3 months.

XI. FEE STUDY

The following estimated fees associated with the study include, Final Plat Fee, Engineering Review Fee, Inspection Fee, Water Impact Fee, Roadway Impact Fee, and Building Permit Fee. During the review and development of the Subject Property, additional fees may be required or modified.

The following fee study is an estimated overview of the assessable fees and is preliminary. During the review and development of the Subject Property, additional fees may be required or modified.

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<th>ITEM</th>
<th>UNIT</th>
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<th>COST</th>
<th>NOTES</th>
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<td>4% of public improvements</td>
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SECTION 1
WARRANTY DEED

Date: November 5th, 2007

Grantors: DONNA GAYLE EDGAR f/k/a DONNA GAYLE GREGORY and CEPHIS WAYNE GREGORY a/k/a C.W. GREGORY, Individually, not joined herein by their spouses since the hereinafter described property constitutes their separate, inherited property and no part of their respective homesteads; and as Joint Independent Executors of the Estate of BILLY WAYNE GREGORY, Deceased

Grantors' Mailing Address
(including county):

DONNA GAYLE EDGAR
1293 Arbala Road
Sulphur Springs, Texas 75482
Hopkins County

CEPHIS WAYNE GREGORY
122 Texas Street
Sulphur Springs, Texas 75482
Hopkins County

Grantee: MAHEALANI RANCH, a Hawaii Partnership, acting by and through BARBARA NOBRIGA, Managing Partner

Grantee's Mailing Address
(including county):

Box 843
Kealakekua, Hawaii 96750

Consideration:

TEN AND NO/100s DOLLARS ($10.00) and other good and valuable consideration, the receipt of which is hereby fully acknowledged.

Property (including any improvements):

All that certain lot, tract or parcel of land situated in Hopkins County on the waters of Rock Creek, waters of Sulphur Fork of Red River about one mile SW of Public Square of Sulphur Springs, being a part of a survey of one League & Labor of land surveyed in the name of James Reily, assignee of Jose Y'Barbo Survey, Abstract no. 1102, and begins on a stake at the NE corner of 30 acres deeded to J.W. Pale by J.E. Anderson on a stake on East line of League & Labor and SE corner of 23-2/3 acres sold to W.H.H. Vaden, same being the NE corner of Block No. 18;

Thence South 368 vrs. to a stake on said league line;

Thence West 230 to a stake SE of 7 acres;
Thence North 222-3/4 vrs. to a stake SW corner of three acres sold by J.W. Pate to P.J. Willis & Bro. a stake, a black brs. SW 4 vrs. mkd. X;

Thence East pass P.J. Willis & Bro. corner at 115 vrs. in all East 172-3/4 vrs. a stake the SE corner of lot sold by said Young to Graham to cluster of Black Jacks brs. West 10 vrs. X a B.J. brs. Mkd. X;

Thence North 147-1/4 vrs. NE corner of said lot a cluster of Black Jacks mkd. X brs. West 13 vrs. a B.J. tree mkd. X S. 27 vrs;

Thence East 57 vrs. to the place of beginning.

Containing 10-1/2 acres of land, more or less.

SAVE AND EXCEPT:

1-1/2 acres conveyed by G.J. Reneau to T.A. Seal and M.P. Golmore, described in a deed dated June 16, 1893, recorded in Volume 21, Page 631, Deed Records, Hopkins County, Texas, said 1-1/2 acres being described as follows:

All that certain lot, tract or parcel of land situated in Hopkins County on the waters of Rock Creek, waters of Sulphur Fork of Red River about one mile SW of Public Square of Sulphur Springs, being a part of a survey of one League & Labor of land surveyed in the name of James Reily, assignee of Jose Y'Barbo Survey, Abstract 1102;

Beginning at a stone the NE corner of thirty acres deeded to J.W. Pate by J.E. Anderson on the East boundary line of said League & Labor and SE corner of 23-2/3 acres sold to W.H.H. Vaden, same being the NE corner of Block No. 18;

Thence South 147-1/4 vrs. to a stake for corner;

Thence West 57-1/2 vrs. to stone for corner;

Thence North 147-1/4 vrs. to a stone for corner;

Thence East 57-1/2 vrs. to the beginning.

Containing 1-1/2 acres of land, more or less.

Being the same land described in deed from James C. Weaver to Billy Wayne Gregory and wife, Mary Jane Gregory, dated December 16, 1977, recorded in Volume 384, Page 56, Deed Records, Hopkins County, Texas.
RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

1. Any visible and apparent easements.

2. Any portion of the above described property lying within the bounds of a public or private roadway and/or highway.

3. Easements and right of way as shown by instrument executed by James C. Weaver et al to Texas Power and Light Company, dated March 24, 1953, recorded in Volume 212, Page 518, Deed Records, Hopkins County, Texas.

GRANTORS, DONNA GAYLE EDGAR and CEPHIS WAYNE GREGORY, Individually and as Joint Independent Executors of the Estate of BILLY WAYNE GREGORY, Deceased, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, hereby grant, sell and convey to the Grantee, MAHEALANI RANCH, a Hawaii Partnership, the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold unto Grantee, MAHEALANI RANCH, a Hawaii Partnership, its successors and assigns, forever. Grantors, hereby bind themselves, their heirs, assigns, executors, administrators and successors, to warrant and forever defend all and singular the property unto Grantee, MAHEALANI RANCH, a Hawaii Partnership, its successors and assigns against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

DONNA GAYLE EDGAR, Individually and as Joint Independent Executor of the Estate of BILLY WAYNE GREGORY, Deceased

CEPHIS WAYNE GREGORY, Individually and as Joint Independent Executor of the Estate of BILLY WAYNE GREGORY, Deceased
(Acknowledgment)

THE STATE OF TEXAS,
COUNTY OF HOPKINS.

This instrument was acknowledged before me the 6th day of November, 2007, by DONNA GAYLE EDGAR, Individually and as Joint Independent Executor of the Estate of BILLY WAYNE GREGORY, Deceased, and in the capacity herein stated.

SHEILA J. MOORE
Notary Public, State of Texas

—Signature—

(Acknowledgment)

THE STATE OF TEXAS,
COUNTY OF HOPKINS.

This instrument was acknowledged before me the 6th day of November, 2007, by CEPHIS WAYNE GREGORY, Individually and as Joint Independent Executor of the Estate of BILLY WAYNE GREGORY, Deceased, and in the capacity herein stated.

SHEILA J. MOORE
Notary Public, State of Texas

—Signature—

PREPARED IN THE LAW OFFICE OF:

Ramey & Sheffield
P. O. Drawer 899
Sulphur Springs, Texas 75483

AFTER RECORDING RETURN TO:

Ramey & Sheffield
February 18, 2020

Attn: David Greer
Re: Zoning for the 600 block of League St.

Mr. Greer,

The current zone designation for the property listed above is Multi-Family (MF).

Cordially,

[Signature]

Tory Niewiadomski
Director of Community Development
## Property Details

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<th>Available Actions</th>
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<td></td>
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<tr>
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<td>KEALAKEKUA, HI 96750</td>
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### Qualified Exemptions

Not Applicable

### Legal Information


Situs: LEAGUE STREET 0

### Property Valuation History

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**Improvement / Buildings**  
*Improvement Value: $16,310*

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**Land Details**  
*Market Value: $69,340  Production Market Value: $0  Production Value: $0*

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**Deed History**

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**Property Tax Estimation by Entity / Jurisdiction**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Taxable Value</th>
<th>Tax Rate per $100</th>
<th>Tax Factor applied to Taxable Value</th>
<th>Estimated Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>085</td>
<td>CITY OF SULPHUR SPRINGS</td>
<td>85,650</td>
<td>$0.44</td>
<td>0.0044</td>
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<td>0.02595372</td>
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</table>

The above property tax estimation is not a tax bill. Do not pay.

Southwest Data Solutions provides this information “as is” without warranty of any kind.  
Southwest Data Solutions is not responsible for any errors or omissions.
Property Information

**Property Details**

**Ownership**

MAHEALANI RANCH
BARBARA NOBRIGA
P O BOX 843
KEALAKEKUA, HI 96750
Ownership Interest: 1.000000
1-4-6

**Available Actions**

Qualified Exemptions
Not Applicable

**Legal Information**

Legal: Acres: 0.835, Lot: 4, Blk: 24,4, FINAL PLAT JEWELL & MORRIS ADDITION
Situs: ROCKDALE RD 0

**Property Valuation History**

<table>
<thead>
<tr>
<th>Values by Year</th>
<th>2019</th>
<th>2018</th>
<th>2017</th>
<th>2016</th>
<th>2015</th>
<th>n/a</th>
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<tbody>
<tr>
<td>Improvements</td>
<td>+</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Land</td>
<td>+</td>
<td>$14,910</td>
<td>$14,910</td>
<td>$14,910</td>
<td>$14,910</td>
<td>$0</td>
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<tr>
<td>Production Market</td>
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<td>$0</td>
<td>$0</td>
<td>$0</td>
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<tr>
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Improvement / Buildings

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</tr>
</tbody>
</table>

Land Details

Market Value: $14,910  Production Market Value: $0  Production Value: $0

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Property Tax Estimation by Entity / Jurisdiction

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<th>Code</th>
<th>Description</th>
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<th>Tax Rate per $100</th>
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<th>Estimated Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>085</td>
<td>CITY OF SULPHUR SPRINGS</td>
<td>14,910</td>
<td>$0.44</td>
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<td>$65.60</td>
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<tr>
<td>086</td>
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<td>$190.92</td>
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Southwest Data Solutions is not responsible for any errors or omissions.
<table>
<thead>
<tr>
<th>Property ID</th>
<th>Location</th>
<th>Owner</th>
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<tbody>
<tr>
<td>R000027617</td>
<td>0 ROCKDALE RD</td>
<td>MAHEALANI RANCH</td>
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Sulphur Springs, TX makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 10/13/2018
Data updated 10/13/2018
CITY OF SULPHUR SPRINGS

ORDINANCE NO. 2737

AN ORDINANCE AMENDING THE CITY OF SULPHUR SPRINGS CODE OF
ORDINANCES BY ESTABLISHING A NEW SECTION UNDER CHAPTER 21
ARTICLE V, STREET MAINTENANCE FEE, SECTIONS 21.64 – 21.73;
ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION AND
ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

WHEREAS, the City of Sulphur Springs City Council finds, determines, and declares that in order to
protect the citizenry from the deterioration of the quality and safety of the Street System that they rely
upon and use on a regular basis, it is necessary and in the best interest of the public health and safety
to establish a Street Maintenance Fee in order to provide a properly maintained Street System; and

WHEREAS, the City of Sulphur Springs City Council finds, determines, and declares that it is fair and
reasonable for all developed real property within City Limits using the Street System (Benefitted
Properties) to pay a portion of the costs to maintain the Street System; and

WHEREAS, the City of Sulphur Springs City Council will establish a Street Maintenance Fee, subject
to the limitations of the state law, and the City shall provide an efficient, reliable Street System with
the City Limits on the payment of such fees; now, therefore,

BE IT ORDAINED BY THE CITY OF SULPHUR SPRINGS, TEXAS:

SECTION 1: That Chapter 21, Section V of the Code of Ordinances of the City of Sulphur Springs,
Texas, be added to (as set out in Exhibit A, attached hereto and made a part of this Ordinance for all
purposes)

SECTION 2: That the effective date for new assessments will be for bills dated January 1, 2019 and
subsequently.

PASSED AND APPROVED ON FIRST READING, the 6th day of November, 2018.

PASSED AND APPROVED ON SECOND AND FINAL READING, the 4th day of December,
2018.

John A. Sellers, Mayor

Gale Roberts, City Secretary
EXHIBIT A

The Code of Ordinances of the City of Sulphur Springs, Texas is amended by adding Article V under Chapter 21 Streets and Sidewalks, Street Maintenance Fee as set hereafter to read as follows:

ARTICLE V. STREET MAINTENANCE FEE

Sec. 21-64. Definitions.

Benefitted property means a single family residential unit, multifamily residential unit, commercial unit, and industrial unit within the city limits that benefits from vehicular or pedestrian traffic or use and defined as follows:

- **Single-family residential unit**- a building containing not more than one dwelling unit on one or more lots.
  - Duplexes, triplexes, quadraplexes, and condominiums- single-family dwelling units constructed in such a manner that the units share a common wall or lot line with another unit. Each dwelling in a duplex, triplex, quadraplex, or condominium shall be considered a single-family residential unit.
  - Mobile homes not in an approved mobile home park shall be considered a single-family residential unit.
- **Multifamily residential unit**- single-family dwelling in an apartment complex, mobile home park or recreational vehicle park.
  - Apartments- one or more buildings constructed on a single parcel of property where each building contains at least five living units.
  - Mobile Home or Recreational Vehicle Park- a parcel of property zones under provisions of the applicable city or county zoning regulations whose allowed and recognized use is the business of renting spaces or lots upon which mobile homes are placed and occupied as single-family dwellings and shall include any associated and allowed laundry and recreational and common facilities incidental thereto.
- **Commercial Unit**- The following enumerated commercial businesses, churches, public or private schools, public and charitable entities, that are not classified in Category F2 on the property tax roll, are defined as commercial units whether they are situated in one or more tract parcels or buildings:
  - All retail, and wholesale business establishments.
  - Professional and servicing businesses.
  - Hotels, motels, inns, rooming houses, and boardinghouses, whether private, public, or quasi-public.
  - Hospitals, public, private, charitable, or otherwise.
  - Fraternal organizations, public or private clubs associations or organizations, whether for profit or nonprofit.
- **Industrial Unit**- An Industrial Unit is defined as a unit classified in Category F2 according to the property tax roll as provided by the Hopkins County Appraisal District. Units classified in Category F2 are land and improvements of businesses that add value to a product through development, manufacturing, fabrication or processing of that product.
Street Maintenance Fee shall mean the fee that is established by this Ordinance which is assessed against, and collected from owners or occupants of Benefitted Property within City Limits for the purpose of inspections, maintenance, repair, improvement, and reconstruction of the Street System and costs incidental thereto.

Street Improvement Program (SIP) means the Street Improvement Program or as referred to as the Summer Paving Program, as amended from time to time, partially funded by the street maintenance fee.

Street System shall mean the structures, traffic controls, streets and other facilities in the public right-of-way, such as bridges, sidewalks, wheelchair ramps, alleys, storm sewer drainage system appurtenances, and other facilities which are dedicated to the use of motor vehicles, transit, bicycles and pedestrians; the maintenance and repair of those facilities; and the inspection of such maintenance and repair under the street improvement program.

Utility Customer shall mean the holder of a City utility account or the person, firm, partnership, joint venture, association, corporation, governmental entity, or other entity responsible for the payment of the Street Maintenance Fee.

City Limits shall mean the city limits of the City of Sulphur Springs as they exist on the effective date of this ordinance and as they may be amended from time to time.

Section 21.65. Establishment of Street Maintenance Fee.

a.) The City Council hereby establishes a Street Maintenance Fee to be paid by Benefitted Customers within the City Limits. Such Street Maintenance Fee shall be set in amounts which will provide sufficient funds to properly maintain the Street System.

b.) From and after the effective date of this ordinance, each single family residential unit shall be charged $5.00 per month; multi-family residential units shall be charged $5.00 per dwelling unit per month; each commercial unit shall be charged $12.50 per month, and each industrial unit shall be charged $30.00 per month. Fee will be assessed on a per unit basis.


a.) Collection of the Street Maintenance Fee against each benefitted property shall be made by a monthly charge and where applicable be added to the Utility Customer's utility bill for such property and shall be due upon receipt.

b.) The City Manager or designee shall create an account in the City's billing system for any benefitted property for which no utility account exists. The Street Maintenance Fee will be assessed to the street fee only accounts according to land use.

c.) Any Street Maintenance Fee due hereunder which is not paid when due may be recovered in action at law by the City. In addition to any other remedies or penalties provided by this Ordinance or the Code of Ordinances of the City of Sulphur Springs, Texas, failure of any utility customer to pay the Street Maintenance Fee promptly when due shall subject such Utility Customer to the discontinuance of utility services provided by the City.
Section 21.67. Street Improvement Fund.

a.) A separate fund shall be created effective January 1, 2019 known as the Street Improvement Fund.

b.) All Street Maintenance Fees shall be deposited in the Street Improvement Fund. It shall not be necessary for the expenditures from the Street Improvement Fund to specifically relate to any particular property from which the Street Maintenance Fees were collected.

c.) An annual report of the Street Improvement Fund and the Street Maintenance Fee program will be provided to the City Council.

d.) Every year, the Capital Improvement Projects (CIP) Committee shall provide City Council a report on the progress of the Street Improvement Program and publish an updated three-year map of street candidates to be considered for the Street Improvement Program.

Section 21.68. Administration; Rules and Regulations.

The City Manager or designee shall be responsible for the administration of this Ordinance. The City Manager or designee shall be responsible for developing the rules, regulations and procedures for the administration of fees and the consideration of petitions for modification and appeals pertaining to the fees charges hereunder; developing maintenance programs; establishing Street Improvement Program criteria and standards for the operation and maintenance of the Street System.

Section 21.69. Disposition of Fees and Charges.

a.) The Street Maintenance Fee shall not be used for the general governmental purposes of the City.

b.) The Street Maintenance Fee shall be used solely to pay for the costs of inspection, maintenance, repair, improvement, and reconstruction of the Street System.

Section 21.70. Exemption.

a.) This ordinance does not apply to properties where the normal business of a city, county, state, federal agency or department, hospital district, publicly funded independent school district, or church occurs.

b.) It is the responsibility of the person entitled to the exemption under this section to notify the City Business Office of the applicable exemption.

c.) The City reserves the right to exempt properties from provisions of this Ordinance through City Council action.

Section 21.71. Effective Period: Sunset

The ordinance codified in this article takes effect immediately upon its passage and continues for ten (10) years after January 1, 2019. The ordinance ceases to have effect on January 1, 2029, unless the City Council takes further action to extend the ordinance.

Section 21.72. Liability.
This article does not create additional duties on the part of the City. This article does not waive the City’s immunity under any law.

Section 21.73. Periodic review of rates.

The City Council will periodically review the street maintenance fees and rate and adjust fees accordingly.
**BUILDING/DEMOLITION PERMIT APPLICATION**

Project Address: ____________________________________________________________

If the structure is over 40’, is it within five (5) miles of the Airport?  ☐ Yes  ☐ No

Is the project address in the Downtown Revitalization District?  ☐ Yes  ☐ No  If yes, additional paperwork is required

<table>
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<tr>
<th>Owner of Property</th>
<th>Mailing Address</th>
<th>City</th>
<th>St.</th>
<th>Zip</th>
<th>Phone #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Description of Work to be Done:

__________________________________________________________

Describe the Specific Use of this Address:  ☐ Residence  ☐ Business  ☐ Other ____________________________

Is this space currently:  ☐ Vacant  ☐ Occupied

Square Footage

Floor Space in Garage Areas ______ sq. ft.  
Floor Space in New Addition ______ sq. ft.

Floor Space in Living Area ______ sq. ft.  
Floor Space of Covered Areas ________ sq. ft.

Total Enclosed Area ____________ sq. ft.

Total Value of Work included in this Permit $__________________

**FOR PUBLIC OR COMMERCIAL BUILDINGS** – I hereby certify that an asbestos survey has been done in accordance with the Texas Asbestos Health Protection Rules (TAHPR) and the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for the area(s) being renovated and/or demolished.

☐ Yes  ☐ No

Applicant’s Name (Please Print)  ________________________________  
Company Title  ________________________________  
Email  ________________________________

Company  ________________________________  
Mailing Address  ________________________________  
City  St.  Zip  Phone #

Applicant’s Signature  ________________________________

Providing false information on a government document is considered a Class A misdemeanor under Section 37.10 of the Texas Penal Code. Upon conviction, this offense carries a penalty of a fine of up to $4,000 and possible confinement in jail for up to one year. If you pull a permit YOU are responsible for the job. No qualifying permits. The granting of a permit does not resume to give authority to violate or cancel the provisions of any state or local law regulating construction. This permit becomes null and void if the authorized work or construction is not commenced, is suspended or abandoned after work is commenced, or if no inspections are obtained within a six month period. All permits require final inspections. I agree to abide by all laws and ordinances governing this type of work whether herein specified or not and hereby certify that I have read and examined this application and know the same to be true and correct.
Zoning Change, Special Use Permit, Variance Application

Case No.: __________________
Amount Paid: ___________ Date Paid: ___________ Check #:________

☐ Zoning Change  ☐ Special Use Permit  ☐ Variance

Project Location

Owner _______________________________________________________________________
Address _______________________________________________________________________
Telephone Number __________________ Email Address _______________________________

Request: example: rezone Lot x from Single Family to Multi Family.

______________________________________________________________________________
______________________________________________________________________________

If you are requesting a variance explain your hardship (Per state law a variance request for a financial reason does not constitute a hardship.)

______________________________________________________________________________
______________________________________________________________________________

I understand that it is necessary for me or my authorized agent to be present at the City of Sulphur Springs Planning and Zoning Commission Public Hearing.

Signature of Owner: ___________________________________________________________

Signature of Owner’s Agent ___________________________________________________

The applicant must be the property owner or his authorized agent. If the property owner is represented by an agent, the agent must provide a NOTARIZED LETTER OF AUTHORIZATION from the property owner. A copy of said authorization to be filed with application.

Staff Use Only

Does this project follow the Land Use Plan  ☐ Yes  ☐ No
Are adjacent properties zoned the same as the requested  ☐ Yes  ☐ No
Is there a precedent on a similar request  ☐ Yes  ☐ No
Does it fall within the zoning regulations  ☐ Yes  ☐ No

E:\USER\JG\P&ZAGCSH\Planning and Zoning Application.doc
Plat Application

Case No.: __________________

Amount Paid: ___________ Date Paid: ___________ Check #: _______ Receipt #: ____________

Date Submitted (all requirements met): _____________________________________________

☐ Preliminary ☐ Final ☐ Minor Plat
☐ Vacation Plat ☐ Replat (requires notification of surrounding property owners)

Owner/Owners Agent  ___________________________________________________________

Address _______________________________________________________________________

Telephone Number _________________ Email Address ____________________________________________________________________________

Project Location_________________________________________________________________

Lot(s): _____________ Block(s):__________ Existing Block/Abstract No.: _______________

Plat Name, Number of Lots
__________________________________________________________________________
__________________________________________________________________________

I understand that it is necessary for me or my authorized agent to be present at the City of Sulphur Springs Planning and Zoning Commission Public Hearing.

Signature of Owner/Owners Agent:

The applicant must be the property owner or his authorized agent. If the property owner is represented by an agent, the agent must provide a NOTARIZED LETTER OF AUTHORIZATION from the property owner. A copy of said authorization to be filed with application.

Check prints may be blue line or paper. Two signed reproducibles (velum or mylar) must be delivered to the Service Center prior to the meeting or the plat will be pulled from the agenda.

TAX CERTIFICATES FOR PROPERTY MUST ACCOMPANY THE APPLICATION BY THE SUBMITTAL DATE FOR PLACEMENT ON THE AGENDA. (CURRENT YEAR AFTER SEPTEMBER)

PLATS REQUIRING A COMMUNITY FACILITIES CONTRACT WILL NOT BE FILED UNTIL THE CONTRACT IS EXECUTED. (UNFILED PLATS WILL EXPIRE IN 12 MOS)
Customer fill out the section below

<table>
<thead>
<tr>
<th>Project Address:</th>
<th>Block:</th>
<th>Lot:</th>
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<tbody>
<tr>
<td>Name:</td>
<td>Bldg Pmt#:</td>
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</tr>
<tr>
<td>Mailing Address:</td>
<td>Phone:</td>
<td></td>
</tr>
<tr>
<td>Email Address:</td>
<td></td>
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</table>

Size, Type & Number of Connections  
Water  
Sewer  

Applicants Signature  

THE CITY WILL PERFORM ALL TAPS/TIE-INS INTO EXISTING WATER OR SEWER MAINS

Water Tap Charge $  
Sewer Tap Charge $  
Pro Rata Fee $  

Sewer and water meter tap location may vary, depending on the City service line location. All taps will be installed at the City’s discretion. Please mark your desired location of the tap on the back of this form.

Approved:  
Inside City limits:  

Remarks:  

Date Meter Set:  
Set By:  

Meter #:  

Location of Meter:  

Description of Main: (size, type, depth, distance from curb, etc)  

Remarks:  
Map Theme Legends

Floodway

- A
- AE
Sulphur Springs, TX
February 28, 2020

Parcels Information

Property ID: R000027617
Location: 0 ROCKDALE RD
Owner: MAHEALANI RANCH

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Geometry updated 10/13/2018
Data updated 10/13/2018
February 14, 2020

Mr. Time Green
City of Sulphur Springs
125 S. Davis St.
Sulphur Springs, TX 75482

RE: Reserve at Sulphur Springs – Utility Request Letter

Dear Mr. Tim Green:

The MVAH Partners has contracted with BGE, Inc., to provide engineering services for the construction of the Reserve at Sulphur Springs facility in The City of Sulphur Springs. Enclosed is a location map showing the project construction area.

Please send a copy of your Company’s Record Maps and land use agreements within the proposed construction area. Also, please indicate any pending new facilities that are expected to be installed within the next 6 months.

Please submit the following information to Jaime Soria Jr.

- Record/as-built mapping within project area
- Related easement mapping and new easement requirements
- Any planned or future facilities within project area

We appreciate your prompt attention to our requests. Please forward your responses to the address shown below.

BGE, Inc
777 Main Street, Suite 1900
Fort Worth, Texas 76102

Your input is critical; your immediate response would be greatly appreciated. If you desire further information concerning the proposed work, feel free to contact Jaime Soria Jr. at (817) 872 6010.

Sincerely,

BGE, Inc.

Jaime Soria Jr.,
Engineer

Enc: Location Map,