

By: Creighton

S.B. No. 2241

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 204; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8061 to read as follows:

CHAPTER 8061. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 204

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8061.0101. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "Commission" means the Texas Commission on Environmental Quality.

(3) "Director" means a board member.

(4) "District" means the Montgomery County Municipal Utility District No. 204.

Sec. 8061.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8061.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

1       Sec. 8061.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
2 temporary directors may not hold an election under Section  
3 8061.0103 until each municipality in whose corporate limits or  
4 extraterritorial jurisdiction the district is located has  
5 consented by ordinance or resolution to the creation of the  
6 district and to the inclusion of land in the district.

7       Sec. 8061.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

8       (a) The district is created to serve a public purpose and benefit.

9       (b) The district is created to accomplish the purposes of:

10           (1) a municipal utility district as provided by  
11 general law and Section 59, Article XVI, Texas Constitution; and

12           (2) Section 52, Article III, Texas Constitution, that  
13 relate to the construction, acquisition, improvement, operation,  
14 or maintenance of macadamized, graveled, or paved roads, or  
15 improvements, including storm drainage, in aid of those roads.

16       Sec. 8061.0106. INITIAL DISTRICT TERRITORY. (a) The  
17 district is initially composed of the territory described by  
18 Section 2 of the Act enacting this chapter.

19       (b) The boundaries and field notes contained in Section 2 of  
20 the Act enacting this chapter form a closure. A mistake made in the  
21 field notes or in copying the field notes in the legislative process  
22 does not affect the district's:

23           (1) organization, existence, or validity;

24           (2) right to issue any type of bond for the purposes  
25 for which the district is created or to pay the principal of and  
26 interest on a bond;

27           (3) right to impose a tax; or

1           (4) legality or operation.

2                   SUBCHAPTER B. BOARD OF DIRECTORS

3           Sec. 8061.0201. GOVERNING BODY; TERMS. (a) The district is  
4 governed by a board of five elected directors.

5           (b) Except as provided by Section 8061.0202, directors  
6 serve staggered four-year terms.

7           Sec. 8061.0202. TEMPORARY DIRECTORS. (a) On or after the  
8 effective date of the Act enacting this chapter, the owner or owners  
9 of a majority of the assessed value of the real property in the  
10 district may submit a petition to the commission requesting that  
11 the commission appoint as temporary directors the five persons  
12 named in the petition. The commission shall appoint as temporary  
13 directors the five persons named in the petition.

14           (b) Temporary directors serve until the earlier of:

15                   (1) the date permanent directors are elected under  
16 Section 8061.0103; or

17                   (2) the fourth anniversary of the effective date of  
18 the Act enacting this chapter.

19           (c) If permanent directors have not been elected under  
20 Section 8061.0103 and the terms of the temporary directors have  
21 expired, successor temporary directors shall be appointed or  
22 reappointed as provided by Subsection (d) to serve terms that  
23 expire on the earlier of:

24                   (1) the date permanent directors are elected under  
25 Section 8061.0103; or

26                   (2) the fourth anniversary of the date of the  
27 appointment or reappointment.

1       (d) If Subsection (c) applies, the owner or owners of a  
2 majority of the assessed value of the real property in the district  
3 may submit a petition to the commission requesting that the  
4 commission appoint as successor temporary directors the five  
5 persons named in the petition. The commission shall appoint as  
6 successor temporary directors the five persons named in the  
7 petition.

8                   SUBCHAPTER C. POWERS AND DUTIES

9       Sec. 8061.0301. GENERAL POWERS AND DUTIES. The district  
10 has the powers and duties necessary to accomplish the purposes for  
11 which the district is created.

12       Sec. 8061.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
13 DUTIES. The district has the powers and duties provided by the  
14 general law of this state, including Chapters 49 and 54, Water Code,  
15 applicable to municipal utility districts created under Section 59,  
16 Article XVI, Texas Constitution.

17       Sec. 8061.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
18 52, Article III, Texas Constitution, the district may design,  
19 acquire, construct, finance, issue bonds for, improve, operate,  
20 maintain, and convey to this state, a county, or a municipality for  
21 operation and maintenance macadamized, graveled, or paved roads, or  
22 improvements, including storm drainage, in aid of those roads.

23       Sec. 8061.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
24 road project must meet all applicable construction standards,  
25 zoning and subdivision requirements, and regulations of each  
26 municipality in whose corporate limits or extraterritorial  
27 jurisdiction the road project is located.

1        (b) If a road project is not located in the corporate limits  
2 or extraterritorial jurisdiction of a municipality, the road  
3 project must meet all applicable construction standards,  
4 subdivision requirements, and regulations of each county in which  
5 the road project is located.

6        (c) If the state will maintain and operate the road, the  
7 Texas Transportation Commission must approve the plans and  
8 specifications of the road project.

9        Sec. 8061.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
10 ORDINANCE OR RESOLUTION. The district shall comply with all  
11 applicable requirements of any ordinance or resolution that is  
12 adopted under Section 54.016 or 54.0165, Water Code, and that  
13 consents to the creation of the district or to the inclusion of land  
14 in the district.

15        Sec. 8061.0306. DIVISION OF DISTRICT. (a) The district may  
16 be divided into two or more new districts only if the district:

17                (1) has no outstanding bonded debt; and

18                (2) is not imposing ad valorem taxes.

19        (b) This chapter applies to any new district created by the  
20 division of the district, and a new district has all the powers and  
21 duties of the district.

22        (c) Any new district created by the division of the district  
23 may, at the time the new district is created, contain only:

24                (1) land within the area described by Section 2 of the  
25 Act enacting this chapter; or

26                (2) any land adjacent to the area described by Section  
27 2 of the Act enacting this chapter if that adjacent land is:

1           (A) not within the extraterritorial jurisdiction  
2 of a municipality; or

3           (B) within the extraterritorial jurisdiction of  
4 a municipality and that adjacent land has been approved for  
5 inclusion in the district under the consent ordinance or resolution  
6 adopted under Section 8061.0104.

7           (d) The board, on its own motion or on receipt of a petition  
8 signed by the owner or owners of a majority of the assessed value of  
9 the real property in the district, may adopt an order dividing the  
10 district.

11           (e) The board may adopt an order dividing the district  
12 before or after the date the board holds an election under Section  
13 8061.0103 to confirm the district's creation.

14           (f) An order dividing the district shall:

15                   (1) name each new district;

16                   (2) include the metes and bounds description of the  
17 territory of each new district;

18                   (3) appoint temporary directors for each new district;

19 and

20                   (4) provide for the division of assets and liabilities  
21 between the new districts.

22           (g) On or before the 30th day after the date of adoption of  
23 an order dividing the district, the district shall file the order  
24 with the commission and record the order in the real property  
25 records of each county in which the district is located.

26           (h) A new district created by the division of the district  
27 shall hold a confirmation and directors' election as required by

1 Section 8061.0103.

2 (i) If the creation of the new district is confirmed, the  
3 new district shall provide the election date and results to the  
4 commission.

5 (j) A new district created by the division of the district  
6 must hold an election as required by this chapter to obtain voter  
7 approval before the district may impose a maintenance tax or issue  
8 bonds payable wholly or partly from ad valorem taxes.

9 (k) Municipal consent to the creation of the district and to  
10 the inclusion of land in the district granted under Section  
11 8061.0104 acts as municipal consent to the creation of any new  
12 district created by the division of the district and to the  
13 inclusion of land in the new district.

14 (l) If the voters of a new district do not confirm the  
15 creation of the new district, the assets, obligations, territory,  
16 and governance of the new district revert to that of the original  
17 district.

18 Sec. 8061.0307. LIMITATION ON USE OF EMINENT DOMAIN. The  
19 district may not exercise the power of eminent domain outside the  
20 district to acquire a site or easement for:

- 21 (1) a road project authorized by Section 8061.0303; or  
22 (2) a recreational facility as defined by Section  
23 49.462, Water Code.

24 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

25 Sec. 8061.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
26 The district may issue, without an election, bonds and other  
27 obligations secured by:

1           (1) revenue other than ad valorem taxes; or

2           (2) contract payments described by Section 8061.0403.

3           (b) The district must hold an election in the manner  
4 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
5 before the district may impose an ad valorem tax or issue bonds  
6 payable from ad valorem taxes.

7           (c) The district may not issue bonds payable from ad valorem  
8 taxes to finance a road project unless the issuance is approved by a  
9 vote of a two-thirds majority of the district voters voting at an  
10 election held for that purpose.

11           Sec. 8061.0402. OPERATION AND MAINTENANCE TAX. (a) If  
12 authorized at an election held under Section 8061.0401, the  
13 district may impose an operation and maintenance tax on taxable  
14 property in the district in accordance with Section 49.107, Water  
15 Code.

16           (b) The board shall determine the tax rate. The rate may not  
17 exceed the rate approved at the election.

18           Sec. 8061.0403. CONTRACT TAXES. (a) In accordance with  
19 Section 49.108, Water Code, the district may impose a tax other than  
20 an operation and maintenance tax and use the revenue derived from  
21 the tax to make payments under a contract after the provisions of  
22 the contract have been approved by a majority of the district voters  
23 voting at an election held for that purpose.

24           (b) A contract approved by the district voters may contain a  
25 provision stating that the contract may be modified or amended by  
26 the board without further voter approval.



1                   SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

2                   Sec. 8061.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
3 OBLIGATIONS. The district may issue bonds or other obligations  
4 payable wholly or partly from ad valorem taxes, impact fees,  
5 revenue, contract payments, grants, or other district money, or any  
6 combination of those sources, to pay for any authorized district  
7 purpose.

8                   Sec. 8061.0502. TAXES FOR BONDS. At the time the district  
9 issues bonds payable wholly or partly from ad valorem taxes, the  
10 board shall provide for the annual imposition of a continuing  
11 direct ad valorem tax, without limit as to rate or amount, while all  
12 or part of the bonds are outstanding as required and in the manner  
13 provided by Sections 54.601 and 54.602, Water Code.

14                   Sec. 8061.0503. BONDS FOR ROAD PROJECTS. At the time of  
15 issuance, the total principal amount of bonds or other obligations  
16 issued or incurred to finance road projects and payable from ad  
17 valorem taxes may not exceed one-fourth of the assessed value of the  
18 real property in the district.

19                   SECTION 2. Montgomery County Municipal Utility District  
20 No. 204 initially includes all the territory contained in the  
21 following area:

22                   Being the 2506.15 acres of land, situated in the SAMUEL  
23 LINDLEY SURVEY, A-23, JOSE MARIA DE LA GARZA GRANT, A-15, RICHARD  
24 WILLIAMS SURVEY, A-596 and the T.C. STEVENS SURVEY, A-525,  
25 Montgomery County, Texas and being:

26                   1. Part of a called 1432.5101 acre tract of land described  
27 as PARCEL 4 in a Special Warranty Deed dated April 25, 2018 from

1 Apitx 5 LLC to Michael G. Manners, Trustee of the Michael G. Manners  
2 Revocable Trust Dated September 8, 2017 recorded in Volume 1322,  
3 Page 463, Official Public Records, Montgomery County, Texas  
4 (MCOPR);

5 2. All of a called 532.4888 acre tract of land described as  
6 PARCEL 1 in said Deed dated April 25, 2018 from Apitx 5 LLC to  
7 Michael G. Manners, Trustee of the Michael G. Manners Revocable  
8 Trust Dated September 8, 2017 recorded in Volume 1322, Page 463,  
9 MCOPR;

10 3. All of a called 66.3792 acre tract of land described in a  
11 Deed dated December 8, 2017 from Maria De La Luz Ortiz, et vir to  
12 Michael G. Manners, Trustee of the Michael G. Manners Revocable  
13 Trust recorded under Clerk's File Number (CFN) 2017111540, MCOPR;

14 4. All of the following four (4) tracts described in a Deed  
15 dated October 15, 2014 from Harry N. Kerr and Rendy Kerr to Michael  
16 G. Manners recorded under CFN 2017111540, MCOPR:

- 17 ● PARCEL ONE (1) 187.56 acre tract of land,
- 18 ● PARCEL TWO (2) 131.49 acre tract of land,
- 19 ● PARCEL THREE (3) 104.94 acre tract of land,
- 20 ● PARCEL FOUR (4) 85.32 acre tract of land;

21 Said 2506.15 acres being all of the 2510.10 acre tract  
22 described hereafter, SAVE AND EXCEPT 3.95 acres within the fenced  
23 margin of Rogers Road, a.k.a. Old Willis New Waverly Road (county  
24 maintained asphalt surface), described hereinafter the below  
25 description;

26 Said 2510.10 acres being more definitely described by metes  
27 and bounds as follows:

1 BEGINNING at the northernmost west corner of the said  
2 1432.5101 acre Manners tract and this tract, the northernmost  
3 corner of a called 132.3296 acre tract of land described in a Deed  
4 to Edward E. Hartline, et ux recorded under CFN 9656185, MCOPR, the  
5 easternmost corner of a called 9.333 acre tract of land described in  
6 a Deed to Edward E. Hartline and Deborah W. Hartline recorded under  
7 CFN 2001052161, MCOPR and the southernmost corner of a called 45.19  
8 acre tract of land described in a Deed to Francine Stewart recorded  
9 under CFN 56023, Official Public Records of Walker County, TX  
10 (WCOPR);

11 THENCE N 65°41'07" E, a distance of 884.12 feet <calculated>  
12 with the following boundary lines:

13 ● a northwesterly line of the said 1432.5101 acre  
14 Manners tract and this tract,

15 ● the south east line of the said 45.19 acre Stewart  
16 tract,

17 to a point for corner of the following tracts:

18 ● in the northernmost northwest line of the said  
19 1432.5101 acre Manners tract and a west angle corner in the westerly  
20 north line this tract,

21 ● in the southerly line of the said 45.19 acre Stewart  
22 tract,

23 ● in the common line of the SAMUEL LINDLEY SURVEY, A-23  
24 (Montgomery County) and A-29 (Walker County),

25 ● in the approximate Montgomery County/Walker County  
26 line;

27 THENCE N 87°31'06" E, across the said 1432.5101 acre Manners

1 tract, a distance of 1394.41 feet <calculated based upon GIS data,  
2 see note no. 3> with the following boundary lines:

- 3           ● the westerly north line of this tract,
- 4           ● the common line of the SAMUEL LINDLEY SURVEY, A-23  
5 (Montgomery County) and A-29 (Walker County),
- 6           ● the approximate Montgomery County/Walker County  
7 line,

8           to a point for corner of the following tracts:

- 9           ● in a northerly interior line of the said 1432.5101  
10 acre Manners tract and a northeast corner of this tract,
- 11          ● the approximate northwest corner of the said JOSE  
12 MARIA DE LA GARZA GRANT, A-15,
- 13          ● in the southwesterly line of a called 30.6 acre tract  
14 of land described in a Deed to Francine F. Stewart recorded under  
15 Inst. 57729, WCOPR;

16           THENCE S 24°31'02" E, a distance of 394.55 feet <calculated>  
17 with the following boundary lines:

- 18          ● a northerly interior line of the said 1432.5101 acre  
19 Manners tract and this tract,
- 20          ● the common line of the said JOSE MARIA DE LA GARZA  
21 GRANT, A-15 and the said SAMUEL LINDLEY SURVEY, A-23,
- 22          ● the southwesterly line of the said 30.6 acre Stewart  
23 tract,

24           to a point for corner of the following tracts:

- 25          ● the northernmost interior ell corner of the said  
26 1432.5101 acre Manners tract and this tract,
- 27          ● the southernmost corner of the said 30.6 acre

1 Stewart tract;

2           THENCE N 65°30'38" E, a distance of 975.97 feet with the  
3 following boundary lines:

4           ● a northerly interior line of the said 1432.5101 acre  
5 Manners tract and this tract,

6           ● the southeasterly line of the said 30.6 acre Stewart  
7 tract,

8           to a point for corner of the following tracts:

9           ● in a northerly interior line of the said 1432.5101  
10 acre Manners tract and an exterior angle corner in the easterly  
11 north line of this tract,

12           ● in the southeasterly line of the said 30.6 acre  
13 Stewart tract,

14           ● in the common line of the said JOSE MARIA DE LA GARZA  
15 GRANT, A-15 (Montgomery County) and A-22 (Walker County),

16           ● in said approximate Montgomery County/Walker County  
17 line;

18           THENCE N 87°31'06" E, across the said 1432.5101 acre Manners  
19 tract, a distance of 533.70 feet <calculated based upon GIS data,  
20 see note no. 3> with the following boundary lines:

21           ● the easterly north line of this tract,

22           ● the common line of the said JOSE MARIA DE LA GARZA  
23 GRANT, A-15 (Montgomery County) and A-22 (Walker County),

24           ● the said approximate Montgomery County/Walker  
25 County line,

26           to a point for corner of the following tracts:

27           ● in a northeasterly line of the said 1432.5101 acre

1 Manners tract and an angle corner in the easterly north line of this  
2 tract,

3           ● in the common line of the said JOSE MARIA DE LA GARZA  
4 GRANT, A-15 (Montgomery County) and A-22 (Walker County),

5           ● in the said approximate Montgomery County/Walker  
6 County line;

7           ● in an interior line of a called 50.23 acre tract of  
8 land described as Tract 2 in a Deed to Richard William Buckner  
9 recorded in Vol. 702, pg. 59, MCOPR;

10           THENCE S 58°32'55" E, a distance of 74.17 feet with the  
11 following boundary lines:

12           ● the northernmost northeast line of the said  
13 1432.5101 acre Manners tract and this tract,

14           ● an interior line of the said 50.23 acre Buckner  
15 tract,

16           to a point for corner of the following tracts:

17           ● a northeasterly angle corner of the said 1432.5101  
18 acre Manners tract and this tract,

19           ● a westerly interior angle corner of the said 50.23  
20 acre Buckner tract;

21           THENCE S 13°37'55" W, a distance of 940.82 feet with the  
22 following boundary lines:

23           ● a northerly east line of the said 1432.5101 acre  
24 Manners tract and this tract,

25           ● a south west line of the said 50.23 acre Buckner  
26 tract,

27           to a point for corner of the following tracts:

1           ● a northeasterly angle corner of the said 1432.5101  
2 acre Manners tract and this tract,

3           ● the southernmost southwest corner of the said 50.23  
4 acre Buckner tract,

5           ● in the westernmost north line of a called 199.62 acre  
6 tract of land described in a Deed to David W. Thompson and Lisa Ann  
7 Thompson recorded under CFN 2018005335, MCOPR;

8           THENCE S 88°54'31" W, a distance of 134.13 feet with the  
9 following boundary lines:

10          ● the northernmost south line of the said 1432.5101  
11 acre Manners tract and this tract,

12          ● the southernmost north line of the said 199.62 acre  
13 Thompson tract,

14          to a point in the center of Chicken Creek for corner of the  
15 following tracts:

16          ● a northeasterly interior angle corner of the said  
17 1432.5101 acre Manners tract and this tract,

18          ● the southernmost northwest corner of the said 199.62  
19 acre Thompson tract;

20          THENCE S 16°14'50" W, a distance of 1214.37 feet with the  
21 following boundary lines:

22          ● a northerly east line of the said 1432.5101 acre  
23 Manners tract and this tract,

24          ● a west line of the said 199.62 acre Thompson tract,  
25 to a point for corner of the following tracts:

26          ● an easterly interior angle corner of the said  
27 1432.5101 acre Manners tract and this tract,

1           ● the westernmost corner of the said 199.62 acre  
2 Thompson tract;

3           THENCE S 24°54'33" E, a distance of 1140.32 feet with the  
4 following boundary lines:

5           ● an easterly interior line of the said 1432.5101 acre  
6 Manners tract and this tract,

7           ● the southernmost west line of the said 199.62 acre  
8 Thompson tract,

9           ● the common line of the said JOSE MARIA DE LA GARZA  
10 GRANT, A-15 and the said SAMUEL LINDLEY SURVEY, A-23,  
11 to a point for corner of the following tracts:

12           ● an easterly interior ell corner of the said  
13 1432.5101 acre Manners tract and this tract,

14           ● the southwest corner of the said 199.62 acre  
15 Thompson tract;

16           THENCE N 65°38'47" E, a distance of 839.59 feet with the  
17 following boundary lines:

18           ● an easterly north line of the said 1432.5101 acre  
19 Manners tract and this tract,

20           ● the southerly line of the said 199.62 acre Thompson  
21 tract,

22 to a point for corner of the following tracts:

23           ● an easterly northeast corner of the said 1432.5101  
24 acre Manners tract and this tract,

25           ● in the southerly line of the said 199.62 acre  
26 Thompson tract,

27           ● the westernmost corner of a called 67.542 acre tract



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1 of land described in a Deed to Donnie O. Chumley, et ux recorded  
2 under Film Code Number (FCN) 472-01-2169, Official Public Records  
3 of Real Property, Montgomery County, TX (MCRPR);

4       THENCE S 25°05'13" E, a distance of 3498.14 feet with the  
5 following boundary lines:

6           ● an east line of the said 1432.5101 acre Manners tract  
7 and this tract,

8           ● the west line of the said 67.542 acre Chumley tract,

9           ● the southernmost westerly line of a called 30.00  
10 acre tract of land described in a Deed to Glen E. Koy, Jr. recorded  
11 under FCN 743-01-1612, MCRPR,

12           ● the westerly line of a called 10.00 acre tract of  
13 land described in a Deed to James A. Hammons, et ux recorded under  
14 FCN 323-01-2205, MCRPR,

15           ● the westerly line of a called 10.00 acre tract of  
16 land described in a Deed to James T. Hammons, et ux recorded under  
17 FCN 452-13-1112, MCOPR,

18           ● the westerly line of a called 9.95 acre tract of land  
19 described in a Deed to James T. Hammons recorded under CFN  
20 2018095675, MCOPR,

21           ● the northernmost west line of a called 29.90 acre  
22 tract of land described in a Deed to Matthew S. Herridge recorded  
23 under CFN 2018090717, MCOPR,

24       to a point for corner of the following tracts:

25           ● a southeast corner of the said 1432.5101 acre  
26 Manners tract and this tract,

27           ● a westerly interior ell corner of the said 29.90 acre

1 Herridge tract;

2           THENCE S 62°57'14" W, a distance of 920.75 feet with the  
3 following boundary lines:

4           • an easterly southeast line of the said 1432.5101  
5 acre Manners tract and this tract,

6           • the lower northwest line of the said 29.90 acre  
7 Herridge tract,

8           to a point for corner of the following tracts:

9           • an easterly interior ell corner of the said  
10 1432.5101 acre Manners tract and this tract,

11           • the westernmost corner of the said 29.90 acre  
12 Herridge tract,

13           • in the common line of the said JOSE MARIA DE LA GARZA  
14 GRANT, A-15 and the said SAMUEL LINDLEY SURVEY, A-23;

15           THENCE S 25°14'14" E, a distance of 3418.55 feet with the  
16 following boundary lines:

17           • an easterly northeast line of the said 1432.5101  
18 acre Manners tract and this tract,

19           • the westerly southwest line of the said 29.90 acre  
20 Herridge tract,

21           • the common line of the said JOSE MARIA DE LA GARZA  
22 GRANT, A-15 and the said SAMUEL LINDLEY SURVEY, A-23,

23           • the westerly line of a called 20.000 acre tract of  
24 land described in a Deed to Glen E. Koy, et ux recorded under CFN  
25 9676130, MCRPR,

26           • the westerly line of a called 16.416 acre tract of  
27 land described in a Deed to Glen Koy and Janice Koy recorded under

1 CFN 2004112851, MCRPR,

2           ● the westerly line of a called 4.933 acre tract of  
3 land described in a Deed to Chad William Baylor recorded under CFN  
4 2011077678, MCOPR,

5           ● the westerly line of a called 4.0000 acre tract of  
6 land described in a Deed to Rubin Allen Wood, et ux recorded under  
7 CFN 201108049, MCOPR,

8           ● the westerly line of a called 1.63 acre tract of land  
9 described in a Deed to Halbert L. Martin, Sr. and Kathryn L. Martin  
10 recorded under CFN 2015039488, MCOPR,

11           to a point for corner of the following tracts:

12           ● an easterly angle corner of the said 1432.5101 acre  
13 Manners tract and this tract,

14           ● in the common line of the said JOSE MARIA DE LA GARZA  
15 GRANT, A-15 and the said SAMUEL LINDLEY SURVEY, A-23,

16           ● in the fenced west margin of said Rogers Road;

17           THENCE S 26°59'30" E, across the fenced margins of said Rogers  
18 Road, a distance of 174.33 feet <calculated> to a point for corner  
19 of the following tracts;

20           ● the northernmost corner of the said 532.4888 acre  
21 Manners tract and an easterly angle corner of this tract,

22           ● in the common line of the said JOSE MARIA DE LA GARZA  
23 GRANT, A-15 and the said SAMUEL LINDLEY SURVEY, A-23,

24           ● in the fenced east margin of said Rogers Road,

25           ● the westernmost northwest corner of Mt. Zion Acres  
26 Subdivision according to Plat recorded in Cabinet D, Sheet 108-B  
27 and also recorded under CFN 8311986;

1           THENCE S 25°40'43" E, a distance of 1275.80 feet with the  
2 following boundary lines:

3           ● a westerly northeast line of the said 532.4888 acre  
4 Manners tract and an interior northeast line of this tract,

5           ● the westernmost line of the said Mt. Zion Acres  
6 Subdivision,

7           ● the common line of the said JOSE MARIA DE LA GARZA  
8 GRANT, A-15 and the said SAMUEL LINDLEY SURVEY, A-23,

9           to a point for corner of the following tracts:

10          ● a westerly interior angle corner of the said  
11 532.4888 acre Manners tract and a central interior angle corner of  
12 this tract,

13          ● the westernmost southwest corner of the said Mt.  
14 Zion Acres Subdivision,

15          ● in the common line of the said JOSE MARIA DE LA GARZA  
16 GRANT, A-15 and the said SAMUEL LINDLEY SURVEY, A-23;

17           THENCE S 88°39'00" E, a distance of 527.46 feet with the  
18 following boundary lines:

19          ● the westernmost north line of the said 532.4888 acre  
20 Manners tract and an central north line of this tract,

21          ● the westernmost south line of the said Mt. Zion Acres  
22 Subdivision,

23           to a point for corner of the following tracts:

24          ● the westernmost northeast corner of the said  
25 532.4888 acre Manners tract and a northeast corner of this tract,

26          ● a southerly interior angle corner of the said Mt.  
27 Zion Acres Subdivision;

1           THENCE S 25°03'48" E, a distance of 398.07 feet with the  
2 following boundary lines:

3           • a northerly interior line of the said 532.4888 acre  
4 Manners tract and this tract,

5           • the southernmost west line of the said Mt. Zion Acres  
6 Subdivision,

7           to a point for corner of the following tracts:

8           • a northerly interior angle corner of the said  
9 532.4888 acre Manners tract and this tract,

10          • the southernmost southwest corner of the said Mt.  
11 Zion Acres Subdivision;

12          THENCE S 87°44,57" E, a distance of 477.38 feet with the  
13 following boundary lines:

14          • a north line of the said 532.4888 acre Manners tract  
15 and this tract,

16          • the southernmost line of the said Mt. Zion Acres  
17 Subdivision,

18          to a point for corner of the following tracts:

19          • in a north line of the said 532.4888 acre Manners  
20 tract and this tract,

21          • the southeast corner of the said Mt. Zion Acres  
22 Subdivision,

23          • the southwest corner of the said 66.3792 acre  
24 Manners tract;

25          THENCE N 22°23'08" W, a distance of 2871.09 feet with the  
26 following boundary lines:

27          • the west line of the said 66.3792 acre Manners tract

1 and a west line of this tract,

2           ● the east line of the said Mt. Zion Acres Subdivision,  
3 to a point for corner of the following tracts:

4           ● the northwest corner of the said 66.3792 acre  
5 Manners tract and a lower northwest corner of this tract,

6           ● the northeast corner of the said Mt. Zion Acres  
7 Subdivision,

8           ● in the south margin of Mt. Zion Road (a county  
9 maintained asphalt surface);

10           THENCE S 87°44'03" E, a distance of 1089.77 feet with the  
11 following boundary lines:

12           ● the north line of the said 66.3792 acre Manners tract  
13 and a north line of this tract,

14           ● the south margin of said Mt. Zion Road,  
15 to a point for corner of the following tracts:

16           ● the northeast corner of the said 66.3792 acre  
17 Manners tract and a northeast corner of this tract,

18           ● in the south margin of said Mt. Zion Road,

19           ● the northwest corner of a called 4.00 acre tract  
20 described in a Deed to John Wesley Castine recorded under CFN  
21 2011071469, MCOPR;

22           THENCE S 22°32'05" E, a distance of 874.15 feet with the  
23 following boundary lines:

24           ● an east line of the said 66.3792 acre Manners tract  
25 and this tract,

26           ● the west line of the said 4.00 acre Castine tract,  
27 to a point for corner of the following tracts:

1           ● an angle corner of the said 66.3792 acre Manners  
2 tract and this tract,

3           ● the southwest corner of the said 4.00 acre Castine  
4 tract,

5           ● the westernmost northwest corner of a called 44.5  
6 acre tract conveyed to Ian Martin Gerrard recorded under CFN  
7 2018099526, MCOPR and being more particularly described in a Deed  
8 recorded in Vol. 483, pg. 485, Deed Records of Montgomery County, TX  
9 (MCDR);

10           THENCE S 22°35'50" E, a distance of 1126.95 feet with the  
11 following boundary lines:

12           ● an east line of the said 66.3792 acre Manners tract  
13 and this tract,

14           ● the west line of the said 44.5 acre Gerrard tract,  
15 to a point for corner of the following tracts:

16           ● an angle corner of the said 66.3792 acre Manners  
17 tract and this tract,

18           ● the southwest corner of the said 44.5 acre Gerrard  
19 tract,

20           ● the easternmost northwest corner of the said  
21 532.4888 acre Manners tract;

22           THENCE N 89°38'34" E, a distance of 1363.00 feet with the  
23 following boundary lines:

24           ● a north line of the said 532.4888 acre Manners tract  
25 and this tract,

26           ● the south line of the said 44.5 acre Gerrard tract,  
27 to a point for corner of the following tracts:

1           ● a northeast corner of the said 532.4888 acre Manners  
2 tract and this tract,

3           ● in the south line of the said 44.5 acre Gerrard  
4 tract,

5           ● the southernmost northwest corner of a called 57.790  
6 acre tract of land described in a Deed to Jacob Slott recorded under  
7 CFN 2017071820, MCOPR;

8           THENCE S 14°49'59" E, a distance of 901.02 feet with the  
9 following boundary lines:

10           ● an east line of the said 532.4888 acre Manners tract  
11 and this tract,

12           ● the west line of the said 57.790 acre Slott tract,  
13 to a point for corner of the following tracts:

14           ● an interior corner of the said 532.4888 acre Manners  
15 tract and this tract,

16           ● the westernmost southwest corner of the said 57.790  
17 acre Slott tract;

18           THENCE S 87°45'59" E, a distance of 194.05 feet with the  
19 following boundary lines:

20           ● an easterly north line of the said 532.4888 acre  
21 Manners tract and this tract,

22           ● a south line of the said 57.790 acre Slott tract,  
23 to a point for corner of the following tracts:

24           ● an angle corner of the said 532.4888 acre Manners  
25 tract and this tract,

26           ● in a south line of the said 57.790 acre Slott tract;

27           ● the northwest corner of a called 55.5169 acre tract



1 of land described in a Deed to Jacob Slott recorded under CFN  
2 2018057080, MCOPR;

3           THENCE generally in a southerly direction, with an east line  
4 of the said 532.4888 acre Manners tract and of this tract and the  
5 westerly line of the said 55.5169 acre Slott tract, the following  
6 five (5) calls:

- 7           ● S 39°40'05" E, a distance of 437.68 feet to a point  
8 for corner,
- 9           ● S 14°13'08" E, a distance of 84.58 feet to a point for  
10 corner,
- 11           ● S 16°28'28" W, a distance of 289.38 feet to a point  
12 for corner,
- 13           ● S 27°16'56" W, a distance of 648.82 feet to a point  
14 for corner,
- 15           ● S 25°42'27" W, a distance of 1411.29 feet to a point  
16 for corner in the center of Little Caney Creek;

17           THENCE generally in an easterly direction with the center of  
18 said Little Caney Creek, with a lower north line of the said  
19 532.4888 acre Manners tract and of this tract and the south line of  
20 the said 55.5169 acre Slott tract, the following eleven (11) calls:

- 21           1) S 58°09'36" E, a distance of 260.72 feet to a point for  
22 corner,
- 23           2) N 25°57'38" E, a distance of 230.21 feet to a point for  
24 corner,
- 25           3) S 76°55'51" E, a distance of 62.79 feet to a point for  
26 corner,
- 27           4) N 82°18'25" E, a distance of 250.28 feet to a point for

1 corner,  
2           5) S 65°20'13" E, a distance of 341.62 feet to a point for  
3 corner,  
4           6) N 23°34'04" E, a distance of 133.93 feet to a point for  
5 corner,  
6           7) N 74°54'27" E, a distance of 209.23 feet to a point for  
7 corner,  
8           8) S 77°34'31" E, a distance of 104.01 feet to a point for  
9 corner,  
10          9) S 23°52'36" W, a distance of 145.46 feet to a point for  
11 corner,  
12          10) S 23°19'34" E, a distance of 147.34 feet to a point for  
13 corner,  
14          11) S 66°15'17" E, a distance of 271.00 feet to a point for  
15 the southernmost northeast corner of the said 532.4888 acre Manners  
16 tract, a lower northeast corner of this tract, the southernmost  
17 corner of the said 55.5169 acre Slott tract, in the center of said  
18 Little Caney Creek and in the westernmost line of a called 250 acre  
19 tract of land described in a Deed to Henry L. Pratt and Arthur C.  
20 Pratt recorded in Vol. 194, pg. 192, MCDR;  
21          THENCE S 00°25'07" W, a distance of 808.32 feet with the  
22 following boundary lines:  
23           ● the easternmost line of the said 532.4888 acre  
24 Manners tract and an east line of this tract,  
25           ● the westernmost line of the said 250 acre Pratt  
26 tract,  
27          to a point for corner of the following tracts:

1           ● an angle corner in the easternmost line of the said  
2 532.4888 acre Manners tract and a central interior ell corner of  
3 this tract,

4           ● the southwest corner of the said 250 acre Pratt  
5 tract,

6           ● the northwest corner of the said 187.56 acre Manners  
7 tract;

8           THENCE S 89°05'15" E, a distance of 2447.10 feet with the  
9 following boundary lines:

10           ● the north line of the said 187.56 acre Manners tract  
11 and a north line of this tract,

12           ● the south line of the said 250 acre Pratt tract,  
13 to a point in the center of Caney Creek for corner of the  
14 following tracts:

15           ● an angle corner in the north line of the said 187.56  
16 acre Manners tract and a central angle corner of this tract,

17           ● in the south line of the said 250 acre Pratt tract,

18           ● the northwest corner of a called 15.00 acre tract of  
19 land described in a Deed to Sue Ellen Dewees Gibson recorded under  
20 FCN 957-01-2189, MCRPR;

21           THENCE generally in a southerly direction with the center of  
22 said Caney Creek and with the east line of the following tracts:

23           ● the said 187.56 acre Manners tract,

24           ● the said 131.49 acre Manners tract,

25           same being the west line of the following tracts:

26           ● the said 15.00 acre Gibson tract,

27           ● the residue of a called 218.401 acre tract of land

1 described as Tract 2 in a Deed to Ellen Stewart Dewees recorded in  
2 Vol. 764, pg. 819, MCDR,

3           • a called 153.695 acre tract of land described as  
4 Tract 1 in a Deed to Lonny Carmen Dewees, Jr., also recorded in said  
5 Vol. 764, pg. 819, MCDR,

6 and establishing the easternmost line of this tract, the  
7 following twenty-six (26) calls:

- 8           1) S 47°35'47" E, a distance of 369.51 feet to a point for  
9 corner,
- 10           2) S 05°34'58" E, a distance of 80.55 feet to a point for  
11 corner,
- 12           3) S 22°06'00" W, a distance of 174.59 feet to a point for  
13 corner,
- 14           4) S 68°23'25" E, a distance of 246.43 feet to a point for  
15 corner,
- 16           5) S 20°57'28" W, a distance of 472.28 feet to a point for  
17 corner,
- 18           6) S 38°49'39" E, a distance of 172.36 feet to a point for  
19 corner,
- 20           7) S 31°38'49" W, a distance of 313.29 feet to a point for  
21 corner,
- 22           8) N 86°53'33" E, a distance of 339.86 feet to a point for  
23 corner,
- 24           9) S 07°55'58" W, a distance of 192.47 feet to a point for  
25 corner,
- 26           10) S 01°11'55" E, a distance of 354.49 feet to a point for  
27 corner,

- 1           11) S 57°37'12" E, a distance of 60.18 feet to a point for  
2 corner in the called intersection of Caney Creek and Bee Creek, at  
3 the southeast corner of the said 187.56 acre Manners tract, a  
4 northerly angle corner of the said 131.49 acre Manners tract and a  
5 southwesterly angle corner of the said residue of 218.401 acre  
6 Dewees tract,
- 7           12) N 76°07'45" E, a distance of 572.30 feet to a point for  
8 corner,
- 9           13) N 87°59'39" E, a distance of 94.34 feet to a point for  
10 corner,
- 11          14) S 30°56'42" E, a distance of 102.96 feet to a point for  
12 corner,
- 13          15) S 09°04'20" W, a distance of 119.06 feet to a point for  
14 corner,
- 15          16) S 74°35'08" E, a distance of 320.44 feet to a point for  
16 corner,
- 17          17) S 47°00'21" E, a distance of 70.61 feet to a point for  
18 corner,
- 19          18) S 01°15'09" W, a distance of 217.80 feet to a point for  
20 corner,
- 21          19) S 45°44'15" W, a distance of 496.51 feet to a point for  
22 corner,
- 23          20) S 21°42'10" E, a distance of 121.03 feet to a point for  
24 corner,
- 25          21) S 26°42'53" E, a distance of 243.78 feet to a point for  
26 corner,
- 27          22) S 20°55'35" E, a distance of 168.98 feet to a point for

1 corner,

2 23) N 77°52'34" E, a distance of 168.03 feet to a point for  
3 corner,

4 24) S 35°33'58" E, a distance of 253.63 feet to a point for  
5 corner,

6 25) S 25°35'00" W, a distance of 260.82 feet to a point for  
7 corner,

8 26) S 26°50'22" E, a distance of 192.61 feet to a point for  
9 the easternmost southeast corner of the said 131.49 acre Manners  
10 tract and this tract, an angle corner in the west line of the said  
11 153.695 acre Dewees, Jr. tract and the northernmost corner of a  
12 called 70.000 acre tract of land described in a Deed to Ed H. Red, et  
13 ux recorded under FCN 532-01-0235, MCRPR;

14 THENCE S 64°56'17" W, with the following boundary lines:

15 ● the southernmost southeast line of the said 131.49  
16 acre Manners tract and a southeast line of this tract,

17 ● the northwest line of the said 70.000 acre Red tract,  
18 at 1996.36 feet, a point for corner of the following tracts:

19 ● the southernmost southwest corner of the said 131.49  
20 acre Manners tract,

21 ● in the northwest line of the said 70.000 acre Red  
22 tract,

23 ● the easternmost corner of the said 85.32 acre  
24 Manners tract,

25 ● in a southeast line of this tract, continue with the  
26 following boundary lines:

27 ● the easternmost south line of the said 85.32 acre

1 Manners tract and a southwest line of this tract,

2           ● the northwest line of the said 70.000 acre Red tract,  
3 at a TOTAL DISTANCE OF 3133.99 FEET to a point for corner of the  
4 following tracts:

5           ● an easterly interior ell corner of the said 85.32  
6 acre Manners tract and a southerly interior ell corner of this  
7 tract,

8           ● the northwest corner of the said 70.000 acre Red  
9 tract

10           ● in the common line of the said JOSE MARIA DE LA GARZA  
11 GRANT, A-15 and the said T.C. STEVENS SURVEY, A-525;

12           THENCE S 25°06'06" E, a distance of 2100.00 feet with the  
13 following boundary lines:

14           ● the southernmost east line of the said 85.32 acre  
15 Manners tract and this tract,

16           ● the westernmost line of the said 70.000 acre Red  
17 tract, to a point for corner of the following tracts:

18           ● the southernmost east corner of the said 85.32 acre  
19 Manners tract and this tract,

20           ● the southernmost corner of the said 70.000 acre Red  
21 tract

22           ● in the northwest margin of Farm-to-Market Road  
23 No. 1097;

24           THENCE S 47°04'59" W, a distance of 1137.91 feet with the  
25 following boundary lines:

26           ● the southernmost southeast line of the said 85.32  
27 acre Manners tract and this tract,

1           ● the northwest margin of said F.M. 1097, to a point  
2 for corner of the following tracts:

3           ● an angle corner in the southernmost southwest line  
4 of the said 85.32 acre Manners tract and this tract,

5           ● an angle corner in the northwest margin of said F.M.  
6 1097;

7           THENCE with a curve to the right, having an arc length of  
8 557.49 feet, a radius of 7595.18 feet, a chord bearing of S 49°11'09"  
9 W and a chord length of 557.36 feet and with the following boundary  
10 lines:

11           ● the southernmost southwest line of the said 85.32  
12 acre Manners tract and this tract,

13           ● the northwest margin of F.M. 1097, to a point for  
14 corner of the following tracts:

15           ● the southernmost corner of the said 85.32 acre  
16 Manners tract and this tract,

17           ● the northwest margin of said F.M. 1097,

18           ● in the common line of the said JOSE MARIA DE LA GARZA  
19 GRANT, A-15 and the said T.C. STEVENS SURVEY, A-525,

20           ● the easternmost corner of a called 4.5210 acre tract  
21 of land conveyed to Jimmy R. Moore, et ux, recorded under FCN  
22 923-01-2387, MCRPR and more particularly described under CFN  
23 8728136, MCRPR;

24           THENCE N 23°50'53" W, with the following boundary lines:

25           ● the southernmost westerly line of the said 85.32  
26 acre Manners tract and this tract,

27           ● the easterly line of the said 4.5210 acre Moore



1 tract,

2           ● the common line of the said JOSE MARIA DE LA GARZA  
3 GRANT, A-15 and the said T.C. STEVENS SURVEY, A-525,  
4 at 507.39 feet, a point for corner of the following tracts:

5           ● the southernmost northwest corner of the said 85.32  
6 acre Manners tract and an angle corner in a southwest line of this  
7 tract,

8           ● in the easterly line of the said 4.5210 acre Moore  
9 tract,

10          ● the southernmost corner of the said 104.94 acre  
11 Manners tract,

12          ● in the common line of the said JOSE MARIA DE LA GARZA  
13 GRANT, A-15 and the said T.C. STEVENS SURVEY, A-525, continue with  
14 the following boundary lines:

15          ● the southernmost westerly line of the said 104.94  
16 acre Manners tract and this tract,

17          ● the easterly line of the said 4.5210 acre Moore  
18 tract,

19          ● the common line of the said JOSE MARIA DE LA GARZA  
20 GRANT, A-15 and the said T.C. STEVENS SURVEY, A-525,

21          ● the easterly line of a called 2.467 acre tract of  
22 land described in a Deed to Scott Allen Baker and Angela Marie  
23 Cherry recorded under FCN 750-10-0608, MCRPR,

24          ● the easterly line of a called 2.890 acre tract of  
25 land described in a Deed to Dewayne Marshall, et ux recorded under  
26 FCN 096-00-1649, MCRPR,

27          ● the easterly line of a called 1.9991 acre tract of

1 land described in a Deed to C. Dewayne Marshall recorded under FCN  
2 715-01-1507, MCRPR,

3           ● the easterly line of a called 2.00017 acre tract of  
4 land described in a Deed to Albert E. Munn recorded in Vol. 590, pg.  
5 176, MCDR,

6           ● the easterly line of a called 75.837 acre tract of  
7 land described in a Deed to Glenn A. Johnson recorded under FCN  
8 667-10-2479, MCRPR, at a TOTAL DISTANCE OF 2876.60 FEET to a point  
9 for corner of the following tracts:

10           ● the southernmost interior angle corner of the said  
11 104.94 acre Manners tract and this tract,

12           ● the northeast corner of the said 75.837 acre Johnson  
13 tract,

14           ● a called point of intersection of the east line of  
15 the Alfred Johnson Survey, A-298, the northernmost corner of the  
16 T.C. STEVENS SURVEY, A-525 and in the west line of the JOSE MARIA DE  
17 LA GARZA GRANT, A-15;

18           THENCE N 88°43'55" W, a distance of 930.68 feet with the  
19 following boundary lines:

20           ● an upper south line of the said 104.94 acre Manners  
21 tract and a lower south line of this tract,

22           ● the north line of the said 75.837 acre Johnson tract,

23           ● crossing the common line of the said T.C. STEVENS  
24 SURVEY, A-525 and the said Alfred Johnson Survey, A-298, to a point  
25 for corner of the following tracts:

26           ● an upper southwest corner of the said 104.94 acre  
27 Manners tract and a lower southwest corner of this tract,

1           ● in the north line of the said 75.837 acre Johnson  
2 tract,

3           ● the easternmost southeast corner of a called 110.440  
4 acre tract of land described in a Deed to working Dog Ranch, LP  
5 recorded under CFN 2017098732, MCOPR,

6           ● in the centerline of Bee Creek;

7           THENCE generally in a northerly direction with the center of  
8 said Bee Creek, with the westernmost boundary line of the said  
9 104.94 acre Manners tract, with the easternmost boundary line of  
10 the said 110.440 acre Working Dog Ranch tract and establishing a  
11 lower west line of this tract, the following twenty-nine (29)  
12 calls:

13           1) N 25°18'32" E, a distance of 48.63 feet to a point for  
14 corner,

15           2) N 22°27'19" W, a distance of 36.00 feet to a point for  
16 corner,

17           3) N 22°52'33" E, a distance of 29.00 feet to a point for  
18 corner,

19           4) N 37°52'42" W, a distance of 29.00 feet to a point for  
20 corner,

21           5) S 69°06'43" W, a distance of 62.00 feet to a point for  
22 corner,

23           6) N 24°51'27" W, a distance of 26.00 feet to a point for  
24 corner,

25           7) N 38°19'39" E, a distance of 69.00 feet to a point for  
26 corner,

27           8) N 04°50'33" E, a distance of 32.00 feet to a point for

- 1 corner,  
2 9) N 76°46'14" E, a distance of 34.00 feet to a point for  
3 corner,  
4 10) N 10°15'37" E, a distance of 24.00 feet to a point for  
5 corner,  
6 11) N 38°58'27" W, a distance of 28.00 feet to a point for  
7 corner,  
8 12) N 01°06'33" E, a distance of 30.00 feet to a point for  
9 corner,  
10 13) N 61°46'33" E, a distance of 31.00 feet to a point for  
11 corner,  
12 14) N 07°29'33" E, a distance of 34.00 feet to a point for  
13 corner,  
14 15) N 30°41'27" W, a distance of 70.00 feet to a point for  
15 corner,  
16 16) N 65°56'33" E, a distance of 63.00 feet to a point for  
17 corner,  
18 17) N 08°30'33" E, a distance of 49.00 feet to a point for  
19 corner,  
20 18) N 43°15'33" E, a distance of 35.00 feet to a point for  
21 corner,  
22 19) N 03°49'27" W, a distance of 22.00 feet to a point for  
23 corner,  
24 20) N 43°59'33" E, a distance of 53.00 feet to a point for  
25 corner,  
26 21) N 00°07'27" W, a distance of 90.00 feet to a point for  
27 corner,

1           22) S 80°46'33" W, a distance of 41.00 feet to a point for  
2 corner,

3           23) N 63°02'27" W, a distance of 37.00 feet to a point for  
4 corner,

5           24) N 24°24'23" W, a distance of 84.00 feet to a point for  
6 corner,

7           25) N 12°48'34" E, a distance of 90.00 feet to a point for  
8 corner,

9           26) N 24°57'27" W, a distance of 37.00 feet to a point for  
10 corner,

11          27) N 25°17'33" E, a distance of 35.48 feet to a point for  
12 corner,

13          28) N 72°27'33" E, a distance of 73.70 feet to a point for  
14 corner,

15          29) N 10°27'19" E, a distance of 15.01 feet to a point for  
16 corner at the westernmost northwest corner of the said 104.94 acre  
17 Manners tract and the southernmost northwest corner of this tract,  
18 the easternmost northeast corner of the 110.440 acre Walking Dog  
19 Ranch tract and in the south line of a called 67.831 acre tract of  
20 land described in a Deed to Thornberry Properties L.L.C. recorded  
21 under CFN 2013137435, MCOPR;

22           THENCE S 88°13'52" E, a distance of 850.58 feet with the  
23 following boundary lines:

24           ● the westerly north line of the said 104.94 acre  
25 Manners tract and the southernmost north line of this tract,

26           ● the south line of the said 67.831 acre Thornberry  
27 tract, to a point for corner of the following tracts:

1           ● the northerly interior ell corner of the said 104.94  
2 acre Manners tract and a southerly interior ell corner of this  
3 tract,

4           ● the southeast corner of the said 67.831 acre  
5 Thornberry tract;

6           THENCE N 01°21'00" E, with the following boundary lines:

7           ● the northernmost west line of the said 104.94 acre  
8 Manners tract and a southerly west line of this tract,

9           ● the east line of the said 67.831 acre Thornberry  
10 tract, at 439.52 feet, a point for corner of the following tracts:

11           ● the northernmost northwest corner of the said 104.94  
12 acre Manners tract and in a southerly west line of this tract,

13           ● the westernmost southwest corner of the said 131.49  
14 acre Manners tract,

15           ● in the east line of the said 67.831 acre Thornberry  
16 tract,

17           at 1205.90 feet, a point for corner of the following tracts:

18           ● the westernmost northwest corner of the said 131.49  
19 acre Manners tract and in a southerly west line of this tract,

20           ● the southwest corner of the said 187.56 acre Manners  
21 tract,

22           ● in the east line of the said 67.831 acre Thornberry  
23 tract, continue with the following boundary lines:

24           ● the west line of the said 187.56 acre Manners tract  
25 and a southerly west line of this tract,

26           ● the east line of the said 67.831 acre Thornberry  
27 tract,

1           ● the east line of a called 219.15 acre tract of land  
2 described in a Deed to Norman Conroy recorded in Vol. 619, pg. 759,  
3 MCDR, also referred to as Woodland Lakes Addition, an unrecorded  
4 subdivision;

5           at a TOTAL DISTANCE OF 3671.52 FEET to a point for corner of  
6 the following tracts:

7           ● in the west line of the said 187.56 acre Manners  
8 tract and a southerly interior ell corner of this tract,

9           ● the northeast corner of the said 219.15 acre Conroy  
10 tract,

11          ● the southeast corner of the said 532.4888 acre  
12 Manners tract;

13          THENCE generally in a westerly direction with the south line  
14 of the said 532.4888 acre Manners tract and a central south line of  
15 this tract and the north line of the said 219.15 acre Conroy tract,  
16 the following three (3) calls:

17          ● N 87°06'32" W, a distance of 2129.31 feet to a point  
18 for corner in the common line of the said JOSE MARIA DE LA GARZA  
19 GRANT, A-15 and the RICHARD WILLIAMS SURVEY, A-596,

20          ● N 87°44'29" W, a distance of 1802.06 feet to a point  
21 for corner,

22          ● N 89°32'46" W, a distance of 1057.19 feet to a point  
23 for the southernmost southwest corner of the said 532.4888 acre  
24 Manners tract and a central southwest corner of this tract, in the  
25 north line of the said 219.15 acre Conroy tract and the southeast  
26 corner of a called 2 acre tract of land described in a Deed to  
27 Cynthia Stubblefield Walker under CFN 2007104519, MCRPR;

1           THENCE N 33°11'15" E, a distance of 287.84 feet with the  
2 following boundary lines:

3           • a southerly west line of the said 532.4888 acre  
4 Manners tract and this tract,

5           • the east line of the said 2 acre Walker tract, to a  
6 point for corner of the following tracts:

7           • a southwesterly interior corner of the said 532.4888  
8 acre Manners tract and this tract,

9           • the northeast corner of the said 2 acre Walker tract;

10          THENCE N 85°32'50" W, a distance of 275.40 feet with the  
11 following boundary lines:

12          • a lower south line of the said 532.4888 acre Manners  
13 tract and this tract,

14          • the north line of the said 2 acre Walker tract, to a  
15 point for corner of the following tracts:

16          • a southwest corner of the said 532.4888 acre Manners  
17 tract and this tract,

18          • the northwest corner of the said 2 acre Walker tract,

19          • in the fenced easterly margin of said Rogers Road;

20          THENCE generally in a northerly direction with the west line  
21 of the said 532.4888 acre Manners tract and a lower west line of  
22 this tract and the fenced easterly margin of said Rogers Road, the  
23 following eleven (11) calls:

24          1) N 29°37'22" E, a distance of 572.10 feet to a point for  
25 corner,

26          2) N 18°19'14" W, a distance of 99.93 feet to a point for  
27 corner,



- 1           3) N 13°46'19" E, a distance of 67.91 feet to a point for  
2 corner,  
3           4) N 02°28'15" W, a distance of 287.64 feet to a point for  
4 corner,  
5           5) N 12°22'29" W, a distance of 789.17 feet to a point for  
6 corner,  
7           6) N 18°08'26" W, a distance of 264.59 feet to a point for  
8 corner,  
9           7) N 22°52'05" W, a distance of 1258.59 feet to a point for  
10 corner,  
11          8) N 06°39'44" W, a distance of 176.67 feet to a point for  
12 corner,  
13          9) N 07°35'27" E, a distance of 189.92 feet to a point for  
14 corner,  
15          10) N 15°07'11" E, a distance of 116.72 feet to a point for  
16 corner,  
17          11) N 25°24'45" E, a distance of 212.11 feet to a point for  
18 corner in a west line of the said 532.4888 acre Manners tract and a  
19 southerly interior angle corner of this tract and in the fenced  
20 easterly margin of said Rogers Road;

21           THENCE N 82°41'38" W, across said Rogers Road,  
22           at 79.03 feet <calculated>, a point for corner of the  
23 following tracts:

- 24           ● the southeast corner of the said 1432.5101 acre  
25 Manners tract and in a south line of this tract,  
26           ● in the fenced westerly margin of said Rogers Road,  
27           ● the northeast corner of a called 2.15 acre tract

1 described in a Constable's Resale Deed to Lauren Marie Ahmadian  
2 recorded under CFN 2020045765, MCOPR, continue with the following  
3 boundary lines:

4           ● a southerly line of the said 1432.5101 acre Manners  
5 tract and this tract,

6           ● the north line of the said 2.15 acre Ahmadian tract,  
7 at a TOTAL DISTANCE OF 242.88 FEET to a point for corner of the  
8 following tracts:

9           ● an angle corner in a south line of the said 1432.5101  
10 acre Manners tract and this tract,

11           ● in the north line of the said 2.15 acre Ahmadian  
12 tract;

13           THENCE S 87°48'07" W, a distance of 284.50 feet with the  
14 following boundary lines:

15           ● a southerly line of the said 1432.5101 acre Manners  
16 tract and this tract,

17           ● the north line of the said 2.15 acre Ahmadian tract,  
18 to a point for corner of the following tracts:

19           ● an angle corner in a southerly line of the said  
20 1432.5101 acre Manners tract and this tract,

21           ● in the northeast line of the residue a called 137-1/2  
22 acre tract of land described in a Deed to Tobe Westmoreland recorded  
23 in Vol. 68, pg. 516, MCDR;

24           THENCE generally with the south and east lines of the said  
25 1432.5101 acre Manners tract and this tract and the north and west  
26 lines of the residue of the said 137-1/2 acre Westmoreland tract,  
27 the following four (4) calls:

1           ● S 76°27'30" W, a distance of 443.84 feet to a point  
2 for corner,  
3           ● S 88°25'17" W, a distance of 29.40 feet to a point for  
4 corner,  
5           ● S 65°23'34" W, a distance of 1254.85 feet to a point  
6 for a lower interior corner of the said 1432.5101 acre Manners  
7 tract, a central interior corner of this tract and the northwest  
8 corner of the said Westmoreland tract,  
9           ● S 24°28'25" E, a distance of 1447.51 feet to a point  
10 for the southernmost east corner of the said 1432.5101 acre Manners  
11 tract and a southerly southeast corner of this tract, in the west  
12 line of the said 137-1/2 acre Westmoreland tract and the  
13 northernmost corner of a called 164.5285 acre tract of land  
14 described in a Deed to William A. Marek, Jr. recorded under CFN  
15 2006001720, MCRPR;  
16           THENCE S 65°53'56" W, a distance of 3496.08 feet with the  
17 following boundary lines:  
18           ● a southeast line of the said 1432.5101 acre Manners  
19 tract and this tract,  
20           ● the northerly line of the said 164.5285 acre Marek  
21 tract, to a point for corner of the following tracts:  
22           ● a southwest corner of the said 1432.5101 acre  
23 Manners tract and this tract,  
24           ● the westernmost corner of the said 164.5285 acre  
25 Marek tract,  
26           ● the called east line of Arrowhead Lakes Subdivision,  
27 Section 1 according to plat recorded in Vol. 7, pg. 55, MCDR;

1           THENCE generally in a northerly and westerly direction, with  
2 the southwesterly interior lines of the said 1432.5101 acre Manners  
3 tract and this tract and the northerly lines of the said Arrowhead  
4 Lakes Subdivision, the following four (4) calls:

- 5           ● N 24°56'14" W, a distance of 752.00 feet to a point  
6 for corner,
- 7           ● S 63°58'23" W, a distance of 246.57 feet to a point  
8 for corner,
- 9           ● S 31°05'04" W, a distance of 476.60 feet to a point  
10 for corner,
- 11           ● S 56°11'46" W, a distance of 297.66 feet  
12 <calculated> to a point at the most westerly southwest corner of  
13 this tract and being at the approximate intersection of a south line  
14 of the said 1432.5101 acre Manners tract, a north line of the said  
15 Arrowhead Lakes Subdivision and the boundary line of the  
16 extraterritorial jurisdiction of the City of Willis (Willis ETJ);

17           THENCE with the boundary of the said Willis ETJ, across the  
18 said 1432.5101 acre Manners tract and establishing a westerly  
19 boundary line of this tract, the following call:

- 20           ● with a curve to the left, having an arc length of  
21 1776.43 feet, a radius of 5231.37 feet, a chord bearing of N  
22 01°59'23" W and a chord length of 1767.90 feet <calculated based  
23 upon GIS data, see note no. 4> to a point for an angle corner in a  
24 westerly line of the said 1432.5101 acre Manners tract and a west  
25 corner this tract and being in the easterly fenced margin of I&GN  
26 Railroad (100 ft. Right-of-Way);

27           THENCE with the easterly fenced margin of the said I&GN

1 Railroad, a westerly line of the said 1432.5101 acre Manners tract  
2 and this tract, the following three (3) calls:

3           ● N 20°39'08" E, a distance of 2741.71 feet  
4 <calculated> to a point for corner,

5           ● with a curve to the left, having an arc length of  
6 1669.21 feet, a radius of 1960.08 feet, a chord bearing of N  
7 03°44'40" W and a chord length of 1619.23 feet to a point for corner,

8           ● N 28°09'35" W, a distance of 4349.47 feet to a point  
9 for a west corner of the said 1432.5101 acre Manners tract and this  
10 tract and the southernmost corner of a called 132.3296 acre tract of  
11 land described in a Deed to Edward E. Hartline, et ux recorded under  
12 CFN 9656185, MCOPR;

13           THENCE N 62°22'01" E, a distance of 3534.42 feet with the  
14 following boundary lines:

15           ● a northwest line of the said 1432.5101 acre Manners  
16 tract and this tract,

17           ● the southeast line of the said 132.3296 acre  
18 Hartline tract,

19           ● the southeast line of a called 36.5193 acre tract of  
20 land described in a Deed to Rick L. Carter recorded under FCN  
21 402-00-0096, MCRPR, to a point for corner of the following tracts:

22           ● a northwesterly interior ell corner of the said  
23 1432.5101 acre Manners tract and this tract,

24           ● the easternmost corner of the said 36.5193 acre  
25 Marek tract;

26           THENCE N 26°50'53" W, a distance of 1562.36 feet with the  
27 following boundary lines:

1           ● a northerly interior line of the said 1432.5101 acre  
2 Manners tract and this tract,

3           ● the northeast line of the said 36.5193 acre Carter  
4 tract, to a point for corner of the following tracts:

5           ● a northwesterly interior ell corner of the said  
6 1432.5101 acre Manners tract and this tract,

7           ● the northernmost corner of the said 36.5193 acre  
8 Marek tract;

9           THENCE S 62°27'48" W, a distance of 529.70 feet with the  
10 following boundary lines:

11           ● an upper interior line of the said 1432.5101 acre  
12 Manners tract and this tract,

13           ● the northwest line of the said 36.5193 acre Carter  
14 tract, to a point for corner of the following tracts:

15           ● a southwest corner of the said 1432.5101 acre  
16 Manners tract and this tract,

17           ● in the northwest line of the said 36.5193 acre Marek  
18 tract

19           ● the easternmost corner of a called 5.0000 acre tract  
20 of land described in a Deed to Rick L. Carter recorded under CFN  
21 9666189, MCRPR;

22           THENCE N 26°32'15" W, a distance of 929.45 feet with the  
23 following boundary lines:

24           ● within the residue of the said 1432.5101 acre  
25 Manners tract,

26           ● the northeast line of the said 5.0000 acre Carter  
27 tract, to a point for corner of the following tracts:

- 1           ● a northwesterly interior angle corner of this tract,  
2           ● the north corner of the said 5.0000 acre Carter  
3 tract;

4           THENCE S 28°20'22" W, a distance of 283.23 feet with the  
5 following boundary lines:

- 6           ● within the residue of the said 1432.5101 acre  
7 Manners tract,  
8           ● the north line of the said 5.0000 acre Carter tract,  
9 to a point for corner of the following tracts:  
10          ● an upper southwest corner of this tract,  
11          ● in an upper southwest line of the residue of the said  
12 1432.5101 acre Manners tract,  
13          ● the west corner of the said 5.0000 acre Carter tract,  
14          ● in a northeasterly line of the said 132.3296 acre  
15 Hartline tract;

16          THENCE N 24°34'56" W, a distance of 1509.81 feet with a  
17 southwesterly line of the said 1432.5101 acre Manners tract and  
18 this tract and with a northeasterly line of the said 132.3296 acre  
19 Hartline tract to the PLACE OF BEGINNING and containing 2510.102  
20 acres of land, SAVE AND EXCEPT THEREFROM the hereinafter described  
21 3.95 acres within the fenced margins of Rogers Road, leaving a NET  
22 AREA OF 2506.15 ACRES OF LAND.

23 SAVE AND EXCEPT 3.95 ACRE TRACT

24          Being a 3.95 acre tract of land located within the fenced  
25 margins of Rogers Road, a.k.a. Old Willis New Waverly Road (county  
26 maintained asphalt surface, no Right-of-Way Deed found of record),  
27 situated in the SAMUEL LINDLEY SURVEY, A-23 and being more

1 definitely described by metes and bounds as follows:

2 BEGINNING at a point for the northwest corner of this tract,  
3 the most southerly northeast corner of a called 1432.5101 acre  
4 tract of land described as PARCEL 4 in a Special Warranty Deed dated  
5 April 25, 2018 from Apitx 5 LLC to Michael G. Manners, Trustee of  
6 the Michael G. Manners Revocable Trust Dated September 8, 2017  
7 recorded in Volume 1322, Page 463, Official Public Records,  
8 Montgomery County, Texas (MCOPR), the south corner of a called 1.63  
9 acre tract of land described in a Deed to Halbert L. Martin, Sr. and  
10 Kathryn L. Martin recorded under Clerk's File Number (CFN)  
11 2015039488, MCOPR and in the west fenced margin of said Rogers Road;

12 THENCE S 26°59'30" E, across said Rogers Road with the north  
13 line of this tract, a distance of 174.33 feet <calculated> to a  
14 point for corner of the following tracts:

- 15 ● at the northeast corner of this tract,
- 16 ● the northernmost corner of a called 532.4888 acre  
17 tract of land described as PARCEL 1 in said Deed dated April 25,  
18 2018 from Apitx 5 LLC to Michael G. Manners, Trustee of the Michael  
19 G. Manners Revocable Trust Dated September 8, 2017 recorded in  
20 Volume 1322, Page 463, MCOPR,
- 21 ● in the east fenced margin of said Rogers Road;

22 THENCE generally in a southerly direction with a fence in the  
23 east margin of said Rogers Road, with the east line of this tract  
24 and with the westerly line of the said 532.4888 acre Manners tract,  
25 the following four (4) calls:

- 26 ● S 00°51'20" W, a distance of 1094.43 feet to a point  
27 for corner,



1           ● S 06°15'10" W, a distance of 172.07 feet to a point  
2 for corner,

3           ● S 19°34'05" W, a distance of 211.74 feet to a point  
4 for corner,

5           ● S 25°24'45" W, a distance of 618.10 feet to a point  
6 for corner,

7           THENCE N 82°41'38" W, across said Rogers Road with the south  
8 line of this tract, a distance of 79.03 feet <calculated> to a  
9 point for corner of the following tracts:

10           ● the southwest corner of this tract,  
11           ● a southeast corner of the said 1432.5101 acre  
12 Manners tract,

13           ● in the west fenced margin of said Rogers Road,

14           ● in the north line of a called 2.15 acre tract  
15 described in a Constable's Resale Deed to Lauren Marie Ahmadian  
16 recorded under CFN 2020045765, MCOPR;

17           THENCE generally in a northerly direction with a fence in the  
18 west margin of said Rogers Road, with the west line of this tract  
19 and with the easternmost line of the said 1432.5101 acre Manners  
20 tract, the following four (4) calls:

21           ● N 25°12'20" E, a distance of 650.20 feet to a point  
22 for corner,

23           ● N 18°28'57" E, a distance of 186.20 feet to a point  
24 for corner,

25           ● N 06°06'35" E, a distance of 155.11 feet to a point  
26 for corner,

27           ● N 00°49'44" E, a distance of 1249.46 feet to the PLACE

1 OF BEGINNING, containing 3.95 acres of land.

2 SECTION 3. (a) The legal notice of the intention to  
3 introduce this Act, setting forth the general substance of this  
4 Act, has been published as provided by law, and the notice and a  
5 copy of this Act have been furnished to all persons, agencies,  
6 officials, or entities to which they are required to be furnished  
7 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
8 Government Code.

9 (b) The governor, one of the required recipients, has  
10 submitted the notice and Act to the Texas Commission on  
11 Environmental Quality.

12 (c) The Texas Commission on Environmental Quality has filed  
13 its recommendations relating to this Act with the governor, the  
14 lieutenant governor, and the speaker of the house of  
15 representatives within the required time.

16 (d) All requirements of the constitution and laws of this  
17 state and the rules and procedures of the legislature with respect  
18 to the notice, introduction, and passage of this Act are fulfilled  
19 and accomplished.

20 SECTION 4. (a) Section 8061.0307, Special District Local  
21 Laws Code, as added by Section 1 of this Act, takes effect only if  
22 this Act receives a two-thirds vote of all the members elected to  
23 each house.

24 (b) If this Act does not receive a two-thirds vote of all the  
25 members elected to each house, Subchapter C, Chapter 8061, Special  
26 District Local Laws Code, as added by Section 1 of this Act, is  
27 amended by adding Section 8061.0307 to read as follows:

1        Sec. 8061.0307. NO EMINENT DOMAIN POWER. The district may  
2 not exercise the power of eminent domain.

3        (c) This section is not intended to be an expression of a  
4 legislative interpretation of the requirements of Section 17(c),  
5 Article I, Texas Constitution.

6        SECTION 5. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2021.