

By: Ellis

S.B. No. 993

Substitute the following for S.B. No. 993:

By: Rodriguez

C.S.S.B. No. 993

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Harris County Improvement District No. 5; providing authority to impose a tax and issue a bond or similar obligation.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3834 to read as follows:

CHAPTER 3834. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 5

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3834.001. DEFINITIONS. In this chapter:

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

(2) "District" means the Harris County Improvement District No. 5.

Sec. 3834.002. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 5.

The Harris County Improvement District No. 5 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3834.003. 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 Houston, Harris County, and other political subdivisions to contract with the district, the legislature has established a

1 program to accomplish the public purposes set out in Section 52-a,
2 Article III, Texas Constitution.

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

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

14 Sec. 3834.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

15 (a) The district is created to serve a public use and benefit.

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

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

23 (1) further the public purposes of developing and
24 diversifying the economy of the state;

25 (2) eliminate unemployment and underemployment; and

26 (3) develop or expand transportation and commerce.

27 (d) The district will:

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

4 (2) provide needed funding for the district to
5 preserve, maintain, and enhance the economic health and vitality of
6 the district territory as a residential neighborhood and a
7 commercially viable area; and

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

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

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

20 Sec. 3834.005. DISTRICT TERRITORY. The district is
21 composed of the territory described by Section 2 of the Act enacting
22 this chapter, as that territory may have been modified under:

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

24 (2) other law.

25 Sec. 3834.0055. DISANNEXATION OF DISTRICT 146 TERRITORY.

26 (a) The district does not include the area of state representative
27 District 146 as of the effective date of the Act enacting this

1 section.

2 (b) Disannexation of territory under this section does not
3 affect the district's right to collect any assessments, impact
4 fees, or taxes imposed on property in the disannexed territory
5 before the disannexation.

6 (c) Disannexation of territory under this section does not
7 diminish or impair the rights of the holders of any outstanding and
8 unpaid bonds, warrants, or other obligations of the district.
9 Property disannexed under this section is not released from its pro
10 rata share of any district indebtedness at the time of the
11 disannexation and the district may continue to tax the property
12 until that debt is paid.

13 Sec. 3834.006. APPLICABILITY OF MUNICIPAL MANAGEMENT
14 DISTRICTS LAW. Except as otherwise provided by this chapter,
15 Chapter 375, Local Government Code, applies to the district.

16 Sec. 3834.007. LIBERAL CONSTRUCTION OF CHAPTER. This
17 chapter shall be liberally construed in conformity with the
18 findings and purposes stated in this chapter.

19 [Sections 3834.008-3834.050 reserved for expansion]

20 SUBCHAPTER B. BOARD OF DIRECTORS

21 Sec. 3834.051. BOARD OF DIRECTORS; TERMS. (a) The
22 district is governed by a board of 11 voting directors who serve
23 staggered terms of four years, with five or six directors' terms
24 expiring June 1 of each odd-numbered year.

25 (b) The board by resolution may change the number of voting
26 directors on the board, but only if the board determines that the
27 change is in the best interest of the district. The board may not

1 consist of fewer than 5 or more than 15 directors.

2 Sec. 3834.052. QUALIFICATIONS. (a) Three voting
3 directors on the board must reside in a residential area adjacent to
4 the district and eight voting directors must represent commercial
5 property owners or tenants in the district.

6 (b) If the total number of voting directors of the board is
7 increased or reduced, the board must maintain the same percentage
8 of representation of residential and commercial areas on the board.

9 Sec. 3834.053. APPOINTMENT OF DIRECTORS. The mayor and
10 members of the governing body of the City of Houston shall appoint
11 directors from persons recommended by the board. A person is
12 appointed if a majority of the members of the governing body,
13 including the mayor, vote to appoint that person.

14 Sec. 3834.054. NONVOTING DIRECTORS. (a) The following
15 persons serve as nonvoting directors:

16 (1) the directors of the following departments of the
17 City of Houston or a person designated by that director:

18 (A) parks and recreation;

19 (B) planning and development; and

20 (C) public works; and

21 (2) the City of Houston's chief of police.

22 (b) If a department described by Subsection (a) is
23 consolidated, renamed, or changed, the board may appoint a director
24 of the consolidated, renamed, or changed department as a nonvoting
25 director. If a department described by Subsection (a) is
26 abolished, the board may appoint a representative of another
27 department that performs duties comparable to those performed by

1 the abolished department.

2 Sec. 3834.055. QUORUM. (a) Section 375.071, Local
3 Government Code, does not apply to the district.

4 (b) A majority of the board is a quorum.

5 (c) Nonvoting directors and vacant director positions are
6 not counted for the purposes of establishing a board quorum.

7 Sec. 3834.056. CONFLICTS OF INTEREST; ONE-TIME AFFIDAVIT.

8 (a) Except as provided by this section:

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

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

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

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

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

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

1 may exercise the powers given to:

2 (1) a corporation under Section 4B, Development
3 Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil
4 Statutes); and

5 (2) a housing finance corporation under Chapter 394,
6 Local Government Code, to provide housing or residential
7 development projects in the district.

8 Sec. 3834.102. NONPROFIT CORPORATION. (a) The board by
9 resolution may authorize the creation of a nonprofit corporation to
10 assist and act for the district in implementing a project or
11 providing a service authorized by this chapter.

12 (b) The nonprofit corporation:

13 (1) has each power of and is considered for purposes of
14 this chapter to be a local government corporation created under
15 Chapter 431, Transportation Code; and

16 (2) may implement any project and provide any service
17 authorized by this chapter.

18 (c) The board shall appoint the board of directors of the
19 nonprofit corporation. The board of directors of the nonprofit
20 corporation shall serve in the same manner as, for the same term as,
21 and on the same conditions as the board of directors of a local
22 government corporation created under Chapter 431, Transportation
23 Code.

24 Sec. 3834.103. AGREEMENTS; GRANTS. (a) The district may
25 make an agreement with or accept a gift, grant, or loan from any
26 person.

27 (b) The implementation of a project is a governmental

1 function or service for the purposes of Chapter 791, Government
2 Code.

3 Sec. 3834.104. AUTHORITY TO CONTRACT FOR LAW
4 ENFORCEMENT. To protect the public interest, the district may
5 contract with Harris County or the City of Houston for the county or
6 the city to provide law enforcement services in the district for a
7 fee.

8 Sec. 3834.105. APPROVAL BY CITY OF HOUSTON. (a) Except as
9 provided by Subsection (b), the district must obtain the approval
10 of the City of Houston's governing body for:

11 (1) the issuance of a bond for each improvement
12 project;

13 (2) the plans and specifications of the improvement
14 project financed by the bond; and

15 (3) the plans and specifications of any district
16 improvement project related to the use of land owned by the City of
17 Houston, an easement granted by the City of Houston, or a
18 right-of-way of a street, road, or highway.

19 (b) If the district obtains the approval of the City of
20 Houston's governing body of a capital improvements budget for a
21 period not to exceed five years, the district may finance the
22 capital improvements and issue bonds specified in the budget
23 without further approval from the City of Houston.

24 Sec. 3834.106. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
25 district may join and pay dues to an organization that:

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

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

3 Sec. 3834.107. REMOVAL OF DANGEROUS BUILDINGS. (a) The
4 district may cooperate with the City of Houston to have the City of
5 Houston demolish and remove dangerous buildings in or outside the
6 district as provided by this section.

7 (b) The district may cooperate with the City of Houston to
8 demolish and remove dangerous buildings outside the district if:

9 (1) the district makes a determination that demolition
10 and removal would benefit the district; and

11 (2) the City of Houston agrees.

12 (c) The district may borrow money to finance the demolition
13 and removal of dangerous buildings under this section without
14 complying with Section 3834.152.

15 (d) The City of Houston may reimburse the district for all
16 costs financed by the district from:

17 (1) the proceeds of foreclosure on any demolition lien
18 on the property; or

19 (2) any other money the city collects or appropriates
20 for the costs.

21 Sec. 3834.108. NOTICE. Notice required by Chapter 375,
22 Local Government Code, may be sent by first class U.S. Mail rather
23 than certified mail, return receipt requested, if the board of
24 directors determines that first class mail is preferable and
25 provides adequate notice. If the board determines that first class
26 mail is preferable, the board must publish notice in a newspaper of
27 general circulation in the district at least 20 days before the

1 event of which the district is giving notice.

2 Sec. 3834.109. NO EMINENT DOMAIN. The district may not
3 exercise the power of eminent domain.

4 [Sections 3834.110-3834.150 reserved for expansion]

5 SUBCHAPTER D. FINANCIAL PROVISIONS

6 Sec. 3834.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
7 board by resolution shall establish the number of directors'
8 signatures and the procedure required for a disbursement or
9 transfer of the district's money.

10 Sec. 3834.152. PETITION REQUIRED FOR FINANCING SERVICES AND
11 IMPROVEMENTS. (a) The board may not finance a service or
12 improvement project with assessments under this chapter unless a
13 written petition requesting that service or improvement has been
14 filed with the board.

15 (b) A petition requesting a project financed by assessment
16 must be signed by:

17 (1) the owners of a majority of the assessed value of
18 real property in the district subject to assessment according to
19 the most recent certified tax appraisal roll for Harris County; or

20 (2) at least 50 owners of real property in the district
21 that will be subject to the assessment, if more than 50 persons own
22 real property subject to the assessment in the district according
23 to the most recent certified tax appraisal roll for Harris County.

24 Sec. 3834.153. MAINTENANCE TAX. (a) If authorized at an
25 election held in accordance with Section 3834.157, the district may
26 impose an annual ad valorem tax on taxable property in the district
27 to:

- (1) administer the district;
- (2) maintain and operate the district;
- (3) construct or acquire improvements; or
- (4) provide a service.

(b) The board shall determine the tax rate.

Sec. 3834.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)

The board by resolution may impose and collect an assessment for any purpose authorized by this chapter.

(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of

1 any parcel of land without providing notice and holding a hearing in
2 the manner required for additional assessments.

3 Sec. 3834.155. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
4 ASSESSMENTS. The district may not impose an impact fee or
5 assessment on the property, including the equipment,
6 rights-of-way, facilities, or improvements, of:

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

9 (2) a gas utility as defined by Section 101.003 or
10 121.001, Utilities Code;

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

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

15 Sec. 3834.156. BONDS AND OTHER OBLIGATIONS. (a) The
16 district may issue bonds or other obligations payable wholly or
17 partly from assessments, impact fees, revenue, grants, or other
18 money of the district, or any combination of those sources of money,
19 to pay for any authorized purpose of the district.

20 (b) In exercising the district's power to borrow, the
21 district may issue a bond or other obligation in the form of a bond,
22 note, certificate of participation or other instrument evidencing a
23 proportionate interest in payments to be made by the district, or
24 other type of obligation.

25 Sec. 3834.157. TAX AND BOND ELECTIONS. (a) The district
26 shall hold an election in the manner provided by Subchapter L,
27 Chapter 375, Local Government Code, to obtain voter approval before

1 the district imposes a maintenance tax or issues bonds payable from
2 ad valorem taxes.

3 (b) The board may not include more than one purpose in a
4 single proposition at an election.

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

7 Sec. 3834.158. MUNICIPALITY NOT REQUIRED TO PAY DISTRICT
8 OBLIGATIONS. Except as provided by Section 375.263, Local
9 Government Code, a municipality is not required to pay a bond, note,
10 or other obligation of the district.

11 Sec. 3834.159. COMPETITIVE BIDDING. Section 375.221, Local
12 Government Code, applies to the district only for a contract that
13 has a value greater than \$25,000.

14 [Sections 3834.160-3834.200 reserved for expansion]

15 SUBCHAPTER E. DISSOLUTION

16 Sec. 3834.201. DISSOLUTION OF DISTRICT WITH OUTSTANDING
17 DEBT. (a) The board may dissolve the district regardless of
18 whether the district has debt. Section 375.264, Local Government
19 Code, does not apply to the district.

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

24 SECTION 2. As of the effective date of this Act, the Harris
25 County Improvement District No. 5 includes all territory contained
26 in the following described area:

27 Beginning at point approximately 600 feet from the

1 intersection of the south right-of-way line of Murphy Road and the
2 south right-of-way line of Highway 59;

3 Thence in a northeasterly direction along the southeast
4 right-of-way line of Highway 59 approximately 10,900 feet to the
5 south right-of-way line of Bissonnet Street;

6 Thence in an easterly direction along the south right-of-way
7 line of Bissonnet Street a distance of approximately 3,500 feet to
8 the east right-of-way line of South Gessner Boulevard;

9 Thence in a southerly direction along the east right-of-way
10 line of South Gessner Boulevard a distance of approximately 1,100
11 feet to the north right-of-way line of Braeswood Bayou;

12 Thence in an easterly direction along the north right-of-way
13 line of Braeswood Bayou a distance of approximately 9,500 feet to
14 the east right-of-way line of Hillcroft Avenue;

15 Thence in a southerly direction along the east right-of-way
16 line of Hillcroft Avenue a distance of approximately 3,800 feet to
17 the south right-of-way line of Willowbend Drive;

18 Thence in a westerly direction along the south right-of-way
19 line of Willowbend Drive a distance of approximately 1,500 feet to
20 east line of Harris County Flood Control Ditch D-139-03;

21 Thence in a southerly direction along the east line of Harris
22 County Flood Control Ditch 139-03 continuing south along the east
23 line of Harris County Flood Control Ditch 140-05-02 continuing
24 further south along the east line of Harris County Flood Control
25 Ditch 140-05-01 a total distance of approximately 9,500 feet to the
26 north right-of-way line of Highway 90A;

27 Thence in an easterly direction along the north right-of-way

1 line of Highway 90A a distance of approximately 4,600 feet to the
2 east line of Harris County Flood Control Ditch C-156;

3 Thence crossing Highway 90A in a southerly direction along
4 the east line of Harris County Flood Control Ditch C-156 a distance
5 of approximately 3,900 feet to the south right-of-way line of West
6 Orem Drive;

7 Thence in a westerly direction along the south right-of-way
8 line of West Orem Drive a distance of approximately 3,200 feet to
9 the east right-of-way line of Blue Ridge Drive;

10 Thence in a southerly direction along the east right-of-way
11 line of Blue Ridge Drive a distance of approximately 4,300 feet to
12 the south right-of-way line of Sam Houston Tollway (Beltway 8);

13 Thence in a northwesterly direction along the south
14 right-of-way line of Sam Houston Tollway a distance of
15 approximately 13,800 feet to the east line of Reserve D, Block 1,
16 Sanders Ridge Replat;

17 Thence in a southwesterly direction along east line of
18 Reserve D, Block 1, Sanders Ridge Replat a distance of
19 approximately 1,900 feet to the north right-of-way line of Cravens
20 Street;

21 Thence in a northwesterly direction along the north
22 right-of-way line of Cravens Street a distance of approximately
23 1,100 feet to the south right-of-way line of Stafford Road;

24 Thence in a northeasterly direction along the south
25 right-of-way line of Stafford Road a distance of approximately
26 1,500 feet to a point;

27 Thence in a westerly direction a distance of approximately

1 1,000 feet to the west right-of-way line of New Stafford Road;

2 Thence in a northwesterly direction along the west
3 right-of-way line of New Stafford Road a distance of approximately
4 300 feet to the south right-of-way line of West Airport Boulevard;

5 Thence in a westerly direction along the south right-of-way
6 line of West Airport Boulevard a distance of approximately 2,800
7 feet to the east line of Harris County Flood Control Ditch D-118-05;

8 Thence in a northerly direction along the east line of Harris
9 County Flood Control Ditch D-118-05 a distance of approximately
10 2,200 feet to the south right-of-way line of Dorrance Street;

11 Thence in a westerly direction along the south right-of-way
12 line of Dorrance Street a distance of approximately 4,500 feet to
13 the south right-of-way line of Highway 59 and the Point of Beginning

14 SAVE AND EXCEPT all property or lots that have been plated and
15 recorded for use solely for single family residential purposes, are
16 designated by the Harris County Appraisal District as single-family
17 residential or are otherwise determined to be single-family
18 residential, and all property, both real and personal, in the
19 following described area:

20 TRACT I:

21 A parcel of land containing 4.9328 acres (214,875 square feet) more
22 or less, being a remainder of that certain tract conveyed from
23 Albert S. Weycer, Trustee to Smith, Liu & Corbin, Inc., as recorded
24 in County Clerk's File No. K349561, Official Public Records of Real
25 Property, Harris County, Texas, and also being a remainder of that
26 certain tract conveyed from Greater Southwest Office Park, Ltd. to
27 Smith, Liu & Corbin, Inc., as recorded in County Clerk's File No.

1 K347824, Official Public Records of Real Property, Harris County,
2 Texas, said 4.9328 acre tract being situated in the H.T & B.R.R. Co.
3 Survey, Abstract No. 397, in Harris County, Texas and being more
4 particularly described by metes and bounds as follows:

5 BEGINNING at a found 5/8 inch iron rod in the southeast line of U.S.
6 Highway 59 (right-of-way varies), for the most east corner of that
7 certain 0.091 acre tract described in a judgement, the State of
8 Texas v. Jay marks, Trustee, et al, as recorded in County Clerk's
9 File No. M917764, Official Public Records of Real Property, Harris
10 County, Texas, same being the most south corner of that certain 0.122
11 acre tract described in a Judgement, the State of Texas v. Smith,
12 Liu & Corbin, Inc. as recorded in County Clerk's File No. M191871,
13 Official Public Records of Real Property, Harris County, Texas,
14 also being the most north corner of the remainder of that certain
15 tract conveyed from Greater Southwest Office Park, Ltd. to Jay
16 Mark, Trustee, as recorded in County Clerk's File No. K347823,
17 Official Public Records of Real Property, Harris County, Texas, and
18 also being the most west corner of the said remainder of the Smith,
19 Liu & Corbin, Inc., Tract, recorded in File No. K347824, from which
20 a found TxDot Monument bears, North 46 deg. 35 min. 00 sec. East,
21 1.11 feet;

22 THENCE North 43 deg. 59 min. 40 sec. East, with the said southeast
23 line of U.S. Highway 59, and the southeast line of the said 0.122
24 acre tract, and first with the northwest line of said remainder of
25 the Smith, Liu & Corbin, Inc., Tract, recorded in File No. K347824,
26 then with the northwest line of the said remainder of the Smith, Liu
27 & Corbin, Inc., Tract, recorded in File No. K349561, a distance of

1 319.19 feet to a found TxDot Monument;
2 THENCE North 44 deg. 55 min. 44 sec. East, continuing with the said
3 southeast line of U.S. Highway 59, and the said southeast line of
4 the 0.122 acre tract, same being the said northwest line of the
5 remainder of the Smith, Liu & Corbin, Inc. Tract, recorded in File
6 No. K349561, a distance of 11.74 feet to a found TxDot Monument, for
7 a point of curvature;
8 THENCE continuing with the said southeast line of U. S. Highway 59,
9 and the said southeast line of the 0.122 acre tract, same being the
10 said northwest line of the remainder of the Smith, Liu & Corbin,
11 Inc. Tract, recorded in File No. K349561, a distance of 172.67 feet
12 along the arc of a curve to the left, having a radius of 5702.38
13 feet, a central angle of 01 deg. 44 min. 06 sec., and a chord which
14 bears, North 44 deg. 03 min. 41 sec. East, a distance of 172.66 feet
15 to a set 5/8 inch iron rod, for the most west corner of that certain
16 tract conveyed from Smith, Liu & Corbin, Inc. to Paramount
17 Southwest, Inc., as recorded in County Clerk's File No. R800583,
18 Official Public Records of Real Property, Harris County, Texas,
19 same being the most west corner of that certain tract conveyed from
20 Paramount Southwest, Inc. to Foyt Motors, Inc., as recorded in
21 County Clerk's File No. R800584, Official Public Records of Real
22 Property, Harris County, Texas, and also being the most north
23 corner of the said remainder of the Smith, Liu & Corbin Tract,
24 recorded in File No. K349561;
25 THENCE South 47 deg. 09 min. 02 sec. East, with the southwest line
26 of the said Paramount Southwest, Inc., Tract, and the southwest
27 line of the said Foyt Motors, Inc. Tract, same being the northeast

1 line of the said remainder of the Smith, Liu & Corbin, Inc. Tract,
2 recorded in File No. K349561, a distance of 31.53 feet to a found
3 5/8 inch iron rod, for the most north corner of that certain tract
4 conveyed from Paramount Southwest, Inc. to Smith, Liu & Corbin,
5 Inc. as recorded in County Clerk's File No. R800582, Official
6 Public Records of Real Property, Harris County, Texas, same being
7 the south corner of the said Paramount Southwest, Inc., Tract, and
8 also being a corner of the said remainder of the Smith, Liu &
9 Corbin, Inc., Tract recorded in File No. K349561;
10 THENCE South 00 deg. 04 min. 44 sec. East, with the west line of the
11 said Smith, Liu & Corbin, Inc. Tract recorded in File No. R800582,
12 same being an east line of the said remainder of the Smith, Liu &
13 Corbin, Inc., Tract, recorded in File No. K349561, a distance of
14 279.10 feet to a found 5/8 inch iron rod, for the southwest corner
15 of the said Smith, Liu & Corbin, Inc., Tract, recorded in. File No.
16 R800582, same being a corner of the said remainder of the Smith, Liu
17 & Corbin, Inc., Tract, recorded in File No. K349561;
18 THENCE North 89 deg. 52 min. 49 sec. East, with the north line of the
19 said remainder of the Smith, Liu & Corbin, Inc., Tract, recorded in
20 File No. K349561, same being the south line of the said Smith, Liu &
21 Corbin, Inc., Tract, recorded in File No. R800582, at a distance of
22 299.82 feet pass a found "X" in concrete, for the southwest corner
23 of the said Foyt Motors, Inc., Tract, same being the southeast
24 corner of the said Smith, Liu & Corbin, Inc., Tract, recorded in
25 File No. R800582, then with the south line of the said Foyt Motors,
26 Inc., Tract, a total distance of 400.48 feet to a found 5/8 inch
27 iron rod in the west line of Paramount Fifty Nine, Section two, a

1 recorded in Volume 390, Page 104, Map Records of Harris County,
2 Texas, for the southeast corner of the said Foyt Motors, Inc.,
3 Tract, same being the northeast corner of the said remainder of the
4 Smith, Liu & Corbin, Inc., Tract, recorded in File No. K349561, from
5 which a found 5/8 inch iron rod bears, North 35 deg. 57 min. 22 sec.
6 East, 0.40 feet;

7 THENCE South 00 deg. 06 min. 16 sec. East, with the said west line of
8 Paramount Fifty Nine, Section Two, same being an east line of the
9 said remainder of the Smith, Liu & Corbin, Inc., Tract recorded in
10 File No. K349561, a distance of 241.29 feet to a found 5/8 inch iron
11 rod for the northeast corner of that certain tract conveyed from
12 Albert S. Weycer, Trustee to Jay Marks, Trustee, as recorded in
13 County Clerk's File No. K349560, Official Public Records of Real
14 Property, Harris County, Texas, same being the southeast corner of
15 the said remainder of the Smith, Liu & Corbin, Inc., Tract, recorded
16 in File No. K349561, from which a found 5/8 inch iron rod bears,
17 South 21 deg. 10 min. 37 sec. West, 0.81 feet;

18 THENCE North 89 deg. 58 min. 26 sec. West, with the north line of the
19 said Jay Marks, Trustee Tract, recorded in File No. K349560, same
20 being the south line of the said remainder of the Smith, Liu &
21 Corbin, Inc., Tract, recorded in File No. K349561, a distance of
22 445.00 feet, to a set 5/8 inch iron rod, for a corner;

23 THENCE North 76 deg. 24 min. 49 sec. West, first with the said south
24 line of the remainder of the Smith, Liu & Corbin, Inc., Tract,
25 recorded in File No. K349561, same being the said north line of the
26 Jay Marks, Trustee Tract, recorded in File No. K349560, then with
27 the southwest line of the said remainder of the Smith, Liu & Corbin,

1 Inc. Tract, recorded in File No. K347824, same being the northeast
2 line of the said remainder of the Jay Marks, Trustee Tract, recorded
3 in File No. K347823, a distance of 198.06 feet to a found "X" in
4 concrete, for a corner, from which a found "X" in concrete bears,
5 South 65 deg. 56 min. 55 sec. West, 0.39 feet;
6 THENCE North 46 deg. 00 min. 19 sec. West, continuing with the said
7 southwest line of the remainder of the Smith, Liu & Corbin, Inc.,
8 Tract, recorded in File No. K347824, and the said northeast line of
9 the remainder of the Jay Marks, Trustee Tract, recorded in File No.
10 K347823, a distance of 190.31 feet to the POINT OF BEGINNING and
11 containing 4.9328 acres (214,875 square feet) of land more or less,
12 and together with any and all rights to the non-exclusive easement
13 and right-of-way for storm sewer purposes set forth under Harris
14 County Clerk File No (s). K349562.

15 TRACT II:

16 A parcel of land containing 0.9605 acre (41,840 square feet) more or
17 less, being that same tract conveyed from Paramount Southwest, Inc.
18 to Smith, Liu & Corbin, Inc., as recorded in County Clerk's File No.
19 R800582, Official Public Records of Real Property, Harris County,
20 Texas, and being more particularly described by metes and bounds as
21 follows:

22 COMMENCING at a set 5/8 inch iron rod in the southeast line of U.S.
23 Highway 59 (right-of-way varies), same being in the east line of
24 that certain 0.122 acre tract described in a Judgment, the State of
25 Texas, v. Smith, Liu & Corbin, Inc., as recorded in County Clerk's
26 File No. M191871, Official Public Records of Real Property, Harris
27 County, Texas, for the most north corner of the remainder of that

1 certain tract conveyed from Albert S. Weycer, Trustee to Smith, Liu
2 & Corbin, Inc., as recorded under County Clerk's File No. K349561,
3 Official Public Records of real Property, Harris County, Texas,
4 same being the most west corner of that certain tract conveyed from
5 Smith, Liu & Corbin, Inc. to Paramount Southwest, Inc., as recorded
6 under County Clerk's File No. R800583, Official Public Records of
7 Real Property, Harris County, Texas, and also being the most west
8 corner of that certain tract conveyed from Paramount Southwest,
9 Inc., to Foyt Motors, Inc., as recorded under County Clerk's File
10 No. R800584, Official Public Records of Real Property, Harris
11 County, Texas;

12 THENCE South 47 deg. 09 min. 02 sec. East, with the Northeast line
13 of the said remainder of the Smith, Liu & Corbin, Inc., Tract
14 recorded in file No. K349561, same being the Southwest line of the
15 said Paramount Southwest, Inc. tract and the southwest line of the
16 said Foyt Motors, Inc. tract, a distance of 31.53 feet to a found
17 5/8 inch iron rod for a corner of the said remainder of the Smith,
18 Liu & Corbin, Inc., Tract, recorded under Harris County Clerk's
19 File No. K349561, same being the South corner of the said Paramount
20 Southwest, Inc. tract, also being the most north corner of the said
21 Smith, Liu & Corbin, Inc., Tract, recorded in File No. R800582, and
22 also being the POINT OF BEGINNING;

23 THENCE South 47 deg. 09 min. 02 sec. East, with the said southwest
24 line of the Foyt Motors, Inc. Tract, same being the northeast line
25 of the said Smith, Liu & Corbin, Inc. Tract, recorded in File No.
26 R800582, a distance 409.48 feet, to a found "X" in concrete, in the
27 north line of the said remainder of the Smith, Liu & Corbin, Inc.

1 Tract, recorded in File No. K349561, for the southwest corner of the
2 said Foyt Motors, Inc. Tract, same being the southwest corner of the
3 said Smith, Liu & Corbin, Inc., Tract, recorded in File No.
4 R8005822;

5 THENCE South 89 deg. 52 min. 49 sec. West, with the said north line
6 of the remainder of the Smith, Liu & Corbin, Inc. Tract, recorded
7 under Harris County Clerk's File No. K349561, same being the south
8 line of the said Smith, Liu & Corbin, Inc. tract recorded under
9 Harris County Clerk's File No. R800582, a distance of 299.82 feet to
10 a found 5/8 inch iron rod, for a corner of the said remainder of the
11 Smith, Liu & Corbin, Inc. Tract, recorded in File No. K349596, same
12 being the southwest corner of the said Smith, Liu & Corbin, Inc.
13 Tract, recorded in File No. R800582;

14 THENCE North 00 deg. 04 min. 44 sec. West, with an east line of the
15 said remainder of the Smith, Liu & Corbin, Inc. Tract, recorded
16 under Harris County Clerk's File No. K349561, same being the West
17 line of the said Smith, Liu & Corbin, Inc. Tract, recorded in File
18 No. R800582, a distance of 279.10 feet to the POINT OF BEGINNING,
19 and containing 0.9605 of an acre (41,840 square feet) of land more
20 or less, together with any and all rights in and to the storm sewer
21 easement set forth under Harris County Clerk File No.(s) R800586.

22 2.1207 acres of land being pat of the H.T. & B.R.R. Company Survey,
23 Abstract No. 397, Harris County, Texas, and being out of that
24 certain tract of land conveyed to Frances M. Britton in deed
25 recorded in Volume 979, Page 40, Harris County Deed Records, said
26 2.1207 acres of land being more particularly described by metes and
27 bounds as follows:

1 COMMENCING at a 5/8 inch iron rod found for the most northerly
2 northwest corner of the said Britton tract, said corner being on the
3 southeasterly right-of-way line of U.S. Highway 59;
4 THENCE along said right-of-way line South 40 deg. 20 min. 05 sec.
5 West, a distance of 150.00 feet to a found 5/8 inch iron rod for
6 POINT OF BEGINNING of the herein described tract;
7 THENCE leaving said right-of-way line, South 49 deg. 39 min. 55 sec.
8 East, a distance of 392.61 feet to a 5/8 inch iron rod found for the
9 Northeast corner of the herein described tract of land;
10 THENCE South 02 deg. 31 min. 49 sec. East, a distance of 179.26 feet
11 to a point for corner at a concrete fence base at the southeast
12 corner of the herein described tract of land, same being the
13 Northeastern corner of Southwest Plaza, a subdivision recorded in
14 Volume 319, Page 117, Harris County, Texas;
15 THENCE South 87 deg. 21 min. 56 sec. West, a distance of 100.66 feet
16 along the northerly line of unrestricted Reserve B to a found 5/8
17 inch iron rod marking the most southwest corner of the herein
18 described tract;
19 THENCE North 49 deg. 39 min. 55 sec. West, a distance of 441.01 feet
20 to a found 5/8 inch iron rod along the southeasterly right-of-way
21 line of U.S. Highway 59;
22 THENCE on a curve to the left along said right-of-way having a
23 central angle of 00 deg. 20 min. 22 sec., a radius of 5702.38 feet,
24 and length of 33.79 feet to a found 5/8 inch iron rod;
25 THENCE North 40 deg. 20 min. 05 sec. East along the southeast
26 right-of-way of U.S. Highway 59, a distance of 166.21 feet to the
27 POINT OF BEGINNING and containing 2.1207 acres (92,376 sq. ft.) of

1 land.

2 A 9.9800 acre tract of land in the H.T. & B. R.R. Survey, Abstract
3 No. 397, Harris County Texas, being all of Paramount Fifty Nine
4 Section One, a subdivision recorded in Film Code 381083, Harris
5 County Map Records, said tract being more particularly described by
6 metes and bounds as follows:

7 BEGINNING at a fence post in the east line of said subdivision, and
8 the Southeast corner of a 0.3248 acre tract described in a deed
9 recorded in Volume 3567, Page 698 of the Harris County Deed Records
10 and being in the west line of a 40-foot wide drainage easement
11 described in instruments recorded in Volume 4000, Page 62 and
12 Volume 4014, Page 496, both of the Harris County Deed Records;

13 THENCE South 02 deg 39' 43" East, a distance of 1171.40 feet along
14 the east line of said subdivision and along the west line of said 40
15 foot wide drainage easement to a 5/8 inch iron rod found for corner;

16 THENCE South 87 deg 20' 17" West, a distance of 315.00 feet to a 5/8
17 inch iron rod found for corner;

18 THENCE North 02 deg 39' 43" West, a distance of 649.83 feet to a 5/8
19 inch iron rod found for an angle point;

20 THENCE North 48 deg 09' 23" West, a distance of 359.77 feet to 5/8
21 inch iron rod found in the southeasterly right-of-way line of U.S.
22 Highway No. 59 (Southwest Freeway);

23 THENCE North 41 deg 50' 37" East, a distance of 377.05 feet along
24 the southeasterly right-of-way line of U.S. Highway 59, same being
25 the southeasterly line of a 2.6034 acre tract recorded in Vol. 3567,
26 Page 554, of the Harris County Deed Records, to a cut "x" for the
27 southwest corner of said 0.3248 acre tract, and the most northerly

1 northwest corner of the herein described tract;
2 THENCE North 87 deg 14' 58" East, along the south line of said
3 0.3248 acre tract, a distance of 307.28 feet to the POINT OF
4 BEGINNING and containing 9.9800 acres (434,730 sq. ft.) of land.
5 A tract of land containing .4679 acre, being a portion of Lots 3 & 4,
6 Block 12, Country Club Villas, a subdivision in Harris County,
7 Texas, recorded in Volume 34, Page 9, Harris County Map Records, and
8 being in the H.T.& B Survey, A 398 and being more particularly
9 described by metes and bounds as follows:
10 BEGINNING at a 5/8 inch iron rod found on the North right-of-way
11 line of Whitechapel Lane (30 feet wide) as recorded in Volume 34,
12 Page 9, Harris County Map Records, said 5/8 inch iron rod being the
13 on the west right-of-way line of Plainfield Road, and further being
14 the southeast corner of Lot 4, Block 12, of said Country Club
15 Villas;
16 THENCE South 87 deg 24' 10" West, leaving the West right-of-way line
17 of Plainfield Road, a distance of 160.41 feet to a found 5/8 inch
18 iron rod marking the most Southwesterly corner of Lot 4, Block 12;
19 THENCE North 02 deg 48' 23" West, a distance of 54.54 feet to a found
20 5/8 inch iron rod located in the Southerly right-of-way line of U.S.
21 Hwy 59 (300 feet wide);
22 THENCE North 41 deg 39' 26" East, along the Southerly right-of-way
23 line of U.S. Hwy 59, a distance of 149.09 feet to a set 5/8 inch iron
24 rod marking the most Northerly Northwest corner of the herein
25 described tract;
26 THENCE North 87 deg 24' 10" East, leaving the Southerly
27 right-of-way line of U.S. Hwy 59, a distance of 57.00 feet to a set

1 5/8 inch iron rod, said point located on the most Westerly
2 right-of-way line of Plainfield Road;
3 THENCE South 02 deg 25' 48" East, along the west right-of-way line
4 of said Plainfield Road, a distance of 161.33 feet to the POINT OF
5 BEGINNING and containing .4679 acres (20,384 sq ft) of land.

6 DESCRIPTION OF A TRACT OF LAND CONTAINING
7 1.0352 ACRES (45,092 SQUARE FEET) SITUATED
8 IN THE JAMES ALSTON SURVEY, A-100, HARRIS
9 COUNTY, TEXAS

10 Being a tract of land containing 1.0352 acres (45,092 square
11 feet) situated in the James Alston Survey, A-100 in Harris County,
12 Texas, and also being out of a 3.000-acre tract as conveyed unto
13 Texas Commerce Bancshares, Inc. by deed recorded under County
14 Clerk's File No. H209495, Film Code No. 199-89-0892 of the Official
15 Public Records of Real Property of Harris County, Texas. Said
16 1.0352-acre tract being more particularly described by metes and
17 bounds as follows:

18 BEGINNING at a point located in the easterly right-of-way
19 line of U.S. Highway 59 for the northwest corner of said 3.000-acre
20 tract and the southwest corner of said 143,000-square foot tract as
21 conveyed unto the First National Bank of Stafford by deed recorded
22 under County Clerk's File No. F416621, Film Code No. 183-07-1830 of
23 the Official Public Records of Real Property of Harris County,
24 Texas, from which a metal disk in a concrete filled 3-inch by 3-inch
25 iron post bears East, a distance of 0.2 feet and a 1/2-inch iron rod
26 bears South, a distance of 0.2 feet and West, a distance of 0.1
27 feet;

1 THENCE South 69° 56' 00" East with the north line of said
2 3.000-acre tract and the south line of said 143,000-square foot
3 tract, a distance of 203.14 feet to a PK nail set in concrete for the
4 northeast corner of said tract herein described;

5 THENCE South 21° 27' 03" West, a distance of 189.51 feet to a
6 5/8-inch iron rod set for the southeast corner of said tract herein
7 described located in the south line of said 3.000-acre tract;

8 THENCE North 68° 32' 57" West with the south line of said
9 3.000-acre tract, a distance of 280.05 feet to a 5/8-inch iron rod
10 set for the southwest corner of said tract herein described located
11 in the easterly right-of-way line of said U.S. Highway 59;

12 THENCE North 44° 05' 00" East with the easterly right-of-way
13 line of said U.S. Highway 59, a distance of 200.00 feet to the POINT
14 OF BEGINNING and containing 1.0352 acres (45,092 square feet) of
15 land, more or less.

16 TRACT 1

17 BEING THAT CERTAIN TRACT OF LAND CONTAINING 2.1764 ACRES, IN THE
18 H.T. & B.R.R. COMPANY SURVEY, ABSTRACT NO. 397, HARRIS COUNTY,
19 TEXAS, OUT OF THAT SAME 39.855 ACRE TRACT OF LAND DESCRIBED IN A
20 DEED RECORDED IN VOLUME 7853, PAGE 52 OF HARRIS COUNTY DEED RECORDS,
21 SAID TRACT BEING IN RESERVE "B" OF BLOCK 2 AS SHOWN ON THE PLAT OF
22 SOUTHWEST PLAZA RECORDED IN VOLUME 319, PAGE 117 OF THE HARRIS
23 COUNTY MAP RECORDS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY
24 METES AND BOUNDS AS FOLLOWS:

25 BEGINNING AT A 5/8" IRON ROD FOUND IN THE SOUTHEASTERLY
26 RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 59 (SOUTHWEST FREEWAY) AS
27 WIDENED FOR ITS INTERCHANGE WITH BELTWAY 8 AND DESCRIBED AS 12,827

1 SQUARE FEET IN A DEED FROM GREATER SOUTHWEST OFFICE PARK, LTD. TO
2 THE STATE OF TEXAS, DATED JULY 7, 1983 (SAID 12,827 SQUARE FOOT
3 TRACT BEING RESERVE "F" OF SAID BLOCK 2), AT THE SOUTHWEST CORNER OF
4 SAID RESERVE "B", AT THE NORTHWEST CORNER OF RESERVE "C" OF SAID
5 BLOCK 2, AND IN THE CENTERLINE OF A HOUSTON LIGHTING & POWER COMPANY
6 80-FOOT WIDE EASEMENT AS DESCRIBED IN INSTRUMENTS RECORDED IN
7 VOLUME 3455, PAGE 515, VOLUME 3455, PAGE 518 AND VOLUME 7847, PAGE
8 532, ALL OF THE HARRIS COUNTY DEED RECORDS:
9 THENCE, N 37° 48' 21" E, 110.93 FEET ALONG THE SOUTHEASTERLY
10 RIGHT-OF-WAY LINE OF THE SAID WIDENING OF U.S. HIGHWAY NO. 59 FOR
11 THE INTERCHANGE WITH BELTWAY 8, SAME BEING THE SOUTHEASTERLY LINE
12 OF SAID RESERVE "F" AND ALONG THE NORTHWESTERLY LINE OF SAID RESERVE
13 "B" TO A 5/8" IRON ROD WITH ALUMINUM CAP FOUND AT THE MOST NORTHERLY
14 CORNER OF SAID RESERVE "F";
15 THENCE, N 43° 59' 41" E, 326.50 FEET ALONG THE SOUTHEASTERLY
16 RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 59 (300 FEET OF R.O.W.) AND
17 ALONG THE NORTHWESTERLY LINE OF SAID RESERVE "B" TO A 5/8" IRON ROD
18 SET AT THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;
19 THENCE, S 46° 00' 19" E, 200.00 FEET TO A 5/8" IRON ROD SET FOR
20 CORNER;
21 THENCE, S 76° 24' 49" E, 50.92 FEET TO A 5/8" IRON ROD SET FOR CORNER
22 IN A WEST LINE OF THAT CERTAIN 21.4670 ACRE TRACT DESCRIBED IN A
23 DEED RECORDED IN VOLUME 4758, PAGE 584 OF THE HARRIS COUNTY DEED
24 RECORDS;
25 THENCE, S 00° 12' 53" E, 171.88 FEET ALONG A WEST LINE OF SAID
26 21.4670 ACRE TRACT AND ALONG THE EAST LINE OF SAID 39.855 ACRE TRACT
27 TO A 5/8" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN

1 DESCRIBED TRACT, AND BEING IN THE CENTERLINE OF THE SAID HOUSTON
2 LIGHTING & POWER COMPANY 80-FOOT WIDE EASEMENT;
3 THENCE, N 89° 58' 26" W, 488.80 FEET ALONG THE SOUTH LINE OF SAID
4 RESERVE "B", ALONG THE NORTH LINE OF SAID RESERVE "C" AND ALONG THE
5 CENTERLINE OF THE SAID HOUSTON LIGHTING & POWER COMPANY 80-FOOT
6 WIDE EASEMENT TO THE POINT OF BEGINNING AND CONTAINING 2.1764 ACRES
7 OF LAND, SAVE AND EXCEPT THAT CERTAIN TRACT CONTAINING 3,975 SQUARE
8 FEET OF LAND AWARDED TO THE STATE OF TEXAS UNDER CONDEMNATION AWARD,
9 A COPY OF WHICH IS RECORDED UNDER COUNTY CLERK'S FILE NO. M917764 OF
10 THE OFFICIAL RECORDS OF HARRIS COUNTY, TEXAS AND BEING DESCRIBED
11 THEREIN.

12 Tract 1 also being described as follows:

13 A PARCEL OF LAND CONTAINING 2.0854 ACRES (90,840 SQUARE FEET) MORE
14 OR LESS BEING OUT OF UNRESTRICTED RESERVE "B", BLOCK 2, SOUTHWEST
15 PLAZA, AS RECORDED IN VOLUME 319, PAGE 117, MAP RECORDS OF HARRIS
16 COUNTY AND ALSO BEING THE REMAINDER PORTION OF THAT CERTAIN 2.1764
17 ACRE TRACT, CONVEYED FROM GREATER SOUTHWEST OFFICE PARK, LTD. TO
18 JAY MARKS, TRUSTEE, AS RECORDED IN COUNTY CLERK'S FILE NO. K347823,
19 OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS,
20 O.P.R.R.P.H.C.T., SAID 2.0854 ACRE TRACT BEING SITUATED IN THE H.T.
21 & B.R.R. CO. SURVEY, ABSTRACT NO. 397, IN HARRIS COUNTY, TEXAS, AND
22 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

23 BEGINNING AT A FOUND 5/8 INCH IRON ROD IN THE SOUTHEAST LINE OF U.S.
24 HIGHWAY 59, SOUTHWEST FREEWAY, RIGHT-OF-WAY VARIES, FOR THE MOST
25 SOUTHERLY CORNER OF THAT CERTAIN 0.122 ACRE TRACT DESCRIBED IN A
26 JUDGMENT, THE STATE OF TEXAS V. SMITH, LIU & CORBIN, INC. ET AL, AS
27 RECORDED IN COUNTY CLERK'S FILE NO. M191871, O.P.R.R.P.H.C.T., SAME

1 BEING THE MOST EASTERLY CORNER OF THAT CERTAIN 0.091 ACRE TRACT
2 DESCRIBED IN A JUDGEMENT, THE STATE OF TEXAS V. JAY MARKS, TRUSTEE,
3 ET AL, AS RECORDED IN COUNTY CLERK'S FILE NO. M917764,
4 O.P.R.R.P.H.C.T., ALSO BEING THE MOST WESTERLY CORNER OF THAT
5 CERTAIN 4.9328 ACRE TRACT I, CONVEYED FROM SMITH LIU, & CORBIN, INC.
6 TO CAR GRI, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. T483127,
7 O.P.R.R.P.H.C.T., AND ALSO BEING THE MOST NORTHERLY CORNER OF THE
8 SAID REMAINDER OF THE 2.1764 ACRE TRACT, FROM WHICH A FOUND TX DOT
9 MONUMENT BEARS, N 46° 35' 00" E, 1.11 FEET;
10 THENCE, WITH THE SOUTH LINE OF THE SAID 4.9328 ACRE TRACT I, SAME
11 BEING THE NORTH LINE OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT,
12 THE FOLLOWING (2) TWO COURSES AND DISTANCES:
13 1. S 46° 00' 19" E, A DISTANCE OF 190.31 FEET TO A FOUND "X"
14 CUT IN CONCRETE, FROM WHICH ANOTHER FOUND "X" CUT IN
15 CONCRETE, BEARS, S 65° 56' 55" W, 0.39 FEET, AND
16 2. S 76° 24' 49" E, A DISTANCE OF 50.92 FEET TO A SET 5/8 INCH
17 IRON ROD WITH CAP STAMPED CIVIL-SURV, FOR THE NORTHWEST
18 CORNER OF THAT CERTAIN 1.9102 ACRE TRACT CONVEYED FROM
19 ALBERT S. WEYCER, TRUSTEE, TO JAY MARKS, TRUSTEE, AS
20 RECORDED IN COUNTY CLERK'S FILE NO. K349560,
21 O.P.R.R.P.H.C.T., SAME BEING THE NORTHEAST CORNER OF THE
22 SAID REMAINDER OF THE 2.1764 ACRE TRACT;
23 THENCE, S 00° 12' 53" E, WITH THE WEST LINE OF THE SAID 1.9102 ACRE
24 TRACT, SAME BEING THE EAST LINE OF THE SAID REMAINDER OF THE 2.1764
25 ACRE TRACT, A DISTANCE OF 171.88 FEET. TO A SET PK NAIL, IN THE
26 NORTH LINE OF UNRESTRICTED RESERVE "C", OF SAID BLOCK 2, SOUTHWEST
27 PLAZA, SAME BEING IN THE SOUTH LINE OF UNRESTRICTED RESERVE "B", FOR

1 THE NORTHWEST CORNER OF THAT CERTAIN 0.9442 ACRE TRACT, CONVEYED
2 FROM ALBERT S. WEYCER, TRUSTEE TO LESTER A. MARKS AND FRANCES M.
3 LOWE, AS RECORDED IN COUNTY CLERK'S FILE NO. N472331,
4 O.P.R.R.P.H.C.T., SAME BEING THE NORTHEAST CORNER OF THAT CERTAIN
5 0.8144 ACRE TRACT, CONVEYED FROM TEXAS COMMERCE BANK NATIONAL
6 ASSOCIATION TO LESTER A. MARKS AND FRANCES M. LOWE, AS RECORDED IN
7 COUNTY CLERK'S FILE NO. M080219, O.P.R.R.P.H.C.T., ALSO BEING THE
8 SOUTHWEST CORNER OF THE SAID 1.9102 ACRE TRACT, AND ALSO BEING THE
9 SOUTHEAST CORNER OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT;
10 THENCE, N 89° 58' 26" W, WITH THE SAID NORTH LINE OF UNRESTRICTED
11 RESERVE "C" AND WITH THE NORTH LINE OF THE SAID 0.8144 ACRE TRACT,
12 SAME BEING THE SAID SOUTH LINE OF UNRESTRICTED RESERVE "B", AND THE
13 SOUTH LINE OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT, A
14 DISTANCE OF 482.85 FEET, TO A POINT ON THE CONCRETE BASE OF A PIPE
15 FENCE POST, IN THE SAID SOUTHWEST LINE OF U.S. HIGHWAY 59, SOUTHWEST
16 FREEWAY, FOR THE MOST SOUTHERLY CORNER OF THE SAID 0.091 ACRE TRACT,
17 SAME BEING THE MOST EASTERLY CORNER OF THAT CERTAIN 0.008 ACRE
18 PARCEL 70, CONVEYED FROM TEXAS COMMERCE BANK NATIONAL ASSOCIATION
19 TO THE STATE OF TEXAS, AS RECORDED IN COUNTY CLERK'S FILE NO.
20 M083134, O.P.R.R.P.H.C.T., ALSO BEING THE NORTHWEST CORNER OF THE
21 SAID 0.8144 ACRE TRACT, AND ALSO BEING THE MOST WESTERLY CORNER OF
22 THE SAID REMAINDER OF THE 2.1764 ACRE TRACT, FROM WHICH A FOUND "X"
23 CUT IN CONCRETE BEARS N 35° 35' 41" E, 4.48 FEET, AND A FOUND TX DOT
24 MONUMENT BEARS, N 31° 30' 55" W, 3.37 FEET:
25 THENCE, WITH THE SAID SOUTHEAST LINE OF U.S. HIGHWAY 59, SOUTHWEST
26 FREEWAY, AND THE SOUTHEAST LINE OF THE SAID 0.091 ACRE TRACT, SAME
27 BEING THE NORTHWEST LINE OF THE SAID REMAINDER OF THE 2.1764 ACRE

1 TRACT, THE FOLLOWING (3) THREE COURSES AND DISTANCES:

2 1. N 39° 35' 41" E, A DISTANCE OF 10.68 FEET TO A SET "X" CUT
3 IN CONCRETE FOR A POINT OF CURVATURE, FROM WHICH A FOUND TX DOT
4 MONUMENT BEARS, N 22° 55' 16" W, 3.31 FEET,

5 2. A DISTANCE OF 145.34 FEET ALONG THE ARC OF A CURVE TO THE
6 RIGHT, HAVING A RADIUS OF 1902.86 FEET, A CENTRAL ANGLE OF 04° 22'
7 34" AND A CHORD WHICH BEARS, N 41° 46' 52" E, A DISTANCE OF 145.30
8 FEET TO A SET "X" CUT IN CONCRETE, FOR A POINT OF TANGENCY, FROM
9 WHICH A FOUND "X" CUT IN CONCRETE, BEARS, S 41° 20' 34" W, 6.02 FEET,
10 AND A FOUND TX DOT MONUMENT BEARS, N 38° 43' 27" W, 2.70 FEET, AND

11 3. N 43° 58' 09" E, A DISTANCE OF 276.81 FEET TO THE POINT OF
12 BEGINNING AND CONTAINING 2.0854 ACRES (90,840 SQUARE FEET) OF LAND
13 MORE OR LESS.

14 TRACT 2

15 BEING THAT CERTAIN TRACT OF LAND CONTAINING 1,9102 ACRES, IN THE
16 H.T. & B.R.R. COMPANY SURVEY, ABSTRACT NO. 397, HARRIS COUNTY,
17 TEXAS, BEING OUT OF THAT CERTAIN 21.4670 ACRE TRACT OF LAND
18 DESCRIBED IN A DEED RECORDED IN VOLUME 4758, PAGE 584 OF THE HARRIS
19 COUNTY DEED RECORDS, SAID TRACT BEING IN RESERVE "B" OF BLOCK 2 AS
20 SHOWN ON THE PLAT OF SOUTHWEST PLAZA RECORDED IN VOLUME 319, PAGE
21 117 OF THE HARRIS COUNTY MAP RECORDS, SAID TRACT BEING MORE
22 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

23 COMMENCING AT A 5/8" IRON ROD FOUND IN THE SOUTHEASTERLY
24 RIGHT-OF-WAY LINE OF U.S. HIGHWAY 59 (SOUTHWEST FREEWAY) AS WIDENED
25 FOR ITS INTERCHANGE WITH BELTWAY 8 AND DESCRIBED AS 12,827 SQUARE
26 FEET IN A DEED FROM GREATER SOUTHWEST OFFICE PARK, LTD. TO THE
27 STATE OF TEXAS, DATED JULY 7, 1983 (SAID 12,827 SQUARE FOOT TRACT

1 BEING RESERVE "F" OF SAID BLOCK 2), AT THE SOUTHWEST CORNER OF SAID
2 RESERVE "B", AT THE NORTHWEST CORNER OF RESERVE "C" OF SAID BLOCK 2,
3 AND IN THE CENTERLINE OF A HOUSTON LIGHTING & POWER COMPANY 80-FOOT
4 WIDE EASEMENT AS DESCRIBED IN INSTRUMENTS RECORDED IN VOLUME 3455,
5 PAGE 515, VOLUME 3455, PAGE 518 AND VOLUME 7847, PAGE 532, ALL OF
6 THE HARRIS COUNTY DEED RECORDS;
7 THENCE, S 89° 58' 26" E, 488.80 FEET ALONG THE SOUTH LINE OF SAID
8 RESERVE "B", ALONG THE NORTH LINE OF SAID RESERVE "C" AND ALONG THE
9 CENTERLINE OF SAID HOUSTON LIGHTING & POWER COMPANY 80-FOOT
10 EASEMENT TO A 5/8" IRON ROD FOUND FOR THE MOST SOUTHERLY SOUTHWEST
11 CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;
12 THENCE, N 00° 12' 53" W, 171.88 FEET ALONG THE EAST LINE OF THAT
13 CERTAIN 39.855 ACRE TRACT DESCRIBED IN A DEED RECORDED IN VOLUME
14 7853, PAGE 52 OF THE HARRIS COUNTY DEED RECORDS, AND ALONG THE WEST
15 LINE OF SAID 21.4670 ACRE TRACT TO A 5/8" IRON ROD SET AT THE
16 NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;
17 THENCE, S 76° 24' 49" E, 147.14 FEET TO A 5/8" IRON ROD SET FOR
18 CORNER;
19 THENCE, S 89° 58' 26" E, 445.00 FEET TO A 5/8" IRON ROD SET IN THE
20 EAST LINE OF SAID RESERVE "B" FOR THE NORTHEAST CORNER OF THE HEREIN
21 DESCRIBED TRACT;
22 THENCE, S 00° 06' 16" E, 137.37 FEET ALONG AN EAST LINE OF SAID
23 RESERVE "B", AND OF SAID 21.4670 ACRE TRACT TO A 5/8" IRON ROD FOUND
24 IN THE CENTERLINE OF THE SAID HOUSTON LIGHTING & POWER COMPANY
25 80-FOOT WIDE EASEMENT FOR THE SOUTHEAST CORNER OF SAID RESERVE "B"
26 AND OF THE HEREIN DESCRIBED TRACT;
27 THENCE, N 89° 58' 26" W, 587.63 FEET ALONG THE CENTERLINE OF THE SAID

1 HOUSTON LIGHTING & POWER COMPANY 80-FOOT WIDE EASEMENT, ALONG THE
2 SOUTH LINE OF SAID RESERVE "B" AND ALONG THE NORTH LINE OF SAID
3 RESERVE "C" TO THE POINT OF BEGINNING AND CONTAINING 1.9102 ACRES OF
4 LAND.

5 Tract 2 also being described as follows:

6 A PARCEL OF LAND CONTAINING 1.9102 ACRES (83,208 SQUARE FEET) MORE
7 OR LESS BEING OUT OF UNRESTRICTED RESERVE "B", BLOCK 2, SOUTHWEST
8 PLAZA, AS RECORDED IN VOLUME 319, PAGE 117, MAP RECORDS OF HARRIS
9 COUNTY AND BEING THAT CERTAIN 1.9102 ACRE TRACT, CONVEYED FROM
10 ALBERT S. WEYCER, TRUSTEE TO JAY MARKS, TRUSTEE, AS RECORDED IN
11 COUNTY CLERK'S FILE NO. K349560, OFFICIAL PUBLIC RECORDS OF REAL
12 PROPERTY, HARRIS COUNTY, TEXAS, O.P.R.R.P.H.C.T., SAID 1.9102 ACRE
13 TRACT BEING SITUATED IN THE H.T. & B.R.R. CO. SURVEY, ABSTRACT NO.
14 397, IN HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED
15 BY METES AND BOUNDS AS FOLLOWS:

16 COMMENCING AT A FOUND 5/8 INCH IRON ROD IN THE SOUTHEAST LINE OF
17 U.S. HIGHWAY 59, SOUTHWEST FREEWAY, RIGHT-OF-WAY VARIES, FOR THE
18 MOST SOUTHERLY CORNER OF THAT CERTAIN 0.122 ACRE TRACT DESCRIBED IN
19 A JUDGMENT, THE STATE OF TEXAS V. SMITH, LIU & CORBIN, INC. ET AL, AS
20 RECORDED IN COUNTY CLERK'S FILE NO. M191871, O.P.R.R.P.H.C.T., SAME
21 BEING THE MOST EASTERLY CORNER OF THAT CERTAIN 0.091 ACRE TRACT
22 DESCRIBED IN A JUDGEMENT, THE STATE OF TEXAS V. JAY MARKS, TRUSTEE,
23 ET AL, AS RECORDED IN COUNTY CLERK'S FILE NO. M917764,
24 O.P.R.R.P.H.C.T., ALSO BEING THE MOST WESTERLY CORNER OF THAT
25 CERTAIN 4.9328 ACRE TRACT I, CONVEYED FROM SMITH LIU, & CORBIN, INC.
26 TO CAR GR1, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. T483127,
27 O.P.R.R.P.H.C.T., AND ALSO BEING THE MOST NORTHERLY CORNER OF THE

1 REMAINDER PORTION OF THAT CERTAIN 2.1764 ACRE TRACT, CONVEYED FROM
2 GREATER SOUTHWEST OFFICE PARK, LTD. TO JAY MARKS, TRUSTEE, AS
3 RECORDED IN COUNTY CLERK'S FILE NO. K347823, O.P.R.R.P.H.C.T., FROM
4 WHICH A FOUND TX DOT MONUMENT BEARS, N 46°35'00", 1.11 FEET;
5 THENCE, WITH THE SOUTH LINE OF THE SAID 4.9328 ACRE TRACT I, SAME
6 BEING THE NORTH LINE OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT,
7 THE FOLLOWING (2) TWO COURSES AND DISTANCES:

8 3. S 46°00'19" E, A DISTANCE OF 190.31 FEET TO A FOUND "X" CUT
9 IN CONCRETE, FROM WHICH ANOTHER FOUND "X" CUT IN CONCRETE, BEARS, S
10 65°56'55" W, 0.39 FEET, AND

11 4. S 76°24'49" E, A DISTANCE OF 50.92 FEET TO A SET 5/8 INCH
12 IRON ROD WITH CAP STAMPED CIVIL-SURV, FOR THE NORTHWEST CORNER OF
13 THE SAID 1.9102 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF THE
14 SAID REMAINDER OF THE 2.1764 ACRE TRACT, AND THE POINT OF BEGINNING;
15 THENCE, WITH THE SAID SOUTH LINE OF THE 4.9328 ACRE TRACT I, SAME
16 BEING THE NORTH LINE OF THE SAID 1.9102 ACRE TRACT, THE FOLLOWING
17 (2) TWO COURSES AND DISTANCES:

18 1. S 76°24'49" E, A DISTANCE OF 147.14 FEET TO A FOUND 5/8
19 INCH IRON ROD, AND

20 2. S 89°58'26" E, A DISTANCE OF 445.00 FEET TO A FOUND 5/8
21 INCH IRON ROD, IN THE WEST LINE OF THE FINAL PLAT OF MOMENTUM
22 PORSCHE/AUDI, AS RECORDED IN FILM CODE NO. 527300, MAP RECORDS,
23 HARRIS COUNTY, TEXAS, SAME BEING IN THE EAST LINE OF SAID
24 UNRESTRICTED RESERVE "B", FOR THE SOUTHEAST CORNER OF THE SAID
25 4.9328 ACRE TRACT I, SAME BEING THE NORTHEAST CORNER OF THE SAID
26 1.9102 ACRE TRACT, FROM WHICH A FOUND 5/8 INCH IRON ROD BEARS, S
27 21°10'37" W, 0.87 FEET;

1 THENCE, S 00°06'16" E, WITH THE SAID WEST LINE OF MOMENTUM
2 PORSCHE/AUDI, SAME BEING THE EAST LINE OF THE SAID 1.9102 ACRE
3 TRACT, AND THE SAID EAST LINE OF UNRESTRICTED RESERVE "B", A
4 DISTANCE OF 137.37 FEET, TO A SET "V" CUT IN CONCRETE, FOR THE
5 NORTHEAST CORNER OF UNRESTRICTED RESERVE "C", OF SAID BLOCK 2,
6 SOUTHWEST PLAZA, AND THE NORTHEAST CORNER OF THAT CERTAIN 0.9442
7 ACRE TRACT, CONVEYED FROM ALBERT S. WEYCER, TRUSTEE TO LESTER A.
8 MARKS AND FRANCES M. LOWE, AS RECORDED IN COUNTY CLERK'S FILE NO.
9 N472331, O.P.R.R.P.H.C.T., SAME BEING THE SOUTHEAST CORNER OF SAID
10 UNRESTRICTED RESERVE "B", AND THE SOUTHEAST CORNER OF THE SAID
11 1.9102 ACRE TRACT;

12 THENCE, N 89°58'26" W, WITH THE NORTH LINE OF SAID UNRESTRICTED
13 RESERVE "C" AND THE NORTH LINE OF THE SAID 0.9442 ACRE TRACT, SAME
14 BEING THE SOUTH LINE OF SAID UNRESTRICTED RESERVE "B", AND THE SOUTH
15 LINE OF THE SAID 1.9102 ACRE TRACT, A DISTANCE OF 587.63 FEET, TO A
16 SET PK NAIL, FOR THE NORTHEAST CORNER OF THAT CERTAIN 0.8144 ACRE
17 TRACT, CONVEYED FROM TEXAS COMMERCE BANK NATIONAL ASSOCIATION TO
18 LESTER A. MARKS AND FRANCES M. LOWE, AS RECORDED IN COUNTY CLERK'S
19 FILE NO. M080219, O.P.R.R.P.H.C.T., SAME BEING THE SOUTHEAST CORNER
20 OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT, ALSO BEING THE
21 NORTHWEST CORNER OF THE SAID 0.9442 ACRE TRACT, AND ALSO BEING THE
22 SOUTHWEST CORNER OF THE SAID 1.9102 ACRE TRACT;

23 THENCE, N 00°12'53" W, WITH THE EAST LINE OF THE SAID REMAINDER OF
24 THE 2.1764 ACRE TRACT, SAME BEING THE WEST LINE OF THE SAID 1.9102
25 ACRE TRACT, A DISTANCE OF 171.88 FEET TO THE POINT OF BEGINNING AND
26 CONTAINING 1.9102 ACRES (83,208 SQUARE FEET) OF LAND MORE OR LESS.

27 TRACT 3

1 ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 0.8144 ACRE
2 (35,474.68 SQUARE FEET), SITUATED IN THE H.T. & B.R.R. COMPANY
3 SURVEY, ABSTRACT NO. 397, HARRIS COUNTY, TEXAS, BEING OUT OF AND A
4 PART OF THAT SAME 39.855 ACRE TRACT OF LAND DESCRIBED IN A DEED
5 RECORDED IN VOLUME 7853, PAGE 52 OF THE HARRIS COUNTY DEED RECORDS,
6 AND BEING A PART OF RESERVE "C" OF BLOCK TWO (2) AS SHOWN ON THE PLAT
7 OF SOUTHWEST PLAZA RECORDED IN VOLUME 319, PAGE 117 OF THE HARRIS
8 COUNTY MAP RECORDS, SAID 0.8144 ACRE (35,474.68 SQUARE FEET) OF
9 LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

10 BEGINNING AT A 5/8" IRON ROD FOUND IN THE NORTH LINE OF THE SAID
11 RESERVE "C" AND THE SOUTH LINE OF RESERVE "B" OF THE SAID SOUTHWEST
12 PLAZA, AND BEING THE NORTHEAST CORNER OF A STRIP OF LAND CONTAINING
13 337 SQUARE FEET SHOWN ON A TEXAS HIGHWAY DEPARTMENT RIGHT-OF-WAY
14 SKETCH AS PARCEL NO. 70, ACCT. 8012-1-90, DATED FEBRUARY 1987, SAID
15 CORNER BEING LOCATED S 89° 58' 26" E, 5.95 FEET FROM A 5/8 INCH IRON
16 ROD FOUND IN THE EXISTING SOUTHEAST RIGHT-OF-WAY LINE OF U.S.
17 HIGHWAY NO. 59 (THE SOUTHWEST FREEWAY) FOR THE NORTHWEST CORNER OF
18 THE SAID RESERVE "C" AND THE SOUTHWEST CORNER OF THE SAID RESERVE
19 "B";

20 THENCE, S 89° 58' 26" E, A DISTANCE OF 482.85 FEET ALONG THE NORTH
21 LINE OF THE SAID RESERVE "C" AND THE SOUTH LINE OF THE SAID RESERVE
22 "B", AND ALSO BEING THE CENTERLINE OF A HOUSTON LIGHTING & POWER
23 COMPANY 80 FOOT WIDE EASEMENT AS DESCRIBED IN INSTRUMENTS RECORDED
24 IN VOLUME 3455, PAGE 515, VOLUME 3455, PAGE 518 AND VOLUME 7847,
25 PAGE 532 OF THE HARRIS COUNTY DEED RECORDS, AND ALSO BEING THE SOUTH
26 LINE OF THAT CERTAIN 2.7778 ACRE TRACT DESCRIBED AS "SAVE AND
27 EXCEPT" IN DEED RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO.

1 L-445414 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS
2 COUNTY, TEXAS, TO A 5/8-INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER
3 OF THE SAID 2.7778 ACRE TRACT, AND BEING THE NORTHEAST CORNER OF
4 THIS TRACT;

5 THENCE, S 0° 12' 53" E, A DISTANCE OF 69.33 FEET TO A 1/2-INCH IRON
6 ROD SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

7 THENCE, N 89° 58' 26" W, A DISTANCE OF 540.53 FEET TO A 1/2-INCH IRON
8 ROD SET IN THE SOUTHEAST LINE OF THE SAID 337 SQUARE FOOT TRACT FOR
9 THE SOUTHWEST CORNER OF THIS TRACT;

10 THENCE, N 39° 38' 38" E, A DISTANCE OF 90.00 FEET ALONG THE SOUTHEAST
11 LINE OF THE SAID 337 SQUARE FOOT TRACT TO THE POINT OF BEGINNING AND
12 CONTAINING 0.8144 ACRE (35,474.68 SQUARE FEET) OF LAND.

13 Tract 3 also being described as follows:

14 A PARCEL OF LAND CONTAINING 0.8144 OF AN ACRE (35,475 SQUARE FEET)
15 MORE OR LESS BEING OUT OF UNRESTRICTED RESERVE "C", BLOCK 2,
16 SOUTHWEST PLAZA, AS RECORDED IN VOLUME 319, PAGE 117, MAP RECORDS OF
17 HARRIS COUNTY AND BEING THAT CERTAIN 0.8144 ACRE TRACT CONVEYED
18 FROM TEXAS COMMERCE BANK NATIONAL ASSOCIATION TO LESTER A. MARKS
19 AND FRANCES M. LOWE, AS RECORDED IN COUNTY CLERK'S FILE NO. M080219,
20 OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS,
21 O.P.R.R.P.H.C.T. SAID 0.8144 ACRE TRACT BEING SITUATED IN THE H.T.
22 & B. R.R. CO. SURVEY, ABSTRACT NO. 397, IN HARRIS COUNTY, TEXAS, AND
23 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

24 COMMENCING AT A FOUND 5/8 INCH IRON ROD IN THE SOUTHEAST LINE OF
25 U.S. HIGHWAY 59, SOUTHWEST FREEWAY, RIGHT-OF-WAY VARIES, FOR THE
26 MOST SOUTHERLY CORNER OF THAT CERTAIN 0.122 ACRE TRACT DESCRIBED IN
27 A JUDGEMENT, THE STATE OF TEXAS V. SMITH, LIU & CORBIN, INC., ET AL,

1 AS RECORDED IN COUNTY CLERK'S FILE NO. M191871, O.P.R.R.P.H.C.T.,
2 SAME BEING THE MOST EASTERLY CORNER OF THAT CERTAIN 0.091 ACRE TRACT
3 DESCRIBED IN A JUDGEMENT, THE STATE OF TEXAS V. JAY MARKS, TRUSTEE,
4 ET AL, AS RECORDED IN COUNTY CLERK'S FILE NO. M917764,
5 O.P.R.R.P.H.C.T., ALSO BEING THE MOST WESTERLY CORNER OF THAT
6 CERTAIN 4.9328 ACRE TRACT I, CONVEYED FROM SMITH LIU, & CORBIN, INC.
7 TO CAR GR1, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. T483127,
8 O.P.R.R.P.H.C.T., AND ALSO BEING THE MOST NORTHERLY CORNER OF THE
9 REMAINDER PORTION OF THAT CERTAIN 2.1764 ACRE TRACT, CONVEYED FROM
10 GREATER SOUTHWEST OFFICE PARK, LTD. TO JAY MARKS, TRUSTEE, AS
11 RECORDED IN COUNTY CLERK'S FILE NO. K347823, O.P.R.R.P.H.C.T.;
12 THENCE, WITH THE SOUTH LINE OF THE SAID 4.9328 ACRE TRACT I, SAME
13 BEING THE NORTH LINE OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT,
14 THE FOLLOWING (2) TWO COURSES AND DISTANCES:

15 1. S 46° 00' 19" E, A DISTANCE OF 190.31 FEET TO A FOUND "X"
16 CUT IN CONCRETE, FROM WHICH ANOTHER FOUND "X" CUT IN
17 CONCRETE, BEARS, S 65°56"55" W, 0.39 FEET, AND

18 2. S 76° 24' 49" E, A DISTANCE OF 50.92 FEET TO A SET 5/8 INCH
19 IRON ROD WITH CAP STAMPED CIVIL-SURV, FOR THE NORTHWEST
20 CORNER OF THE THAT CERTAIN 1.9102 ACRE TRACT CONVEYED
21 FROM ALBERT S. WEYCER, TRUSTEE, TO JAY MARKS, TRUSTEE, AS
22 RECORDED IN COUNTY CLERK'S FILE NO. K349560,
23 O.P.R.R.P.H.C.T., SAME BEING THE NORTHEAST CORNER OF THE
24 SAID REMAINDER OF THE 2.1764 ACRE TRACT;

25 THENCE, S 00° 12' 53" E, WITH THE WEST LINE OF THE SAID 1.9102 ACRE
26 TRACT, SAME BEING THE EAST LINE OF THE SAID REMAINDER OF THE 2.1764
27 ACRE TRACT, A DISTANCE OF 171.88 FEET, TO A SET PK NAIL, IN THE SOUTH

1 LINE OF UNRESTRICTED RESERVE "B", OF SAID BLOCK 2, SOUTHWEST PLAZA,
2 SAME BEING IN THE NORTH LINE OF SAID UNRESTRICTED RESERVE "C", FOR
3 THE NORTHWEST CORNER OF THAT CERTAIN 0.9442 ACRE TRACT, CONVEYED
4 FROM ALBERT S. WEYCER, TRUSTEE TO LESTER A. MARKS AND FRANCES M.
5 LOWE, AS RECORDED IN COUNTY CLERK'S FILE NO. N472331,
6 O.P.R.R.P.H.C.T., SAME BEING THE SOUTHWEST CORNER OF THE SAID
7 1.9102 ACRE TRACT, ALSO BEING THE SOUTHEAST CORNER OF THE SAID
8 REMAINDER OF THE 2.1764 ACRE TRACT, AND ALSO BEING THE NORTHEAST
9 CORNER OF THE SAID 0.8144 ACRE TRACT, AND THE POINT OF BEGINNING;
10 THENCE, S 00° 12' 53" E, WITH THE WEST LINE OF THE SAID 0.9442 ACRE
11 TRACT, SAME BEING THE EAST LINE OF THE SAID 0.8144 ACRE TRACT, A
12 DISTANCE OF 69.33 FEET TO A SET 5/8 INCH IRON ROD WITH CAP STAMPED
13 CIVIL-SURV, FOR THE NORTHEAST CORNER OF THAT CERTAIN 5.9065 ACRE
14 TRACT CONVEYED FROM COMMERCE BANK NATIONAL ASSOCIATION TO
15 FISHER-HAAS INFINITI, AS RECORDED IN COUNTY CLERK'S FILE NO.
16 M624681, O.P.R.R.P.H.C.T., SAME BEING THE SOUTHEAST CORNER OF THE
17 SAID 0.8144 ACRE TRACT, FROM WHICH A FOUND 5/8 INCH IRON ROD, FOR
18 THE NORTHWEST CORNER OF THE REMAINDER OF THAT CERTAIN 5.2866 ACRE
19 TRACT CONVEYED FROM ALBERT S. WEYCER, TRUSTEE, TO FARZANA SAMEMY,
20 AS RECORDED IN COUNTY CLERK'S FILE NO. T026325, O.P.R.R.P.H.C.T.,
21 SAME BEING THE SOUTHWEST CORNER OF THE SAID 0.9442 ACRE TRACT BEARS,
22 S 00° 12' 53" E, 0.67 FEET;
23 THENCE, N 89° 58' 26" W, WITH THE SOUTH LINE OF THE SAID 0.8144 ACRE
24 TRACT, SAME BEING THE NORTH LINE OF THE SAID 5.9065 ACRE TRACT, AT A
25 DISTANCE OF 302.85 FEET PASS A FOUND 5/8 INCH IRON ROD FOR THE
26 NORTHEAST CORNER OF THE FINAL PLAT OF SOUTHWEST PLAZA PARK, AS
27 RECORDED IN VOLUME 345, PAGE 118, MAP RECORDS, HARRIS COUNTY,

1 TEXAS, AND ALSO WITH THE NORTH LINE OF SAID SOUTHWEST PLAZA PARK, A
2 TOTAL DISTANCE OF 540.53 FEET TO A FOUND 1/2 INCH IRON ROD, IN THE
3 SAID SOUTHEAST LINE OF U.S. HIGHWAY 59, SOUTHWEST FREEWAY, AND THE
4 SOUTHEAST LINE OF THAT CERTAIN 0.008 ACRE PARCEL 70 CONVEYED FROM
5 TEXAS COMMERCE BANK NATIONAL ASSOCIATION TO THE STATE OF TEXAS, AS
6 RECORDED IN COUNTY CLERK'S FILE NO. M083134, O.P.R.R.P.H.C.T., FOR
7 THE NORTHWEST CORNER OF SAID SOUTHWEST PLAZA PARK, AND THE
8 NORTHWEST CORNER OF THE SAID 5.9065 ACRE TRACT, SAME BEING THE
9 SOUTHWEST CORNER OF THE SAID 0.8144 ACRE TRACT;
10 THENCE, N 39° 38' 38" E, WITH THE SAID SOUTHEAST LINE OF U.S. HIGHWAY
11 59, SOUTHWEST FREEWAY, AND THE SAID SOUTHEAST LINE OF THE 0.008 ACRE
12 PARCEL 70, SAME BEING THE NORTHWEST LINE OF THE SAID 0.8144 ACRE
13 TRACT, A DISTANCE OF 90.00 FEET TO A POINT ON THE CONCRETE BASE OF A
14 PIPE FENCE POST, IN THE SAID SOUTH LINE OF UNRESTRICTED RESERVE "B",
15 SAME BEING THE SAID NORTH LINE OF UNRESTRICTED RESERVE "C", FOR THE
16 MOST SOUTHERLY CORNER OF THE SAID 0.091 ACRE TRACT, SAME BEING THE
17 MOST EASTERLY CORNER OF THE SAID 0.008 ACRE PARCEL 70, AND BEING THE
18 MOST WESTERLY CORNER OF THE SAID REMAINDER PORTION OF THE 2.1764
19 ACRE TRACT, AND ALSO BEING THE NORTHWEST CORNER OF THE SAID 0.8144
20 ACRE TRACT, FROM WHICH A FOUND "X" CUT IN CONCRETE, BEARS, N 35° 35'
21 41" E, 4.48 FEET, AND A FOUND TX DOT MONUMENT, BEARS, N 31° 30' 55" W,
22 3.37 FEET;
23 THENCE, S 89° 58' 26" E, WITH THE SAID SOUTH LINE OF UNRESTRICTED
24 RESERVE "B", AND WITH THE SOUTH LINE OF THE SAID REMAINDER OF 2.1764
25 ACRE TRACT, SAME BEING THE SAID NORTH LINE OF UNRESTRICTED RESERVE
26 "C", AND THE NORTH LINE OF THE SAID 0.8144 ACRE TRACT, A DISTANCE OF
27 482.85 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.8144 OF AN

1 ACRE (35,475 SQUARE FEET) OF LAND MORE OR LESS.

2 TRACT 4

3 FIELD NOTE DESCRIPTION TO A TRACT OF LAND CONTAINING 0.9442 ACRES
4 (41,131 SQUARE FEET), MORE OR LESS, SITUATED IN THE W.E. SANDERS
5 SURVEY IN HARRIS COUNTY, TEXAS, AND BEING PART OF RESERVE "C" OF
6 SOUTHWEST PLAZA, AN ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO
7 THE MAP OR PLAT THEREOF RECORDED IN VOLUME 319, PAGE 117, OF THE
8 HARRIS COUNTY MAP RECORDS, SAID 0.9442 ACRES BEING MORE
9 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

10 BEGINNING AT A FOUND 5/8 INCH IRON ROD MARKING THE NORTHEAST CORNER
11 OF THE AFOREMENTIONED RESERVE "C";

12 THENCE, S 00 DEGREES 06 MINUTES 16 SECONDS E, ALONG THE EAST LINE OF
13 SAID RESERVE "C" AND THE EAST LINE OF SAID SOUTHWEST PLAZA ADDITION
14 A DISTANCE OF 70.00 FEET TO A SET 1/2 INCH IRON ROD FOR CORNER;

15 THENCE, N 89 DEGREES 58 MINUTES 26 SECONDS W, PARALLEL TO AND 70
16 FEET SOUTH OF THE NORTH LINE OF SAID RESERVE "C" A DISTANCE OF
17 587.51 FEET TO A FOUND 5/8 INCH IRON ROD FOR CORNER;

18 THENCE, N 00 DEGREES 12 MINUTES 55 SECONDS W, A DISTANCE OF 70.00
19 FEET TO A FOUND 5/8 INCH IRON ROD FOR CORNER;

20 THENCE, S 89 DEGREES 58 MINUTES 26 SECONDS E, ALONG THE NORTH LINE
21 OF SAID RESERVE "C" A DISTANCE OF 587.65 FEET TO THE POINT OF
22 BEGINNING AND CONTAINING 0.9442 ACRES OF LAND, MORE OR LESS.

23 Tract 4 also being described as follows:

24 A PARCEL OF LAND CONTAINING 0.9442 OF AN ACRE (41,129 SQUARE FEET)
25 MORE OR LESS BEING OUT OF UNRESTRICTED RESERVE "C", BLOCK 2,
26 SOUTHWEST PLAZA, AS RECORDED IN VOLUME 319, PAGE 117, MAP RECORDS OF
27 HARRIS COUNTY AND BEING THAT CERTAIN 0.9442 ACRE TRACT CONVEYED

1 FROM ALBERT S. WEYCER, TRUSTEE, TO LESTER A. MARKS AND FRANCES M.
2 LOWE, AS RECORDED IN COUNTY CLERK'S FILE NO. N472331, OFFICIAL
3 PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS,
4 O.P.R.R.P.H.C.T., SAID 0.9442 ACRE TRACT BEING SITUATED IN THE H.T.
5 & B. R.R. CO. SURVEY, ABSTRACT NO. 397, IN HARRIS COUNTY, TEXAS, AND
6 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
7 COMMENCING AT A FOUND 5/8 INCH IRON ROD IN THE SOUTHEAST LINE OF
8 U.S. HIGHWAY 59, SOUTHWEST FREEWAY, RIGHT-OF-WAY VARIES, FOR THE
9 MOST SOUTHERLY CORNER OF THAT CERTAIN 0.122 ACRE TRACT DESCRIBED IN
10 A JUDGMENT, THE STATE OF TEXAS V. SMITH, LIU & CORBIN, INC. ET AL, AS
11 RECORDED IN COUNTY CLERK'S FILE NO. M191871, O.P.R.R.P.H.C.T., SAME
12 BEING THE MOST EASTERLY CORNER OF THAT CERTAIN 0.091 ACRE TRACT
13 DESCRIBED IN A JUDGMENT, THE STATE OF TEXAS V. JAY MARKS, TRUSTEE,
14 ET AL, AS RECORDED IN COUNTY CLERK'S FILE NO. M917764,
15 O.P.R.R.P.H.C.T., ALSO BEING THE MOST WESTERLY CORNER OF THAT
16 CERTAIN 4.9328 ACRE TRACT I, CONVEYED FROM SMITH LIU, & CORBIN, INC.
17 TO CAR GR1, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. T483127,
18 O.P.R.R.P.H.C.T., AND ALSO BEING THE MOST NORTHERLY CORNER OF THE
19 REMAINDER PORTION OF THAT CERTAIN 2.1764 ACRE TRACT, CONVEYED FROM
20 GREATER SOUTHWEST OFFICE PARK, LTD. TO JAY MARKS, TRUSTEE, AS
21 RECORDED IN COUNTY CLERK'S FILE NO. K347823, O.P.R.R.P.H.C.T;
22 THENCE, WITH THE SOUTH LINE OF THE SAID 4.9328 ACRE TRACT I, SAME
23 BEING THE NORTH LINE OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT,
24 THE FOLLOWING (2) TWO COURSES AND DISTANCES:

25 3. S 46° 00' 19" E, A DISTANCE OF 190.31 FEET TO A FOUND "X"
26 CUT IN CONCRETE, FROM WHICH ANOTHER FOUND "X" CUT IN
27 CONCRETE, BEARS, S 65° 56' 55" W, 0.39 FEET, AND

1 4. S 76° 24' 49" E, A DISTANCE OF 50.92 FEET TO A SET 5/8 INCH
2 IRON ROD WITH CAP STAMPED CIVIL-SURV, FOR THE NORTHWEST
3 CORNER OF THAT CERTAIN 1.9102 ACRE TRACT CONVEYED FROM
4 ALBERT S. WEYCER, TRUSTEE, TO JAY MARKS, TRUSTEE, AS
5 RECORDED IN COUNTY CLERK'S FILE NO. K349560,
6 O.P.R.R.P.H.C.T., SAME BEING THE NORTHEAST CORNER OF THE
7 SAID REMAINDER OF THE 2.1764 ACRE TRACT;
8 THENCE, S 00° 12' 53" E, WITH THE WEST LINE OF THE SAID 1.9102 ACRE
9 TRACT, SAME BEING THE EAST LINE OF THE SAID REMAINDER OF THE 2.1764
10 ACRE TRACT, A DISTANCE OF 171.88 FEET, TO A SET PK NAIL, IN THE SOUTH
11 LINE OF UNRESTRICTED RESERVE "B", OF SAID BLOCK 2, SOUTHWEST PLAZA,
12 SAME BEING IN THE NORTH LINE OF SAID UNRESTRICTED RESERVE "C", FOR
13 THE NORTHEAST CORNER OF THAT CERTAIN 0.8144 ACRE TRACT, CONVEYED
14 FROM TEXAS COMMERCE BANK NATIONAL ASSOCIATION TO LESTER A. MARKS
15 AND FRANCES M. LOWE, AS RECORDED IN COUNTY CLERK'S FILE NO. M080219,
16 O.P.R.R.P.H.C.T., SAME BEING THE SOUTHWEST CORNER OF THE SAID
17 1.9102 ACRE TRACT, ALSO BEING THE SOUTHEAST CORNER OF THE SAID
18 REMAINDER OF THE 2.1764 ACRE TRACT, AND ALSO BEING THE NORTHWEST
19 CORNER OF THE SAID 0.9442 ACRE TRACT, AND THE POINT OF BEGINNING;
20 THENCE, S 89° 58' 26" E, WITH THE SAID SOUTH LINE OF UNRESTRICTED
21 RESERVE "B", AND THE SOUTH LINE OF THE SAID 1.9102 ACRE TRACT, SAME
22 BEING THE SAID NORTH LINE OF UNRESTRICTED RESERVE "C", AND THE NORTH
23 LINE OF THE SAID 0.9442 ACRE TRACT, A DISTANCE OF 587.63 FEET TO A
24 SET "V" CUT IN CONCRETE, IN THE WEST LINE OF THE FINAL PLAT,
25 MOMENTUM PORSCHE/AUDI, AS RECORDED IN FILM CODE NO. 527300, MAP
26 RECORDS, HARRIS COUNTY, TEXAS, FOR THE SOUTHEAST CORNER OF SAID
27 UNRESTRICTED RESERVE "B", AND THE SOUTHEAST CORNER OF THE SAID

1 1.9102 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF SAID
2 UNRESTRICTED RESERVE "C", AND THE NORTHEAST CORNER OF THE SAID
3 0.9442 ACRE TRACT;
4 THENCE, S 00° 06' 16" E, WITH THE SAID WEST LINE OF MOMENTUM
5 PORSCHE/AUDI, SAME BEING THE EAST LINE OF THE SAID 0.9442 ACRE
6 TRACT, AND THE EAST LINE OF SAID UNRESTRICTED RESERVE "C", A
7 DISTANCE OF 70.00 FEET TO A SET 5/8 INCH IRON ROD WITH CAP STAMPED
8 CIVIL-SURV, FOR THE NORTHEAST CORNER OF THE REMAINDER OF THAT
9 CERTAIN 5.2866 ACRE TRACT, CONVEYED FROM ALBERT S. WEYCER, TRUSTEE,
10 TO FARZANA SAMEMY, AS RECORDED IN COUNTY CLERK'S FILE NO. T026325,
11 O.P.R.R.P.H.C.T., SAME BEING THE SOUTHEAST CORNER OF THE SAID
12 0.9442 ACRE TRACT, FROM WHICH A FOUND 5/8 INCH IRON ROD FOR THE
13 SOUTHWEST CORNER OF SAID MOMENTUM PORSCHE/AUDI BEARS, S 00° 06' 16"
14 E, 219.70 FEET;
15 THENCE, N 89° 58' 26" W, WITH THE NORTH LINE OF THE SAID REMAINDER OF
16 THE 5.2866 ACRE TRACT, SAME BEING THE SOUTH LINE OF THE SAID 0.9442
17 ACRE TRACT, A DISTANCE OF 587.49 FEET TO A FOUND 5/8 INCH IRON ROD,
18 IN THE EAST LINE OF THAT CERTAIN 5.9065 ACRE TRACT, CONVEYED FROM
19 TEXAS COMMERCE BANK NATIONAL ASSOCIATION TO FISHER-HAAS INFINITI,
20 AS RECORDED IN COUNTY CLERK'S FILE NO. M624681, O.P.R.R.P.H.C.T.,
21 FOR THE NORTHWEST CORNER OF THE SAID REMAINDER OF THE 5.2866 ACRE
22 TRACT, SAME BEING THE SOUTHWEST CORNER OF THE SAID 0.9442 ACRE
23 TRACT, FROM WHICH A FOUND 5/8 INCH IRON ROD, FOR THE SOUTHEAST
24 CORNER OF THE SAID 5.9065 ACRE TRACT, SAME BEING THE SOUTHWEST
25 CORNER OF THE SAID REMAINDER OF THE 5.2866 ACRE TRACT BEARS, S 00°
26 12' 53" E, 409.13 FEET;
27 THENCE, N 00° 12' 53" W, WITH THE WEST LINE OF THE SAID 0.9442 ACRE

1 TRACT, SAME BEING THE SAID EAST LINE OF THE 5.9065 ACRE TRACT, AT A
2 DISTANCE OF 0.67 FEET, PASS A SET 5/8 INCH IRON ROD WITH CAP STAMPED
3 CIVIL-SURV, FOR THE SOUTHEAST CORNER OF THE SAID 0.8144 ACRE TRACT,
4 SAME BEING THE NORTHEAST CORNER OF THE SAID 5.9065 ACRE TRACT, AND
5 WITH THE EAST LINE OF THE SAID 0.8144 ACRE TRACT, A TOTAL DISTANCE
6 OF 70.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.9442 OF AN
7 ACRE (41,129 SQUARE FEET) OF LAND MORE OR LESS.

8 BEING a 7.5317 acre tract of land in the W. E. Sanders Survey,
9 Abstract No. 1137, Harris County, Texas, and being part of that same
10 11.6222 acre tract described in a deed recorded under the Harris
11 County Clerk's File No. F903899, said 7.5317 acre tract being more
12 particularly described by metes and bounds as follows:

13 BEGINNING at a 5/8" iron rod set in the southeasterly right-of-way
14 line of U. S. Highway No. 59 (Southwest Freeway) at the most
15 westerly corner of One Forum Plaza as shown on the plat recorded in
16 Volume 307, Page 36 of the Harris County Map Records;

17 THENCE S 46 Deg 00 Min 26 E, 528.35 feet along the southwesterly
18 line of said One Forum Plaza to a 5/8" iron rod set for the most
19 southerly corner of One Forum Plaza and being in the most westerly
20 line of Southwest Plaza as shown on the plat recorded in Volume 319,
21 Page 117 of the Harris County Map Records;

22 THENCE S 00 Deg 10 Min 10 Sec E, 31.31 feet along the most westerly
23 line of said Southwest Plaza to a 5/8" iron rod set for corner,
24 being the most westerly southwest corner of said Southwest Plaza
25 and being a corner of a sewage treatment plant site;

26 THENCE S 43 Deg 59 Min 00 Sec W, 450.76 feet along the northwesterly
27 line of said sewage treatment plant site and along the

1 southeasterly line of said 11.6222 acre tract to a 5/8" iron rod
2 found for the most southerly corner of said 11.6222 acre tract;
3 THENCE N 70 Deg 11 Min 03 Sec W, 603.15 feet along the northeasterly
4 line of the access road for the sewage treatment plant and along the
5 southwesterly line of said 11.6222 acre tract to a 5/8" iron rod set
6 for corner in the southeasterly right-of-way line of U. S. Highway
7 No. 59;

8 THENCE N 43 Deg 59 Min 34 Sec E, 720.24 feet along the southeasterly
9 right-of-way line of U. S. Highway No. 59, same being the
10 southeasterly line of a 1.2306 acre tract awarded to the State of
11 Texas as described in an instrument recorded under the Harris
12 County Clerk's File No. H169515 to the POINT OF BEGINNING and
13 containing 7.5317 acres.

14 FIELD NOTES FOR 128,955 SQUARE FEET OR 2.960 ACRES OF LAND, BEING
15 THE RESIDUE OF LOTS 2, 3, 4, AND 16 OF SHAMROCK ESTATES, AN
16 UNRECORDED SUBDIVISION, AS DESCRIBED IN DEEDS DATED JUNE 24, 1987
17 TO FIRST REPUBLICBANK-FANNIN RECORDED UNDER HARRIS COUNTY CLERK'S
18 FILE NOS. L194994 (RESIDUE OF LOT 16), L194995 (RESIDUE OF LOTS 2
19 AND 3), AND L194996 (RESIDUE OF LOT 4), OFFICIAL PUBLIC RECORD OF
20 REAL PROPERTY, LOCATED IN THE JAMES ALSTON SURVEY, ABSTRACT NO.
21 100, HARRIS COUNTY, TEXAS:

22 (All bearings referenced to Texas Coordinate System, South Central
23 Zone)

24 BEGINNING at a 1/2 inch iron rod set for the intersection of the
25 west line of said Lot 2 with the easterly line of U.S. Highway 59
26 (Southwest Freeway, variable width) as established by deed to the
27 State of Texas recorded under Clerk's File No. D837154; said point

1 being on the east line of a certain 20,673 square foot tract
2 described in deeds to the State of Texas recorded under Clerk's File
3 Nos. H214443 and H214444;

4 THENCE N 41 deg. 28 min. 50 sec. E, along the easterly line of U.S.
5 Highway 59, 436.92 feet to a 1/2 inch iron rod set in the common line
6 between Lots 15 and 16 for the most northerly corner of the herein
7 described tract;

8 THENCE S 08 deg. 14 min. 45 sec. E, along said common line, at 77.13
9 feet pass an "X" in concrete found in the north line of Emerald
10 Drive (a 40 foot wide private roadway easement per Volume 3397, Page
11 699, Harris County Deed Records, and Clerk's File No. F679918), at
12 87.32 pass a found 5/8 inch iron rod, in all 97.13 feet to a 1/2 inch
13 iron rod found in the centerline of Emerald Drive for the southeast
14 corner of Lot 16 and the re-entrant corner of the herein described
15 tract;

16 THENCE in an easterly direction with the centerline of Emerald
17 Drive along a curve to the left having a radius of 800.00 feet, a
18 central angle of 07 deg. 14 min. 51 sec., a chord bearing of N 77
19 deg. 33 min. 10 sec. E, and a chord length of 101.13 feet, an arc
20 distance of 101.19 feet to a 1/2 inch iron rod set in the common line
21 between Lots 4 and 5 for the northeast corner of said Lot 4 and the
22 herein described tract;

23 THENCE S 16 deg. 03 min. 47 sec. E, along said common line between
24 Lots 4 and 5, 292.20 feet to a 5/8 inch iron rod found in the north
25 line of Keegans Bayou, (Harris County Flood Control District Unit
26 D-118-00-00), as described in deed recorded under Clerk's File No.
27 F256087, for the southeast corner of the herein described tract;

1 THENCE along the north line of said Keegans Bayou as established by
2 deeds recorded under Clerk's File Nos. F256087 and B206039 the
3 following courses and distances:

4 S 59 deg. 16 min. 53 sec. W, 125.24 feet to a 1/2 inch iron rod
5 set for corner;

6 N 88 deg. 41 min. 30 sec. W, 204.96 feet to an "X" mark in
7 concrete set for corner;

8 S 72 deg. 26 min. 22 sec. W, 119.15 feet to an "X" mark in
9 concrete set for corner;

10 N 82 deg. 37 min. 27 sec. W, 80.37 feet to a 1/2 inch iron rod
11 set in the common line between Lot 2 and the aforementioned
12 20,673 square feet tract for the southwest corner of the
13 herein described tract;

14 THENCE N 11 deg. 30 min. 26 sec. E, along said common line, 115.03
15 feet to the POINT OF BEGINNING and containing 128,955 square feet or
16 2.960 acres of land.

17 DESCRIPTION OF A 5.9065 ACRE TRACT OF LAND

18 IN THE H.T.& B.R.R. SURVEY, A-397

19 HARRIS COUNTY, TEXAS

20 BEING a 5.9065 acre tract of land in the H.T.&B. R.R. survey,
21 Abstract No. 397, Harris County, Texas and being part of
22 unrestricted Reserve "C" as shown on the plat of Southwest Plaza
23 recorded in Volume 319, Page 117 of the Harris County Map Records,
24 said 5.9065 acre tract being more particularly described by metes
25 and bounds as follows:

26 BEGINNING at a 5/8" iron rod found at a westerly corner of said
27 Reserve "C", in the northeasterly right-of-way line of Southwest

1 Plaza Drive (100 feet of R.O.W.), in the southeasterly right-of-way
2 line of U.S. Highway No. 59 (Southwest Freeway) and at the most
3 southerly corner of Reserve "F" (restricted for use as U.S. Highway
4 No. 59 right-of-way) as shown on said plat of Southwest Plaza;
5 THENCE N 01 Deg 29 Min 08 Sec W, 35.66 feet along the southeasterly
6 right-of-way line of U.S. Highway No. 59 and along a common line of
7 said Reserves "F" and "C" to a 5/8" iron rod found for corner, a 5/8"
8 iron rod with aluminum cap bears S 37 Deg 48 Min 21 Sec E, 3.92 feet
9 and a brass disc in concrete bears S 32 Deg E, 0.70 feet;
10 THENCE N 37 Deg 48 Min 21 Sec E, 205.01 feet continuing along the
11 southeasterly right-of-way line of U.S. Highway No. 59 and along a
12 common line of said Reserves "F" and "C" to a 5/8" iron rod found for
13 an angle point;
14 THENCE N 39 Deg 38 Min 32 Sec E, 56.76 feet continuing along the
15 southeasterly right-of-way line of U.S. Highway No. 59 and leaving
16 the common line of said Reserves "F" and "C" to a 5/8" iron rod set
17 for corner, a 1/2" iron rod bears N 89 Deg 58 Min 26 Sec W, 0.38
18 feet;
19 THENCE S 89 Deg 58 Min 26 Sec E, 540.53 feet to a 5/8" iron rod set
20 for corner, a 1/2" iron rod bears N 89 Deg 58 Min 26 Sec W, 0.44
21 feet;
22 THENCE S 00 Deg 12 Min 53 Sec E, 409.80 feet to a 5/8" iron rod set
23 for corner in the northerly right-of-way line of Southwest Plaza
24 Drive;
25 THENCE in a westerly direction, 217.52 feet along the northerly
26 right-of-way line of Southwest Plaza Drive (65 feet of R.O.W.) and
27 following the arc of a curve to the right having a radius of 1318.00

1 feet, a central angle of 9 Deg 27 Min 21 Sec and a chord which bears
2 S 87 Deg 15 Min 20 Sec W, 217.27 feet to a 5/8" iron rod found for the
3 point of tangency of said curve;
4 THENCE N 88 Deg 01 Min 00 Sec W, 120.09 feet continuing along the
5 northerly right-of-way line of Southwest Plaza Drive (65 feet of
6 R.O.W.) to a 5/8" iron rod found for the point of curvature of a
7 curve to the right;
8 THENCE in a westerly direction, 236.55 feet continuing along the
9 northerly right-of-way line of Southwest Plaza Drive (65 feet of
10 R.O.W.) and following the arc of said curve to the right having a
11 radius of 567.50 feet, a central angle of 23 Deg 52 Min 58 Sec and a
12 chord which bears N 76 Deg 04 Min 31 Sec W, 234.84 feet to a 5/8"
13 iron rod found for a point of compound curvature;
14 THENCE in a northwesterly direction, 114.92 feet, continuing along
15 the northerly right-of-way line of Southwest Plaza Drive (width of
16 R.O.W. varies) and following the arc of a curve to the right having
17 a radius of 300.00 feet a central angle of 21 Deg 56 Min 54 Dec and a
18 chord which bears N 53 Deg 09 Min 35 Sec W, 114.22 feet to a 5/8"
19 iron rod found for the point of tangency of said curve;
20 THENCE N 42 Deg 11 Min 07 Sec W, 43.36 feet continuing along the
21 northerly right-of-way line of Southwest Plaza Drive (width of
22 R.O.W. varies) to a 5/8" iron rod found for the point of curvature
23 of a curve to the left;
24 THENCE in a northwesterly direction, 20.00 feet continuing along
25 the northerly right-of-way line of Southwest Plaza Drive (width of
26 R.O.W.) varies and following the arc of said curve to the left
27 having a radius of 300.00 feet, a central angle of 03 Deg 49 Min 11

1 Sec and a chord which bears N 44 Deg 05 Min 43 Sec W, 20.00 feet to a
2 5/8" iron rod found for the point of tangency of said curve;
3 THENCE N 46 Deg 00 Min 19 Sec W, 5.01 feet continuing along the
4 northerly right-of-way line of Southwest Plaza Drive (100 feet of
5 R.O.W.) to the POINT OF BEGINNING and containing 5.9065 acres of
6 land.

7 One Reserve - One Block A Replat of 4.3452 acre tract of land out of
8 Reserve "A" Southwest Plaza, Vol. 319, Pg. 117, of the Map Records
9 of Harris County, which is part of the H.T. & B.R.R. Survey,
10 Abstract No. 397, Harris County, Texas.

11 SECTION 3. The Harris County Improvement District No. 5 may
12 reimburse the cost of creating the district from assessments or
13 other revenues created by the district.

14 SECTION 4. The legislature finds that:

15 (1) proper and legal notice of the intention to
16 introduce this Act, setting forth the general substance of this
17 Act, has been published as provided by law, and the notice and a
18 copy of this Act have been furnished to all persons, agencies,
19 officials, or entities to which they are required to be furnished by
20 the constitution and laws of this state, including the governor,
21 who has submitted the notice and Act to the Texas Commission on
22 Environmental Quality;

23 (2) the Texas Commission on Environmental Quality has
24 filed its recommendations relating to this Act with the governor,
25 lieutenant governor, and speaker of the house of representatives
26 within the required time;

27 (3) the general law relating to consent by political

1 subdivisions to the creation of districts with conservation,
2 reclamation, and road powers and the inclusion of land in those
3 districts has been complied with; and

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

8 SECTION 5. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2005.