

By: O'Day

H.B. No. 4081

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Sedona Lakes Municipal Utility District No. 1 of Brazoria County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8215 to read as follows:

CHAPTER 8215. SEDONA LAKES MUNICIPAL UTILITY DISTRICT

NO. 1 OF BRAZORIA COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8215.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Sedona Lakes Municipal Utility District No. 1 of Brazoria County.

Sec. 8215.002. NATURE OF DISTRICT. The district is a municipal utility district in Brazoria County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8215.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8215.023 before September 1, 2011:

(1) the district is dissolved September 1, 2011, except that the district shall:

1 (A) pay any debts incurred;

2 (B) transfer to Brazoria County any assets that
3 remain after the payment of debts; and

4 (C) maintain the organization of the district
5 until all debts are paid and remaining assets are transferred; and

6 (2) this chapter expires September 1, 2014.

7 Sec. 8215.004. INITIAL DISTRICT TERRITORY. (a) The
8 district is initially composed of the territory described by
9 Section 2 of the Act creating this chapter.

10 (b) The boundaries and field notes contained in Section 2 of
11 the Act creating this chapter form a closure. A mistake made in the
12 field notes or in copying the field notes in the legislative process
13 does not affect:

14 (1) the organization, existence, or validity of the
15 district;

16 (2) the right of the district to impose taxes;

17 (3) the validity of the district's bonds, notes, or
18 indebtedness; or

19 (4) the legality or operation of the district or the
20 board.

21 [Sections 8215.005-8215.020 reserved for expansion]

22 SUBCHAPTER A-1. TEMPORARY PROVISIONS

23 Sec. 8215.021. INITIAL DIRECTORS. (a) The initial board
24 consists of:

25 (1) Kevin Curry;

26 (2) Troy Koterak;

27 (3) Jeff Baker;

1 (4) Brandon Macey; and

2 (5) Todd Aiken.

3 (b) The first three directors named in Subsection (a) serve
4 until the first regularly scheduled election of directors, and the
5 last two directors named in Subsection (a) serve until the second
6 regularly scheduled election of directors.

7 Sec. 8215.022. CONSENT OF MUNICIPALITY REQUIRED. The
8 initial directors may not hold an election under Section 8215.023
9 until each municipality in whose corporate limits or
10 extraterritorial jurisdiction the district is located has adopted a
11 resolution consenting to the creation of the district.

12 Sec. 8215.023. CONFIRMATION ELECTION. The initial
13 directors shall hold an election to confirm the creation of the
14 district.

15 Sec. 8215.024. EXPIRATION OF SUBCHAPTER. This subchapter
16 expires September 1, 2011.

17 [Sections 8215.025-8215.050 reserved for expansion]

18 SUBCHAPTER B. BOARD OF DIRECTORS

19 Sec. 8215.051. GOVERNING BODY; TERMS. (a) The district is
20 governed by a board of five directors.

21 (b) Directors serve staggered four-year terms.

22 [Sections 8215.052-8215.100 reserved for expansion]

23 SUBCHAPTER C. POWERS AND DUTIES

24 Sec. 8215.101. MUNICIPAL UTILITY DISTRICT POWERS AND
25 DUTIES. The district has the powers and duties provided by the
26 general law of this state, including Chapters 49 and 54, Water Code,
27 applicable to municipal utility districts created under Section 59,

1 Article XVI, Texas Constitution.

2 Sec. 8215.102. ROAD PROJECTS. (a) To the extent authorized
3 by Section 52, Article III, Texas Constitution, the district may
4 construct, acquire, improve, maintain, or operate macadamized,
5 graveled, or paved roads, or improvements in aid of those roads,
6 inside the district.

7 (b) A road project must meet all applicable construction
8 standards, zoning and subdivision requirements, and regulations of
9 each municipality in whose corporate limits or extraterritorial
10 jurisdiction the district is located.

11 (c) The district may not undertake a road project unless
12 each municipality in whose corporate limits or extraterritorial
13 jurisdiction the district is located consents by resolution.

14 Sec. 8215.103. COMPLIANCE WITH MUNICIPAL ORDINANCES OR
15 RESOLUTIONS. The district shall comply with all applicable
16 requirements of any ordinance or resolution adopted by the
17 governing body of the City of Manvel that consents to the creation
18 of the district.

19 [Sections 8215.104-8215.150 reserved for expansion]

20 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

21 Sec. 8215.151. TAX TO REPAY BONDS. The district may impose
22 a tax to pay the principal of or interest on bonds or other
23 obligations issued under Section 8215.201.

24 [Sections 8215.152-8215.200 reserved for expansion]

25 SUBCHAPTER E. BONDS

26 Sec. 8215.201. AUTHORITY TO ISSUE BONDS AND OTHER
27 OBLIGATIONS. (a) The district may issue bonds or other obligations

1 as provided by Chapters 49 and 54, Water Code, to finance the
2 construction, maintenance, or operation of a project under Section
3 8215.101 or 8215.102.

4 (b) The district may not issue bonds or other obligations to
5 finance projects authorized by Section 8215.102 unless the issuance
6 is approved by a vote of a two-thirds majority of the district
7 voters voting at an election called for that purpose.

8 (c) Bonds or other obligations issued or incurred to finance
9 projects authorized by Section 8215.102 may not exceed one-fourth
10 of the assessed value of the real property in the district.

11 SECTION 2. The Sedona Lakes Municipal Utility District No.
12 1 of Brazoria County includes all the territory contained in the
13 following area:

14 A METES & BOUNDS description of a certain 501.33 acre tract, in the
15 A.C.H. & B.R.R. Company Survey Section 87, Abstract No.415, the
16 A.C.H. & B.R.R. Company Survey Section 89, Abstract No.417, the
17 Mary V. O'Donnell Survey, Abstract No. 469, the R.B. Lyle Survey
18 Section 88, Abstract No. 540, and the R.B. Lyle Survey Section 92,
19 Abstract No. 541 in Brazoria County, Texas, being all of a called
20 239.00 acre tract, (Tract 4) to Walter P. Zivley, Trustee as
21 described in Special Warranty Deed, recorded in Clerk's File No.
22 98-041332 of the Brazoria County Official Public Records of Real
23 Property, a portion of a called 42.261 acre tract to RV Resorts
24 America Inc. described in Warranty Deed with Vendor's Lien recorded
25 in Clerk's File No. 2006013841 of the Brazoria County Official
26 Public Records of Real Property, a portion of Lots 3, 7, 8, 12, 16
27 and all of Lot 4 in Block 87, a portion of Lot 60 in Block 88, a

1 portion of Lots 45-50, and 55 and all of Lots 56-58 in Block 89, all
2 of Lots 1-6, 9-12, 18-20, 28, 36, and a portion of Lot 27 in Block 92
3 of the Allison Richey Gulf Coast Home Company Part of Suburban
4 Gardens Section 89 Subdivision, plat of which is recorded in Volume
5 2, Page 98 of the Brazoria County Plat Records, and all of Lots A-F,
6 H-J, L-R, T, V-Y of Replat Of Lots 1, 2, & 9 of the Allison Richey
7 Gulf Coast Home Company Subdivision, plat of which is recorded in
8 Volume 3, Page 106 of the Brazoria County Plat Records; said 501.33
9 acre tract being more particularly described as follows with all
10 bearings being base on the Texas State Plane Coordinate System,
11 South Central Zone, NAD83;

12 BEGINNING at a found concrete monument marking the southwest corner
13 of the said 239.00 acre tract, being the northwest corner of Lot 1
14 in Block O of the Allison Richey Gulf Coast Home Company Part of
15 Suburban Gardens Section 89 Subdivision, plat of which is recorded
16 in Volume 2, Page 98 of the Brazoria County Plat Records, being in
17 the east line of a called 46.8412 acre tract to VDB Partners, LTD,
18 recorded in Clerk's File No. 99-050835 of the Brazoria County
19 Official Public Records of Real Property;

20 THENCE, North 03°17'52" West, 2461.38 feet along the west line of
21 the said 239.00 acre tract being common with the east line of said
22 46.8412 acre tract, the east line of a called 16.6700 acre tract to
23 VDB Partners, LTD, recorded in Clerk's File No. 99-050834 of the
24 Brazoria County Official Public Records of Real Property, and the
25 east line of a called 26.6211 acre tract to Durrett Development Inc.
26 described in Special Warranty Deed recorded in Clerk's File No.
27 03-066565 of the Brazoria County Official Public Records of Real

1 Property, to a set 3/4-inch iron rod (with cap stamped "Cotton
2 Surveying") marking the northeast corner of said 26.6211 acre
3 tract, being the southeast corner of said Lot 58 in Block 89;
4 THENCE, South 86°29'39" West, 882.28 feet along the north line of
5 said 26.6211 acre tract, being common with the south line of said
6 Lot 58, to a found 3/4-inch iron pipe marking the northwest corner
7 of said 26.6211 acre tract, being the southwest corner of said Lot
8 58, the northeast corner of Lot 49, the southeast corner of Lot 48,
9 all in Block 89 of said Allison Richey Subdivision;
10 THENCE, South 03°21'16" East, 1260.10 feet along the west line of
11 said 26.6211 acre tract, being common with the east line of said
12 Lots 49 and 50 to a found 1/2-inch iron rod the southwest corner of
13 said 26.6211 acre tract, being in the north right-of-way of County
14 Road 58 (ROW Varies);
15 THENCE, South 86°03'22" West, 77.20 feet along the north
16 right-of-way of said County Road 58 to a found concrete monument
17 marking a cutback of the north right-of-way line of said County Road
18 58, and Texas State Highway 288 as recorded in Volume 1041 Page 423
19 and Volume 1048 Page 505 of the Brazoria County Deed Records;
20 THENCE, North 47°49'53" West, 140.43 feet along said cutback to
21 found concrete monument in the east right-of-way of said Texas
22 State Highway 288;
23 THENCE, along the east right-of-way of said Texas State Highway
24 288, the following four (4) courses and distances:
25 1. North 02°16'31" West, 1069.96 feet to a found
26 concrete monument;
27 2. North 03°49'23" East, 572.04 feet to a found

1 concrete monument marking the beginning of a curve to the left;

2 3. Along the arc of said curve to the left having a
3 radius of 11,669.16 feet, an arc length of 1442.77 feet, a central
4 angle of $07^{\circ}05'02''$, and a long chord bearing North $00^{\circ}18'47''$ East,
5 1441.85 feet, to a found concrete monument;

6 4. North $03^{\circ}12'34''$ West, 64.49 feet to a set 3/4-inch
7 iron rod (with cap stamped "Cotton Surveying) marking the northwest
8 corner of Lot 55, being the southwest corner of Lot 54 in Block 89 of
9 aforementioned Allison Richey Gulf Coast Home Company Subdivision,
10 from which a found 1/2-inch iron rod bears North $03^{\circ}12'34''$ West,
11 4.46 feet;

12 THENCE, North $86^{\circ}29'39''$ East, 437.90 feet along the north line of
13 said Lot 55, being common with the south line of said Lot 54 to a set
14 3/4-inch iron rod (with cap stamped "Cotton Surveying") from which
15 a found 5/8-inch iron rod bears North $03^{\circ}22'25''$ East, 2.00 feet;

16 THENCE, South $03^{\circ}15'13''$ East, 495.00 feet to a set 3/4-inch iron rod
17 (with cap stamped "Cotton Surveying") in the south line of said Lot
18 55, being the north line of said Lot 56 in Block 89 from which a
19 found 5/8-inch iron rod (with cap stamped "LJA") bears North
20 $19^{\circ}02'59''$ East, 1.76 feet;

21 THENCE, North $86^{\circ}29'39''$ East, 438.28 feet along the north line of
22 said Lot 56, being the south line of Lot 55, to a set 3/4-inch iron
23 rod (with cap stamped "Cotton Surveying") marking the southeast
24 corner of said Lot 55, being the northeast corner of said Lot 56,
25 being in the west line of the aforementioned 239.00 acre tract;

26 THENCE, North $03^{\circ}17'52''$ West, along the east line of Block 89, being
27 common with the west line of aforementioned 239.00 acre tract

1 passing at 2473.96 feet a found 5/8-inch iron rod (with cap stamped
2 "LJA"), continuing in all a total distance of 2475.08 feet, to a set
3 3/4-inch iron rod (with cap stamped "Cotton Surveying"), marking
4 the southeast corner of aforementioned Lot 60, being the northeast
5 corner of aforementioned Lot 51, from which a found concrete
6 monument bears North 03°17'52" West, 8.58 feet;
7 THENCE, South 86°39'34" West, 676.72 feet along the north line of
8 said Lot 51, being common with the south line of said Lot 60 to a
9 found 5/8-inch iron rod (with cap stamped "LJA") marking a cutback
10 of County Road 101 and Texas State Highway 288 as recorded in Volume
11 1041 Page 466 of the Brazoria County Deed Records, from which a
12 found 1/2-inch iron rod and a found concrete monument bears South
13 74°13'18" East, 59.39 feet and 213.91 feet respectively;
14 THENCE, North 74°13'18" West, continuing along said cutback passing
15 at 129.35 feet a found concrete monument, continuing in all a total
16 distance of 158.98 feet to a found 5/8-inch iron rod (with cap
17 stamped "LJA");
18 THENCE, North 38°55'28" West, 80.96 feet to a found concrete
19 monument in the east right-of-way of the aforementioned Texas State
20 Highway 288;
21 THENCE, North 03°17'32" West, continuing along the east
22 right-of-way of the said Texas State Highway 288, being common with
23 the west line of said Lot 60, passing at 294.02 feet at found
24 5/8-inch iron rod, continuing in all a total distance of 294.59 feet
25 to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying");
26 THENCE, North 86°39'34" East, along the north line of the south half
27 of Lot 60 in Block 88, passing at 78.89 feet (0.63 feet left) a found

1 5/8-inch iron rod, passing at 856.09 feet a found 5/8-inch iron rod
2 (with cap stamped "LJA"), passing at 875.84 feet a found 1/2-inch
3 iron rod, continuing in all a total distance of 876.30 feet to a set
4 3/4-inch iron rod (with cap stamped "Cotton Surveying") in the east
5 line of said Lot 60, being common with the west line of Lot 4 of
6 Block 87;

7 THENCE, North 02°59'05" West, 466.92 feet along the said common
8 line, and the east line of Lot 59 of Block 88 to a found 5/8-inch
9 iron rod marking the south line of Silvercreek Section 9, plat of
10 which is recorded in Volume 23, Page 323 of the Brazoria County Plat
11 Records;

12 THENCE, South 76°44'09" East, along the south line of said
13 Silvercreek Section 9, and the south line of Silvercreek Section 7,
14 plat of which is recorded in Volume 23, Page 319 of the Brazoria
15 County Plat Records, and the south line of Silvercreek Section 7,
16 plat of which is recorded in Volume 23, Page 319 of the Brazoria
17 County Plat Records, a distance of 1213.39 feet to a found 5/8-inch
18 iron rod (with cap stamped "Cotton Surveying");

19 THENCE, South 76°20'19" East, continuing along the south line of
20 said Silvercreek Section 7, and the south line of Silvercreek
21 Section 10, plat of which is recorded in Volume 24, Page 105 of the
22 Brazoria County Plat Records, a distance of feet 817.76 feet to a
23 found 5/8-inch iron rod (with cap stamped "Cotton Surveying");

24 THENCE, South 76°48'42" East, 701.06 feet continuing along the south
25 line of said Silvercreek Section 10 to a set 3/4-inch iron rod (with
26 cap stamped "Cotton Surveying") in the west line of Stonebridge
27 Section 3, plat of which is recorded in Volume 24, Page 207 of the

1 Brazoria County Plat Records;
2 THENCE, South 03°00'04" East, 87.08 feet along the west line of said
3 Stonebridge Section 3 to a point for corner in a drainage ditch,
4 being in the north line of Lot Y in Block 1 of the Replat of Lots 1-2
5 & 9 of the Allison Richey Gulf Coast Home Company Subdivision of
6 Section 92, replat recorded in Volume 3, Page 106 of the Brazoria
7 County Plat Records;
8 THENCE, North 86°46'58" East, along the south line of said
9 Stonebridge Section 3, being common with the north line of Lots 18,
10 27, and 36 in Block 92 of said Allison Richey Gulf Coast Home
11 Company Subdivision, passing at 778.97 feet (0.36 feet right) a
12 found 5/8-inch iron rod, continuing in all a total distance of
13 781.76 feet to a set 3/4-inch iron rod (with cap stamped "Cotton
14 Surveying"), marking the northeast corner of said Lot 18, being the
15 northwest corner of said Lot 27;
16 THENCE, South 02°41'12" East, 228.22 feet along the west line of the
17 said Lot 27, being common with the east line of said Lot 18, all in
18 Block 92 to a point for corner in the centerline of a drainage
19 ditch;
20 THENCE, South 76°35'08" East, 646.56 feet along the said centerline
21 of the drainage ditch to a point for corner in the east line of said
22 Lot 27, being common with the west line of aforementioned Lot 36;
23 THENCE, North 02°41'12" West, 413.28 feet along the said common line
24 to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying")
25 marking the northwest corner of said Lot 36, being the northeast
26 corner said Lot 27, being in the south line of Stonebridge Section
27 2, Plat of which is recorded in Volume 23, Page 101 of the Brazoria

1 County Plat Records;
2 THENCE, North 86°46'58" East, along the south line of said
3 Stonebridge Section 2, being common with the north line of said Lot
4 36, passing at 584.51 feet a found 5/8-inch iron rod, passing at
5 618.30 feet a found 60D Nail inside a 1-1/2-inch iron pipe,
6 continuing in all a total distance of 621.33 feet to a set 3/4-inch
7 iron rod marking the northwest corner of Lot 45, being the northeast
8 corner of said Lot 36, being in the south line of Lot 48 in Block 87
9 of the said Allison Richey Gulf Coast Home Company Subdivision;
10 THENCE, South 02°41'12" East, 701.80 feet along the east line of
11 said Lot 36, being common with the west line said Lot 45 to a set
12 3/4-inch iron rod (with cap stamped "Cotton Surveying"), marking
13 the southeast corner of said Lot 36, being common with the southwest
14 corner of said Lot 45, being the northwest corner of Lot 46, and the
15 northeast corner of Lot 37, all in block 92 of the said Allison
16 Richey Gulf Coast Home Company Subdivision;
17 THENCE, South 86°48'43" West, along the south line of said Lot 36,
18 being common with the north line of said Lot 37, passing at 3.06
19 feet (0.60 feet right) a found 1-inch iron pipe (bent), continuing
20 in all a total distance of 621.32 feet to a set 3/4-inch iron rod
21 (with cap stamped "Cotton Surveying") marking the northwest corner
22 of said Lot 37, being the southwest corner of said Lot 36, the
23 southeast corner of said Lot 27, and the northeast corner of said
24 Lot 28, all in Block 92 of the said Allison Richey Gulf Coast Home
25 Company Subdivision;
26 THENCE, South 02°41'12" East, 700.83 feet along the east line of
27 said Lot 28, being common with the west line of said Lot 37 to a set

1 3/4-inch iron rod (with cap stamped "Cotton Surveying") marking the
2 southeast corner of said Lot 28, being the southwest corner of said
3 Lot 37, the northwest corner of Lot 38, and the northeast corner of
4 Lot 29, all in Block 92 of the said Allison Richey Gulf Coast Home
5 Company Subdivision, from which a found 5/8-inch iron rod bears
6 South 02°41'12" East, 1.50 feet;

7 THENCE, South 86°48'43" West, 310.58 feet along the south line of
8 the said Lot 28, being the north line of said Lot 29 to a set
9 3/4-inch iron rod (with cap stamped "Cotton Surveying"), marking
10 the northeast corner of a called 42.261 acre tract described in
11 Warranty Deed with Vendor's Lien, recorded in Clerk's File No.
12 2006013841 of the Brazoria County Official public Records of Real
13 Property;

14 THENCE, South 02°41'12" East, along the east line of the said 42.261
15 acre tract, passing at 0.90 feet a found 5/8-inch iron rod (with cap
16 stamped "RPLS 1718"), continuing in all a total distance of 700.83
17 feet a set 3/4-inch iron rod (with cap stamped "Cotton Surveying")
18 marking an interior north corner of said 42.261 acre tract, being in
19 the south line of said Lot 29, being in the north line of Lot 30 in
20 Block 92 of the said Allison Richey Gulf Coast Home Company
21 Subdivision;

22 THENCE, North 86°47'30" East, 310.12 feet along the north line of
23 said 42.261 acre tract, to a found 5/8-inch iron rod (with cap
24 stamped "RPLS 1718") marking the northeast corner of said Lot 30,
25 being the southeast corner of said Lot 29, the southwest corner of
26 Lot 38, and the northwest corner of Lot 39, in Block 92 of the said
27 Allison Richey Gulf Coast Home Company Subdivision, said iron rod

1 also marking the northwest corner of a called 30.909 acre tract to
2 RV Resorts America Inc., described in Warranted Deed with Vendor's
3 Lien recorded in Clerk's File No. 2006013839 of the Brazoria County
4 Official Public Records of Real Property;

5 THENCE, South 02°42'08" East, 697.02 feet along the west line of
6 said 30.909 acre tract, being common with the east line of said
7 42.261 acre tract to a found 5/8-inch iron rod marking the western
8 most southwest corner of said 30.909 acre tract, being the
9 northwest corner of Lot 40 in Block 92;

10 THENCE, South 02°38'38" East, along the west line of said Lot 40,
11 being the east line of said 42.261 acre tract, passing at 558.86
12 feet a found 5/8-inch iron rod (with cap stamped "RPLS 1718),
13 continuing in all a total distance of 612.77 feet to point for
14 corner in the centerline of Mustang Bayou marking the beginning of a
15 curve to the left;

16 THENCE, along the meanders of Mustang Bayou, being the south line of
17 said 42.261 acre tract, the following ten (10) courses and
18 distances:

19 1. Along the arc of said curve to the left having a
20 radius of 150.00 feet, an arc length of 78.41 feet, a central angle
21 of 29°57'05", and a long chord bearing South 75°43'05" West, 77.52
22 feet to a point for corner marking the beginning of a curve to the
23 right;

24 2. Along the arc of said curve to the right having a
25 radius of 100.00 feet, an arc length of 109.73 feet, a central angle
26 of 62°52'21", and a long chord bearing South 88°45'14" West, 104.31
27 feet to a point for corner marking the beginning of a curve to the

1 left;

2 3. Along the arc of said curve to the left having a
3 radius of 875.00 feet, an arc length of 192.49 feet, a central angle
4 of $12^{\circ}36'15''$, and a long chord bearing North $63^{\circ}31'26''$ West, 192.10
5 feet to a point for corner marking the beginning of a curve to the
6 right;

7 4. Along the arc of said curve to the right having a
8 radius of 325.00 feet, an arc length of 130.56 feet, a central angle
9 of $23^{\circ}00'59''$, and a long chord bearing North $63^{\circ}26'12''$ West, 129.68
10 feet to a point for corner marking the beginning of a curve to the
11 left;

12 5. Along the arc of said curve to the left having a
13 radius of 200.00 feet, an arc length of 129.60 feet, a central angle
14 of $37^{\circ}07'35''$, and a long chord bearing North $64^{\circ}41'23''$ West, 127.34
15 feet to a point for corner;

16 6. South $89^{\circ}30'08''$ West, 106.12 feet to a point for
17 corner marking the beginning of a curve to the right;

18 7. Along the arc of said curve to the right having a
19 radius of 100.00 feet, an arc length of 92.75 feet, a central angle
20 of $53^{\circ}08'28''$, and a long chord bearing North $70^{\circ}07'28''$ West, 89.46
21 feet, to a point for corner;

22 8. North $47^{\circ}51'26''$ West, 89.75 feet to a point for
23 corner;

24 9. North $41^{\circ}42'34''$ West, 113.40 feet to a point for
25 corner marking the beginning of a curve to the left;

26 10. Along the arc of said curve to the left having a
27 radius of 350.00 feet, an arc length of 381.20 feet, a central angle

1 of 62°24'12", and a long chord bearing North 74°32'42" West, 362.64
2 feet, to a point for corner marking the southwest corner of the
3 aforementioned 42.261 acre tract, being in the east line of Lot 13
4 in Block 92 of the said Allison Richey Gulf Coast Home Company
5 Subdivision;

6 THENCE, North 02°41'12" West, 91.54 feet along the east line of said
7 Lot 13, being the west line of said 42.261 acre tract to a set
8 3/4-inch iron rod (with cap stamped "Cotton Surveying") marking the
9 northeast corner of said Lot 13, being the southeast corner of Lot
10 12 in Block 92 of the said Allison Richey Gulf Coast Home Company
11 Subdivision, from which a found 5/8-inch iron rod (with cap stamped
12 "LJA") bears North 02°41'12" West, 1.03 feet;

13 THENCE, South 86°48'43" West, 621.57 feet along the south line said
14 Lot 12, being the north line of said Lot 13 to a set 3/4-inch iron
15 rod (with cap stamped "Cotton Surveying") marking the northeast
16 corner of Lot 5, the southeast corner of Lot 4, the southwest corner
17 of Lot 12, and the northwest corner of Lot 13 in Block 92 of the said
18 Allison Richey Gulf Coast Home Company Subdivision;

19 THENCE, South 02°41'12" East, along the east line of said Lot 5, and
20 Lot 6 in Block 92, and the west line of a called 84.3040 acre tract
21 to Manvel BDC Limited Partnership described in General Warranty
22 Deed recorded in Clerk's File No. 02-016132 of the Brazoria County
23 Official Public Records of Real Property, passing at 0.91 feet a
24 found 5/8-inch iron rod, continuing in all a total distance of
25 1402.42 feet to a found 5/8-inch iron rod (with cap stamped "LANEY")
26 marking an angle point in the west line of the said 84.3040 acre
27 tract, being the southeast corner of said Lot 6;

1 THENCE, South 86°48'43" West, 560.37 feet along the north line of
2 said 84.3040 acre tract to a found 5/8-inch iron rod, marking the
3 southwest corner of said Lot 6, being a northwest corner of said
4 84.3040 acre tract, being in the east line of the aforementioned
5 239.00 acre tract;

6 THENCE, South 03°31'15" East, 614.44 feet along the west line of
7 said 84.3040 acre tract, being common with the east line of said
8 239.00 acre tract to a found concrete monument marking an angle
9 point, from which a found 5/8-inch iron rod bears North 07°33'57"
10 East, 0.22 feet;

11 THENCE, South 38°50'47" West, 476.70 feet along the said common line
12 to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying")
13 marking an angle point, from which a found 5/8-inch iron rod (with
14 cap stamped "LJA") bears South 74°36'22" East, 0.48 feet;

15 THENCE, South 51°09'15" East, along the said common line, passing at
16 1852.11 feet (3.23 feet left) a found 5/8-inch iron rod (with cap
17 stamped "Laney"), continuing in all a total distance of 1898.02
18 feet to a set 3/4-inch iron rod (with cap stamped "Cotton
19 Surveying"), marking the southeast corner of said 239.00 acre
20 tract, being a southwest corner of said 84.3040 acre tract, being in
21 the south line of Block 92, which is common with the north line of
22 Block O in the said Allison Richey Gulf Coast Home Company
23 Subdivision,

24 THENCE, South 87°00'55" West, 2645.21 feet along the said common
25 line, also being the south line of said 239.00 acre tract to the
26 POINT OF BEGINNING, CONTAINING 505.77 acres of land in Brazoria
27 County, Texas, save and except the following four (4) tracts:

1 SAVE & EXCEPT TRACT 1

2 Lot G, a 1.11 acre tract of the Replat Allison Richey Gulf Coast
3 Home Company Subdivision of Section 92, replat recorded in Volume
4 3, Page 106 of the Brazoria County Plat Records

5 SAVE & EXCEPT TRACT 2

6 Lot K, a 1.11 acre tract of the Replat Allison Richey Gulf Coast
7 Home Company Subdivision of Section 92, replat recorded in Volume
8 3, Page 106 of the Brazoria County Plat Records

9 SAVE & EXCEPT TRACT 3

10 Lot S, a 1.11 acre tract of the Replat Allison Richey Gulf Coast
11 Home Company Subdivision of Section 92, replat recorded in Volume
12 3, Page 106 of the Brazoria County Plat Records

13 SAVE & EXCEPT TRACT 4

14 Lot U, a 1.11 acre tract of the Replat Allison Richey Gulf Coast
15 Home Company Subdivision of Section 92, replat recorded in Volume
16 3, Page 106 of the Brazoria County Plat Records

17 For a total net acreage of 501.33 acres of land in Brazoria County,
18 Texas.

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

26 (b) The governor, one of the required recipients, has
27 submitted the notice and Act to the Texas Commission on

1 Environmental Quality.

2 (c) The Texas Commission on Environmental Quality has filed
3 its recommendations relating to this Act with the governor, the
4 lieutenant governor, and the speaker of the house of
5 representatives within the required time.

6 (d) All requirements of the constitution and laws of this
7 state and the rules and procedures of the legislature with respect
8 to the notice, introduction, and passage of this Act are fulfilled
9 and accomplished.

10 SECTION 4. This Act takes effect September 1, 2007.