

1-1 By: Bettencourt S.B. No. 2600
 1-2 (In the Senate - Filed April 6, 2023; April 11, 2023, read
 1-3 first time and referred to Committee on Local Government;
 1-4 April 28, 2023, reported favorably by the following vote: Yeas 7,
 1-5 Nays 0; April 28, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Springer	X			
1-9 Eckhardt	X			
1-10 Gutierrez			X	
1-11 Hall	X			
1-12 Nichols	X			
1-13 Parker			X	
1-14 Paxton	X			
1-15 West	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the creation of the Firefly Municipal Utility District
 1-20 No. 1; granting a limited power of eminent domain; providing
 1-21 authority to issue bonds; providing authority to impose
 1-22 assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-24 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-25 Code, is amended by adding Chapter 7985A to read as follows:

1-26 CHAPTER 7985A. FIREFLY MUNICIPAL UTILITY DISTRICT NO. 1

1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 7985A.0101. DEFINITIONS. In this chapter:

1-29 (1) "Board" means the district's board of directors.

1-30 (2) "Commission" means the Texas Commission on
 1-31 Environmental Quality.

1-32 (3) "Director" means a board member.

1-33 (4) "District" means the Firefly Municipal Utility
 1-34 District No. 1.

1-35 Sec. 7985A.0102. NATURE OF DISTRICT. The district is a
 1-36 municipal utility district created under Section 59, Article XVI,
 1-37 Texas Constitution.

1-38 Sec. 7985A.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-39 REQUIRED. The temporary directors shall hold an election to
 1-40 confirm the creation of the district and to elect five permanent
 1-41 directors as provided by Section 49.102, Water Code.

1-42 Sec. 7985A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-43 temporary directors may not hold an election under Section
 1-44 7985A.0103 until each municipality in whose corporate limits or
 1-45 extraterritorial jurisdiction the district is located has
 1-46 consented by ordinance or resolution to the creation of the
 1-47 district and to the inclusion of land in the district as required by
 1-48 applicable law.

1-49 Sec. 7985A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
 1-50 (a) The district is created to serve a public purpose and benefit.

1-51 (b) The district is created to accomplish the purposes of:

1-52 (1) a municipal utility district as provided by
 1-53 general law and Section 59, Article XVI, Texas Constitution; and

1-54 (2) Section 52, Article III, Texas Constitution, that
 1-55 relate to the construction, acquisition, improvement, operation,
 1-56 or maintenance of macadamized, graveled, or paved roads, or
 1-57 improvements, including storm drainage, in aid of those roads.

1-58 Sec. 7985A.0106. INITIAL DISTRICT TERRITORY. (a) The
 1-59 district is initially composed of the territory described by
 1-60 Section 2 of the Act enacting this chapter.

1-61 (b) The boundaries and field notes contained in Section 2 of

2-1 the Act enacting this chapter form a closure. A mistake made in the
2-2 field notes or in copying the field notes in the legislative process
2-3 does not affect the district's:

- 2-4 (1) organization, existence, or validity;
- 2-5 (2) right to issue any type of bond for the purposes
2-6 for which the district is created or to pay the principal of and
2-7 interest on a bond;
- 2-8 (3) right to impose a tax; or
- 2-9 (4) legality or operation.

2-10 SUBCHAPTER B. BOARD OF DIRECTORS

2-11 Sec. 7985A.0201. GOVERNING BODY; TERMS. (a) The district
2-12 is governed by a board of five elected directors.

2-13 (b) Except as provided by Section 7985A.0202, directors
2-14 serve staggered four-year terms.

2-15 Sec. 7985A.0202. TEMPORARY DIRECTORS. (a) The temporary
2-16 board consists of:

- 2-17 (1) Mike Terechenok;
- 2-18 (2) Bryan D. Kinsler;
- 2-19 (3) Donnie Reed;
- 2-20 (4) Walker French; and
- 2-21 (5) Mark C. Hodges.

2-22 (b) Temporary directors serve until the earlier of:

- 2-23 (1) the date permanent directors are elected under
2-24 Section 7985A.0103; or
- 2-25 (2) the fourth anniversary of the effective date of
2-26 the Act enacting this chapter.

2-27 (c) If permanent directors have not been elected under
2-28 Section 7985A.0103 and the terms of the temporary directors have
2-29 expired, successor temporary directors shall be appointed or
2-30 reappointed as provided by Subsection (d) to serve terms that
2-31 expire on the earlier of:

- 2-32 (1) the date permanent directors are elected under
2-33 Section 7985A.0103; or
- 2-34 (2) the fourth anniversary of the date of the
2-35 appointment or reappointment.

2-36 (d) If Subsection (c) applies, the owner or owners of a
2-37 majority of the assessed value of the real property in the district
2-38 may submit a petition to the commission requesting that the
2-39 commission appoint as successor temporary directors the five
2-40 persons named in the petition. The commission shall appoint as
2-41 successor temporary directors the five persons named in the
2-42 petition.

2-43 SUBCHAPTER C. POWERS AND DUTIES

2-44 Sec. 7985A.0301. GENERAL POWERS AND DUTIES. The district
2-45 has the powers and duties necessary to accomplish the purposes for
2-46 which the district is created.

2-47 Sec. 7985A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
2-48 DUTIES. The district has the powers and duties provided by the
2-49 general law of this state, including Chapters 49 and 54, Water Code,
2-50 applicable to municipal utility districts created under Section 59,
2-51 Article XVI, Texas Constitution.

2-52 Sec. 7985A.0303. AUTHORITY FOR ROAD PROJECTS. Under
2-53 Section 52, Article III, Texas Constitution, the district may
2-54 design, acquire, construct, finance, issue bonds for, improve,
2-55 operate, maintain, and convey to this state, a county, or a
2-56 municipality for operation and maintenance macadamized, graveled,
2-57 or paved roads, or improvements, including storm drainage, in aid
2-58 of those roads.

2-59 Sec. 7985A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
2-60 road project must meet all applicable construction standards,
2-61 zoning and subdivision requirements, and regulations of each
2-62 municipality in whose corporate limits or extraterritorial
2-63 jurisdiction the road project is located.

2-64 (b) If a road project is not located in the corporate limits
2-65 or extraterritorial jurisdiction of a municipality, the road
2-66 project must meet all applicable construction standards,
2-67 subdivision requirements, and regulations of each county in which
2-68 the road project is located.

2-69 (c) If the state will maintain and operate the road, the

3-1 Texas Transportation Commission must approve the plans and
3-2 specifications of the road project.

3-3 Sec. 7985A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
3-4 ORDINANCE OR RESOLUTION. The district shall comply with all
3-5 applicable requirements of any ordinance or resolution that is
3-6 adopted under Section 54.016 or 54.0165, Water Code, and that
3-7 consents to the creation of the district or to the inclusion of land
3-8 in the district.

3-9 Sec. 7985A.0306. DIVISION OF DISTRICT. (a) The board, on
3-10 its own motion or on receipt of a petition signed by the owner or
3-11 owners of a majority of the assessed value of the real property in
3-12 the district, may adopt an order dividing the district.

3-13 (b) An order dividing a district may create one or more new
3-14 districts and may provide for the continuation of the district.

3-15 (c) An order dividing the district shall:

3-16 (1) name any new district;

3-17 (2) include the metes and bounds description of the
3-18 territory of each of the districts;

3-19 (3) appoint temporary directors for any new district;
3-20 and

3-21 (4) provide for the division of assets and liabilities
3-22 between the districts.

3-23 (d) The board may adopt an order dividing the district
3-24 before or after the date the board holds an election to confirm the
3-25 district's creation.

3-26 (e) The district may be divided only if the district:

3-27 (1) has never issued any bonds; and

3-28 (2) is not imposing ad valorem taxes.

3-29 (f) A new district created by the division of the district
3-30 may not, at the time the new district is created, contain any land
3-31 outside the area described by Section 2 of the Act enacting this
3-32 chapter.

3-33 (g) On or before the 30th day after the date of adoption of
3-34 an order dividing the district, the district shall file the order
3-35 with the commission and record the order in the real property
3-36 records of each county in which the district is located.

3-37 (h) This chapter applies to any new district created by the
3-38 division of the district, and a new district has all the powers and
3-39 duties of the district.

3-40 (i) A new district created by the division of the district
3-41 shall hold a confirmation and directors' election.

3-42 (j) If the creation of the new district is confirmed, the
3-43 new district shall provide the election date and results to the
3-44 commission.

3-45 (k) A new district created by the division of the district
3-46 must hold an election as required by this chapter to obtain voter
3-47 approval before the district may impose a maintenance tax or issue
3-48 bonds payable wholly or partly from ad valorem taxes.

3-49 (l) The district may continue to rely on confirmation,
3-50 directors', bond, or tax elections held prior to the division.

3-51 (m) Municipal consent to the creation of the district and to
3-52 the inclusion of land in the district acts as municipal consent to
3-53 the creation of any new district created by the division of the
3-54 district and to the inclusion of land in the new district.

3-55 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-56 Sec. 7985A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
3-57 The district may issue, without an election, bonds and other
3-58 obligations secured by:

3-59 (1) revenue other than ad valorem taxes; or

3-60 (2) contract payments described by Section
3-61 7985A.0403.

3-62 (b) The district must hold an election in the manner
3-63 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-64 before the district may impose an ad valorem tax or issue bonds
3-65 payable from ad valorem taxes.

3-66 (c) The district may not issue bonds payable from ad valorem
3-67 taxes to finance a road project unless the issuance is approved by a
3-68 vote of a two-thirds majority of the district voters voting at an
3-69 election held for that purpose.

4-1 Sec. 7985A.0402. OPERATION AND MAINTENANCE TAX. (a) If
4-2 authorized at an election held under Section 7985A.0401, the
4-3 district may impose an operation and maintenance tax on taxable
4-4 property in the district in accordance with Section 49.107, Water
4-5 Code.

4-6 (b) The board shall determine the tax rate. The rate may not
4-7 exceed the rate approved at the election.

4-8 Sec. 7985A.0403. CONTRACT TAXES. (a) In accordance with
4-9 Section 49.108, Water Code, the district may impose a tax other than
4-10 an operation and maintenance tax and use the revenue derived from
4-11 the tax to make payments under a contract after the provisions of
4-12 the contract have been approved by a majority of the district voters
4-13 voting at an election held for that purpose.

4-14 (b) A contract approved by the district voters may contain a
4-15 provision stating that the contract may be modified or amended by
4-16 the board without further voter approval.

4-17 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-18 Sec. 7985A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
4-19 OBLIGATIONS. The district may issue bonds or other obligations
4-20 payable wholly or partly from ad valorem taxes, impact fees,
4-21 revenue, contract payments, grants, or other district money, or any
4-22 combination of those sources, to pay for any authorized district
4-23 purpose.

4-24 Sec. 7985A.0502. TAXES FOR BONDS. At the time the district
4-25 issues bonds payable wholly or partly from ad valorem taxes, the
4-26 board shall provide for the annual imposition of a continuing
4-27 direct ad valorem tax, without limit as to rate or amount, while all
4-28 or part of the bonds are outstanding as required and in the manner
4-29 provided by Sections 54.601 and 54.602, Water Code.

4-30 Sec. 7985A.0503. BONDS FOR ROAD PROJECTS. At the time of
4-31 issuance, the total principal amount of bonds or other obligations
4-32 issued or incurred to finance road projects and payable from ad
4-33 valorem taxes may not exceed one-fourth of the assessed value of the
4-34 real property in the district.

4-35 SECTION 2. The Firefly Municipal Utility District No. 1
4-36 initially includes all the territory contained in the following
4-37 area:

4-38 A METES & BOUNDS description of a calculated 2,454 acre tract
4-39 of land situated in the Walker County School Land Survey, Abstract
4-40 No. 494, the Michael H. Hinch Survey, Abstract No. 253, and the
4-41 Presley Gill Survey, Abstract No. 230, in Montgomery County, Texas,
4-42 being all of a calculated 2,540 acre tract (Tract 1), being a
4-43 portion of a called 3,045.032 acre tract conveyed to East
4-44 Montgomery Acquisition Company LLC, a Texas limited liability
4-45 company, by deed recorded in Clerk's File No. 2021177868,
4-46 Montgomery County Official Public Records, being all of a called
4-47 5.00 acre tract conveyed to East Montgomery Acquisition Company
4-48 LLC, a Texas limited liability company, by deed recorded in Clerk's
4-49 File No. 2021177867, Montgomery County Official Public Records,
4-50 and being all of a called 4.709 acre tract conveyed to East
4-51 Montgomery Acquisition Company LLC, a Texas limited liability
4-52 company, by deed recorded in Clerk's File No. 2023003933,
4-53 Montgomery County Official Public Records, save and except a
4-54 calculated 20.720 acre tract (Tract 2), being all of called Tract
4-55 Nos. Thirty-Five (35) and Forty-Three (43), of Section 4 of
4-56 Security Subdivision according to the plat thereof recorded in
4-57 Volume 1, Page 23, Montgomery County Deed Records, conveyed to John
4-58 Schneider by deed recorded in Volume 85, Page 230, Montgomery
4-59 County Deed Records, and being all of called Tract Nos. Fifty-One
4-60 (51) and Fifty-Nine (59), of Section 4 of Security Subdivision
4-61 according to the plat thereof recorded in Volume 1, Page 23,
4-62 Montgomery County Deed Records, conveyed to Rita S. Wolven and
4-63 Margy A. Long by deed recorded in Clerk's File No. 9534020,
4-64 Montgomery County Official Public Records of Real Property, save
4-65 and except a calculated 10.087 acre tract (Tract 3), being all of
4-66 called Tract Nos. Seventy (70) and Seventy-Eight (78), of Section 4
4-67 of Security Subdivision according to the plat thereof recorded in
4-68 Volume 1, Page 23, Montgomery County Deed Records, conveyed to
4-69 Eleanore Triplett by deed recorded in Clerk's File No. 7930998,

5-1 Montgomery County Deed Records, save and except a calculated 20.02
 5-2 acre tract (Tract 4), being all of a called 10.0 acre tract conveyed
 5-3 to Splendora Independent School District by deed recorded in
 5-4 Clerk's File No. 2013090370, Montgomery County Official Public
 5-5 Records, and being all of called 10.0 acre tract conveyed to Jack W.
 5-6 Mayo, Jr. by deed recorded in Clerk's File No. 7829854, Montgomery
 5-7 County Official Public Records of Real Property, save and except a
 5-8 calculated 10.000 acre tract (Tract 5), being all of called Tract
 5-9 Numbers (114) and (122), of Section 4 of Security Subdivision
 5-10 according to the plat thereof recorded in Volume 1, Page 23,
 5-11 Montgomery County Deed Records, conveyed to Dana Lynn Sprayberry by
 5-12 deed recorded in Clerk's File No. 2000-072045, Montgomery County
 5-13 Official Public Records of Real Property, save and except a
 5-14 calculated 10.00 acre tract (Tract 6), being all of called Tract
 5-15 Twenty-Two (22), of Section 5 of Security Subdivision according to
 5-16 the plat thereof recorded in Volume 1, Page 23, Montgomery County
 5-17 Deed Records, conveyed to John F. Darst by deed recorded in Clerk's
 5-18 File No. 2014005435, Montgomery County Official Public Records,
 5-19 save and except a calculated 10.05 acre tract (Tract 7), being all
 5-20 of called Lots One (1) and Two (2), of Section 6 of Security
 5-21 Subdivision according to the plat thereof recorded in Volume 1,
 5-22 Page 23, Montgomery County Deed Records, conveyed to Milton Howard
 5-23 Sands, Jr. by deed recorded in Clerk's File No. 8842100, Montgomery
 5-24 County Official Public Records of Real Property, and save and
 5-25 except a calculated 5.009 acre tract (Tract 8), being all of a
 5-26 called 5.000 acre tract conveyed to Bill Ellison by deed recorded in
 5-27 Clerk's File No. 2018004658, Montgomery County Official Public
 5-28 Records; said calculated 2,454 acre tract of land being more
 5-29 particularly described in eight parts as follows:

TRACT 1:

5-31 A METES & BOUNDS description of a certain 2,540 acre
 5-32 (110,650,140 square feet) tract of land situated in the Walker
 5-33 County School Land Survey, Abstract No. 494, the Michael H. Hinch
 5-34 Survey, Abstract No. 253, and the Presley Gill Survey, Abstract
 5-35 No. 230, in Montgomery County, Texas, being a portion of a called
 5-36 3,045.032 acre tract conveyed to East Montgomery Acquisition
 5-37 Company LLC, a Texas limited liability company, by deed recorded in
 5-38 Clerk's File No. 2021177868, Montgomery County Official Public
 5-39 Records, being all of a called 5.00 acre tract conveyed to East
 5-40 Montgomery Acquisition Company LLC, a Texas limited liability
 5-41 company, by deed recorded in Clerk's File No. 2021177867,
 5-42 Montgomery County Official Public Records, and being all of a
 5-43 called 4.709 acre tract conveyed to East Montgomery Acquisition
 5-44 Company LLC, a Texas limited liability company, by deed recorded in
 5-45 Clerk's File No. 2023003933, Montgomery County Official Public
 5-46 Records; said 2,540 acre (110,650,140 square feet) tract of land
 5-47 being more particularly described as follows with all bearings
 5-48 being based on said deed recorded in Clerk's File No. 2021177868,
 5-49 Montgomery County Official Public Records:

5-50 BEGINNING at the southeast corner of that certain tract
 5-51 described in instrument to Shirley Gay, recorded under Clerk's File
 5-52 Number 8121692, Real Property Records of Montgomery County, Texas
 5-53 (R.P.R.M.C.T.);

5-54 THENCE South 03°11'09" East, 959.24 feet, with the apparent
 5-55 common line between said Hinch Survey and the Presley Gill Survey,
 5-56 Abstract Number 230, the westerly line of that certain called 20.00
 5-57 acre tract described in instrument to Henry A. Butcher, recorded
 5-58 under Clerk's File Number 2003068544, Official Public Records of
 5-59 Montgomery County, Texas (O.P.R.M.C.T.) and the remainder of that
 5-60 certain called 20.00 acre tract described in instrument to George
 5-61 Anthony Cleary, recorded under Clerk's File No. 2010043083,
 5-62 O.P.R.M.C.T., common to an easterly line of that certain 2,396.371
 5-63 acre tract described as "Parcel 2, Tract 2" in instrument to
 5-64 Atakapa, LLC., recorded under Clerk's File Number 2013016070
 5-65 (O.P.R.M.C.T.), to a point for the common westerly corner of that
 5-66 certain called 1711.54 acre tract described as "Tract 1" in
 5-67 instrument to Atakapa, LLC., recorded under Clerk's File Number
 5-68 2013016070 (O.P.R.M.C.T.) and the remainder of said Cleary 20.00
 5-69 acre tract, being an interior corner of said 3045.032 acre tract;

6-1 THENCE North 86°40'19" East, with the common line between said
6-2 Tract 1 and the remainder of said Cleary 20.00 acre tract, 1321.82
6-3 feet, to a point in the approximate centerline of Daw Collins Road
6-4 for the northerly northeast corner of said Tract 1, being a
6-5 northeasterly corner of said 3045.032 acre tract;

6-6 THENCE South 20°15'23" West, 6489.04 feet, with the
6-7 approximate centerline of said Daw Collins Road, a southeasterly
6-8 line of said Tract 1, to a point in the approximate centerline of
6-9 said Daw Collins Road for a southeasterly corner of said Tract 1 and
6-10 said 3045.032 acre tract;

6-11 THENCE with the common line between said Parcel 2, Tract 2,
6-12 that certain called 2.3540 acre tract described as "Tract 5", that
6-13 certain called 2.3540 acre tract described as "Tract 1", that
6-14 certain called 3.531 acre tract described as "Tract 4", that
6-15 certain called 3.531 acre tract described as "Tract 3", all in
6-16 instrument to Willene Wells, recorded under Clerk's File Number
6-17 2020102236, O.P.R.M.C.T., that certain called 5.37 acre tract
6-18 described in instrument to Tony M. Nelson and Colleen O. Nelson,
6-19 recorded under Clerk's File Number 8616675, R.P.R.M.C.T., that
6-20 certain called 1.6695 acre tract described in instrument to David
6-21 Michael Fortson, recorded under Clerk's File Number 2002-058180,
6-22 O.P.R.M.C.T., that certain called 2 acre tract described in
6-23 instrument to Robert G. Wear, recorded under Clerk's File Number
6-24 2013101034, O.P.R.M.C.T., that certain called 0.771 acre tract
6-25 described in instrument to David Lippoldt and Kanwal Ghaznavi,
6-26 recorded under Clerk's File Number 2021079078, O.P.R.M.C.T., that
6-27 certain called 2 acre tract described in instrument to Kristina Ann
6-28 Wear, recorded under Clerk's File Number 2018085170, O.P.R.M.C.T.,
6-29 that certain called 5.01 acre tract described as "Tract One", that
6-30 certain called 7.39 acre tract described as "Tract Two", both in
6-31 instrument to Stanley Maurice Wiggins, recorded under Clerk's File
6-32 Number 2006-009852, O.P.R.M.C.T., that certain called 5.462 acre
6-33 tract described in instrument to Walter R. Ritchie and Sheri L.
6-34 Ritchie, recorded under Clerk's File Number 99102906,
6-35 R.P.R.M.C.T., that certain called 5.315 acre tract described as
6-36 "Tract One" in instrument to Ronald D. Dacus, Jr., and Stephanie E.
6-37 Dacus, recorded under Clerk's File Number 2014006911,
6-38 O.P.R.M.C.T., that certain called 5.315 acre tract described in
6-39 instrument to Steven Hansen, recorded under Clerk's File Number
6-40 9148377, R.P.R.M.C.T., that certain called 5.315 acre tract
6-41 described in instrument to Steve Hansen and Tracy Hansen, recorded
6-42 under Clerk's File Number 2001-031281, O.P.R.M.C.T., that certain
6-43 called 5.310 acre tract described in instrument to Steven Hansen
6-44 and Becky Hansen, recorded under Clerk's File Number 2016068815,
6-45 O.P.R.M.C.T., that certain called 5.2970 acre tract described in
6-46 instrument to Benjamin E. Pope and Angelina M. Pope, recorded under
6-47 Clerk's File Number 2016092968, O.P.R.M.C.T., that certain called
6-48 3.2957 acre tract described in instrument to Douglas A. Hansen and
6-49 Kimberly S. Hansen, recorded under Clerk's File Number 2008-091402,
6-50 O.P.R.M.C.T., that certain called 11.0415 acre tract described in
6-51 instrument to Douglas Alan Hansen and Kimberly Suzanne Hansen,
6-52 recorded under Clerk's File Number 9657453, R.P.R.M.C.T., that
6-53 certain called 2.008 acre tract described in instrument to Douglas
6-54 A. Hansen and Kimberly S. Hansen, recorded under Clerk's File
6-55 Number 2015035058, O.P.R.M.C.T., that certain called 10.697 acre
6-56 tract described in instrument to Douglas A. Hansen and Kimberly S.
6-57 Hansen, recorded under Clerk's File Number 2016094339,
6-58 O.P.R.M.C.T., that certain called 10.78 acre tract described in
6-59 instrument to Gerald Lloyd Helms and Robin Lynn Helms, recorded
6-60 under Clerk's File Number 2006-009851, O.P.R.M.C.T., that certain
6-61 called 4.7941 acre tract described as "Tract One" in instrument to
6-62 James A. Boucher and Dorothy S. Boucher, recorded under Clerk's
6-63 File Number 2002-126807, O.P.R.M.C.T., that certain called 2.3936
6-64 acre tract described in said instrument to James A. Boucher and
6-65 Dorothy S. Boucher, that certain called 1.0028 acre tract described
6-66 in instrument to James Boucher, recorded under Clerk's File Number
6-67 2019016786, O.P.R.M.C.T., the remainder of that certain called
6-68 4.7941 acre tract described as "Tract One" in instrument to Rodney
6-69 Powdrill and Dina Powdrill, recorded under Clerk's File Number

7-1 2018055271, O.P.R.M.C.T., and that certain called 4.7508 acre tract
7-2 described in instrument to Rodney Wayne Powdrill and Dina Powdrill,
7-3 recorded under Clerk's File Number 2015007986, O.P.R.M.C.T., the
7-4 following seventeen (17) courses and distances:
7-5 1. North 01°45'36" East, 1181.57 feet, to a point;
7-6 2. South 86°39'31" West, 859.21 feet, to a point;
7-7 3. North 11°14'50" West, 752.34 feet, to a point;
7-8 4. South 87°11'19" West, 670.34 feet, to a point;
7-9 5. North 11°12'20" West, 1400.01 feet, exiting said Carter Road, to
7-10 a point in the apparent common line between said Hinch Survey and
7-11 said Walker County School Land Survey;
7-12 6. South 86°28'52" West, 1197.12 feet, with the apparent common
7-13 line between said Hinch Survey and said Walker County School Land
7-14 Survey, to a point;
7-15 7. South 11°01'57" East, 946.88 feet, to a point;
7-16 8. South 86°52'25" West 1199.49 feet, to a point;
7-17 9. South 11°13'53" East, 1467.15 feet, to a point;
7-18 10. North 87°00'43" East, 1203.44 feet, to a point;
7-19 11. North 11°22'57" West, 466.67 feet, to a point;
7-20 12. North 86°56'12" East, 890.38 feet, to a point;
7-21 13. South 10°59'48" East, 561.21 feet, to a point;
7-22 14. South 10°39'32" East, 251.55 feet, to a point;
7-23 15. South 66°20'03" East, 632.93 feet, to a point;
7-24 16. South 02°06'01" West, 1251.39 feet, to a point;
7-25 17. North 86°47'51" East, 908.92 feet, to a point in the
7-26 approximate centerline of said Daw Collins Road for a northeasterly
7-27 corner of said Atakapa Tract 1 and said 3045.032 acre tract;
7-28 THENCE South 13°58'35" West, 536.27 feet, with the
7-29 approximate centerline of said Daw Collins Road, an easterly line
7-30 of said Atakapa Tract 1, to a point;
7-31 THENCE South 15°06'43" West, 693.00 feet, continuing with the
7-32 approximate centerline of said Daw Collins Road, an easterly line
7-33 of said Atakapa Tract 1, to a point at the intersection of the
7-34 approximate centerline of said Daw Collins Road with the
7-35 approximate centerline of farm to Market Road 2090 (F.M. 2090, 100
7-36 feet wide), in the arc of a curve to the left, for a southeasterly
7-37 corner of said Atakapa Tract 1 and said 3045.032 acre tract;
7-38 THENCE in a southwesterly direction, with the approximate
7-39 centerline of said F.M. 2090, a southeasterly line of said Atakapa
7-40 Tract 1, the following two (2) courses and distances:
7-41 1. Westerly, 562.92 feet with the arc of said curve to the left
7-42 having a radius of 1432.39 feet, a central angle of 22°31'00", a
7-43 chord that bears South 89°14'24" West, 559.30 feet, to a point for
7-44 the end of said curve;
7-45 2. South 77°58'54" West, 963.96 feet, to a point for the beginning
7-46 of a curve to the left;
7-47 THENCE, North 36°07'25" West, 878.19 feet to a point;
7-48 THENCE, North 36°11'26" West, 20.26 feet to a point;
7-49 THENCE, North 38°07'57" West, 159.93 feet to a point, on the
7-50 west line of that certain called 32.00 acre tract described in
7-51 instrument to American Tower Asset Sub, LLC., recorded under
7-52 Clerk's File Number 2008-003741, O.P.R.M.C.T.;
7-53 THENCE, North 47°18'57" East, 733.05 feet to a point, being
7-54 the northeast corner of said 32.00 acre tract;
7-55 THENCE, North 73°38'16" West, 1,336.65 feet to a point, on the
7-56 north line of said 32.00 acre tract;
7-57 THENCE, over and across said 3045.032 acre tract, the
7-58 following sixteen (16) courses and distances:
7-59 1. North 42°36'59" West, 197.51 feet to a point;
7-60 2. North 44°41'10" West, 259.36 feet to a point;
7-61 3. North 45°36'53" West, 1,532.11 feet to a point;
7-62 4. North 46°33'40" West, 264.22 feet to a point;
7-63 5. North 48°38'50" West, 317.88 feet to a point;
7-64 6. North 49°47'12" West, 2,882.54 feet to a point;
7-65 7. North 50°31'19" West, 205.25 feet to a point;
7-66 8. North 52°04'32" West, 228.25 feet to a point;
7-67 9. North 52°53'37" West, 1,141.02 feet to a point;
7-68 10. North 53°57'01" West, 294.40 feet to a point;
7-69 11. North 55°29'27" West, 135.48 feet to a point;

8-1 12. North 55°58'28" West, 189.03 feet to a point;
8-2 13. North 57°21'57" West, 388.65 feet to a point;
8-3 14. North 60°37'56" West, 523.06 feet to a point;
8-4 15. North 62°52'36" West, 104.39 feet to a point;
8-5 16. North 63°14'45" West, 1,699.13 feet to a point, on the west
8-6 line of said 3045.032 acre tract and on the east line of that
8-7 certain 5 acre tract described in instrument to Robert John Rillie
8-8 and Jerry Lee Rillie, recorded under Clerk's File Number 87989,
8-9 Deed Records of Montgomery County, Texas (D.R.M.C.T.);
8-10 THENCE North 03°23'31" West, with the easterly line of that
8-11 certain 421.116 acre tract described in instrument to 3M Land
8-12 Partners, LTD., recorded under Clerk's File Number 2020120633,
8-13 O.P.R.M.C.T., and said Rillie 5 acre tract, 2,600.76 feet, to a
8-14 point in the southerly line of that certain called 5.00 acre tract
8-15 described in instrument to Brian Ballard and Sinthia Koepke,
8-16 recorded under Clerk's File Number 2004-037959, O.P.R.M.C.T., for
8-17 the common northerly corner of said Parcel 2, Tract 2 and said
8-18 421.116 acre tract, being a northwesterly corner of said 3045.032
8-19 acre tract;
8-20 THENCE North 86°24'37" East, 22.81 feet, with the common line
8-21 between said Parcel 2, Tract 2 and said Ballard 5.00 acre tract, to
8-22 a point for a common corner of the same, being an interior corner of
8-23 said 3045.032 acre tract;
8-24 THENCE North 03°24'52" West, 330.06 feet, continuing with
8-25 said common line, to a point for the common northerly corner of said
8-26 Parcel 2, Tract 2 and said Ballard 5.00 acre tract, being an
8-27 interior corner of said 3045.032 acre tract;
8-28 THENCE South 86°24'28" West, 660.00 feet, to a point in the
8-29 easterly line of that certain called 7.250 acre tract described in
8-30 instrument to Mellisa F. Crawford recorded under Clerk's File
8-31 Number 2020126272, O.P.R.M.C.T., for the westerly corner of said
8-32 Ballard 5.00 acre tract, being a southwesterly corner of said
8-33 3045.032 acre tract;
8-34 THENCE North 03°24'52" West, with the easterly line of said
8-35 7.250 acre tract, the remainder of that certain 14.600 acre tract
8-36 described in instrument to Rajendra Ramoutarsingh, recorded under
8-37 Clerk's File Number 2007-068424, O.P.R.M.C.T., common to a westerly
8-38 line of said Tract 18, 329.97 feet, to a point for a corner of said
8-39 Ramoutarsingh tract, being an interior corner of said 3045.032 acre
8-40 tract;
8-41 THENCE South 86°24'37" West, 749.18 feet, to a point in the
8-42 common line between said Hinch Survey, and the H.S. Williamson
8-43 Survey, Abstract Number 635, the easterly line of that certain
8-44 called 275.861 acre tract described in instrument to Miguel Prado
8-45 and Danielle P. Prado, recorded under Clerk's File Number
8-46 2009-014225, O.P.R.M.C.T., for the westerly corner of said
8-47 Ramoutarsingh tract, being a southwesterly corner of said 3045.032
8-48 acre tract;
8-49 THENCE North 03°23'25" West, 990.20 feet, with the apparent
8-50 common line between said Hinch Survey and said Williamson Survey,
8-51 the east line of said 275.861 acre tract, to a point for the corner
8-52 of the Oaks Subdivision, an unrecorded subdivision, for a
8-53 northwesterly corner of said 3045.032 acre tract;
8-54 THENCE North 86°29'56" East, 3601.32 feet, with the southerly
8-55 line of said Oaks Subdivision and that certain called 1.128 acre
8-56 tract described in instrument to Donald Baker, recorded under
8-57 Clerk's File Number 9460482, R.P.R.M.C.T., common to a northerly
8-58 line of said Parcel 2, Tract 2, to a point for the common corner of
8-59 said Parcel 2, Tract 2, said 1.128 acre tract, and that certain
8-60 called 337.328 acre tract described in instrument to MWM Ventures,
8-61 LTD, recorded under Clerk's File Number 2020096337, O.P.R.M.C.T.,
8-62 being an angle point in the northerly line of said 3045.032 acre
8-63 tract;
8-64 THENCE North 86°30'58" East, 3093.08 feet, with the common
8-65 line between said Parcel 2, Tract 2, and said 337.328 acre tract, to
8-66 a point for the common corner of said Parcel 2, Tract 2, said
8-67 337.328 acre tract, and that certain called 810.277 (NET) acre
8-68 tract, described in instrument to Splendora Acquisitions, LTD.,
8-69 recorded under Clerk's File Number 2021066058, O.P.R.M.C.T., being

9-1 an angle point in the northerly line of said 3045.032 acre tract;
9-2 THENCE North 86°30'57" East, 1331.14 feet, with the common
9-3 line between said Parcel 2, Tract 2, and said 810.277 (NET) acre
9-4 tract, to a point for the common corner of said Parcel 2, Tract 2,
9-5 said 810.277 (NET) acre tract, that certain called 5.2 acre tract
9-6 described in instrument to Trudy Ledoux, recorded under Clerk's
9-7 File Number 2015117010, O.P.R.M.C.T., and that certain called 10
9-8 acre tract described in instrument to Stephen P. Graham, recorded
9-9 under Clerk's File Number 2001079573, O.P.R.M.C.T., being a
9-10 northeasterly corner of the herein described 3045.032 acre tract;
9-11 THENCE South 03°36'00" East, 665.18 feet, with the common line
9-12 between said Parcel 2, Tract 2, and said Graham 10 acre tract, to a
9-13 point for a common corner of same, being an interior corner of the
9-14 herein described tract;
9-15 THENCE North 85°58'48" East, 640.76 feet, continuing with
9-16 said common line, to a point for the southerly common easterly
9-17 corner of said Parcel 2, Tract 2, and said 10 acre tract, being an
9-18 interior corner of the herein described tract;
9-19 THENCE, North 03°30'51" West, 681.45 feet, to a point for the
9-20 common corner of said Parcel 2, Tract 2, said 10 acre tract, and
9-21 said 5.2 acre tract, being an angle point in a westerly line of the
9-22 herein described tract;
9-23 THENCE, North 03°20'27" West, 996.35 feet, with the easterly
9-24 line of said 5.2 acre tract, that certain called 10 acre tract
9-25 described in instrument to Stephen P. Graham, recorded under
9-26 Clerk's File Number 2001079574, O.P.R.M.C.T., common to a westerly
9-27 line of said Parcel 2, Tract 2, to a point in the southerly line of
9-28 said 810.277 (NET) acre tract, for the common northerly corner of
9-29 said Parcel 2, Tract 2, and said mentioned Graham 10 acre tract,
9-30 being a northwesterly corner of the herein described tract;
9-31 THENCE, North 86°56'40" East, 3,307.47 feet, with the
9-32 northerly line of said Parcel 2, Tract 2, common to a southerly line
9-33 of said 810.277 (NET) acre tract, to a point for a common corner of
9-34 said Parcel 2, Tract 2, said 810.277 (NET) acre tract, and that
9-35 certain tract described in instrument to James Metts and Angela
9-36 Metts, recorded under Clerk's File Number 2017073037,
9-37 O.P.R.M.C.T., being an angle point in a northerly line of the herein
9-38 described tract;
9-39 THENCE, North 86°56'40" East, 660.08 feet, with the common
9-40 line between said Parcel 2, Tract, and said Metts tract, to a point
9-41 for a common corner of said Parcel 2, Tract 2, said Metts tract and
9-42 said 810.277 (NET) acre tract, being an angle point of the herein
9-43 described tract;
9-44 THENCE, North 86°56'40" East, 1,321.06 feet, with the common
9-45 line between said Parcel 2, Tract 2 and said 810.277 (NET) acre
9-46 tract to a point;
9-47 THENCE South 03°07'29" East, 1057.31 feet, with the apparent
9-48 common line between said Hinch Survey and said Gill Survey, the
9-49 westerly line of said 24.4867 acre tract and that certain called
9-50 18.4867 acre tract described in instrument to Kelly Keith Jordan,
9-51 recorded under Clerk's File Number 9723749, Real Property Records
9-52 of Montgomery County, Texas (R.P.R.M.C.T.), common to an easterly
9-53 line of said Parcel 2, Tract 2, to a point for the common westerly
9-54 corner of that certain called 2.4723 acre tract described as "Tract
9-55 5" in instrument to Atakapa, LLC., recorded under Clerk's File
9-56 Number 2013016070, O.P.R.M.C.T., and said 18.4867 acre tract, being
9-57 an interior corner of said 3045.032 acre tract;
9-58 THENCE South 03°15'20" East, 60.15 feet to a point in the
9-59 apparent common line between said Hinch Survey and said Gill
9-60 survey, an easterly line of said Parcel 2, Tract 2, for the common
9-61 westerly corner of said Tract 5 and the remainder of that certain
9-62 called 37.546 acre tract described in instrument to Elton Kane
9-63 Angers and Angela M. Angers, recorded under Clerk's File Number
9-64 2013084043, O.P.R.M.C.T., being an interior corner of said 3045.032
9-65 acre tract;
9-66 South 03°05'53" East, 908.31 feet, with the apparent common
9-67 line between said Hinch Survey and said Gill Survey, an easterly
9-68 line of said Parcel 2, Tract 2 and that certain tract described as
9-69 "Tract 14" in instrument to Atakapa, LLC., recorded under Clerk's

10-1 File Number 2013016070, O.P.R.M.C.T., common to the westerly line
 10-2 of said remainder of 37.546 acre tract and that certain called
 10-3 18.500 acre tract described in instrument to James Glenn Richardson
 10-4 and Daphne Lynn Richardson, recorded under Clerk's File Number
 10-5 2013108135, O.P.R.M.C.T., to a point for the common corner of said
 10-6 Tract 14, said 18.500 acre tract, and that certain called 20.1336
 10-7 acre tract described in instrument to Reggie Clayton Jackson, Sr.
 10-8 and Leslie Louise Jackson, recorded under Clerk's File Number
 10-9 2012040560, O.P.R.M.C.T., being an angle point in an easterly line
 10-10 of said 3045.032 acre tract;

10-11 THENCE South 03°08'44" East, 491.63 feet, continuing with the
 10-12 apparent common line between said Hinch Survey and said Gill
 10-13 Survey, the common line between said Tract 14 and said 20.1336 acre
 10-14 tract, to a point for the common westerly corner of that certain
 10-15 called 20.00 acre tract described as "Tract 9" in instrument to
 10-16 Atakapa, LLC., recorded under Clerk's File Number 2013016070,
 10-17 O.P.R.M.C.T., and said 20.1663 acre tract, being an interior corner
 10-18 of said 3045.032 acre tract;

10-19 THENCE North 86°37'59" East, 1810.75 feet, with the common
 10-20 line between said Tract 9 and said 20.1336 acre tract, to a point in
 10-21 the westerly margin of said Daw Collins Road for the common easterly
 10-22 corner of said Tract 9 and said 20.1336 acre tract, being a
 10-23 northeasterly corner of said 3045.032 acre tract;

10-24 THENCE South 03°51'02" East, 480.42 feet, with the westerly
 10-25 margin of said Daw Collins Road, the easterly line of said Tract 9,
 10-26 to a point for the common easterly corner of said Tract 9 and that
 10-27 certain called 20.00 acre tract described in instrument to Campbell
 10-28 Ready-Mix, Inc., recorded under Clerk's File Number 9622955,
 10-29 R.P.R.M.C.T., being a southeasterly corner of said 3045.032 acre
 10-30 tract;

10-31 THENCE South 86°37'59" West, 1816.24 feet, with the common
 10-32 line between said Tract 9 and said Campbell Ready-Mix 20.00 acre
 10-33 tract, to a point in the apparent common line between said Hinch
 10-34 Survey and said Gill Survey, an easterly line of said Parcel 2,
 10-35 Tract 2 for the common westerly corner of said Tract 9 and said
 10-36 Campbell Ready-Mix 20.00 acre tract, being an interior corner of
 10-37 the herein described 3045.032 acre tract;

10-38 THENCE South 03°09'19" East, 956.51 feet, with the apparent
 10-39 common line between said Hinch Survey and said Gill Survey, the
 10-40 westerly line of said Campbell Ready-Mix 20.00 acre tract and that
 10-41 certain called 20.02 acre tract described in instrument to David C.
 10-42 Lee and Anne T. LeBlanc, recorded under Clerk's File Number
 10-43 2010096690, O.P.R.M.C.T., common to an easterly line of said Parcel
 10-44 2, Tract 2 to a point for the common corner of said Parcel 2, Tract
 10-45 2, said 20.02 acre tract, the remainder of that certain called
 10-46 20.000 acre tract described in instrument to Brian Ballard and
 10-47 Sinthia Koepke, recorded under Clerk's File Number 2003149365,
 10-48 O.P.R.M.C.T., and that certain tract described in instrument to
 10-49 Shirley Gay, recorded under Clerk's File Number 8121692,
 10-50 R.P.R.M.C.T., being a southeasterly corner of said 3045.032 acre
 10-51 tract;

10-52 THENCE with the common line between said Parcel 2, Tract 2 and
 10-53 said Gay tract, South 86°48'24" West, 1318.78 feet, to a point for
 10-54 corner;

10-55 THENCE South 03°05'13" East, 662.49 feet, to a point on the
 10-56 southwest corner of said Gay tract;

10-57 THENCE North 86°42'16" East, 1,319.85 feet to the POINT OF
 10-58 BEGINNING, CONTAINING 2,540 acres (110,650,140 square feet) of land
 10-59 in Montgomery County, Texas, filed in the offices of Elevation Land
 10-60 Solutions in The Woodlands, Texas.

10-61 TRACT 2:

10-62 A METES & BOUNDS description of a certain 20.720 acre
 10-63 (902,563 square feet) tract of land situated in the Michael H. Hinch
 10-64 Survey, Abstract No. 253, in Montgomery County, Texas, being all of
 10-65 called Tract Nos. Thirty-Five (35) and Forty-Three (43), of Section
 10-66 4 of Security Subdivision according to the plat thereof recorded in
 10-67 Volume 1, Page 23, Montgomery County Deed Records, conveyed to John
 10-68 Schneider by deed recorded in Volume 85, Page 230, Montgomery
 10-69 County Deed Records, and being all of called Tract Nos. Fifty-One

11-1 (51) and Fifty-Nine (59), of Section 4 of Security Subdivision
 11-2 according to the plat thereof recorded in Volume 1, Page 23,
 11-3 Montgomery County Deed Records, conveyed to Rita S. Wolven and
 11-4 Margy A. Long by deed recorded in Clerk's File No. 9534020,
 11-5 Montgomery County Official Public Records of Real Property; said
 11-6 20.720 acre (902,563 square feet) tract of land being more
 11-7 particularly described as follows with all bearings being based on
 11-8 said deed recorded in Clerk's File No. 2021177868, Montgomery
 11-9 County Official Public Records:

11-10 BEGINNING at a point for the easterly common northerly corner
 11-11 of said Schneider tract and said Parcel 2, Tract 2, being the
 11-12 northeasterly corner of the herein described 20.720 acre tract,
 11-13 from which a point for the common corner of said Parcel 2, Tract 2,
 11-14 said 810.277 (NET) acre tract, that certain called 10 acre tract
 11-15 described in instrument to Stephen P. Graham, recorded under
 11-16 Clerk's File Number 2001079573, O.P.R.M.C.T., and that certain
 11-17 called 5.2 acre tract described in instrument to Trudy Ledoux,
 11-18 recorded under Clerk's File Number 2015117010, O.P.R.M.C.T., bears
 11-19 North 60°03'52" East, 2,948.79 feet;

11-20 THENCE South 03°04'04" East, 1,319.97 feet, with a westerly
 11-21 line of said Parcel 2, Tract 2, the westerly line of that certain
 11-22 called 20.00 acre tract described as "Tract 12" in instrument to
 11-23 Atakapa, LLC, recorded under Clerk's File Number 2013016070,
 11-24 O.P.R.M.C.T., common to the easterly line of said Schneider tract,
 11-25 the continuing with a common line between said Long 10 acre tract
 11-26 and said Parcel 2, Tract 2, to a point for the easterly common
 11-27 southerly corner of said Long 10 acre tract and said Parcel 2, Tract
 11-28 2, being the southeasterly corner of the herein described 20.720
 11-29 acre tract;

11-30 THENCE South 85°55'43" West, 683.88 feet, with the common line
 11-31 between said Long 10 acre tract and said Parcel 2, Tract 2, to a
 11-32 point for a common corner of same, being the southwesterly corner of
 11-33 the herein described 20.720 acre tract;

11-34 THENCE North 03°04'04" West, 1,319.97 feet, with the westerly
 11-35 line of said Long 10 acre tract and said Schneider tract, common to
 11-36 an easterly line of said Parcel 2, Tract 2, to a point for the
 11-37 westerly common northerly corner of said Schneider tract and said
 11-38 Parcel 2, Tract 2, being the northwesterly corner of the herein
 11-39 described 20.720 acre tract;

11-40 THENCE North 85°55'43" East, 683.88 feet, with the common line
 11-41 between said Schneider tract and said Parcel 2, Tract 2, to the
 11-42 POINT OF BEGINNING, CONTAINING 20.720 acre (902,563 square feet) of
 11-43 land in Montgomery County, Texas.

11-44 TRACT 3:

11-45 A METES & BOUNDS description of a certain 10.087 acre
 11-46 (439,400 square feet) tract of land situated in the Michael H. Hinch
 11-47 Survey, Abstract No. 253, in Montgomery County, Texas, being all of
 11-48 called Tract Nos. Seventy (70) and Seventy-Eight (78), of Section 4
 11-49 of Security Subdivision according to the plat thereof recorded in
 11-50 Volume 1, Page 23, Montgomery County Deed Records, conveyed to
 11-51 Eleanore Triplett by deed recorded in Clerk's File No. 7930998,
 11-52 Montgomery County Deed Records; said 10.087 acre (439,400 square
 11-53 feet) tract of land being more particularly described as follows
 11-54 with all bearings being based on said deed recorded in Clerk's File
 11-55 No. 2021177868, Montgomery County Official Public Records:

11-56 BEGINNING at a point for the common easterly corner of said
 11-57 Tract Nos. Seventy (70) and Seventy-Eight (78) and that certain
 11-58 called 5.00 acre tract described in instrument to Atakapa, LLC,
 11-59 recorded under Clerk's File Number 2021170759, O.P.R.M.C.T., in a
 11-60 westerly line of said Parcel 2, Tract 2, being the northeasterly
 11-61 corner of the herein described 10.087 acre tract, from which a point
 11-62 for the common corner of said Parcel 2, Tract 2, said 810.277 (NET)
 11-63 acre tract, said 5.2 acre tract, and said 10 acre tract to Stephen
 11-64 P. Graham bears North 10°59'37" East, 2,719.29 feet;

11-65 THENCE South 02°13'03" East, 666.93 feet, with the easterly
 11-66 line of said Tract 55, common to a westerly line of said Parcel 2,
 11-67 Tract 2, to a point for the easterly common south corner of said
 11-68 Tract 55 and said Parcel 2, Tract 2, being the southeasterly corner
 11-69 of the herein described 10.087 acre tract;

12-1 THENCE South 87°23'17" West, 658.82 feet, continuing the
12-2 common line between said Tract 55 and said Parcel 2, Tract 2, to a
12-3 point for the westerly common south corner of same, being the
12-4 southwesterly corner of the herein described 10.087 acre tract;

12-5 THENCE North 02°39'53" West, 661.75 feet, with the common line
12-6 between said Tract 55 and said Parcel 2, Tract 2, to a point for the
12-7 common westerly corner of said Tract 55 and said 5.00 acre tract to
12-8 Atakapa, LLC, being the northwesterly corner of the herein
12-9 described 10.087 acre tract;

12-10 THENCE North 86°56'31" East, 664.04 feet, with the common line
12-11 between said Tract 55 and said 5.00 acre tract to Atakapa, LLC, to
12-12 the POINT OF BEGINNING, CONTAINING 10.087 acre (439,400 square
12-13 feet) of land in Montgomery County, Texas.

12-14 TRACT 4:

12-15 A METES & BOUNDS description of a certain 20.02 acre (872,176
12-16 square feet) tract of land situated in the Michael H. Hinch Survey,
12-17 Abstract No. 253, in Montgomery County, Texas, being all of a
12-18 called 10.0 acre tract conveyed to Splendora Independent School
12-19 District by deed recorded in Clerk's File No. 2013090370,
12-20 Montgomery County Official Public Records, and being all of called
12-21 10.0 acre tract conveyed to Jack W. Mayo, Jr. by deed recorded in
12-22 Clerk's File No. 7829854, Montgomery County Official Public
12-23 Records of Real Property; said 20.02 acre (872,176 square feet)
12-24 tract of land being more particularly described as follows with all
12-25 bearings being based on the Texas Coordinate System, Central Zone,
12-26 NAD 83:

12-27 COMMENCING at a 1/2-inch iron rod (with cap) found, being the
12-28 northwest corner of a called 20 acre tract conveyed to Shirley Gay
12-29 by deed recorded in Clerk's File No. 8121692, Montgomery County
12-30 Official Public Records of Real Property;

12-31 THENCE, North 79°11'52" West, 2,715.92 feet to a 5/8-inch iron
12-32 rod (with cap) found, being the northeast corner of said called 10.0
12-33 acre tract conveyed to Splendora Independent School District and
12-34 being the northeast corner and POINT OF BEGINNING of the herein
12-35 described tract;

12-36 THENCE, South 02°42'00" East, 658.42 feet to a 3/8-inch iron
12-37 rod found, being the northeast corner of said called 10.0 acre tract
12-38 conveyed to Jack W. Mayo, Jr. and being the southeast corner of said
12-39 called 10.0 acre tract conveyed to Splendora Independent School
12-40 District;

12-41 THENCE, South 03°05'32" East, 658.95 feet to a 5/8-inch iron
12-42 rod (with cap) found, being the southeast corner of said called 10.0
12-43 acre tract conveyed to Jack W. Mayo, Jr. and being the southeast
12-44 corner of the herein described tract;

12-45 THENCE, South 86°28'21" West, 664.91 feet to a 1/2-inch iron
12-46 rod (with cap) found, being the southwest corner of said called 10.0
12-47 acre tract conveyed to Jack W. Mayo, Jr. and being the southwest
12-48 corner of the herein described tract;

12-49 THENCE, North 02°40'33" West, 661.85 feet to a 3/8-inch iron
12-50 rod found, being the northwest corner of said called 10.0 acre tract
12-51 conveyed to Jack W. Mayo, Jr. and being the southwest corner of said
12-52 called 10.0 acre tract conveyed to Splendora Independent School
12-53 District;

12-54 THENCE, North 02°39'39" West, 659.17 feet to a 5/8-inch iron
12-55 rod (with cap) found, being the northwest corner of said called 10.0
12-56 acre tract conveyed to Splendora Independent School District and
12-57 being the northwest corner of the herein described tract;

12-58 THENCE, North 86°47'02" East, 659.62 feet to the POINT OF
12-59 BEGINNING, CONTAINING 20.02 acres (872,176 square feet) of land in
12-60 Montgomery County, Texas, filed in the offices of Elevation Land
12-61 Solutions in The Woodlands, Texas.

12-62 TRACT 5:

12-63 A METES & BOUNDS description of a certain 10.000 acre
12-64 (435,591 square feet) tract of land situated in the Michael H. Hinch
12-65 Survey, Abstract No. 253, in Montgomery County, Texas, being all of
12-66 called Tract Numbers (114) and (122), of Section 4 of Security
12-67 Subdivision according to the plat thereof recorded in Volume 1,
12-68 Page 23, Montgomery County Deed Records, conveyed to Dana Lynn
12-69 Sprayberry by deed recorded in Clerk's File No. 2000-072045,

13-1 Montgomery County Official Public Records of Real Property; said
13-2 10.000 acre (435,591 square feet) tract of land being more
13-3 particularly described as follows with all bearings being based on
13-4 said deed recorded in Clerk's File No. 2021177868, Montgomery
13-5 County Official Public Records:

13-6 BEGINNING at a point for the westerly common southerly corner
13-7 of said Sprayberry tract and said Parcel 2, Tract 2, being the
13-8 southwesterly corner of the herein described 10.000 acre tract,
13-9 from which a point for the common southerly corner of said Parcel 2,
13-10 Tract 2, and said 421.116 acre tract bears, South 70°53'39" West,
13-11 2744.66 feet;

13-12 THENCE North 03°02'48" West, 660.00 feet, with the common line
13-13 between said Sprayberry tract and said Parcel 2, Tract 2, to a point
13-14 for the common westerly corner of said Sprayberry tract and that
13-15 certain tract described as Farm Tracts 97, 98 and 106 in instrument
13-16 to Atakapa LLC, recorded under Clerk's File Number 2018080651,
13-17 O.P.R.M.C.T., being the northwesterly corner of the herein
13-18 described 10.000 acre tract;

13-19 THENCE North 86°35'15" East, 660.00 feet, with the common line
13-20 between said Sprayberry tract and said Farm Tracts 97, 98 and 106,
13-21 to a point in a westerly line of said Parcel 2, Tract 2, for the
13-22 common easterly corner of same, being the northeasterly corner of
13-23 the herein described 10.000 acre tract;

13-24 THENCE South 03°02'48" East, 660.00 feet, with the common line
13-25 between said Sprayberry tract and said Parcel 2, Tract 2, to a point
13-26 for the common westerly corner of said Sprayberry tract and common
13-27 southerly corner of said Sprayberry tract and said Parcel 2, Tract
13-28 2, being the southeasterly corner of the herein described 10.000
13-29 acre tract;

13-30 THENCE, South 86°35'15" West, 660.00 feet, continuing with
13-31 said common line, to the POINT OF BEGINNING, CONTAINING 10.000 acre
13-32 (435,591 square feet) of land in Montgomery County, Texas.

13-33 TRACT 6:

13-34 A METES & BOUNDS description of a certain 10.00 acre (435,658
13-35 square feet) tract of land situated in the Michael H. Hinch Survey,
13-36 Abstract No. 253, in Montgomery County, Texas, being all of called
13-37 Tract Twenty-Two (22), of Section 5 of Security Subdivision
13-38 according to the plat thereof recorded in Volume 1, Page 23,
13-39 Montgomery County Deed Records, conveyed to John F. Darst by deed
13-40 recorded in Clerk's File No. 2014005435, Montgomery County
13-41 Official Public Records; said 10.00 acre (435,658 square feet)
13-42 tract of land being more particularly described as follows with all
13-43 bearings being based on the Texas Coordinate System, Central Zone,
13-44 NAD 83:

13-45 COMMENCING at a 1/2-inch iron rod (with cap) found, being the
13-46 northwest corner of a called 20 acre tract conveyed to Shirley Gay
13-47 by deed recorded in Clerk's File No. 8121692, Montgomery County
13-48 Official Public Records of Real Property;

13-49 THENCE, South 67°07'55" West, 7,025.16 feet to a 1/2-inch iron
13-50 rod (with cap) found, being the northeast corner of said called
13-51 Tract Twenty-Two (22) and being the northeast corner and POINT OF
13-52 BEGINNING of the herein described tract;

13-53 THENCE, South 03°20'59" East, 660.24 feet to a 5/8-inch iron
13-54 rod (with cap) found, being the southeast corner of said called
13-55 Tract Twenty-Two (22) and being the southeast corner of the herein
13-56 described tract;

13-57 THENCE, South 86°28'39" West, 660.12 feet to a 5/8-inch iron
13-58 rod found, being the southwest corner of said called Tract
13-59 Twenty-Two (22) and being the southwest corner of the herein
13-60 described tract;

13-61 THENCE, North 03°19'03" West, 660.07 feet to a 5/8-inch iron
13-62 rod (with cap) found, being the northwest corner of said called
13-63 Tract Twenty-Two (22) and being the northwest corner of the herein
13-64 described tract;

13-65 THENCE, North 86°27'46" East, 659.75 feet to the POINT OF
13-66 BEGINNING, CONTAINING 10.00 acres (435,658 square feet) of land in
13-67 Montgomery County, Texas, filed in the offices of Elevation Land
13-68 Solutions in The Woodlands, Texas.

13-69 TRACT 7:

14-1 A METES & BOUNDS description of a certain 10.05 acre (437,646
 14-2 square feet) tract of land situated in the Michael H. Hinch Survey,
 14-3 Abstract No. 253, in Montgomery County, Texas, being all of called
 14-4 Lots One (1) and Two (2), of Section 6 of Security Subdivision
 14-5 according to the plat thereof recorded in Volume 1, Page 23,
 14-6 Montgomery County Deed Records, conveyed to Milton Howard Sands,
 14-7 Jr. by deed recorded in Clerk's File No. 8842100, Montgomery County
 14-8 Official Public Records of Real Property; said 10.05 acre (437,646
 14-9 square feet) tract of land being more particularly described as
 14-10 follows with all bearings being based on the Texas Coordinate
 14-11 System, Central Zone, NAD 83:

14-12 COMMENCING at a 1/2-inch iron rod (with cap) found, being the
 14-13 northwest corner of a called 20 acre tract conveyed to Shirley Gay
 14-14 by deed recorded in Clerk's File No. 8121692, Montgomery County
 14-15 Official Public Records of Real Property;

14-16 THENCE, South 56°22'01" West, 4,599.31 feet to an axle found,
 14-17 being the northeast corner of said called Lots One (1) and Two (2)
 14-18 and being the northeast corner and POINT OF BEGINNING of the herein
 14-19 described tract;

14-20 THENCE, South 03°01'51" East, 329.54 feet to a 5/8-inch iron
 14-21 rod (with cap) found, being the southeast corner of said called Lots
 14-22 One (1) and Two (2) and being the southeast corner of the herein
 14-23 described tract;

14-24 THENCE, South 86°30'27" West, 1,318.54 feet to a 5/8-inch iron
 14-25 rod (with cap) found, being the southwest corner of said called Lots
 14-26 One (1) and Two (2) and being the southwest corner of the herein
 14-27 described tract;

14-28 THENCE, North 03°23'34" West, 333.78 feet to a 5/8-inch iron
 14-29 rod (with cap) found, being the northwest corner of said called Lots
 14-30 One (1) and Two (2) and being the northwest corner of the herein
 14-31 described tract;

14-32 THENCE, North 86°41'29" East, 1,320.62 feet to the POINT OF
 14-33 BEGINNING, CONTAINING 10.05 acres (437,646 square feet) of land in
 14-34 Montgomery County, Texas, filed in the offices of Elevation Land
 14-35 Solutions in The Woodlands, Texas.

14-36 TRACT 8:

14-37 A METES & BOUNDS description of a certain 5.009 acre (218,190
 14-38 square feet) tract of land situated in the Walker County School Land
 14-39 Survey, Abstract No. 494, in Montgomery County, Texas, being all of
 14-40 a called 5.000 acre tract conveyed to Bill Ellison by deed recorded
 14-41 in Clerk's File No. 2018004658, Montgomery County Official Public
 14-42 Records; said 5.009 acre (218,190 square feet) tract of land being
 14-43 more particularly described as follows with all bearings being
 14-44 based on the Texas Coordinate System, Central Zone, NAD 83:

14-45 COMMENCING at a 1/2-inch iron rod (with cap) found, being the
 14-46 northwest corner of a called 20 acre tract conveyed to Shirley Gay
 14-47 by deed recorded in Clerk's File No. 8121692, Montgomery County
 14-48 Official Public Records of Real Property;

14-49 THENCE, North 21°41'20" West, 2,084.68 feet to a concrete
 14-50 monument (disturbed) found, being the southeast corner of said
 14-51 called 5.000 acre tract and being the southeast corner and POINT OF
 14-52 BEGINNING of the herein described tract;

14-53 THENCE, South 86°56'55" West, 658.50 feet to a concrete
 14-54 monument found, being the southwest corner of said called 5.000
 14-55 acre tract and being the southwest corner of the herein described
 14-56 tract;

14-57 THENCE, North 03°15'30" West, 330.34 feet to a 1/2-inch iron
 14-58 rod (with cap) found, being the northwest corner of said called
 14-59 5.000 acre tract and being the northwest corner of the herein
 14-60 described tract;

14-61 THENCE, North 86°52'08" East, 660.69 feet to a 1-1/2-inch iron
 14-62 pipe (bent) found, being the northeast corner of said called 5.000
 14-63 acre tract and being the northeast corner of the herein described
 14-64 tract;

14-65 THENCE, South 02°52'48" East, 331.25 feet to the POINT OF
 14-66 BEGINNING, CONTAINING 5.009 acres (218,190 square feet) of land in
 14-67 Montgomery County, Texas, filed in the offices of Elevation Land
 14-68 Solutions in The Woodlands, Texas.

14-69 SECTION 3. (a) The legal notice of the intention to

15-1 introduce this Act, setting forth the general substance of this
15-2 Act, has been published as provided by law, and the notice and a
15-3 copy of this Act have been furnished to all persons, agencies,
15-4 officials, or entities to which they are required to be furnished
15-5 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
15-6 Government Code.

15-7 (b) The governor, one of the required recipients, has
15-8 submitted the notice and Act to the Texas Commission on
15-9 Environmental Quality.

15-10 (c) The Texas Commission on Environmental Quality has filed
15-11 its recommendations relating to this Act with the governor, the
15-12 lieutenant governor, and the speaker of the house of
15-13 representatives within the required time.

15-14 (d) All requirements of the constitution and laws of this
15-15 state and the rules and procedures of the legislature with respect
15-16 to the notice, introduction, and passage of this Act are fulfilled
15-17 and accomplished.

15-18 SECTION 4. (a) If this Act does not receive a two-thirds
15-19 vote of all the members elected to each house, Subchapter C, Chapter
15-20 7985A, Special District Local Laws Code, as added by Section 1 of
15-21 this Act, is amended by adding Section 7985A.0307 to read as
15-22 follows:

15-23 Sec. 7985A.0307. NO EMINENT DOMAIN POWER. The district may
15-24 not exercise the power of eminent domain.

15-25 (b) This section is not intended to be an expression of a
15-26 legislative interpretation of the requirements of Section 17(c),
15-27 Article I, Texas Constitution.

15-28 SECTION 5. This Act takes effect immediately if it receives
15-29 a vote of two-thirds of all the members elected to each house, as
15-30 provided by Section 39, Article III, Texas Constitution. If this
15-31 Act does not receive the vote necessary for immediate effect, this
15-32 Act takes effect September 1, 2023.

15-33

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