

1-1 By: O'Day (Senate Sponsor - Jackson) H.B. No. 4081
1-2 (In the Senate - Received from the House May 10, 2007;
1-3 May 14, 2007, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 21, 2007, reported favorably by
1-5 the following vote: Yeas 9, Nays 0; May 21, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the creation of the Sedona Lakes Municipal Utility
1-9 District No. 1 of Brazoria County; providing authority to impose a
1-10 tax and issue bonds; granting the power of eminent domain.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-13 Code, is amended by adding Chapter 8215 to read as follows:

1-14 CHAPTER 8215. SEDONA LAKES MUNICIPAL UTILITY DISTRICT

1-15 NO. 1 OF BRAZORIA COUNTY

1-16 SUBCHAPTER A. GENERAL PROVISIONS

1-17 Sec. 8215.001. DEFINITIONS. In this chapter:

1-18 (1) "Board" means the district's board of directors.

1-19 (2) "Director" means a board member.

1-20 (3) "District" means the Sedona Lakes Municipal
1-21 Utility District No. 1 of Brazoria County.

1-22 Sec. 8215.002. NATURE OF DISTRICT. The district is a
1-23 municipal utility district in Brazoria County created under and
1-24 essential to accomplish the purposes of Section 59, Article XVI,
1-25 Texas Constitution.

1-26 Sec. 8215.003. CONFIRMATION ELECTION REQUIRED. If the
1-27 creation of the district is not confirmed at a confirmation
1-28 election held under Section 8215.023 before September 1, 2011:

1-29 (1) the district is dissolved September 1, 2011,
1-30 except that the district shall:

1-31 (A) pay any debts incurred;

1-32 (B) transfer to Brazoria County any assets that
1-33 remain after the payment of debts; and

1-34 (C) maintain the organization of the district
1-35 until all debts are paid and remaining assets are transferred; and

1-36 (2) this chapter expires September 1, 2014.

1-37 Sec. 8215.004. INITIAL DISTRICT TERRITORY. (a) The
1-38 district is initially composed of the territory described by
1-39 Section 2 of the Act creating this chapter.

1-40 (b) The boundaries and field notes contained in Section 2 of
1-41 the Act creating this chapter form a closure. A mistake made in the
1-42 field notes or in copying the field notes in the legislative process
1-43 does not affect:

1-44 (1) the organization, existence, or validity of the
1-45 district;

1-46 (2) the right of the district to impose taxes;

1-47 (3) the validity of the district's bonds, notes, or
1-48 indebtedness; or

1-49 (4) the legality or operation of the district or the
1-50 board.

1-51 [Sections 8215.005-8215.020 reserved for expansion]

1-52 SUBCHAPTER A-1. TEMPORARY PROVISIONS

1-53 Sec. 8215.021. INITIAL DIRECTORS. (a) The initial board
1-54 consists of:

1-55 (1) Kevin Curry;

1-56 (2) Troy Koterak;

1-57 (3) Jeff Baker;

1-58 (4) Brandon Macey; and

1-59 (5) Todd Aiken.

1-60 (b) The first three directors named in Subsection (a) serve
1-61 until the first regularly scheduled election of directors, and the
1-62 last two directors named in Subsection (a) serve until the second
1-63 regularly scheduled election of directors.

1-64 Sec. 8215.022. CONSENT OF MUNICIPALITY REQUIRED. The

2-1 initial directors may not hold an election under Section 8215.023
2-2 until each municipality in whose corporate limits or
2-3 extraterritorial jurisdiction the district is located has adopted a
2-4 resolution consenting to the creation of the district.

2-5 Sec. 8215.023. CONFIRMATION ELECTION. The initial
2-6 directors shall hold an election to confirm the creation of the
2-7 district.

2-8 Sec. 8215.024. EXPIRATION OF SUBCHAPTER. This subchapter
2-9 expires September 1, 2011.

2-10 [Sections 8215.025-8215.050 reserved for expansion]

2-11 SUBCHAPTER B. BOARD OF DIRECTORS

2-12 Sec. 8215.051. GOVERNING BODY; TERMS. (a) The district is
2-13 governed by a board of five directors.

2-14 (b) Directors serve staggered four-year terms.

2-15 [Sections 8215.052-8215.100 reserved for expansion]

2-16 SUBCHAPTER C. POWERS AND DUTIES

2-17 Sec. 8215.101. MUNICIPAL UTILITY DISTRICT POWERS AND
2-18 DUTIES. The district has the powers and duties provided by the
2-19 general law of this state, including Chapters 49 and 54, Water Code,
2-20 applicable to municipal utility districts created under Section 59,
2-21 Article XVI, Texas Constitution.

2-22 Sec. 8215.102. ROAD PROJECTS. (a) To the extent authorized
2-23 by Section 52, Article III, Texas Constitution, the district may
2-24 construct, acquire, improve, maintain, or operate macadamized,
2-25 graveled, or paved roads, or improvements in aid of those roads,
2-26 inside the district.

2-27 (b) A road project must meet all applicable construction
2-28 standards, zoning and subdivision requirements, and regulations of
2-29 each municipality in whose corporate limits or extraterritorial
2-30 jurisdiction the district is located.

2-31 (c) The district may not undertake a road project unless
2-32 each municipality in whose corporate limits or extraterritorial
2-33 jurisdiction the district is located consents by resolution.

2-34 Sec. 8215.103. COMPLIANCE WITH MUNICIPAL ORDINANCES OR
2-35 RESOLUTIONS. The district shall comply with all applicable
2-36 requirements of any ordinance or resolution adopted by the
2-37 governing body of the City of Manvel that consents to the creation
2-38 of the district.

2-39 [Sections 8215.104-8215.150 reserved for expansion]

2-40 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2-41 Sec. 8215.151. TAX TO REPAY BONDS. The district may impose
2-42 a tax to pay the principal of or interest on bonds or other
2-43 obligations issued under Section 8215.201.

2-44 [Sections 8215.152-8215.200 reserved for expansion]

2-45 SUBCHAPTER E. BONDS

2-46 Sec. 8215.201. AUTHORITY TO ISSUE BONDS AND OTHER
2-47 OBLIGATIONS. (a) The district may issue bonds or other obligations
2-48 as provided by Chapters 49 and 54, Water Code, to finance the
2-49 construction, maintenance, or operation of a project under Section
2-50 8215.101 or 8215.102.

2-51 (b) The district may not issue bonds or other obligations to
2-52 finance projects authorized by Section 8215.102 unless the issuance
2-53 is approved by a vote of a two-thirds majority of the district
2-54 voters voting at an election called for that purpose.

2-55 (c) Bonds or other obligations issued or incurred to finance
2-56 projects authorized by Section 8215.102 may not exceed one-fourth
2-57 of the assessed value of the real property in the district.

2-58 SECTION 2. The Sedona Lakes Municipal Utility District No.
2-59 1 of Brazoria County includes all the territory contained in the
2-60 following area:

2-61 A METES & BOUNDS description of a certain 501.33 acre tract, in the
2-62 A.C.H. & B.R.R. Company Survey Section 87, Abstract No.415, the
2-63 A.C.H. & B.R.R. Company Survey Section 89, Abstract No.417, the
2-64 Mary V. O'Donnell Survey, Abstract No. 469, the R.B. Lyle Survey
2-65 Section 88, Abstract No. 540, and the R.B. Lyle Survey Section 92,
2-66 Abstract No. 541 in Brazoria County, Texas, being all of a called
2-67 239.00 acre tract, (Tract 4) to Walter P. Zivley, Trustee as
2-68 described in Special Warranty Deed, recorded in Clerk's File No.
2-69 98-041332 of the Brazoria County Official Public Records of Real

3-1 Property, a portion of a called 42.261 acre tract to RV Resorts
 3-2 America Inc. described in Warranty Deed with Vendor's Lien recorded
 3-3 in Clerk's File No. 2006013841 of the Brazoria County Official
 3-4 Public Records of Real Property, a portion of Lots 3, 7, 8, 12, 16
 3-5 and all of Lot 4 in Block 87, a portion of Lot 60 in Block 88, a
 3-6 portion of Lots 45-50, and 55 and all of Lots 56-58 in Block 89, all
 3-7 of Lots 1-6, 9-12, 18-20, 28, 36, and a portion of Lot 27 in Block 92
 3-8 of the Allison Richey Gulf Coast Home Company Part of Suburban
 3-9 Gardens Section 89 Subdivision, plat of which is recorded in Volume
 3-10 2, Page 98 of the Brazoria County Plat Records, and all of Lots A-F,
 3-11 H-J, L-R, T, V-Y of Replat Of Lots 1, 2, & 9 of the Allison Richey
 3-12 Gulf Coast Home Company Subdivision, plat of which is recorded in
 3-13 Volume 3, Page 106 of the Brazoria County Plat Records; said 501.33
 3-14 acre tract being more particularly described as follows with all
 3-15 bearings being base on the Texas State Plane Coordinate System,
 3-16 South Central Zone, NAD83;
 3-17 BEGINNING at a found concrete monument marking the southwest corner
 3-18 of the said 239.00 acre tract, being the northwest corner of Lot 1
 3-19 in Block 0 of the Allison Richey Gulf Coast Home Company Part of
 3-20 Suburban Gardens Section 89 Subdivision, plat of which is recorded
 3-21 in Volume 2, Page 98 of the Brazoria County Plat Records, being in
 3-22 the east line of a called 46.8412 acre tract to VDB Partners, LTD,
 3-23 recorded in Clerk's File No. 99-050835 of the Brazoria County
 3-24 Official Public Records of Real Property;
 3-25 THENCE, North 03°17'52" West, 2461.38 feet along the west line of
 3-26 the said 239.00 acre tract being common with the east line of said
 3-27 46.8412 acre tract, the east line of a called 16.6700 acre tract to
 3-28 VDB Partners, LTD, recorded in Clerk's File No. 99-050834 of the
 3-29 Brazoria County Official Public Records of Real Property, and the
 3-30 east line of a called 26.6211 acre tract to Durrett Development Inc.
 3-31 described in Special Warranty Deed recorded in Clerk's File No.
 3-32 03-066565 of the Brazoria County Official Public Records of Real
 3-33 Property, to a set 3/4-inch iron rod (with cap stamped "Cotton
 3-34 Surveying") marking the northeast corner of said 26.6211 acre
 3-35 tract, being the southeast corner of said Lot 58 in Block 89;
 3-36 THENCE, South 86°29'39" West, 882.28 feet along the north line of
 3-37 said 26.6211 acre tract, being common with the south line of said
 3-38 Lot 58, to a found 3/4-inch iron pipe marking the northwest corner
 3-39 of said 26.6211 acre tract, being the southwest corner of said Lot
 3-40 58, the northeast corner of Lot 49, the southeast corner of Lot 48,
 3-41 all in Block 89 of said Allison Richey Subdivision;
 3-42 THENCE, South 03°21'16" East, 1260.10 feet along the west line of
 3-43 said 26.6211 acre tract, being common with the east line of said
 3-44 Lots 49 and 50 to a found 1/2-inch iron rod the southwest corner of
 3-45 said 26.6211 acre tract, being in the north right-of-way of County
 3-46 Road 58 (ROW Varies);
 3-47 THENCE, South 86°03'22" West, 77.20 feet along the north
 3-48 right-of-way of said County Road 58 to a found concrete monument
 3-49 marking a cutback of the north right-of-way line of said County Road
 3-50 58, and Texas State Highway 288 as recorded in Volume 1041 Page 423
 3-51 and Volume 1048 Page 505 of the Brazoria County Deed Records;
 3-52 THENCE, North 47°49'53" West, 140.43 feet along said cutback to
 3-53 found concrete monument in the east right-of-way of said Texas
 3-54 State Highway 288;
 3-55 THENCE, along the east right-of-way of said Texas State Highway
 3-56 288, the following four (4) courses and distances:
 3-57 1. North 02°16'31" West, 1069.96 feet to a found
 3-58 concrete monument;
 3-59 2. North 03°49'23" East, 572.04 feet to a found
 3-60 concrete monument marking the beginning of a curve to the left;
 3-61 3. Along the arc of said curve to the left having a
 3-62 radius of 11,669.16 feet, an arc length of 1442.77 feet, a central
 3-63 angle of 07°05'02", and a long chord bearing North 00°18'47" East,
 3-64 1441.85 feet, to a found concrete monument;
 3-65 4. North 03°12'34" West, 64.49 feet to a set 3/4-inch
 3-66 iron rod (with cap stamped "Cotton Surveying") marking the northwest
 3-67 corner of Lot 55, being the southwest corner of Lot 54 in Block 89 of
 3-68 aforementioned Allison Richey Gulf Coast Home Company Subdivision,
 3-69 from which a found 1/2-inch iron rod bears North 03°12'34" West,

4-1 4.46 feet;
 4-2 THENCE, North $86^{\circ}29'39''$ East, 437.90 feet along the north line of
 4-3 said Lot 55, being common with the south line of said Lot 54 to a set
 4-4 $3/4$ -inch iron rod (with cap stamped "Cotton Surveying") from which
 4-5 a found $5/8$ -inch iron rod bears North $03^{\circ}22'25''$ East, 2.00 feet;
 4-6 THENCE, South $03^{\circ}15'13''$ East, 495.00 feet to a set $3/4$ -inch iron rod
 4-7 (with cap stamped "Cotton Surveying") in the south line of said Lot
 4-8 55, being the north line of said Lot 56 in Block 89 from which a
 4-9 found $5/8$ -inch iron rod (with cap stamped "LJA") bears North
 4-10 $19^{\circ}02'59''$ East, 1.76 feet;
 4-11 THENCE, North $86^{\circ}29'39''$ East, 438.28 feet along the north line of
 4-12 said Lot 56, being the south line of Lot 55, to a set $3/4$ -inch iron
 4-13 rod (with cap stamped "Cotton Surveying") marking the southeast
 4-14 corner of said Lot 55, being the northeast corner of said Lot 56,
 4-15 being in the west line of the aforementioned 239.00 acre tract;
 4-16 THENCE, North $03^{\circ}17'52''$ West, along the east line of Block 89, being
 4-17 common with the west line of aforementioned 239.00 acre tract
 4-18 passing at 2473.96 feet a found $5/8$ -inch iron rod (with cap stamped
 4-19 "LJA"), continuing in all a total distance of 2475.08 feet, to a set
 4-20 $3/4$ -inch iron rod (with cap stamped "Cotton Surveying"), marking
 4-21 the southeast corner of aforementioned Lot 60, being the northeast
 4-22 corner of aforementioned Lot 51, from which a found concrete
 4-23 monument bears North $03^{\circ}17'52''$ West, 8.58 feet;
 4-24 THENCE, South $86^{\circ}39'34''$ West, 676.72 feet along the north line of
 4-25 said Lot 51, being common with the south line of said Lot 60 to a
 4-26 found $5/8$ -inch iron rod (with cap stamped "LJA") marking a cutback
 4-27 of County Road 101 and Texas State Highway 288 as recorded in Volume
 4-28 1041 Page 466 of the Brazoria County Deed Records, from which a
 4-29 found $1/2$ -inch iron rod and a found concrete monument bears South
 4-30 $74^{\circ}13'18''$ East, 59.39 feet and 213.91 feet respectively;
 4-31 THENCE, North $74^{\circ}13'18''$ West, continuing along said cutback passing
 4-32 at 129.35 feet a found concrete monument, continuing in all a total
 4-33 distance of 158.98 feet to a found $5/8$ -inch iron rod (with cap
 4-34 stamped "LJA");
 4-35 THENCE, North $38^{\circ}55'28''$ West, 80.96 feet to a found concrete
 4-36 monument in the east right-of-way of the aforementioned Texas State
 4-37 Highway 288;
 4-38 THENCE, North $03^{\circ}17'32''$ West, continuing along the east
 4-39 right-of-way of the said Texas State Highway 288, being common with
 4-40 the west line of said Lot 60, passing at 294.02 feet at found
 4-41 $5/8$ -inch iron rod, continuing in all a total distance of 294.59 feet
 4-42 to a set $3/4$ -inch iron rod (with cap stamped "Cotton Surveying");
 4-43 THENCE, North $86^{\circ}39'34''$ East, along the north line of the south half
 4-44 of Lot 60 in Block 88, passing at 78.89 feet (0.63 feet left) a found
 4-45 $5/8$ -inch iron rod, passing at 856.09 feet a found $5/8$ -inch iron rod
 4-46 (with cap stamped "LJA"), passing at 875.84 feet a found $1/2$ -inch
 4-47 iron rod, continuing in all a total distance of 876.30 feet to a set
 4-48 $3/4$ -inch iron rod (with cap stamped "Cotton Surveying") in the east
 4-49 line of said Lot 60, being common with the west line of Lot 4 of
 4-50 Block 87;
 4-51 THENCE, North $02^{\circ}59'05''$ West, 466.92 feet along the said common
 4-52 line, and the east line of Lot 59 of Block 88 to a found $5/8$ -inch
 4-53 iron rod marking the south line of Silvercreek Section 9, plat of
 4-54 which is recorded in Volume 23, Page 323 of the Brazoria County Plat
 4-55 Records;
 4-56 THENCE, South $76^{\circ}44'09''$ East, along the south line of said
 4-57 Silvercreek Section 9, and the south line of Silvercreek Section 7,
 4-58 plat of which is recorded in Volume 23, Page 319 of the Brazoria
 4-59 County Plat Records, and the south line of Silvercreek Section 7,
 4-60 plat of which is recorded in Volume 23, Page 319 of the Brazoria
 4-61 County Plat Records, a distance of 1213.39 feet to a found $5/8$ -inch
 4-62 iron rod (with cap stamped "Cotton Surveying");
 4-63 THENCE, South $76^{\circ}20'19''$ East, continuing along the south line of
 4-64 said Silvercreek Section 7, and the south line of Silvercreek
 4-65 Section 10, plat of which is recorded in Volume 24, Page 105 of the
 4-66 Brazoria County Plat Records, a distance of feet 817.76 feet to a
 4-67 found $5/8$ -inch iron rod (with cap stamped "Cotton Surveying");
 4-68 THENCE, South $76^{\circ}48'42''$ East, 701.06 feet continuing along the south
 4-69 line of said Silvercreek Section 10 to a set $3/4$ -inch iron rod (with

5-1 cap stamped "Cotton Surveying") in the west line of Stonebridge
5-2 Section 3, plat of which is recorded in Volume 24, Page 207 of the
5-3 Brazoria County Plat Records;
5-4 THENCE, South 03°00'04" East, 87.08 feet along the west line of said
5-5 Stonebridge Section 3 to a point for corner in a drainage ditch,
5-6 being in the north line of Lot Y in Block 1 of the Replat of Lots 1-2
5-7 & 9 of the Allison Richey Gulf Coast Home Company Subdivision of
5-8 Section 92, replat recorded in Volume 3, Page 106 of the Brazoria
5-9 County Plat Records;
5-10 THENCE, North 86°46'58" East, along the south line of said
5-11 Stonebridge Section 3, being common with the north line of Lots 18,
5-12 27, and 36 in Block 92 of said Allison Richey Gulf Coast Home
5-13 Company Subdivision, passing at 778.97 feet (0.36 feet right) a
5-14 found 5/8-inch iron rod, continuing in all a total distance of
5-15 781.76 feet to a set 3/4-inch iron rod (with cap stamped "Cotton
5-16 Surveying"), marking the northeast corner of said Lot 18, being the
5-17 northwest corner of said Lot 27;
5-18 THENCE, South 02°41'12" East, 228.22 feet along the west line of the
5-19 said Lot 27, being common with the east line of said Lot 18, all in
5-20 Block 92 to a point for corner in the centerline of a drainage
5-21 ditch;
5-22 THENCE, South 76°35'08" East, 646.56 feet along the said centerline
5-23 of the drainage ditch to a point for corner in the east line of said
5-24 Lot 27, being common with the west line of aforementioned Lot 36;
5-25 THENCE, North 02°41'12" West, 413.28 feet along the said common line
5-26 to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying")
5-27 marking the northwest corner of said Lot 36, being the northeast
5-28 corner said Lot 27, being in the south line of Stonebridge Section
5-29 2, Plat of which is recorded in Volume 23, Page 101 of the Brazoria
5-30 County Plat Records;
5-31 THENCE, North 86°46'58" East, along the south line of said
5-32 Stonebridge Section 2, being common with the north line of said Lot
5-33 36, passing at 584.51 feet a found 5/8-inch iron rod, passing at
5-34 618.30 feet a found 60D Nail inside a 1-1/2-inch iron pipe,
5-35 continuing in all a total distance of 621.33 feet to a set 3/4-inch
5-36 iron rod marking the northwest corner of Lot 45, being the northeast
5-37 corner of said Lot 36, being in the south line of Lot 48 in Block 87
5-38 of the said Allison Richey Gulf Coast Home Company Subdivision;
5-39 THENCE, South 02°41'12" East, 701.80 feet along the east line of
5-40 said Lot 36, being common with the west line said Lot 45 to a set
5-41 3/4-inch iron rod (with cap stamped "Cotton Surveying"), marking
5-42 the southeast corner of said Lot 36, being common with the southwest
5-43 corner of said Lot 45, being the northwest corner of Lot 46, and the
5-44 northeast corner of Lot 37, all in block 92 of the said Allison
5-45 Richey Gulf Coast Home Company Subdivision;
5-46 THENCE, South 86°48'43" West, along the south line of said Lot 36,
5-47 being common with the north line of said Lot 37, passing at 3.06
5-48 feet (0.60 feet right) a found 1-inch iron pipe (bent), continuing
5-49 in all a total distance of 621.32 feet to a set 3/4-inch iron rod
5-50 (with cap stamped "Cotton Surveying") marking the northwest corner
5-51 of said Lot 37, being the southwest corner of said Lot 36, the
5-52 southeast corner of said Lot 27, and the northeast corner of said
5-53 Lot 28, all in Block 92 of the said Allison Richey Gulf Coast Home
5-54 Company Subdivision;
5-55 THENCE, South 02°41'12" East, 700.83 feet along the east line of
5-56 said Lot 28, being common with the west line of said Lot 37 to a set
5-57 3/4-inch iron rod (with cap stamped "Cotton Surveying") marking the
5-58 southeast corner of said Lot 28, being the southwest corner of said
5-59 Lot 37, the northwest corner of Lot 38, and the northeast corner of
5-60 Lot 29, all in Block 92 of the said Allison Richey Gulf Coast Home
5-61 Company Subdivision, from which a found 5/8-inch iron rod bears
5-62 South 02°41'12" East, 1.50 feet;
5-63 THENCE, South 86°48'43" West, 310.58 feet along the south line of
5-64 the said Lot 28, being the north line of said Lot 29 to a set
5-65 3/4-inch iron rod (with cap stamped "Cotton Surveying"), marking
5-66 the northeast corner of a called 42.261 acre tract described in
5-67 Warranty Deed with Vendor's Lien, recorded in Clerk's File No.
5-68 2006013841 of the Brazoria County Official public Records of Real
5-69 Property;

6-1 THENCE, South 02°41'12" East, along the east line of the said 42.261
6-2 acre tract, passing at 0.90 feet a found 5/8-inch iron rod (with cap
6-3 stamped "RPLS 1718"), continuing in all a total distance of 700.83
6-4 feet a set 3/4-inch iron rod (with cap stamped "Cotton Surveying")
6-5 marking an interior north corner of said 42.261 acre tract, being in
6-6 the south line of said Lot 29, being in the north line of Lot 30 in
6-7 Block 92 of the said Allison Richey Gulf Coast Home Company
6-8 Subdivision;

6-9 THENCE, North 86°47'30" East, 310.12 feet along the north line of
6-10 said 42.261 acre tract, to a found 5/8-inch iron rod (with cap
6-11 stamped "RPLS 1718") marking the northeast corner of said Lot 30,
6-12 being the southeast corner of said Lot 29, the southwest corner of
6-13 Lot 38, and the northwest corner of Lot 39, in Block 92 of the said
6-14 Allison Richey Gulf Coast Home Company Subdivision, said iron rod
6-15 also marking the northwest corner of a called 30.909 acre tract to
6-16 RV Resorts America Inc., described in Warranted Deed with Vendor's
6-17 Lien recorded in Clerk's File No. 2006013839 of the Brazoria County
6-18 Official Public Records of Real Property;

6-19 THENCE, South 02°42'08" East, 697.02 feet along the west line of
6-20 said 30.909 acre tract, being common with the east line of said
6-21 42.261 acre tract to a found 5/8-inch iron rod marking the western
6-22 most southwest corner of said 30.909 acre tract, being the
6-23 northwest corner of Lot 40 in Block 92;

6-24 THENCE, South 02°38'38" East, along the west line of said Lot 40,
6-25 being the east line of said 42.261 acre tract, passing at 558.86
6-26 feet a found 5/8-inch iron rod (with cap stamped "RPLS 1718"),
6-27 continuing in all a total distance of 612.77 feet to point for
6-28 corner in the centerline of Mustang Bayou marking the beginning of a
6-29 curve to the left;

6-30 THENCE, along the meanders of Mustang Bayou, being the south line of
6-31 said 42.261 acre tract, the following ten (10) courses and
6-32 distances:

6-33 1. Along the arc of said curve to the left having a
6-34 radius of 150.00 feet, an arc length of 78.41 feet, a central angle
6-35 of 29°57'05", and a long chord bearing South 75°43'05" West, 77.52
6-36 feet to a point for corner marking the beginning of a curve to the
6-37 right;

6-38 2. Along the arc of said curve to the right having a
6-39 radius of 100.00 feet, an arc length of 109.73 feet, a central angle
6-40 of 62°52'21", and a long chord bearing South 88°45'14" West, 104.31
6-41 feet to a point for corner marking the beginning of a curve to the
6-42 left;

6-43 3. Along the arc of said curve to the left having a
6-44 radius of 875.00 feet, an arc length of 192.49 feet, a central angle
6-45 of 12°36'15", and a long chord bearing North 63°31'26" West, 192.10
6-46 feet to a point for corner marking the beginning of a curve to the
6-47 right;

6-48 4. Along the arc of said curve to the right having a
6-49 radius of 325.00 feet, an arc length of 130.56 feet, a central angle
6-50 of 23°00'59", and a long chord bearing North 63°26'12" West, 129.68
6-51 feet to a point for corner marking the beginning of a curve to the
6-52 left;

6-53 5. Along the arc of said curve to the left having a
6-54 radius of 200.00 feet, an arc length of 129.60 feet, a central angle
6-55 of 37°07'35", and a long chord bearing North 64°41'23" West, 127.34
6-56 feet to a point for corner;

6-57 6. South 89°30'08" West, 106.12 feet to a point for
6-58 corner marking the beginning of a curve to the right;

6-59 7. Along the arc of said curve to the right having a
6-60 radius of 100.00 feet, an arc length of 92.75 feet, a central angle
6-61 of 53°08'28", and a long chord bearing North 70°07'28" West, 89.46
6-62 feet, to a point for corner;

6-63 8. North 47°51'26" West, 89.75 feet to a point for
6-64 corner;

6-65 9. North 41°42'34" West, 113.40 feet to a point for
6-66 corner marking the beginning of a curve to the left;

6-67 10. Along the arc of said curve to the left having a
6-68 radius of 350.00 feet, an arc length of 381.20 feet, a central angle
6-69 of 62°24'12", and a long chord bearing North 74°32'42" West, 362.64

7-1 feet, to a point for corner marking the southwest corner of the
7-2 aforementioned 42.261 acre tract, being in the east line of Lot 13
7-3 in Block 92 of the said Allison Richey Gulf Coast Home Company
7-4 Subdivision;
7-5 THENCE, North 02°41'12" West, 91.54 feet along the east line of said
7-6 Lot 13, being the west line of said 42.261 acre tract to a set
7-7 3/4-inch iron rod (with cap stamped "Cotton Surveying") marking the
7-8 northeast corner of said Lot 13, being the southeast corner of Lot
7-9 12 in Block 92 of the said Allison Richey Gulf Coast Home Company
7-10 Subdivision, from which a found 5/8-inch iron rod (with cap stamped
7-11 "LJA") bears North 02°41'12" West, 1.03 feet;
7-12 THENCE, South 86°48'43" West, 621.57 feet along the south line said
7-13 Lot 12, being the north line of said Lot 13 to a set 3/4-inch iron
7-14 rod (with cap stamped "Cotton Surveying") marking the northeast
7-15 corner of Lot 5, the southeast corner of Lot 4, the southwest corner
7-16 of Lot 12, and the northwest corner of Lot 13 in Block 92 of the said
7-17 Allison Richey Gulf Coast Home Company Subdivision;
7-18 THENCE, South 02°41'12" East, along the east line of said Lot 5, and
7-19 Lot 6 in Block 92, and the west line of a called 84.3040 acre tract
7-20 to Manvel BDC Limited Partnership described in General Warranty
7-21 Deed recorded in Clerk's File No. 02-016132 of the Brazoria County
7-22 Official Public Records of Real Property, passing at 0.91 feet a
7-23 found 5/8-inch iron rod, continuing in all a total distance of
7-24 1402.42 feet to a found 5/8-inch iron rod (with cap stamped "LANEY")
7-25 marking an angle point in the west line of the said 84.3040 acre
7-26 tract, being the southeast corner of said Lot 6;
7-27 THENCE, South 86°48'43" West, 560.37 feet along the north line of
7-28 said 84.3040 acre tract to a found 5/8-inch iron rod, marking the
7-29 southwest corner of said Lot 6, being a northwest corner of said
7-30 84.3040 acre tract, being in the east line of the aforementioned
7-31 239.00 acre tract;
7-32 THENCE, South 03°31'15" East, 614.44 feet along the west line of
7-33 said 84.3040 acre tract, being common with the east line of said
7-34 239.00 acre tract to a found concrete monument marking an angle
7-35 point, from which a found 5/8-inch iron rod bears North 07°33'57"
7-36 East, 0.22 feet;
7-37 THENCE, South 38°50'47" West, 476.70 feet along the said common line
7-38 to a set 3/4-inch iron rod (with cap stamped "Cotton Surveying")
7-39 marking an angle point, from which a found 5/8-inch iron rod (with
7-40 cap stamped "LJA") bears South 74°36'22" East, 0.48 feet;
7-41 THENCE, South 51°09'15" East, along the said common line, passing at
7-42 1852.11 feet (3.23 feet left) a found 5/8-inch iron rod (with cap
7-43 stamped "Laney"), continuing in all a total distance of 1898.02
7-44 feet to a set 3/4-inch iron rod (with cap stamped "Cotton
7-45 Surveying"), marking the southeast corner of said 239.00 acre
7-46 tract, being a southwest corner of said 84.3040 acre tract, being in
7-47 the south line of Block 92, which is common with the north line of
7-48 Block 0 in the said Allison Richey Gulf Coast Home Company
7-49 Subdivision,
7-50 THENCE, South 87°00'55" West, 2645.21 feet along the said common
7-51 line, also being the south line of said 239.00 acre tract to the
7-52 POINT OF BEGINNING, CONTAINING 505.77 acres of land in Brazoria
7-53 County, Texas, save and except the following four (4) tracts:
7-54 SAVE & EXCEPT TRACT 1
7-55 Lot G, a 1.11 acre tract of the Replat Allison Richey Gulf Coast
7-56 Home Company Subdivision of Section 92, replat recorded in Volume
7-57 3, Page 106 of the Brazoria County Plat Records
7-58 SAVE & EXCEPT TRACT 2
7-59 Lot K, a 1.11 acre tract of the Replat Allison Richey Gulf Coast
7-60 Home Company Subdivision of Section 92, replat recorded in Volume
7-61 3, Page 106 of the Brazoria County Plat Records
7-62 SAVE & EXCEPT TRACT 3
7-63 Lot S, a 1.11 acre tract of the Replat Allison Richey Gulf Coast
7-64 Home Company Subdivision of Section 92, replat recorded in Volume
7-65 3, Page 106 of the Brazoria County Plat Records
7-66 SAVE & EXCEPT TRACT 4
7-67 Lot U, a 1.11 acre tract of the Replat Allison Richey Gulf Coast
7-68 Home Company Subdivision of Section 92, replat recorded in Volume
7-69 3, Page 106 of the Brazoria County Plat Records

8-1 For a total net acreage of 501.33 acres of land in Brazoria County,
8-2 Texas.

8-3 SECTION 3. (a) The legal notice of the intention to
8-4 introduce this Act, setting forth the general substance of this
8-5 Act, has been published as provided by law, and the notice and a
8-6 copy of this Act have been furnished to all persons, agencies,
8-7 officials, or entities to which they are required to be furnished
8-8 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
8-9 Government Code.

8-10 (b) The governor, one of the required recipients, has
8-11 submitted the notice and Act to the Texas Commission on
8-12 Environmental Quality.

8-13 (c) The Texas Commission on Environmental Quality has filed
8-14 its recommendations relating to this Act with the governor, the
8-15 lieutenant governor, and the speaker of the house of
8-16 representatives within the required time.

8-17 (d) All requirements of the constitution and laws of this
8-18 state and the rules and procedures of the legislature with respect
8-19 to the notice, introduction, and passage of this Act are fulfilled
8-20 and accomplished.

8-21 SECTION 4. This Act takes effect September 1, 2007.

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