

By: Taylor

H.B. No. 3522

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the West Ranch Management District; providing authority to impose a tax and issue a bond or similar obligation and granting a limited power of eminent domain.

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

SECTION 1. WEST RANCH MANAGEMENT DISTRICT. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3837 to read as follows:

CHAPTER 3837. WEST RANCH MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3837.001. DEFINITIONS. In this chapter:

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

(2) "District" means the West Ranch Management District.

Sec. 3837.002. WEST RANCH MANAGEMENT DISTRICT. The West Ranch Management District is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3837.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the City of Friendswood, Galveston and Harris Counties, and other political

1 subdivisions to contract with the district, the legislature has
2 established a program to accomplish the public purposes set out in
3 Section 52-a, Article III, Texas Constitution.

4 (b) The creation of the district is necessary to promote,
5 develop, encourage, and maintain employment, commerce,
6 transportation, housing, tourism, recreation, the arts,
7 entertainment, economic development, education, safety, and the
8 public welfare in the district.

9 (c) This chapter and the creation of the district may not be
10 interpreted to relieve Galveston and Harris Counties and the City
11 of Friendswood from providing the level of services provided as of
12 the effective date of the Act enacting this chapter, to the area in
13 the district. The district is created to supplement and not to
14 supplant the county or city services provided in the area in the
15 district.

16 Sec. 3837.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
17 The district is created to serve a public use and benefit.

18 (b) All land and other property included in the district
19 will benefit from the improvements and services to be provided by
20 the district under powers conferred by Sections 52 and 52-a,
21 Article III, and Section 59, Article XVI, Texas Constitution, and
22 other powers granted under this chapter.

23 (c) The creation of the district is in the public interest
24 and is essential to:

25 (1) further the public purposes of developing and
26 diversifying the economy of the state;

27 (2) eliminate unemployment and underemployment; and

1 (3) develop or expand transportation and commerce.

2 (d) The district will:

3 (1) promote the health, safety, education, and general
4 welfare of residents, employers, potential employees, employees,
5 visitors, and consumers in the district, and of the public;

6 (2) provide needed funding for the district to
7 preserve, maintain, and enhance the economic health and vitality of
8 the district territory as a community and business center; and

9 (3) promote the health, safety, welfare, education,
10 and enjoyment of the public by providing pedestrian ways and by
11 landscaping and developing certain areas in the district, which are
12 necessary for the restoration, preservation, and enhancement of
13 scenic beauty.

14 (e) Pedestrian ways along or across a street, whether at
15 grade or above or below the surface, and street lighting, street
16 landscaping, parking, and street art objects are parts of and
17 necessary components of a street and are considered to be a street
18 or road improvement.

19 (f) The district will not act as the agent or
20 instrumentality of any private interest even though the district
21 will benefit many private interests as well as the public.

22 Sec. 3837.005. DISTRICT TERRITORY. (a) The district is
23 composed of the territory described by Section 2 of the Act enacting
24 this chapter, as that territory may have been modified under:

25 (1) Subchapter J, Chapter 49, Water Code; or

26 (2) other law.

27 (b) The boundaries and field notes of the district contained

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

4 (1) organization, existence, or validity;

5 (2) right to issue any type of bond for a purpose for
6 which the district is created or to pay the principal of and
7 interest on the bond;

8 (3) right to impose or collect an assessment or tax; or

9 (4) legality or operation.

10 Sec. 3837.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

11 All or any part of the area of the district is eligible to be
12 included in:

13 (1) a tax increment reinvestment zone created by a
14 municipality under Chapter 311, Tax Code;

15 (2) a tax abatement reinvestment zone created by a
16 municipality under Chapter 312, Tax Code; or

17 (3) an enterprise zone created by a municipality under
18 Chapter 2303, Government Code.

19 Sec. 3837.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
20 DISTRICTS LAW. Except as otherwise provided by this chapter,
21 Chapter 375, Local Government Code, applies to the district.

22 Sec. 3837.008. LIBERAL CONSTRUCTION OF CHAPTER. This
23 chapter shall be liberally construed in conformity with the
24 findings and purposes stated in this chapter.

25 [Sections 3837.009-3837.050 reserved for expansion]

26 SUBCHAPTER B. BOARD OF DIRECTORS

27 Sec. 3837.051. GOVERNING BODY. The district is governed by

1 a board of five directors who serve staggered terms of four years,
2 with two or three directors' terms expiring June 1 of each
3 odd-numbered year.

4 Sec. 3837.052. APPOINTMENT OF DIRECTORS. (a) The
5 governing body of the City of Friendswood shall appoint the
6 directors of the board. The governing body shall appoint:

7 (1) three directors from a list of persons nominated
8 by the board; and

9 (2) two directors chosen by the governing body.

10 (b) The board may nominate any eligible person for
11 appointment to the board. If a person owns 25 percent or more of the
12 land in the district, the board shall request that the person
13 provide to the board a list of persons for the board to consider for
14 nomination under this section. If the person does not provide a
15 list of persons to the board for that purpose before the 31st day
16 after the date the board requests the list, the board is not
17 required to obtain a list from that person. If more than one person
18 owns 25 percent or more of the land included in the district, only
19 the person who owns the greatest amount of land included in the
20 district is entitled to have the board request a list under this
21 subsection.

22 Sec. 3837.053. REMOVAL OF DIRECTORS CHOSEN BY CITY. The
23 City of Friendswood for any reason may remove a director appointed
24 under Section 3837.052(a)(2) and appoint a person to serve the
25 remainder of that director's term.

26 Sec. 3837.054. VACANCY IN OFFICE OF DIRECTOR. (a) The
27 board may appoint a person to fill a vacancy in the office of a

1 director appointed under Section 3837.052(a)(1) for the remainder
2 of the director's term.

3 (b) The City of Friendswood may appoint a person to fill a
4 vacancy in the office of a director appointed under Section
5 3837.052(a)(2) for the remainder of the director's term.

6 Sec. 3837.055. QUORUM. Vacant director positions are not
7 counted for the purposes of establishing a board quorum.

8 Sec. 3837.056. CONFLICTS OF INTEREST; ONE-TIME AFFIDAVIT.

9 (a) Except as provided by this section:

10 (1) a director may participate in all board votes and
11 decisions; and

12 (2) Chapter 171, Local Government Code, governs
13 conflicts of interest for directors.

14 (b) Section 171.004, Local Government Code, does not apply
15 to the district. A director who has a substantial interest in a
16 business or charitable entity that will receive a pecuniary benefit
17 from a board action shall file a one-time affidavit declaring the
18 interest. An additional affidavit is not required if the
19 director's interest changes. After the affidavit is filed with the
20 board secretary, the director may participate in a discussion or
21 vote on that action if:

22 (1) a majority of the directors have a similar
23 interest in the same entity; or

24 (2) all other similar business or charitable entities
25 in the district will receive a similar pecuniary benefit.

26 (c) A director who is also an officer or employee of a public
27 entity may not participate in the discussion of or vote on a matter

1 regarding a contract with that public entity.

2 (d) For purposes of this section, a director has a
3 substantial interest in a charitable entity in the same manner that
4 a person would have a substantial interest in a business entity
5 under Section 171.002, Local Government Code.

6 Sec. 3837.057. INITIAL DIRECTORS. (a) The initial board
7 consists of two directors appointed by the governing body of the
8 City of Friendswood to serve in positions 1 and 2 and the following
9 persons to serve in positions 3-5:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>3</u>	<u>Joe Stunja</u>
<u>4</u>	<u>Jeff Anderson</u>
<u>5</u>	<u>Doug Konopka</u>

14 (b) Of the initial directors, the terms of the directors
15 appointed for positions 1 and 3 expire June 1, 2007, and the terms
16 of the directors appointed for positions 2, 4, and 5 expire June 1,
17 2009.

18 (c) Section 3837.052 does not apply to this section.

19 (d) The governing body of the City of Friendswood may remove
20 a director the governing body appoints under this section and may
21 appoint a person to serve the remainder of the director's term.

22 (e) This section expires September 1, 2009.

23 [Sections 3837.058-3837.100 reserved for expansion]

24 SUBCHAPTER C. POWERS AND DUTIES

25 Sec. 3837.101. EDUCATIONAL FACILITIES. (a) The district
26 may acquire, construct, or finance an educational facility or a
27 site or appurtenance for an educational facility to benefit the

1 district.

2 (b) The district may convey the facility, site, or
3 appurtenance to a school district that contains territory in the
4 West Ranch Management District.

5 Sec. 3837.102. DRAINAGE OR DETENTION FACILITY; EMINENT
6 DOMAIN POWER. (a) The district may exercise the power of eminent
7 domain to provide for a drainage or detention facility to serve the
8 district in the same manner as provided by Chapter 54, Water Code,
9 for a district operating under that chapter.

10 (b) The district may not exercise the power of eminent
11 domain to acquire property owned by the City of Friendswood,
12 Galveston County, or Harris County.

13 (c) The district may not exercise the power of eminent
14 domain for any other purpose.

15 Sec. 3837.103. AGREEMENTS; GRANTS. (a) The district may
16 make an agreement with or accept a gift, grant, or loan from any
17 person.

18 (b) The implementation of a district project is a
19 governmental function or service for the purposes of Chapter 791,
20 Government Code.

21 Sec. 3837.104. AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT.
22 To protect the public interest, the district may contract with the
23 City of Friendswood for the city to provide law enforcement
24 services in the district that exceed the services that would
25 otherwise be provided in the district by the city.

26 Sec. 3837.105. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
27 district may join and pay dues to an organization that:

1 (1) enjoys tax-exempt status under Section 501(c)(3),
2 (4), or (6), Internal Revenue Code of 1986; and

3 (2) performs a service or provides an activity
4 consistent with the furtherance of a district purpose.

5 Sec. 3837.106. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
6 district may establish and provide for the administration of one or
7 more programs to promote state or local economic development and to
8 stimulate business and commercial activity in the district,
9 including programs to:

10 (1) make loans and grants of public money; and

11 (2) provide district personnel and services.

12 (b) For purposes of this section, the district has all of
13 the powers of a municipality under Chapter 380, Local Government
14 Code.

15 [Sections 3837.107–3837.150 reserved for expansion]

16 SUBCHAPTER D. FINANCIAL PROVISIONS

17 Sec. 3837.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
18 board by resolution shall establish the number of directors'
19 signatures and the procedure required for a disbursement or
20 transfer of the district's money.

21 Sec. 3837.152. PETITION REQUIRED FOR FINANCING SERVICES AND
22 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
23 service or improvement project with assessments under this chapter
24 unless a written petition requesting that service or improvement
25 has been filed with the board.

26 (b) A petition filed under Subsection (a) must be signed by
27 the owners of a majority of the assessed value of real property in

1 the district subject to assessment according to the most recent
2 certified tax appraisal rolls for Harris County and Galveston
3 County, as applicable.

4 Sec. 3837.153. AD VALOREM TAX. (a) If authorized at an
5 election held in accordance with Section 3837.157, the district may
6 impose an annual ad valorem tax on taxable property in the district
7 for any district purpose, including to:

8 (1) maintain and operate the district;

9 (2) construct or acquire improvements, sites, or
10 appurtenances; or

11 (3) provide a service.

12 (b) The board shall determine the tax rate.

13 Sec. 3837.154. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
14 ASSESSMENTS. The district may not impose an impact fee or
15 assessment on the property, including the equipment,
16 rights-of-way, facilities, or improvements, of:

17 (1) an electric utility or a power generation company
18 as defined by Section 31.002, Utilities Code;

19 (2) a gas utility as defined by Section 101.003 or
20 121.001, Utilities Code;

21 (3) a telecommunications provider as defined by
22 Section 51.002, Utilities Code; or

23 (4) a person who provides to the public cable
24 television or advanced telecommunications services.

25 Sec. 3837.155. BONDS AND OTHER OBLIGATIONS; APPROVAL BY
26 CITY OF FRIENDSWOOD. (a) The district may issue bonds or other
27 obligations payable wholly or partly from taxes, assessments,

1 impact fees, revenue, grants, or other money of the district, or any
2 combination of those sources of money, to pay for any authorized
3 purpose of the district.

4 (b) The district may issue a bond or other obligation in the
5 form of a bond, note, certificate of participation or other
6 instrument evidencing a proportionate interest in payments to be
7 made by the district, or other type of obligation.

8 (c) The district must obtain the approval of the City of
9 Friendswood for the issuance of bonds or other obligations for any
10 improvement project.

11 Sec. 3837.156. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
12 the time bonds or other obligations payable wholly or partly from ad
13 valorem taxes are issued:

14 (1) the board shall impose a continuing direct annual
15 ad valorem tax, without limit as to rate or amount, for each year
16 that all or part of the bonds are outstanding; and

17 (2) the district annually shall impose the continuing
18 direct ad valorem tax on all taxable property in the district in an
19 amount sufficient to:

20 (A) pay the interest on the bonds or other
21 obligations as the interest becomes due;

22 (B) create a sinking fund for the payment of the
23 principal of the bonds or other obligations when due or the
24 redemption price at any earlier required redemption date; and

25 (C) pay the expenses of imposing the taxes.

26 Sec. 3837.157. TAX AND BOND ELECTIONS. (a) The district
27 shall hold an election in the manner provided by Subchapter L,

1 Chapter 375, Local Government Code, to obtain voter approval before
2 the district imposes a maintenance tax or issues bonds payable from
3 ad valorem taxes.

4 (b) The board may include more than one purpose in a single
5 proposition at an election.

6 (c) Section 375.243, Local Government Code, does not apply
7 to the district.

8 Sec. 3837.158. CITIES NOT REQUIRED TO PAY DISTRICT
9 OBLIGATIONS. Except as provided by Section 375.263, Local
10 Government Code, a municipality is not required to pay a bond, note,
11 or other obligation of the district.

12 Sec. 3837.159. COMPETITIVE BIDDING. (a) The competitive
13 bidding provisions of Subchapter I, Chapter 49, Water Code, apply
14 to the district for a contract to acquire or construct a water, a
15 wastewater, or a drainage or detention improvement.

16 (b) Subchapter K, Chapter 375, Local Government Code, does
17 not apply to the district.

18 [Sections 3837.160-3837.200 reserved for expansion]

19 SUBCHAPTER E. DISSOLUTION

20 Sec. 3837.201. DISSOLUTION OF DISTRICT WITH OUTSTANDING
21 DEBT. (a) The board may dissolve the district regardless of
22 whether the district has debt. Section 375.264, Local Government
23 Code, does not apply to the district.

24 (b) If the district has debt when it is dissolved, the
25 district shall remain in existence solely for the purpose of
26 discharging its debts. The dissolution is effective when all debts
27 have been discharged.

1 SECTION 2. BOUNDARIES. As of the effective date of this
2 Act, the West Ranch Management District includes all territory
3 contained in the following described area:

4 All of the following four tracts of land containing 765.31
5 acres, more or less, which are situated in Harris County and
6 Galveston County, Texas:

7 TRACT "A"

8 BEING 224.66 acres of land in the John Dickinson League, Abstract
9 Number 9, City of Friendswood, Galveston County, Texas and being
10 all of Lots 1 through 25, a portion of Lot 26, Lot 27, Lot 28, all of
11 Lots 29 through 38 and all of the land contained within the roads
12 adjoining the above said Lots of the Slone Subdivision, originally
13 recorded in Volume 254-A, Page 53 of the Galveston County Map
14 Records and transferred to Volume 13, Page 91 of the Galveston
15 County Map Records, and also being all of the unplatted portion of
16 the said Slone Subdivision lying north of Lots 1 through 11, south
17 of Chigger Bayou and south of Clear Creek as shown on the plat of the
18 said Slone Subdivision, said 224.66 acres being a portion of that
19 same property as described in deeds recorded under Clerk's File
20 Number 8900646 and 9305532 of the Official Public Records of Real
21 Property of Galveston County, Texas, said 224.66 acres being more
22 particularly described by metes and bounds as follows:

23 COMMENCING at a 4-inch Texas Department of Transportation brass
24 disk in concrete found for the most southerly corner of Century Oaks
25 Estates, a subdivision plat recorded under Volume 18, Page 547 of
26 the Galveston County Map Records, the southwest corner of a called
27 2.5 acre tract as described in a deed recorded under Volume 2563,

1 Page 690 of the Galveston County Deed Records and being in the north
2 right-of-way line of Farm-to-Market Road 518, as widened per deed
3 recorded in Volume 3215, Page 290 of the Galveston County Deed
4 Records;

5 THENCE N 18° 19' 12" E, a distance of 209.33 feet along the west line
6 of the said 2.5 acre tract and the east line of said Century Oaks
7 Estates to a 5/8-inch iron rod with a cap stamped "Brown & Gay" set
8 for corner and the POINT OF BEGINNING, and from which a 1/2-inch
9 iron rod found bears N 67° 13' W, 1.71 feet;

10 THENCE N 18° 19' 12" E, a distance of 89.56 feet along the east line
11 of said Century Oaks Estates to a railroad rail found for corner;

12 THENCE N 18° 28' 39" E, a distance of 1578.44 feet along the east
13 line of said Century Oaks Estates to a 2-inch iron pipe found for
14 angle point;

15 THENCE N 48° 14' 29" E, a distance of 39.94 feet along the east line
16 of said Century Oaks Estates to a 5/8-inch iron rod with a cap
17 stamped "Brown & Gay" set for angle point;

18 THENCE N 28° 35' 39" E, a distance of 40.14 feet to a point for corner
19 in the centerline of Chigger Creek;

20 THENCE the following courses and distances along the centerline of
21 said Chigger Creek, in a downstream direction:

22 S 63° 57' 50" E, a distance of 54.25 feet; thence S 51° 48' 11" E, a
23 distance of 94.50 feet; thence S 72° 43' 56" E, a distance of 46.71
24 feet; thence N 71° 33' 51" E, a distance of 168.92 feet; thence S 67°
25 55' 09" E, a distance of 79.85 feet; thence S 36° 39' 49" E, a
26 distance of 102.93 feet; thence S 13° 21' 09" E, a distance of 98.50
27 feet; thence S 04° 26' 03" W, a distance of 93.97 feet; thence N 47°

1 51 '01" E, a distance of 82.81 feet; thence N 28° 35' 46" E, a
2 distance of 36.63 feet; thence N 07° 33' 15" W, a distance of 138.78
3 feet; thence N 22° 51' 52" E, a distance of 56.44 feet; thence N 86°
4 33' 35" E, a distance of 49.07 feet; thence S 48° 31' 51" E, a
5 distance of 110.30 feet; thence S 36° 41' 13" E, a distance of 82.17
6 feet; thence S 17° 01' 24" E, a distance of 55.03 feet; thence S 01°
7 31' 04" W, a distance of 79.86 feet; thence S 57° 33' 57" E, a
8 distance of 47.66 feet; thence S 87° 43' 35" E, a distance of 109.88
9 feet; thence N 44° 59' 16" E, a distance of 26.88 feet; thence N 19°
10 07' 52" E, a distance of 55.71 feet; thence N 59° 31' 38" E, a
11 distance of 82.36 feet; thence S 79° 11' 24" E, a distance of 69.98
12 feet; thence S 57° 17' 10" E, a distance of 75.75 feet; thence S 45°
13 46' 07" E, a distance of 82.84 feet; thence S 79° 21' 24" E, a
14 distance of 90.35 feet; thence S 59° 06' 50" E, a distance of 118.77
15 feet; thence S 14° 16' 09" E, a distance of 266.96 feet; thence S 30°
16 06' 55" E, a distance of 180.77 feet; thence S 55° 37' 40" E, a
17 distance of 78.97 feet; thence N 85° 12' 02" E, a distance of 85.00
18 feet; thence N 41° 37' 31" E, a distance of 111.95 feet; thence N 62°
19 41' 17" E, a distance of 194.76 feet; thence N 71° 44' 52" E, a
20 distance of 128.27 feet; thence S 54° 36' 37" E, a distance of 98.50
21 feet; thence S 47° 09' 52" E, a distance of 112.80 feet; thence S 75°
22 48' 49" E, a distance of 258.64 feet; thence N 71° 22' 14" E, a
23 distance of 95.41 feet; thence N 51° 56' 39" E, a distance of 325.94
24 feet; thence N 63° 03' 28" E, a distance of 138.92 feet; thence N 74°
25 09' 26" E, a distance of 240.94 feet; thence N 53° 41' 57" E, a
26 distance of 179.61 feet; thence N 39° 17' 28" E, a distance of 255.30
27 feet; thence N 52° 10' 50" E, a distance of 480.46 feet to a point in

1 the centerline of Clear Creek;
2 THENCE the following courses and distances along the centerline of
3 said Clear Creek in a downstream direction:
4 N 83° 02' 44" E, a distance of 216.85 feet; thence S 81° 11' 31" E, a
5 distance of 221.42 feet;
6 THENCE S 31° 29' 04" W, departing the centerline of said Clear Creek
7 and at a distance of 200.00 feet pass a 5/8-inch iron rod with cap
8 stamped " Brown & Gay" set for reference in the west line of Rancho
9 Viejo Section One, a subdivision plat filed for record under Volume
10 15, Page 92 and Page 93 of the Galveston County Map Records, at a
11 distance of 3806.87 feet pass a southwest corner of said Rancho
12 Viejo Section One and continuing for a total distance of 4413.64
13 feet to a 3/4-inch iron rod found for corner in the north
14 right-of-way of said Farm-to-Market Road 518 (140-foot width);
15 THENCE N 66° 48' 50" W, a distance of 1474.06 feet to a 4-inch Texas
16 Department of Transportation brass disk in concrete found for the
17 beginning of a tangent curve to the right;
18 THENCE in a northwesterly direction along said curve to the right an
19 arc distance 1477.43 feet, having a radius of 2476.48 feet, a
20 central angle of 34°10'54" and a chord which bears N 49° 43' 23" W,
21 1455.61 feet to a 5/8-inch iron rod with cap stamped "Brown & Gay"
22 set for corner and being the southeast corner of the said 2.5 acre
23 tract, and from which a found 4-inch Texas Department of
24 Transportation brass disk in concrete bears S 88° 54' W, 1.07' and a
25 found 5/8-inch iron rod bears N 45° 13' W, 0.52;
26 THENCE N 23° 05' 10" E, departing the north right-of-way line of said
27 Farm-to-Market Road 518 and along the east line of the said 2.5 acre

1 tract a distance of 437.48 feet to a 5/8-inch iron rod with cap
2 stamped "Brown & Gay" set for corner, and from which a found
3 1/2-inch iron rod bears N 68° 30' W, 1.53 feet;

4 THENCE N 66° 44' 36" W a distance of 312.80 feet to POINT OF
5 BEGINNING and containing 224.70 acres of land.

6 SAVE AND EXCEPT the following 0.0367 acre tract of land:

7 Being a 0.0367 acre tract of land in the John Dickinson League,
8 Abstract Number 9, City of Friendswood, Galveston County, Texas and
9 being all of that certain 0.0367 acre tract of land described in a
10 deed recorded under Clerk's File Number 9636229 of the Official
11 Public Records of Galveston County, Texas, said 0.0367 acre tract
12 being more particularly described by metes and bounds as follows:

13 COMMENCING at a 4-inch Texas Department of Transportation brass
14 disk in concrete found for the most southerly corner of Century Oaks
15 Estates, a subdivision plat recorded under Volume 18, Page 547 of
16 the Galveston County Map Records, the southwest corner of a called
17 2.5 acre tract as described in a deed recorded under Volume 2563,
18 Page 690 of the Galveston County Deed Records and being in the north
19 right-of-way line of Farm-to-Market Road 518, as widened per deed
20 recorded in Volume 3215, Page 290 of the Galveston County Deed
21 Records;

22 THENCE N 18° 19' 12" E, a distance of 209.33 feet along the west line
23 of the said 2.5 acre tract and the east line of said Century Oaks
24 Estates to a 5/8-inch iron rod with a cap stamped "Brown & Gay" set
25 for corner and from which a 1/2-inch iron rod found bears N 67° 13'
26 W, 1.71 feet;

27 THENCE N 18° 19' 12" E, a distance of 89.56 feet along the east line

1 of said Century Oaks Estates to a railroad rail found for corner;
2 THENCE N 18° 28' 39" E, a distance of 196.40 feet along the east line
3 of said Century Oaks Estates to a point for corner;
4 THENCE S 71° 31' 21" E, a distance of 2654.33 feet to a 5/8-inch iron
5 rod with cap stamped "Brown & Gay" set for corner and being the
6 POINT OF BEGINNING of the herein described 0.0367 acre tract;
7 THENCE N 68° 59' 31" E, a distance of 40.00 feet to a 5/8-inch iron
8 rod with cap stamped "Brown & Gay" set for corner;
9 THENCE S 21° 00' 29" E, a distance of 40.00 feet to a 5/8-inch iron
10 rod with cap stamped "Brown & Gay" set for corner;
11 THENCE S 68° 59' 31" W, a distance of 40.00 feet to a 5/8-inch iron
12 rod with cap stamped "Brown & Gay" set for corner;
13 THENCE N 21° 00' 29" W, a distance of 40.00 feet to the POINT OF
14 BEGINNING and containing 0.0367 of an acre of land.

15 In conclusion, the herein described Tract "A", being 224.70 acres
16 of land, SAVE AND EXCEPT the herein described 0.0367 of an acre
17 tract of land out of the Tract "A" and comprising a total acreage of
18 224.66 acres of land.

19 Bearing orientation is based on the Texas State Plane Coordinate
20 System, South Central Zone NAD-83 and was derived by GPS (Global
21 Positioning System) measurements.

22 TRACT "B"

23 Being a 1.5678 acre tract of land and being a portion of Lots 27 and
24 28 of the of the Slone Subdivision, originally recorded in Volume
25 254-A, Page 53 of the Galveston County Map Records and transferred
26 to Volume 13, Page 91 of the Galveston County Map Records, said
27 1.5678 acres being the remainder of Lots 27 and 28 of the of the

1 Slone Subdivision lying south of Farm-to-Market Road 518 as widened
2 per deed recorded in Volume 3215, Page 290 of the Galveston County
3 Deed Records, and also being a portion of that same property as
4 described in deeds recorded under Clerk's File Number 8900646 and
5 9305532 of the Official Public Records of Real Property of
6 Galveston County, Texas, said 1.5678 acres of land being more
7 particularly described by metes and bounds as follows:

8 Tract "B" - 1.5678 Acres

9 BEGINNING at a 3/8-inch iron rod found for the southeast corner of a
10 called 2.4367 acres out of Lot "B" of the said Slone Subdivision and
11 as described in deed recorded under Clerk's File Number 8409880 of
12 the Official Public Records of Real Property of Galveston County,
13 Texas, and the southwest corner Lot 27 of the said Slone
14 Subdivision and in the north right-of-way line of Old Friendswood
15 Road (50-foot width) as shown on the plat of the said Slone
16 Subdivision;

17 THENCE N 23° 12' 45" E, a distance of 326.27 feet along the west line
18 of said Lot 27 and the east line of said Lot "B" to a 3/8-inch iron
19 rod found for corner in the south right-of-way line of said
20 Farm-to-Market Road 518 as widened per deed recorded in Volume
21 3215, Page 290 of the Galveston County Deed Records;

22 THENCE S 27° 31' 52" E, a distance of 273.88 feet along the south
23 right-of-way line of said Farm-to-Market Road 518 (width varies) to
24 a 5/8-inch iron rod with a cap stamped "Brown & Gay" set for the
25 beginning of a tangent curve to the left;

26 THENCE in a southeasterly direction along said curve to the left an
27 arc distance of 301.00 feet, having a radius of 1004.93 feet,

1 central angle of 17° 09' 41" and a chord which bears S 36° 06' 43" E,
2 299.88 feet to a 5/8-inch iron rod with a cap stamped "Brown & Gay"
3 set for corner and being the intersection of the said widened
4 Farm-to-Market Road 518 (width varies) with the north right-of-way
5 line of said Old Friendswood Road (50-foot width);
6 THENCE N 66° 47' 00"W, a distance of 469.99 feet along the north
7 right-of-way of said Old Friendswood Road (50-foot width) to the
8 POINT OF BEGINNING and containing 1.5678 acres of land.

9 Bearing orientation is based on the Texas State Plane Coordinate
10 System, South Central Zone NAD-83 and was derived by GPS (Global
11 Positioning System) measurement.

12 TRACT "C"

13 BEING 491.76 acres of land in the John Dickinson League, Abstract 9,
14 City of Friendswood, Galveston County, Texas and being Lots 53
15 through 58, Lots 60 through 63, a portion of Lot 64, Lots 74 through
16 102, Lots 104 through 116, Lots 119 through 125, Lots 128 through
17 142, Lots 145 through 157 of the Slone Subdivision, originally
18 recorded in Volume 254-A, Page 6 of the Galveston County Map Records
19 and transferred to Volume 3, Page 61A of the Galveston County Map
20 Records, the portion of Lots 158 through 170 of the said Slone
21 Subdivision being north of the south line of the John Dickinson
22 League, Abstract 9 as shown on the adjoining plat of Slone's Second
23 Subdivision filed for record in Volume 13, Page 93 of the Galveston
24 County Map Records, as described by the City of Friendswood, Texas
25 Ordinance No. 178 and monumented on the ground, and all of the area
26 contained within the roads of the said Slone Subdivision which
27 adjoin the above said Lots, except the area of road adjoining the

1 south line of Lot 125, the north line of Lot 145, that portion of the
2 road south of Lots 158, 159, and 160 and north of Lot 170 being of
3 the south line of the said John Dickinson League, Abstract 9, said
4 491.76 acres being a portion of that same property as described in
5 deeds recorded under Clerk's File Number 8900646 and 9305532 of the
6 Official Public Records of Real Property of Galveston County,
7 Texas, and all of the property described in Clerk's File Numbers
8 2001058454, 9607809, 9607810, 2001058452, 9416299, 9331194,
9 9439629, 9339033, 9338428, 9330747, 9906797, 9300437, and 9231217
10 of the Official Public Records of Real Property of Galveston
11 County, Texas, said 491.76 acres being described by metes and
12 bounds as follows:

13 BEGINNING at 2-inch iron pipe found for corner at the intersection
14 of the west line of the said John Dickinson League, Abstract 9 with
15 the south corner of the Sarah McKissick Survey, Abstract 151 and the
16 most easterly north corner of the Mary Fabreau Survey, Abstract 69
17 being an angle point the west line of Lot 108 of the said Slone
18 Subdivision, same also being the south corner of a 50-foot wide
19 strip of land dedicated to the City of Friendswood for roadway
20 purposes as shown on the plat of Falcon Ridge Section Three, a
21 subdivision plat filed for record under Volume 18, Page 282 of the
22 Galveston County Map Records;

23 THENCE N 41°43'46" E, along the east line of the said 50-foot roadway
24 and the west line of the said Slone Subdivision a distance of
25 1118.80 feet to a 5/8-inch iron rod found for corner and being the
26 southwest corner of a called 61.3567 acres described in a deed
27 recorded under Clerk's File Number 9441874 of the Official Public

1 Records of Real Property of Galveston County, Texas;
2 THENCE S 66°47'00" E, along the south line of the said 61.3567 acre
3 tract and the north line of a 30-foot wide roadway shown on the plat
4 of said Slone Subdivision a distance of 2054.04 feet to a 5/8-inch
5 iron rod found for the southwest corner of Lot 74 of said Slone
6 Subdivision;
7 THENCE N 23°13'00" E, along the east line of the said 61.3567 acre
8 tract, the east line of Lot 52, the west line of Lot 74 and Lot 53 of
9 the said Slone Subdivision a distance of 1846.66 feet to a 5/8-inch
10 iron rod with cap stamped "Brown & Gay" set for the northwest corner
11 of Lot 53, being in the south right-of-way line of Old Friendswood
12 Road (50-foot width) and from which a 1/2-inch iron rod found bears
13 N 22° 56' 27" E, 2.85 feet;
14 THENCE S 66°47'00" E, along the south line of Old Friendswood Road
15 (50-foot width) a distance of 847.01 feet to a 5/8-inch iron rod
16 with cap stamped "Brown & Gay" set for the beginning of a
17 non-tangent curve to the left and being the intersection of the
18 south right-of-way line of said Old Friendswood Road and the south
19 right-of-way line of Farm-to-Market Road 518 (width varies) as
20 widened per deed recorded in Volume 3215, Page 290 of the Galveston
21 County Deed Records;
22 THENCE in a southeasterly direction along said curve to the left an
23 arc distance of 219.55 feet, having a radius point which bears N 35°
24 42' 14" E, 1004.93 feet a central angle of 12°31'04" and a chord
25 which bears S 60°33'18" E, 219.12 feet to a 5/8-inch iron rod with
26 cap stamped "Brown & Gay" set for the end of the said curve to left;
27 THENCE S 66°48'50" E a distance of 339.17 feet along the south line

1 of said Farm-to-Market Road 518 (width varies) to a 5/8-inch iron
2 rod with cap stamped "Brown & Gay" set for the northeast corner of
3 Lot 58 of the said Slone Subdivision;
4 THENCE S 23°13'00" W, departing said Farm-to-Market Road 518
5 right-of-way, a distance of 907.78 feet along the east line of said
6 Lot 58 and the west line of Lot 59 of the said Slone Subdivision to a
7 5/8-inch iron rod with cap stamped "Brown & Gay" set for corner;
8 THENCE S 66°47'00" E, a distance of 234.00 feet along the south line
9 of Lot 59 to a 1-inch iron pipe found for the southeast corner of
10 said Lot 59;
11 THENCE N 23°13'00" E, a distance of 907.91 feet along the east line
12 of said Lot 59 and the west line of Lot 60 of the said Slone
13 Subdivision to a 5/8-inch iron rod with cap stamped "Brown & Gay"
14 set for the northwest corner of Lot 60 and being in the south
15 right-of-way line of said Farm-to-Market Road 518 (140-foot width);
16 THENCE S 66°48'50" E, a distance of 1188.89 feet along the south
17 right-of-way line of said Farm-to-Market Road 518 (140-foot width)
18 to a 5/8-inch iron rod with cap stamped "Brown & Gay" set for corner
19 and from which 1/2-inch iron rod found bears S 11° 52' W, 0.84 feet;
20 THENCE S 31°27'01" W, a distance of 918.00 feet along the west line
21 of a called 4.8476 acre tract of land described in a deed recorded
22 under Clerk's File Number 2001020091 of the Official Public Records
23 of Real Property of Galveston County, Texas to a 5/8-inch iron rod
24 with cap stamped "Brown & Gay" set for corner and from which a found
25 5/8-inch iron rod found bears N 38° 40' 38" E, 12.06 feet;
26 THENCE S 66°47'00" E, a distance of 234.19 feet to a 5/8-inch iron
27 rod with cap stamped "Brown & Gay" set for corner and being in the

1 west line of Rancho Viejo Section Two, a subdivision plat filed
2 under Volume 15, Page 183-184 of the Galveston County Map Records;
3 THENCE S 31°27'01" W, a distance of 1881.19 feet along the east line
4 of said Slone Subdivision and the west line of said Rancho Viejo
5 Section Two, to a 3/4-inch iron pipe found for the southeast corner
6 of Lot 107 and the northeast corner of Lot 127 of the said Slone
7 Subdivision;

8 THENCE N 66° 47' 00" W, a distance of 554.37 feet along the north
9 line of Lot 126 and Lot 127 to a 5/8-inch iron rod found for the
10 northeast corner of Lot 125 and the northwest corner of Lot 126 of
11 the said Slone Subdivision;

12 THENCE S 23° 13' 00" W a distance of 915.90 feet along the east line
13 of said Lot 125 and the west line of said Lot 126 to a 3/8-inch iron
14 rod found for the southeast corner of said Lot 125 and the southwest
15 corner of said Lot 126 and being in the north line of a 30-foot wide
16 road right-of-way as shown on the plat of the said Slone
17 Subdivision;

18 THENCE N 66° 47' 00" W, a distance of 234.38 feet along the south
19 line of said Lot 125 and the north line of the last said 30-foot wide
20 road right-of-way to a 5/8-inch iron rod with cap stamped "Brown &
21 Gay" set for the southwest corner of said Lot 125;

22 THENCE S 23° 13' 00" W, a distance of 945.90 feet over and across the
23 last said 30-foot wide road right-of-way, along the east line of Lot
24 142 and the west line of Lot 143 of the said Slone Subdivision to a
25 5/8-inch iron rod with a cap stamped "Brown & Gay" set for the
26 southeast corner of said Lot 142;

27 THENCE S 66° 47' 00" E, along the south line of Lot 143 and Lot 144 of

1 the said Slone Subdivision, at a distance of 229.14 feet pass a
2 found 1/2-inch iron rod and continuing for a total distance of
3 468.00 feet to a 1/2-iron rod found for the southwest corner of Lot
4 145 and the southeast corner of Lot 144 of the said Slone
5 Subdivision corner;

6 THENCE N 23° 13' 00" E, a distance of 915.90 feet along the west line
7 of said Lot 145 and the east line of said Lot 144 to a 5/8-inch iron
8 rod with cap stamped "Brown & Gay" set for the northwest corner of
9 said Lot 145 in the south line of the last said 30-foot road
10 right-of-way, and from which a 3/8-inch iron found bears N 18° 38'
11 28" E, 3.91 feet;

12 THENCE S 66° 47' 00" E, a distance of 183.87 feet along the south
13 line of the last said 30-foot road right-of-way to a 5/8-inch iron
14 rod with cap stamped "Brown & Gay" set for the northeast corner of
15 said Lot 145 and being in the east line of said Slone Subdivision
16 and the west line of said Rancho Viejo Section Two;

17 THENCE S 31°27'01" W, at a distance of 141.19 feet pass a 1/2-inch
18 iron rod found for the southwest corner of said Rancho Viejo Section
19 Two and the northwest corner of a called 45.906 acre tract described
20 in a deed recorded under Clerk's File Number 9316733 of the Official
21 Public Records of Real Property of Galveston County, Texas,
22 continuing along the east line of the said Slone Subdivision and the
23 west line of the Slone Second Subdivision, a subdivision plat filed
24 for record under Volume 254A, Page 12 & 15 of the Galveston County
25 Map Records a total distance of 1589.22 feet to a 5/8-inch iron rod
26 with cap stamped "Brown & Gay" set for the southeast corner of the
27 herein described tract and being in the south line of the John

1 Dickinson League, Abstract 9 and the north line of the I & G. N.R.R
2 Company Survey No. 4, Abstract 608, and from which a found 1/2-inch
3 iron pipe bears N 86° 55' 50" E, 1.24 feet, and a 2-inch iron pipe
4 found for the southeast corner of the said Slone Subdivision bears S
5 31° 27' 01"W, 293.38 feet;

6 THENCE S 86° 55' 50" W, a distance of 3151.54 feet over and across
7 Lots 158 through 160, a 30-foot road and 170 through 162 of the said
8 Slone Subdivision and along the south line of the said John
9 Dickinson League, Abstract 9 and the north line of the I & G. N.R.R
10 Company Survey No. 4, Abstract 608, to a square iron axle found in
11 the west line of the said Slone Subdivision for the southwest corner
12 of the herein described tract and the southwest corner of the said
13 John Dickinson League, Abstract 9, and from which the southwest
14 corner of the said Slone Subdivision bears S 03° 05' 56" E, 284.94
15 feet;

16 THENCE N 03°05'56" W, along the west line of the said Slone
17 Subdivision, at a distance of 1323.08 feet pass a 1-inch iron pipe
18 found for the most easterly northeast corner of a called 97.00 acres
19 described in a deed recorded under Clerk's File Number 9705354 of
20 the Official Public Records of Real Property of Galveston County,
21 Texas, and continuing for a total distance of 4239.36 feet to the
22 POINT OF BEGINNING and containing 506.20 acres of land.

23 SAVE AND EXCEPT this 9.525 acre tract of land:

24 Being 9.525 acres of land situated in the John Dickinson League,
25 Abstract 9, City of Friendswood, Galveston County, Texas and being
26 all of Lots 117 and 118 of the Slone Subdivision, originally
27 recorded in Volume 254-A, Page 6 of the Galveston County Map Records

1 and transferred to Volume 3, Page 61A of the Galveston County Map
2 Records, said 9.525 acres being more particularly described by
3 metes and bounds as follows:

4 BEGINNING at a 1-1/2 inch iron pipe found for the northwest corner
5 of said Lot 117;

6 THENCE S 66° 47' 00" E, a distance of 453.00 feet to a 3/8-inch iron
7 rod found (disturbed) in the west line of a 30-foot road for the
8 northeast corner of said Lot 118;

9 THENCE S 23° 13' 00" W, a distance of 915.90 feet to a 5/8-inch iron
10 rod with cap stamped "Brown & Gay" set for the southeast corner of
11 said Lot 118 in the north of a 30-foot road;

12 THENCE N 66° 47' 00" W, a distance of 453.00 feet to a 3/8-inch iron
13 found (disturbed) for the southwest corner of said Lot 117;

14 THENCE N 23° 13' 00" E, a distance of 915.90 feet to the POINT OF
15 BEGINNING and containing 9.525 acres of land.

16 SAVE AND EXCEPT this 4.920 acre of land:

17 Being 4.920 acres of land situated in the John Dickinson League,
18 Abstract 9, City of Friendswood, Galveston County, Texas and being
19 all of Lot 103 of the Slone Subdivision, originally recorded in
20 Volume 254-A, Page 6 of the Galveston County Map Records and
21 transferred to Volume 3, Page 61A of the Galveston County Map
22 Records, said 4.920 acres being more particularly described by
23 metes and bounds as follows:

24 COMMENCING at a 5/8-inch iron rod found for the northwest corner of
25 Lot 126 of the said Slone Subdivision;

26 THENCE N 66° 47' 00" W, a distance of 234.38 feet to a 5/8-inch iron
27 rod with cap stamped "Brown & Gay" set for the southeast corner of

1 said Lot 103 and the POINT OF BEGINNING;
2 THENCE N 66° 47' 00" W, a distance of 234.00 feet to a 5/8-inch iron
3 rod with cap stamped "Brown & Gay" set for the southwest corner of
4 said Lot 103;
5 THENCE N 23° 13' 00" E, a distance of 915.90 feet to a 5/8-inch iron
6 rod with cap stamped "Brown & Gay" set for the northwest corner of
7 said Lot 103;
8 THENCE S 66° 47' 00" E, a distance of 234.00 feet to a 5/8-inch iron
9 rod with cap stamped "Brown & Gay" set for the northeast corner of
10 said Lot 103;
11 THENCE S 23° 13' 00" W, a distance of 915.90 feet to the POINT OF
12 BEGINNING and containing 4.920 acres of land.

13 In conclusion, the herein described Tract "C", being 506.20 acres
14 of land, SAVE AND EXCEPT the herein described 9.525 acre tract and
15 the herein described 4.920 acre tract of land, said Tract "C"
16 comprising a total acreage of 491.76 acres of land.

17 Bearing orientation is based on the Texas State Plane Coordinate
18 System, South Central Zone NAD-83 and was derived by GPS (Global
19 Positioning System) measurements.

20 Tract "D"

21 BEING 47.32 acres of land situated in the John Dickinson League,
22 Abstract Number 15 and the Sarah McKissick Survey Abstract Number
23 549, Harris County, Texas, and being out of a called 128.897 acre
24 tract of land described in the deed to Autumn Creek Development,
25 Ltd., recorded under Harris County Clerk's File Number S953732,
26 said 47.32 acres being described by metes and bounds as follows:

27 BEGINNING at a point for the southeast corner of Autumn Creek

1 Section Nine, a subdivision as shown on the plat thereof recorded at
2 Film Code Number 497014 of the Harris County Map Records in the
3 westerly right-of-way line of West Bay Area Boulevard, (100-foot
4 wide right-of-way);
5 THENCE in a southeasterly direction with the westerly right-of-way
6 line of said West Bay Area Boulevard along said curve to the left
7 having an arc distance of 506.26 feet, a radius of 2,050.00 feet, a
8 central angle of 14° 08' 58" and a chord which bearing S 11° 37' 18"
9 E, 504.97 feet, to the point of tangency of said curve;
10 THENCE S 18° 41' 47" E, a distance of 248.04 feet with the westerly
11 right-of-way line of said West Bay Area Boulevard to a point at the
12 northeast corner of a called 1.7040 acre tract of land described by
13 a deed to the City of Friendswood, recorded under Harris county
14 Clerk's File Number K176284;
15 THENCE S 71° 18' 13" W, a distance of 100.65 with the northerly line
16 of said 1.7040 acre tract to a point at the northwest corner of said
17 1.7040 acre tract and the north corner of a called 20.2798 acre
18 tract described by deed to Gulf Coast Waste Disposal Authority,
19 recorded under Harris County Clerk's File Number P950404;
20 THENCE S 41° 47' 10" W, a distance of 1,519.76 feet with the
21 northwest line of said 20.2798 acre tract to a point for a corner;
22 THENCE N 65° 22' 41" W, a distance of 70.22 feet;
23 THENCE N 72° 32' 12" W, a distance of 253.55 feet;
24 THENCE N 89° 34' 51" W, a distance of 93.55 feet;
25 THENCE S 88° 46' 20" W, a distance of 93.87 feet;
26 THENCE N 75° 06' 28" W, a distance of 115.12 feet;
27 THENCE N 54° 31' 09" W, a distance of 67.47 feet;

1 THENCE N 41° 43' 46" E, a distance of 737.60 feet with the southeast
2 line of called 3.4 acre tract described by deed recorded in Volume
3 264, Page 548, of the Harris County Deed Records, to a point for a
4 corner;

5 THENCE N 48° 21' 15" W, a distance of 199.99 feet with the northeast
6 line of said 3.4 acre tract;

7 THENCE S 41° 43' 46" W, a distance of 709.88 feet with the northwest
8 line of said 3.4 acre tract;

9 THENCE N 20° 12' 20" W, a distance of 129.06 feet;

10 THENCE N 13° 26' 52" W, a distance of 91.03 feet;

11 THENCE N 07° 51' 30" W, a distance of 67.29 feet;

12 THENCE N 41° 43' 46" E, a distance of 554.47 feet with the southeast
13 line of a called 3.4 acre tract of land described by deed to Charles
14 Crady III, recorded under Harris County Clerk's File Number
15 C841669, to a point for a corner;

16 THENCE N 48° 13' 21" W, a distance of 319.44 feet with the northeast
17 line of said Charles Crady III tract to a point for a corner;

18 THENCE S 41° 43' 46" W, a distance of 327.16 feet with the west line
19 of said Charles Crady III tract, to the north high bank of Clear
20 Creek;

21 THENCE with the meanders of the northerly high bank of Clear Creek
22 the following courses and distances;

23 N 06° 15' 18" E, a distance of 128.87 feet; thence N 29° 33' 14" E, a
24 distance of 96.29 feet; thence N 35° 23' 39" E, a distance of 90.35
25 feet; thence N 54° 40' 40" E, a distance of 171.73 feet; thence N 65°
26 22' 42" E, a distance of 76.58 feet; thence N 70° 16' 39" E, a
27 distance of 165.74 feet; thence N 85° 37' 19" E, a distance of 133.13

1 feet; thence S 73° 47' 45" E, a distance of 47.39 feet; thence N 80°
2 52' 47" E, a distance of 106.09 feet; thence N 71° 30' 39" E, a
3 distance of 118.94 feet; thence N 63° 18' 34" E, a distance of 84.87
4 feet; thence N 44° 42' 37" E, a distance of 92.08 feet; thence N 39°
5 51' 29" E, a distance of 86.14 feet; thence N 29° 04' 19" E, a
6 distance of 50.03 feet to the southwest corner of said Autumn Creek
7 Section Nine;

8 THENCE with the south line of said Autumn Creek Section Nine the
9 following courses and distances;

10 S 24° 51' 52" E, a distance of 69.54 feet; thence S 06° 45' 46" E, a
11 distance of 87.56 feet; thence S 32° 26' 33" E, a distance of 85.50
12 feet; thence S 88° 37' 39" E, a distance of 14.86 feet; thence N 44°
13 06' 45" E, a distance of 112.42 feet; thence N 21° 44' 05" E, a
14 distance of 112.59 feet; thence N 56° 48' 17" E, a distance of 32.67
15 feet; thence S 79° 07' 55" E, a distance of 52.80 feet; thence S 63°
16 32' 53" E, a distance of 52.09 feet; thence S 49° 13' 34" E, a
17 distance of 37.53 feet; thence N 70° 39' 58" E, a distance of 39.78
18 feet; thence N 22° 49' 00" E, a distance of 57.03 feet; thence N 00°
19 17' 16" W, a distance of 29.48 feet; thence N 38° 11' 13" W, a
20 distance of 86.26 feet; thence N 18° 19' 44" E, a distance of 50.57
21 feet; thence N 03° 06' 21" W, a distance of 72.07 feet; thence N 67°
22 12' 26" E, a distance of 40.69 feet; thence S 55° 50' 39" E, a
23 distance of 76.98 feet; thence S 73° 56' 00" E, a distance of 36.58
24 feet; thence N 67° 59' 15" E, a distance of 41.85 feet; thence N 37°
25 54' 13" E, a distance of 106.81 feet; thence S 77° 38' 13" E, a
26 distance of 39.60 feet; thence S 41° 22' 10" E, a distance of 72.50
27 feet; thence S 34° 59' 04" E, a distance of 41.88 feet; thence N 84°

1 58' 55" E, a distance of 37.80 feet to the POINT OF BEGINNING and
2 containing 47.32 acres of land.

3 SECTION 3. LEGISLATIVE FINDINGS. The legislature finds
4 that:

5 (1) proper and legal notice of the intention to
6 introduce this Act, setting forth the general substance of this
7 Act, has been published as provided by law, and the notice and a
8 copy of this Act have been furnished to all persons, agencies,
9 officials, or entities to which they are required to be furnished by
10 the constitution and laws of this state, including the governor,
11 who has submitted the notice and Act to the Texas Commission on
12 Environmental Quality;

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

17 (3) the general law relating to consent by political
18 subdivisions to the creation of districts with conservation,
19 reclamation, and road powers and the inclusion of land in those
20 districts has been complied with; and

21 (4) all requirements of the constitution and laws of
22 this state and the rules and procedures of the legislature with
23 respect to the notice, introduction, and passage of this Act have
24 been fulfilled and accomplished.

25 SECTION 4. EFFECTIVE DATE. This Act takes effect
26 immediately if it receives a vote of two-thirds of all the members
27 elected to each house, as provided by Section 39, Article III, Texas

H.B. No. 3522

1 Constitution. If this Act does not receive the vote necessary for
2 immediate effect, this Act takes effect September 1, 2005.