

**NOTICE OF LA MARQUE
PLANNING AND ZONING COMMISSION MEETING
BY TELEPHONE CONFERENCE**

In accordance with order of the Office of the Governor issued March 16, 2020, the Planning and Zoning Commission of the City of La Marque will conduct its meeting scheduled for **Tuesday, January 26, 2021 at 4:00 PM by telephone and video conference** in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus/COVID-19. This Notice, the meeting agenda, and the agenda packet can be found online at:

<https://ci.la-marque.tx.us/AgendaCenter>

THERE WILL BE NO PUBLIC ACCESS TO CITY HALL DURING THE MEETING.

The public will be permitted to offer public comments telephonically as provided below during the meeting. A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request. You may submit comments in advance for this meeting by contacting the City Clerk's office.

THE PUBLIC TOLL-FREE DIAL-IN NUMBER TO PARTICIPATE IN THE MEETING IS:

1 (346) 248-7799

ONCE YOU ARE CONNECTED, YOU MUST ENTER THE FOLLOWING:

Meeting ID: 998 6442 0935

Press *6 to mute or unmute your phone line. You may also connect to the meeting on your smartphone, tablet or computer by going to the following internet address:

<https://zoom.us/j/99864420935>

Once you are on the website, you may need to enter the following:

Meeting ID: 998 6442 0935

If you require accommodation to participate in this meeting, contact the City Clerk at 409-938-9259 or cityclerk@cityoflamarque.org at least 48 hours prior to the meeting start time.



1111 Bayou Rd.
La Marque, Texas 77568
409-938-9202

Hugh Cash - Chairperson
Greg Cornett - Vice-Chairperson
Douglas Wayne Hobgood - Commissioner

Alan Waters - Commissioner
Augustino Molis - Commissioner
Stephanie Gordon - Alternate
Chris Colombo - Alternate

**CITY OF LA MARQUE
PLANNING AND ZONING COMMISSION
Regular Meeting
AGENDA
of
January 26, 2021**

Notice is hereby given that the City of La Marque Planning and Zoning Commission will conduct a Regular Meeting via telephone/video conference hosted through Zoom as provided in the attached notice on Tuesday, January 26, 2021 at 4:00 p.m., for the purpose of considering and taking action on the following agenda:

(1) CALL MEETING TO ORDER

(2) ROLL CALL

(3) PUBLIC COMMENTS

At this time, any person who wishes to speak on Commission-related business, including any item on the agenda, should speak at this time by giving the Chair person your name and the item you wish to speak about. Comments are limited to three (3) minutes. In compliance with Texas Open Meetings Act, the Planning and Zoning Commission may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours. **Press *6 to mute or unmute if you are participating by telephone.**

(4) MINUTES:

- a. Discussion / possible action to approve December 09, 2020 Meeting Minutes

(5) PUBLIC HEARINGS

- a. Public hearing on A preliminary report on a request to change the zoning district from (R-1) Single Family Residential to Delany Cove Planned Development District and to extend the boundaries of the existing Delany Cove Planned Development District established by La Marque Ordinance O-2019-0026 to include Landing at Delany Cove Section 14

(6) NEW BUSINESS

- a. Discussion / possible action to issue a final report and provide a recommendation to City Council on a request to change the zoning district from (R-1) Single Family Residential to Delany Cove Planned Development District and to extend the boundaries of the existing Delany Cove Planned Development District established by La Marque Ordinance O-2019-0026 to include Landing at Delany Cove Section 14
- b. Discussion / possible action regarding an application for plat approval for Walgreens La Marque near 1832 FM 1765

(7) DIRECTOR'S REPORT

- a. Permit reports

(8) REQUESTS AND ANNOUNCEMENTS

Requests by Commissioners for items to be placed on future Planning and Zoning agendas and announcements

(9) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas, on or before **January 21, 2021**, before 5:00 p.m.

Robin Eldridge, TRMC
City Clerk

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. . Please contact the City Clerk's office at (409) 938-9259, or Fax (409) 935-0401, or e-mail cityclerk@cityoflamarque.org for further information.



1111 Bayou Rd.
La Marque, Texas 77568
409-938-9202

Hugh Cash - Chairperson
Greg Cornett - Vice-Chairperson
Stephanie Gordon - Commissioner

Alan Waters - Commissioner
Douglas Hobgood - Commissioner
Augustino Molis - Commissioner
Chris Colombo - Alternate

CITY OF LA MARQUE
PLANNING AND ZONING COMMISSION
Regular Meeting
MINUTES
Of
December 07, 2020

Notice is hereby given that the City of La Marque Planning and Zoning Commission will conduct a Regular Meeting via telephone/video conference hosted through Zoom as provided in the attached notice on Monday, December 07, 2020 at 4:00 p.m., for the purpose of considering and taking action on the following agenda:

(1) CALL MEETING TO ORDER
4:09 pm by Chairman Hugh Cash

(2) ROLL CALL
Absentees: Augustino Molis, Alan Waters, Stephanie Gordon
Invocation lead by Hugh Cash
Pledge lead by Hugh Cash

(3) PUBLIC COMMENTS
At this time, any person who wishes to speak on Commission-related business, including any item on the agenda, should speak at this time by giving the Chairman your name and the item you wish to speak about. Comments are limited to three (3) minutes. In compliance with Texas Open Meetings Act, the Planning and Zoning Commission may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours. **Press *6 to mute or unmute if you are participating by telephone.**

(4) MINUTES:
Discussion / possible action to approve October 27, 2020 Meeting Minutes
Motion to Approve - 1st Greg Cornett 2nd Douglas Hobgood None Opposed

Guest to Public Hearing:
Terry Randall
Mike Randall

(5) PUBLIC HEARINGS

- a. Public hearing on a preliminary report on a request to change the zoning district from (C-2) Restricted Commercial to (C-1) General Commercial for 714 Bayou Road, La Marque, Texas

Derra gave a quick overview since no public was on to speak.

Public Hearing Closed at 4:13 pm

(6) NEW BUSINESS

- a. Discussion / possible action to issue a final report and provide a recommendation to City Council on a request to change the zoning district from (C-2) Restricted Commercial to (C-1) General Commercial for 714 Bayou Road, La Marque, Texas

Nick Falcon noted that the property had been a garage of sorts previously. His shop would cater to the custom built car patrons of the area. With that his retail front of shop would offer custom built engines, transmissions, pistons, etc.

Chris Columbo noted his concerns of the property becoming an eye sore.

Nick Falcon noted that he had requested container boxes to store material but had been denied due to ordinance regulations. Derra confirm that the request had been made and denied due to ordinance regulations. She also noted that Mr. Falcon has been compliant and is working with Code Enforcement. Fencing has been discussed.

Nick Falcon said that his long term vision for the back part of the property was to host car shows, family friendly, community events such as movie nights and charitable benefits.

Greg Cornett noted his concerns that the visual aspects of the property may become unsightly as other similar properties have, specifically like the one across the street from City Hall.

Derra reminded all that the Commission was meeting on C-2 status being changed to C-1.

Mr. Cornett's concerns is understood by D. Hobgood in regards to future use of property and if it will fit in the zone C-1. The retail shop request would but questions land use.

*Chairman Hugh Cash asked for a Motion to Approve or Deny. No response
Chairman Hugh Cash asked for a Motion to Table. With this request the commission was to have concerns and questions forwarded to Derra so that she could get the additional information to their concerns. Noting that this business cannot operate as of now.*

Motion to Table

1st - Greg Cornett 2nd - Chris Columbo None Opposed

Derra noted that because the request for zone change at 714 Bayou Road was tabled, commission would need to meet again prior to Dec. 14, 2020 City Council meeting.

Concerns would need to be forwarded to Derra by Dec. 11, 2020.

D. Hobgood's concerns what code ordinances at a C-1 Zoning.

Derra explained open storage in a C-1 Gen. Commercial is not allowed by ordinance.

Chris Columbo voiced concerns of how the example property across from city hall is being allowed.

Nick Falcon voiced his observance of the issues as well.

Hobgood just requested that Nick Falcon keep the property neat. Mr. Hobgood is ready to vote.

Vote to resend motion to table - no by C. Columbo

Derra explains options that can affect the property. 1) Deny the zone change and it remains a C-2, you have a business that cannot operate within the zoning regulations and it would possibly relocate. Code compliance for any C-1 is an individual case. Statutorily you are being asked for a recommendation of whether this is appropriate for C-1 or should stay C-2.

Chris Columbo said he would rather see a business open.

Motion to resend the motion to table

1st D. Hobgood 2nd - G. Cornett H. Cash, G. Cornett and D. Hobgood voted - Yes C. Columbo - No Vote

Motion to Approve zone change

1st - D. Hobgood 2nd - G. Cornett H. Cash, G. Cornett and D. Hobgood voted - Yes C. Colombo - No vote

- b. Discussion / possible action regarding a plat application for Mainland Partial Replat No. #1 near 601 Delany Road**

Final plat that goes hand and hand with the abandonment request that is on this agenda as well.

Motion to Approve with conditions

1st - Greg Cornett 2nd - Douglas Hobgood None Opposed

- c. Discussion / possible action regarding a request to abandon two portions of public right-of-way near Hallam Road and Delany Road, also known as North Harlton Road and that portion of Garrett Road north of Hallam Road associated with Mainland Partial Replat #1

Abandonment Ordinance that will be executed with the Final Plat recording. The abandonment is for an exchange for a New Right of Way for the city on the Final Plat.

Motion to Approve

1st Chris Columbo 2nd - Greg Cornett None Opposed

(7) EXECUTIVE SESSION

- a. The Commission reserves the right to convene in closed session pursuant to Section 551.071 and/or 551.086 of the Texas Government Code (Consultation with attorney regarding legal advice and /or economic development negotiations); No action will be taken by the Commission in closed session

No executive session was convened.

(8) REQUESTS AND ANNOUNCEMENTS

Requests by Commissioners for items to be placed on future Planning and Zoning agendas and announcements.

(9) ADJOURNMENT

1st - Greg Cornett 2nd - Chris Columbo

Adjourn at 4:57 pm



City of La Marque Planning & Zoning Commission

STAFF REPORT

Meeting Date: January 26, 2021

Agenda Item: Discussion / possible action to issue a final report and provide a recommendation to City Council on a request to change the zoning district from (R-1) Single Family Residential to Delany Cove Planned Development District and to extend the boundaries of the existing Delany Cove Planned Development District established by La Marque Ordinance O-2019-0026 to include Landing at Delany Cove Section 14

Item Type: Zone change - adding territory to an existing PDD

History: None

Standard for Approval: “[E]ither the general welfare of the city affected by the area to be changed will be enhanced, or that the property is unusable for the purposes allowed under existing zoning.” See City Code Sec. 71-26(k).

References: City Code Chapter 71;
Chapter 211, Texas Local Government Code

Council approval: Required; Ordinance also required

Public comments: None

Recommendation: Motion to issue a final report and recommend approval of a zone change from (R-1) Single Family Residential to Delany Cove PDD

EXISTING PDD

ORDINANCE NO. O-2019-0026

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, ESTABLISHING THE DELANY COVE PLANNED DEVELOPMENT DISTRICT (“DELANY COVE PDD”) AS A ZONING DISTRICT IN ACCORDANCE WITH CHAPTER 71, ZONING, OF THE CITY OF LA MARQUE CODE OF ORDINANCES; ADOPTING REGULATIONS APPLICABLE TO THE DELANY COVE PDD; AMENDING THE COMPREHENSIVE PLAN TO REFLECT THIS AMENDMENT; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION.

WHEREAS, Section 71-18 of the City of La Marque Code of Ordinances (“City Code”) provides for the creation of Planned Development Districts for, among other types of development, housing development on tracts of five acres or more; and

WHEREAS, Friendswood Development Company (the “Owner”) is the owner of approximately 40.7 acres of land comprised of Sections 11, 12 and 13 of Delany Cove, as shown on Exhibit A (the “Property”); and

WHEREAS, the Owner of the Property has presented an application for the City to establish the Delany Cove PDD in order to further construction, operation and use of a master planned community; and

WHEREAS, in accordance with Sections 211.006 and 211.007 of the Texas Local Government Code, notice was mailed to all property owners within 200 feet of the Property, and the school district in which the Property is located, prior to the public hearing before the Zoning Commission on October 8, 2019; and

WHEREAS, the Zoning Commission held a public hearing on its preliminary report and issued a final report on October 8, 2019 recommending that City Council establish the Delany Cove PDD and adopt zoning regulations applicable to the Delany Cove PDD as provided in this Ordinance; and

WHEREAS, the City Council finds, following newspaper publication and the required public hearings, that the proposed Delany Cove PDD is consistent with the City’s comprehensive plan, and that the comprehensive plan of the City should be amended to include the proposed Delany Cove PDD;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS:

Section 1. That the facts and matters set forth in the preamble of this Ordinance are found to be true and correct.

Section 2. That the application to establish the Delany Cove PDD is hereby approved subject to the regulations, restrictions, terms and conditions set forth in this Ordinance, and shall include the Property, as shown in Exhibit A.

Section 3. That the City's comprehensive plan is amended in accordance with this Ordinance.

Section 4. That the following regulations, including the regulations applicable to the R-1 Single Family Zoning District and any other zoning regulations applicable to all zoning districts or uses in any zoning district, shall apply to uses in the Delany Cove PDD (zoning district):

Delany Cove Planned Development District (Delany Cove PDD). The development of the Property (Delany Cove Sections 11, 12 and 13) shown in Exhibit A shall conform to all requirements, including the authorized uses, for the R-1 Single Family Residential District and any other requirements applicable to all zoning districts or uses within any zoning district, as prescribed by Chapter 71, Zoning, of the City Code, except for the following modifications:

Lot Size. A lot in this district shall not be less than six thousand (6,000) square feet in area and shall not be less than fifty feet (50') wide at the building line; however, a lot for a single-family dwelling in this district may be less than six thousand (6,000) square feet in area, provided that lot is not less than one hundred twenty feet (120') in depth and not less than fifty feet (50') at the building line.

General Open Space Requirements. The development of the Property shall include a minimum of 23% of open space to mitigate the higher density allowed in the Delany Cove PDD. This open space may include pocket parks, ponds, walking trails, fountain areas and nature preserves, in substantial compliance with the land use and concept plan, attached as Exhibit B.

Section 5. Nothing in this Ordinance waives or modifies any other City Code requirement, including but not limited to off-street parking requirements, subdivision regulations, and construction codes. Approval of this Application grants only the rights specifically addressed herein.

Section 6. **Penalty.** As provided in Section 71-3 of the City Code, Any person who shall violate any of the provisions of this ordinance or who shall fail to comply therewith or with any of the requirements thereof, or who shall erect or alter any building, or who shall commence to erect or alter any building in violation of any detailed statement of plan submitted or approved thereunder, shall for each violation or noncompliance be deemed guilty of a misdemeanor, and upon conviction, shall be fined as provided in section 1-7 of the City Code. The owner of that building or premises or part thereof where anything in violation of this chapter shall be placed or shall exist, and any architect, builder, contractor, agent or corporation employed in connection therewith who may have assisted in the commission of any such violation shall be subject to the penalties herein provided.

Section 7. **Effective Date and Publishing.** This ordinance shall be effective immediately, except where a later date is expressly provided, upon adoption on second and/or final reading after publication and hearing, as provided in Sections 2.17-2.19 of the Charter of the City of La Marque, and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with Chapter 52 of the Texas Local Government Code.

Section 8. **Conflict and Repeal.** This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

Section 9. **Severability.** In the event any clause, phrase provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part of the same, notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED on First Reading this ____ day of _____
2019;

PASSED, APPROVED, AND ADOPTED on Second and Final Reading this ____ day
of _____ 2019.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

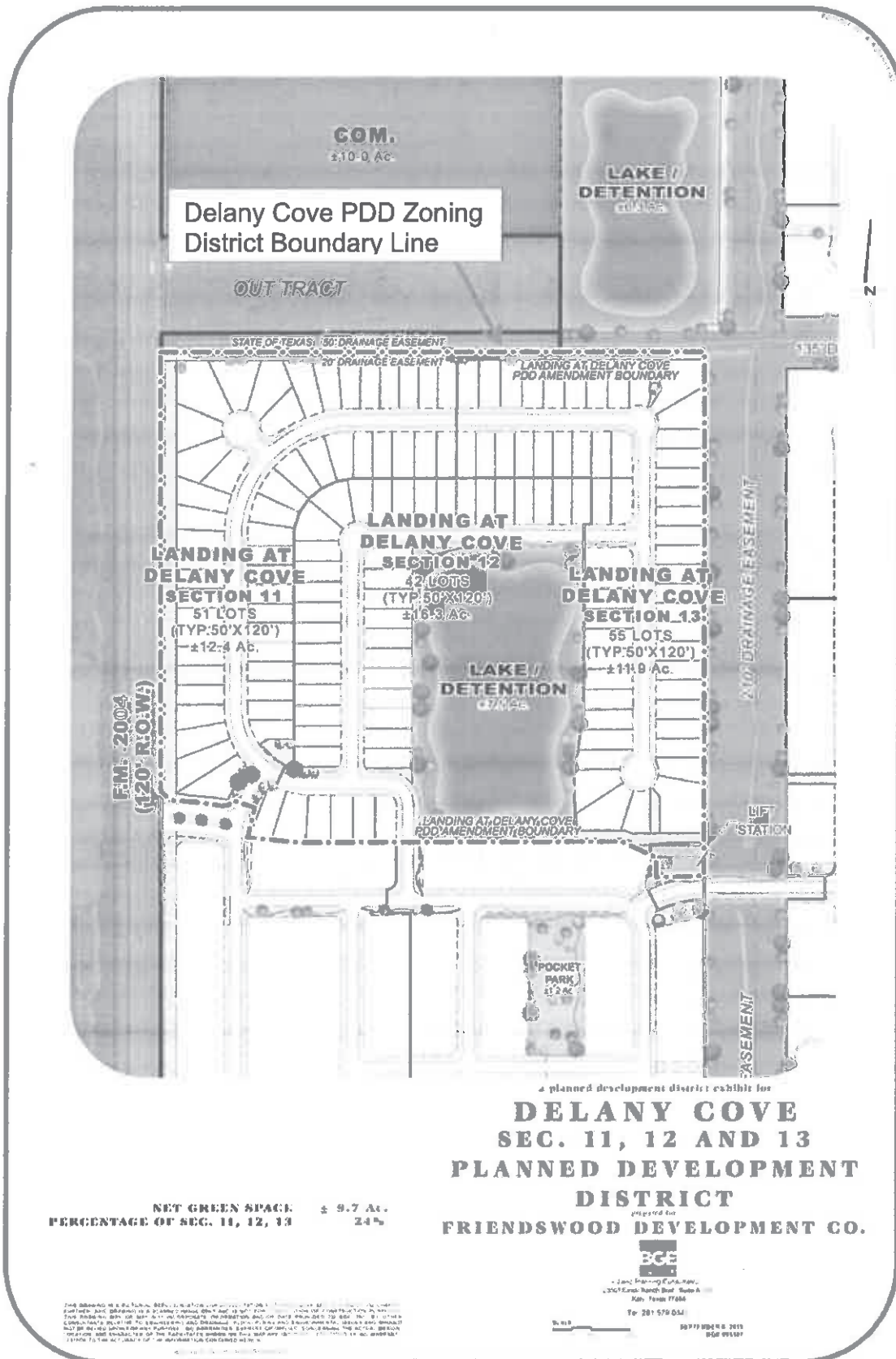
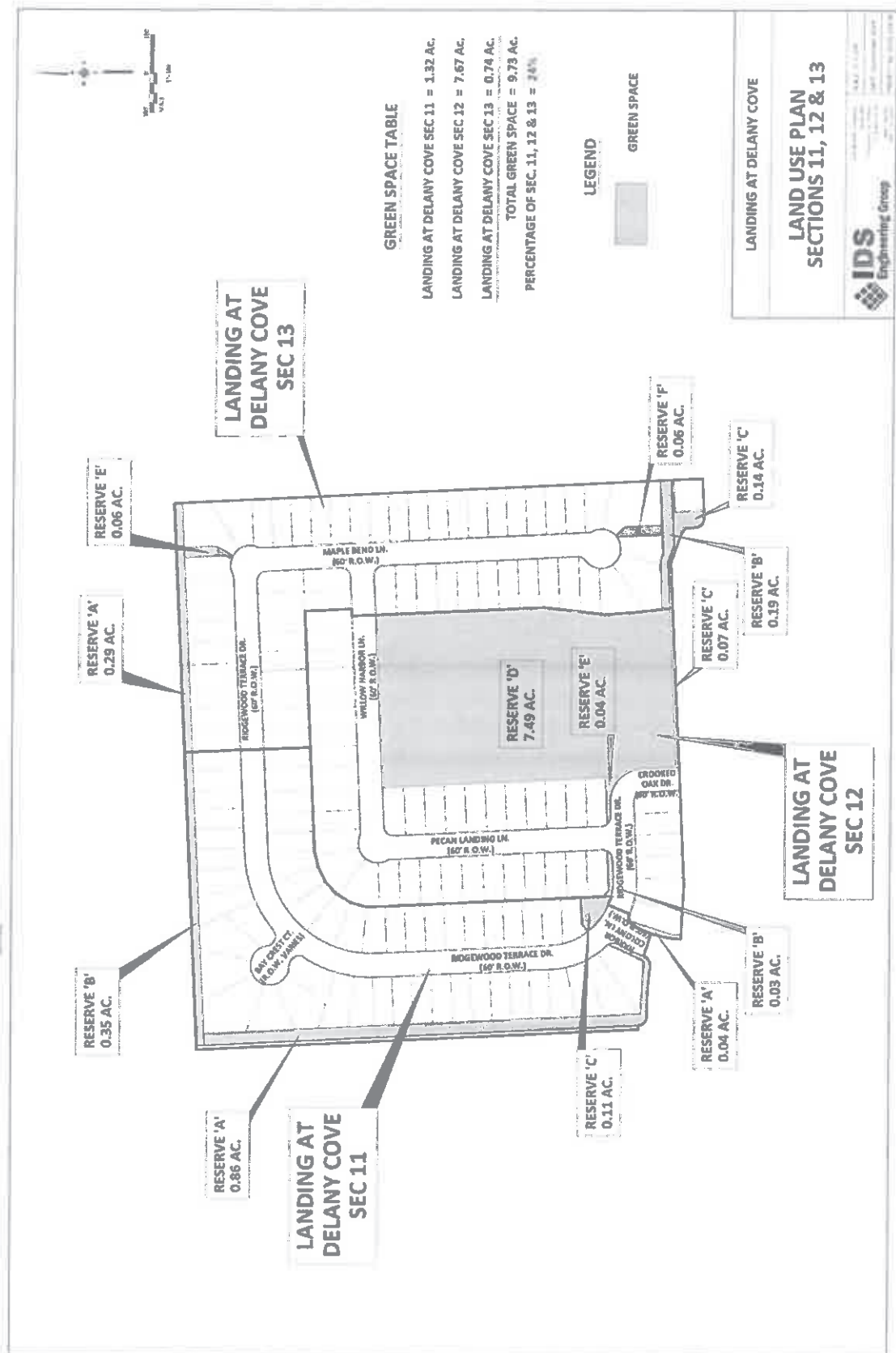


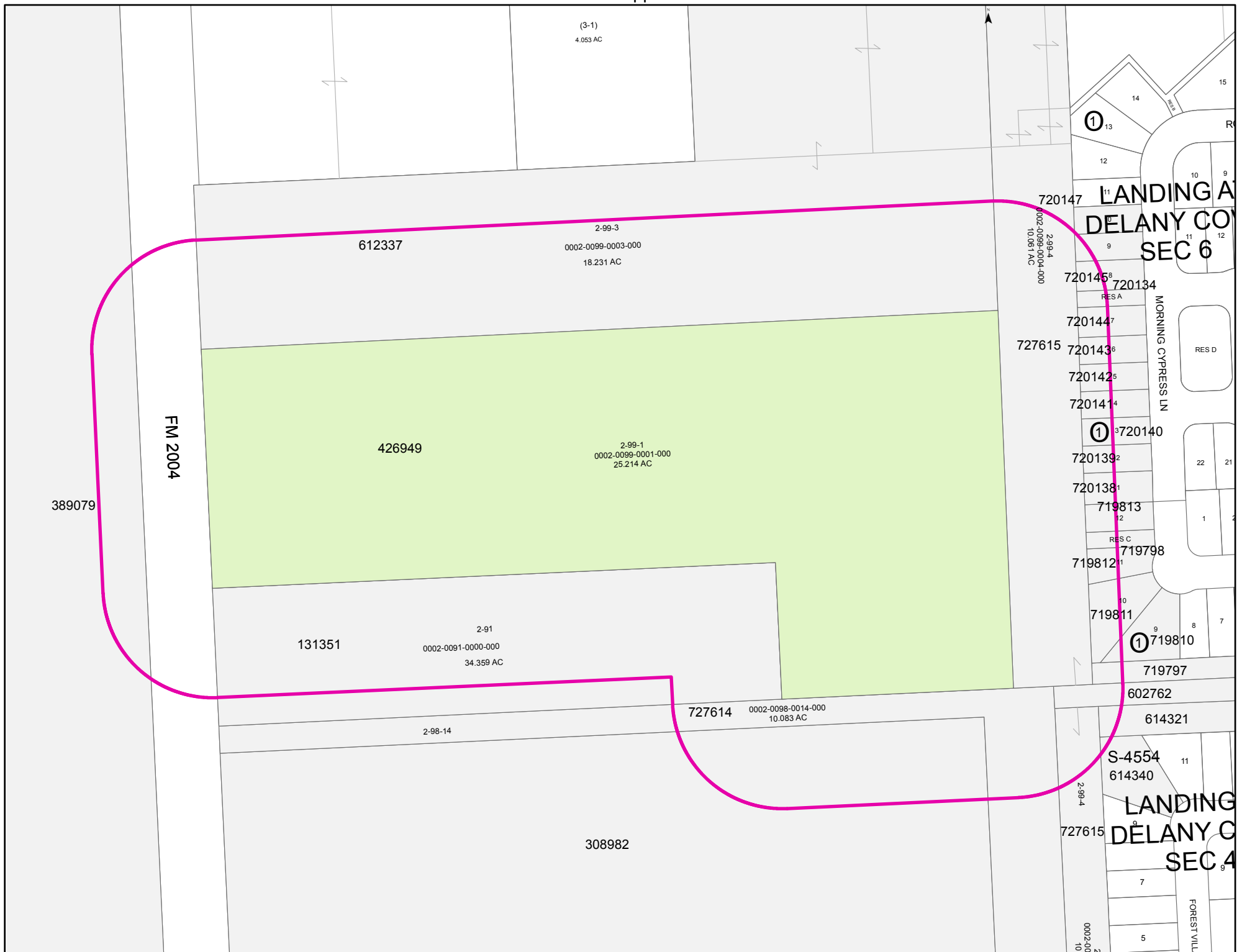
EXHIBIT "B"



Galveston Central Appraisal District



Galveston Central Appraisal District





City of La Marque
1130 1st Street
La Marque, Texas 77568
409.938.9204

**CITY OF LA MARQUE
NOTICE TO PROPERTY OWNERS
OF A REQUESTED REZONE OF PROPERTY WITHIN 200 FEET**

January 15, 2021

Dear Property Owner:

This PUBLIC NOTICE is required by the City of La Marque Code of Ordinances, Section 71-26. An application to rezone property in your area has been received by the Planning and Zoning Commission. Land under your ownership or care, as listed with the Galveston County Appraisal District Tax Records, is located within 200 feet of the property that is being considered for rezoning. Your property is not being rezoned as part of this request.

This is your OFFICIAL NOTICE that the City of La Marque Planning and Zoning Commission will hold a Public Hearing on **Tuesday, January 26, 2021, at 4:00 p.m. by telephone and video conference** regarding:

A preliminary report on a request to change the zoning district from (R-1) Single Family Residential to Delany Cove Planned Development District and to extend the boundaries of the existing Delany Cove Planned Development District established by La Marque Ordinance O-2019-0026 to include Landing at Delany Cove Section 14

You may provide comments during the meeting by telephone or video using the following Zoom meeting information: Dial in number: **1 (346) 248-7799; Meeting ID: 998 6442 0935**; Press *6 to mute or unmute your phone line. You may also connect to the meeting on your smartphone, tablet or computer by going to the following internet address: <https://zoom.us/j/99864420935>. The full agenda packet will be available at least 72 hour prior to the meeting on the City's website <https://ci.la-marque.tx.us/AgendaCenter>.

If you are unable to attend, and wish to comment, you may also provide comments by email at permits@cityoflamarque.org, or by mail at:

City of La Marque
Development Services Department
1130 1st Street
La Marque, TX 77568

Respectfully,
Derra Purnell
Development Services



City of La Marque Planning & Zoning Commission

STAFF REPORT

Meeting Date: January 26, 2021

Agenda Item: Discussion / possible action regarding a plat application for Walgreens La Marque near 1832 FM 1765

Item Type: Plat - Final plat

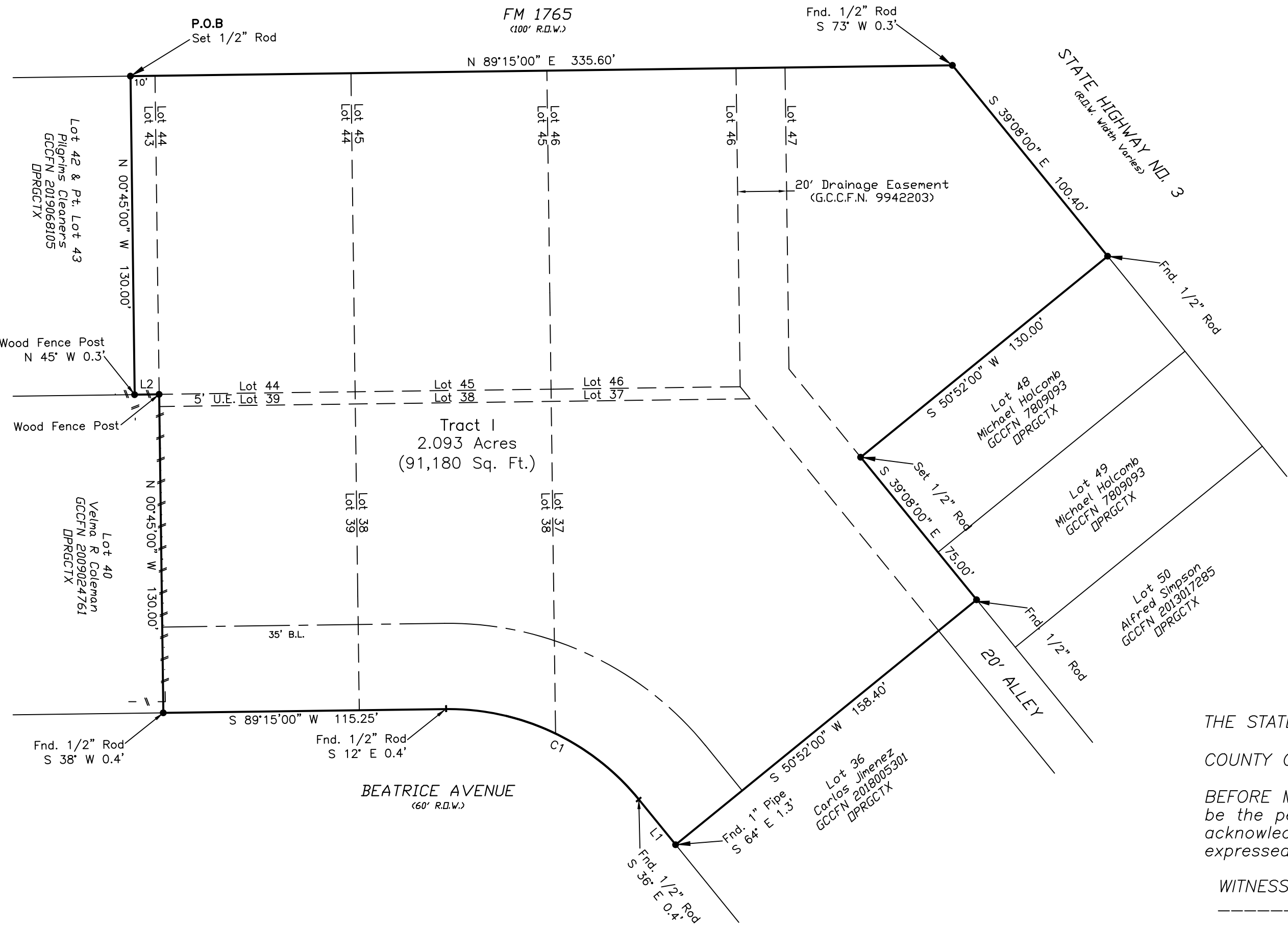
Standard for Approval:

Plats that comply with the requirements of City Code Chapter 41 and Chapter 212 of the Texas Local Government Code must be approved. Preliminary plats will always be approved with conditions because they will not comply with all of the requirements by nature of being a preliminary plat. Plats that do not comply with the requirements and need major changes will be denied and the reasons stated.

References: City Code Chapter 41;
Chapter 212, Texas Local Government Code

Council approval: Required

Public comments: None



AREA TABLE		
Lot	Sq. Feet	Acres
Tract 1	91180	2.093

LEGEND	
---	Building Line
- - -	B.L. Building Setback Line
- - -	Easement Line
- - -	U.E. Utility Easement

LINE TABLE			
LINE	BEARING	CHORD	DISTANCE
L1	N 39°08'00" W	23.80	
L2	S 89°15'00" W	10.00	

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	100.00	90.09	87.07	N 64°56'30" W	57.5531

PROPERTY DESCRIPTION:

Survey of that certain tract or parcel of land situated in the John D. Moore League, A-150 and being all of Lots 37, 38, 39, 44, 45, 46, 47 and part of Lot 43 of the Extension of the Beatrice Bogatto Addition as recorded in Plat Record No. 3, Map No. 17A of the Map Records of Galveston County, Texas. Said tract being those certain tracts of land conveyed to LSI BURKE, L.P. under Galveston County Clerk's File No. 9942194, Film Code No. 013-84-1564, Galveston County Clerk's File No. 9942195, Film Code No. 013-84-1568, Galveston County Clerk's File No. 9942196, Film Code No. 013-84-1572, Galveston County Clerk's File No. 9942198, Film Code No. 013-84-1582, Galveston County Clerk's File No. 9942201, Film Code No. 013-84-1591, and Galveston County Clerk's File No. 9942202, Film Code No. 013-84-1595 all of the Official Public Records of Real Property of Galveston County, Texas and being more particularly described by metes and bounds as follows;

BEGINNING at the intersection of the South right-of-way line of F.M. 1765 (100' R.O.W.), same being the North line of the said Extension of the Beatrice Bogatto Addition, and the North line of said Lot 43, said beginning point being located South 89° 15' 00" West, a distance of 10.00 feet from the common North corner of said Lots 43 & 44 and being the Northwest corner of the herein described tract, a set 1/2 inch rod;

THENCE North 89° 15' 00" East along the South right-of-way line of said F.M. 1765, and the North line of the said Extension of the Beatrice Bogatto Addition, and the North line of said Lots 43, 44, 45, 46 and 47, a distance of 335.60 feet to the intersection of the South right-of-way line of said F.M. 1765 with the Southwest right-of-way line of State Highway No. 3 (width varies), being the Northeast corner of said Extension of the Beatrice Bogatto Addition, and the Northeast corner of said Lot 47 and being the Northeast corner of the herein described tract, a found 1/2 inch rod bearing S 73° W, a distance of 0.3 feet;

THENCE South 39° 08' 00" East, along the Southwest right-of-way line of said State Highway No. 3, and the Northeast line of said Extension of the Beatrice Bogatto Addition and the Northwest line of said Lot 47, distance of 100.40 feet to the common North corner of said Lot 47 and Lot 48 and being the most easterly corner of the herein described tract, a found 1/2 inch rod;

THENCE South 50° 52' 00" West, along the common line of said Lot 47 and Lot 48, a distance of 130.00 feet to the North line of a 20-foot drainage easement filed for record under Galveston County Clerk's File No. 9942203, for the common South corner of the said Lot 47 and said Lot 48 and being a point corner of the herein described tract, a set 1/2 inch rod;

THENCE South 39° 08' 00" East, along the North line of said 20-foot drainage easement and the South line of said Lot 48 and a portion of Lot 49 of the said Extension of the Beatrice Bogatto Addition, a distance of 75.00 feet to the South line of said Lot 49 and being the most Easterly Southeast corner of the herein described tract, a found 1/2 inch rod;

THENCE South 50° 52' 00" West, crossing the South line of said 20-foot drainage easement, the North line of a 20-foot alley as recorded in Plat Record 3, Map No. 17A of the Galveston County Map Records, and along the common line said Lot 37 and Lot 36 of the said Extension of the Beatrice Bogatto Addition, a distance of 158.40 feet to the Northeast right-of-way line of Beatrice Avenue (60' R.O.W.), to the common corner of said Lot 37 and said Lot 39 and being the most Southerly Southeast corner of the tract herein described, a found 1 inch pipe bearing S 64° E a distance of 1.3 feet;

THENCE North 39° 08' 00" West, along the North right-of-way line of said Beatrice Avenue and the South line of said Lot 37, a distance of 23.80 feet to a point of curvature of a curve to the left, a found 1/2 inch rod bearing S 36° E a distance of 0.4 feet;

THENCE Northwest, along the North right-of-way line of said Beatrice Avenue, with said curve to the left having a radius of 100.00 feet, a central angle of 51° 37' 00", a chord bearing of North 64° 56' 30" West and a chord distance of 87.07 feet for an arc length of 90.09 feet, to the point of termination of said curve to the left, a found 1/2 inch rod bearing S 12° E a distance of 0.4';

THENCE South 89° 15' 00" West, along the North right-of-way line of said Beatrice Avenue, a distance of 115.27 feet to the Southeast corner of Lot 40 of said Extension of the Beatrice Bogatto Addition, for the Southwest corner of said Lot 39 and being the Southwest corner of the herein described tract, a found 1/2 inch rod bearing S 38° W a distance of 0.4';

THENCE North 00° 45' 00" West, along the common lot line of said Lot 40 and Lot 39, a distance of 130.00 feet to the Southeast corner of said Lot 43, the Southwest corner of said Lot 44, same being the Northwest corner of said Lot 39 and the Northeast corner of said Lot 40 and being a point for corner, a found wood fence post;

THENCE South 89° 15' 00" West, along the North line of said Lot 40 and the South line of said Lot 43, a distance of 10.00 feet to the North line of said Lot 40, the South line of said Lot 43 and being the most Westerly Southwest corner of the herein described tract, a found wood fence post bearing N 45° W a distance of 0.3 feet;

THENCE North 00° 45' 00" West, crossing said Lot 43, and 10.00 feet West of the common lot line of said Lots 43 and 44, a distance of 130.00 feet to the PLACE-OF-BEGINNING and containing 2.093 acres (91,180 square feet) of land, more or less.

This is to certify that German American Capital Corporation, is the owner and holder of First Lien Deed of Trust lien on the property described hereon, as "WALGREENS LA MARQUE", and that said German American Capital Corporation does hereby and in all things subordinate said lien to said WALGREENS LA MARQUE, and further confirms that said Moody Bank, is the present owner of said lien and has not assigned the same nor any part thereof.

WITNESS MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021.

NAME, TITLE
ADDRESS

THE STATE OF TEXAS {}
COUNTY OF {}
KNOW ALL MEN BY THESE PRESENTS

BEFORE ME, the undersigned authority, on this day personally appeared NAME, known to me to be the person whose name is subscribed to the above and foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein set forth.

WITNESS MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021.

Notary Public for the
State of Texas
My Commision Expires_____

THE STATE OF TEXAS {}
COUNTY OF {}
KNOW ALL MEN BY THESE PRESENTS

That I, Kmeal Winters, being the authorized agent for the owners of that certain tract or parcel of land, lying and being situated in the City of La Marque, in Galveston County, Texas, subdivided in the above and foregoing plat do hereby make subdivision of said property according to the lines and lots shown thereon, and designate said subdivision as the "WALGREENS LA MARQUE", in the City of La Marque and County of Galveston, Texas.

Kmeal Winters

THE STATE OF TEXAS {}
COUNTY OF {}
KNOW ALL MEN BY THESE PRESENTS

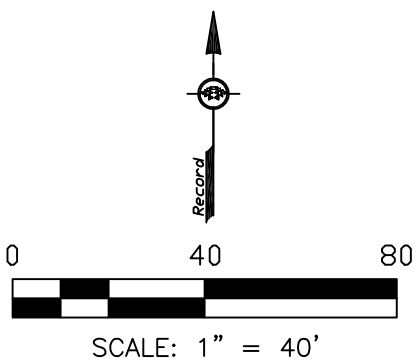
BEFORE ME, the undersigned authority, on this day personally appeared Kmeal Winters known to me to be the person whose name is subscribed to the above and foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed and in the capacity therein and herein set forth.

WITNESS MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021.

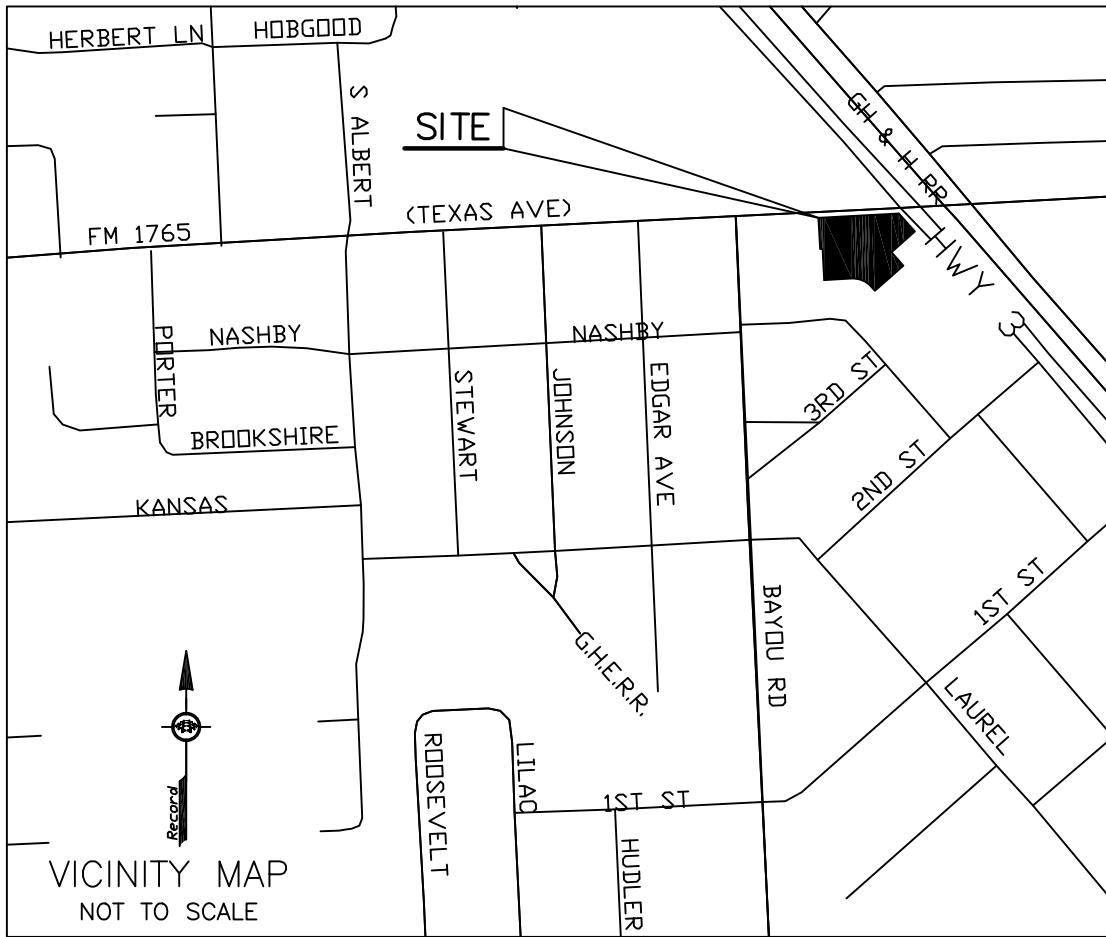
Notary Public for the
State of Texas
My Commision Expires_____

I hereby certify that on the below date, the herein described property, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.

Brene Addison
Brene Addison
Registered Professional
Land Surveyor No. 6598



TRICON
LAND
SURVEYING, LLC
Mailing: 6341 Stewart Rd. #251
Physical: 2011 59th Street
Galveston, TX 77551
409-497-2772
TriconLandSurveying.com
T.B.P.L.S. Firm No. 10194309
TLS 50-1018



- NOTES:
- 1) This property is subject to the zoning ordinances of the City of La Marque.
 - 2) This property lies within "other flood areas" Zone X as established by the FEMA Flood Insurance Rate Map No. 48167C0265, dated August 15, 2019.
 - 3) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by OSHA (call your power company).
 - 4) Bearings are based on the monumentation of the Southwest right-of-way line of Highway 3, being a found TxDot monument near the East corner of Lot 17 La Marque Business Addition, and a found 1/2 inch rod at the intersection of FM 1765 and Highway 3.
 - 6) Sidewalks shall be constructed as part of the issuance of a building permit for each tract, if sidewalks are required by the City's Sidewalk Master Plan.

We hereby certify that the above and foregoing Plat of "WALGREENS LA MARQUE" was approved by the City of La Marque, Texas, on the _____ day of _____, A.D., 2021, and by the city council of the City of La Marque, Texas on the _____ day of _____, A.D., 2021.

City Manager Mayor of the City of La Marque, Texas

THE STATE OF TEXAS {}
COUNTY OF GALVESTON {}
KNOW ALL MEN BY THESE PRESENTS

I, Dwight D. Sullivan, County Clerk, Galveston County Texas, do herby certify that the written instrument was filed for record in my office on _____, 2021, at _____ O'clock, ____m, and duly recorded on _____, 2021, at _____ O'clock, ____m, Instrument #_____, Galveston County records.

Witness my hand and seal of office, at Galveston, Texas, the day and date as above written

Dwight D. Sullivan, County Clerk
Galveston County, Texas

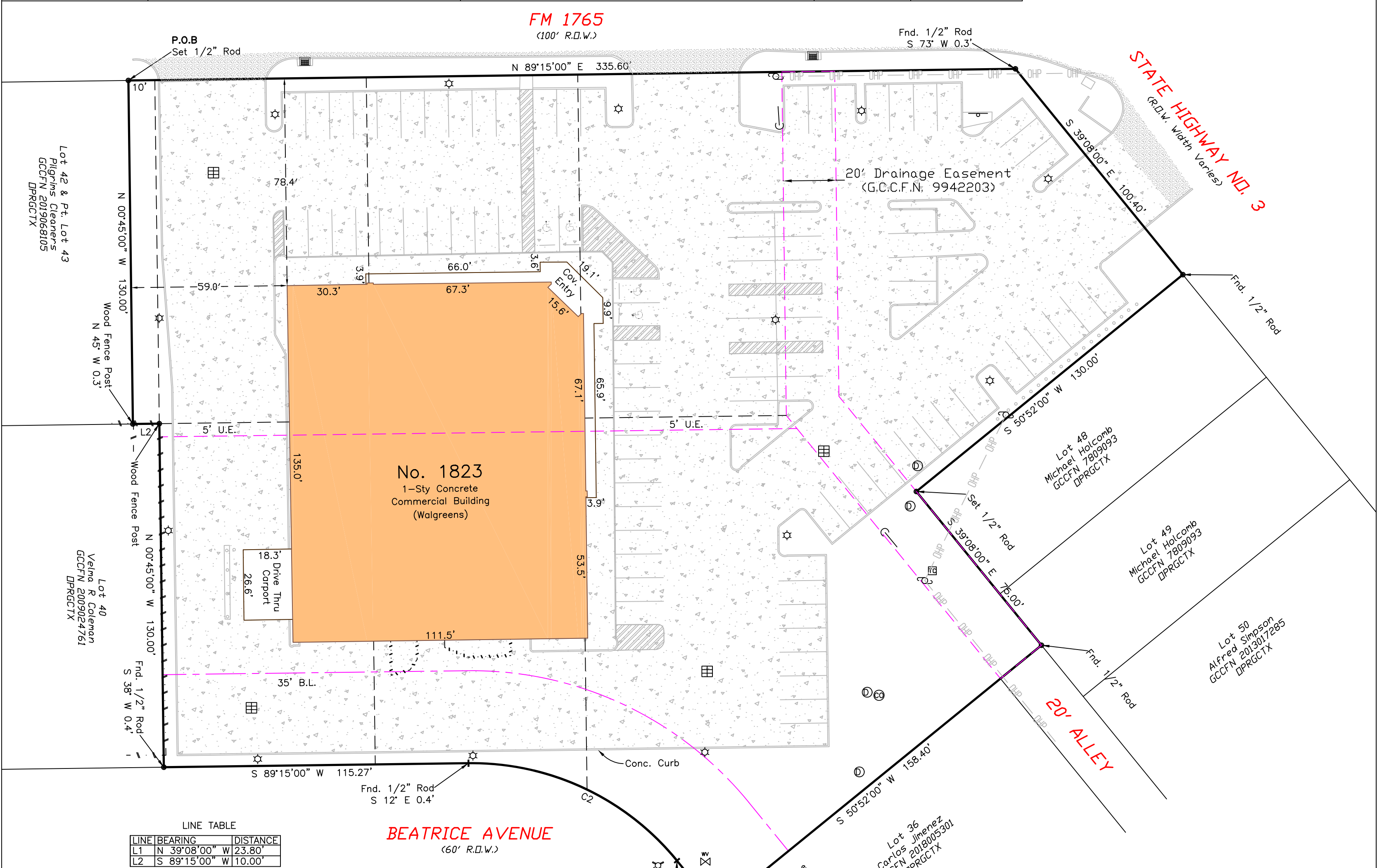
By _____Deputy

WALGREENS LA MARQUE

A REPLAT OF LOTS 37, 38, 39, 44, 45, 46, 47 & PT. LOT 43 EXTENSION OF THE BEATRICE BOGATTO ADDITION A SUBDIVISION IN GALVESTON COUNTY, TEXAS (VOLUME 3, PAGE 17A)

Owners:
Cole WG La Marque TX, LLC
2555 E. Camelback Road #400
Phoenix, AZ. 85016

Surveyor: Brene Addison
Registered Professional Land Surveyor No. 6598



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 39°08'00" W	23.80'
L2	S 89°15'00" W	10.00'

CURVE TABLE							
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE		
C1	100.00'	90.09'	87.07'	N 64°56'30" W	57.3531		

SITE PLAN/PROPOSED REPLAT of that certain tract or parcel of land situated in the John D. Moore League, A-150 and being all of Lots 37, 38, 39, 44, 45, 46, 47 and part of Lot 43 of the Extension of the Beatrice Bogatto Addition as recorded in Plat Record No. 3, Map No. 17A of the Map Records of Galveston County, Texas. Said tract being those certain tracts of land conveyed to LSI BURKE, L.P. under Galveston County Clerk's File No. 9942194, Film Code No. 013-84-1564, Galveston County Clerk's File No. 9942195, Film Code No. 013-84-1568, Galveston County Clerk's File No. 9942196, Film Code No. 013-84-1572, Galveston County Clerk's File No. 9942198, Film Code No. 013-84-1582, Galveston County Clerk's File No. 9942201, Film Code No. 013-84-1591, and Galveston County Clerk's File No. 9942202, Film Code No. 013-84-1595 all of the Official Public Records of Real Property of Galveston County, Texas and being more particularly described by metes and bounds as follows; BEGINNING at the intersection of the South right-of-way line of F.M. 1765 (100' R.O.W.), same being the North line of the said Extension of the Beatrice Bogatto Addition, and the North line of said Lot 43, said beginning point being located South 89° 15' 00" West, a distance of 10.00 feet from the common North corner of said Lots 43 & 44 and being the Northwest corner of the herein described tract, a set ½ inch rod;

THENCE North 89° 15' 00" East along the South right-of-way line of said F.M. 1765, and the North line of the said Extension of the Beatrice Bogatto Addition, and the North line of said Lots 43, 44, 45, 46 and 47, a distance of 335.60 feet to the intersection of the South right-of-way line of said F.M. 1765 with the Southwest right-of-way line of State Highway No. 3 (width varies), being the Northeast corner of said Extension of the Beatrice Bogatto Addition, and the Northeast corner of said Lot 47 and being the Northeast corner of the herein described tract, a found ½ inch rod bearing S 73° W, a distance of 0.3 feet;

THENCE South 39° 08' 00" East, along the Southwest right-of-way line of said State Highway No. 3, and the Northeast line of said Extension of the Beatrice Bogatto Addition and the Northwest line of said Lot 47, distance of 100.40 feet to the common North corner of said Lot 47 and Lot 48 and being the most easterly corner of the herein described tract, a found ½ inch rod;

THENCE South 50° 52' 00" West, along the common line of said Lot 47 and Lot 48, a distance of 130.00 feet to the North line of a 20-foot drainage easement filed for record under Galveston County Clerk's File No. 9942203, for the common South corner of the said Lot 47 and said Lot 48 and being a point corner of the herein described tract, a set ½ inch rod;

THENCE South 39° 08' 00" East, along the North line of said 20-foot drainage easement and the South line of said Lot 48 and a portion of Lot 49 of the said Extension of the Beatrice Bogatto Addition, a distance of 75.00 feet to the South line of said Lot 49 and being the most Easterly Southeast corner of the herein described tract, a found ½ inch rod;

THENCE South 50° 52' 00" West, crossing the South line of said 20-foot drainage easement, the North line of a 20-foot alley as recorded in Plat Record 3, Map No. 17A of the Galveston County Map Records, and along the common line said Lot 37 and Lot 36 of the said Extension of the Beatrice Bogatto Addition, a distance of 158.40 feet to the Northeast right-of-way line of Beatrice Avenue (60' R.O.W.), to the common corner of Said Lot 37 and said Lot 39 and being the most Southerly Southeast corner of the tract herein described, a found 1 inch pipe bearing S 64° E a distance of 1.3 feet;

THENCE North 39° 08' 00" West, along the North right-of-way line of said Beatrice Avenue and the South line of said Lot 37, a distance of 23.80 feet to a point of curvature of a curve to the left, a found ½ inch rod bearing S 36° E a distance of 0.4 feet;

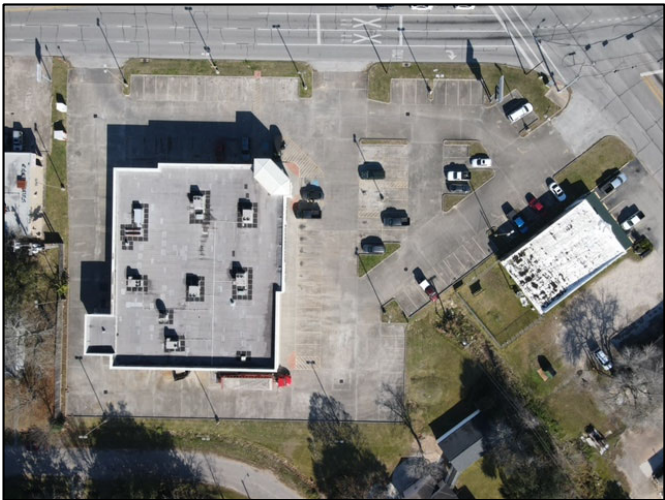
THENCE Northwest, along the North right-of-way line of said Beatrice Avenue, with said curve to the left having a radius of 100.00 feet, a central angle of 51° 37' 00", a chord bearing of North 64° 56' 30" West and a chord distance of 87.07 feet for an arc length of 90.09 feet, to the point of termination of said curve to the left, a found ½ inch rod bearing S 12° E a distance of 0.4';

THENCE South 89° 15' 00" West, along the North right-of-way line of said Beatrice Avenue, a distance of 115.27 feet to the Southeast corner of Lot 40 of said Extension of the Beatrice Bogatto Addition, for the Southwest corner of said Lot 39 and being the Southwest corner of the herein described tract, a found ½ inch rod bearing S 38° W a distance of 0.4';

THENCE North 00° 45' 00" West, along the common lot line of said Lot 40 and Lot 39, a distance of 130.00 feet to the Southeast corner of said Lot 43, the Southwest corner of said Lot 44, same being the Northwest corner of said Lot 39 and the Northeast corner of said Lot 40 and being a point for corner, a found wood fence post;

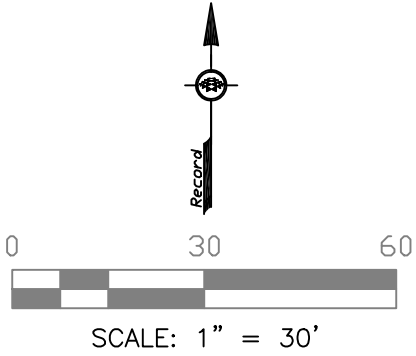
THENCE South 89° 15' 00" West, along the North line of said Lot 40 and the South line of said Lot 43, a distance of 10.00 feet to the North line of said Lot 40, the South line of said Lot 43 and being the most Westerly Southwest corner of the herein described tract, a found wood fence post bearing N 45° W a distance of 0.3 feet;

THENCE North 00° 45' 00" West, crossing said Lot 43, and 10.00 feet Westy of the common lot line of said Lots 43 and 44, a distance of 130.00 feet to the PLACE-OF-BEGINNING and containing 2.093 acres (91,180 square feet) of land, more or less.



I hereby certify that on the below date, the herein described property, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.

Brendan
Brene Addison
Registered Professional
Land Surveyor No. 6598



South Land Title GF No. TP2181040
Owner: Cole WG LaMarque, TX LLC
This property is subject to restrictive covenants recorded in Vol. 566, Pg. 485 in the Office of the County Clerk of Galveston County, Texas and released in Vol. 1954, Pg(s). 683, 685 and 687, and in Vol. 1974, Pg. 527 in the Office of the County Clerk of Galveston County, Texas. 2.a) Easement agreement recorded under Galveston county Clerk's File No. 9942203. 2.b) Encroachment Agreement filed under Galveston County Clerk's File No(s). 2000010489. 2.d) Lease Agreement dated August 13, 1999 recorded under Galveston County Clerk's File No. 9942204.

TRICON LAND SURVEYING, LLC
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Legend:		Clean-out	OHP	Overhead Power	Handicap Spot
Concrete	Manhole	6" Concrete Bollard	Telecomm. Box	Curb Inlet	
Asphalt	Water Valve	Down Guy	Power Pole	Sign	
B.L. Building Setback Line	Fire Hydrant				
U.E. Utility Easement	Light Pole				
Building Line					
Easement Line					

NOTES:

1) This property is subject to the building and zoning ordinances of the City of La Marque.

2) This property lies within "other flood areas" Zone X as established by the FEMA Flood Insurance Rate Map No. 48167C0265G, Dated August 15, 2019.

3) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by DSHA and/or the local power company.

4) Bearings are based on the monumentation of the Southwest right-of-way line of Highway 3, being a found TxDot monument near the East corner of Lot 17 La Marque Business Addition and a found 1/2 inch rod at the intersection of the FM 1765 and Highway 3.