

By: Garcia

H.B. No. 4117

Substitute the following for H.B. No. 4117:

By: Puente

C.S.H.B. No. 4117

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Lamar Improvement District;  
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 8222 to read as follows:

CHAPTER 8222. LAMAR IMPROVEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8222.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Lamar Improvement District.

Sec. 8222.002. NATURE OF DISTRICT. (a) The district is a  
municipal utility district created under and essential to  
accomplish the purposes of Section 59, Article XVI, Texas  
Constitution.

(b) The district, to the extent authorized by Section  
8222.103 and Section 52, Article III, Texas Constitution, has road  
powers.

Sec. 8222.003. CONFIRMATION ELECTION REQUIRED. The board  
shall hold an election to confirm the creation of the district as  
provided by Section 49.102, Water Code.

Sec. 8222.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. All

1 land and other property in the district will benefit from the  
2 improvements and services to be provided by the district.

3 Sec. 8222.005. INITIAL DISTRICT TERRITORY. (a) The  
4 district is initially composed of the territory described by  
5 Section 2 of the Act creating this chapter.

6 (b) The boundaries and field notes contained in Section 2 of  
7 the Act creating this chapter form a closure. A mistake in the  
8 field notes or in copying the field notes in the legislative process  
9 does not affect the district's:

10 (1) organization, existence, or validity;

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

14 (3) right to impose an assessment or tax; or

15 (4) legality or operation.

16 [Sections 8222.006-8222.050 reserved for expansion]

17 SUBCHAPTER B. BOARD OF DIRECTORS

18 Sec. 8222.051. GOVERNING BODY; TERMS. (a) The district is  
19 governed by a board of five elected directors.

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

21 Sec. 8222.052. INITIAL DIRECTORS. (a) The initial board  
22 consists of:

23 (1) Grey Hill;

24 (2) Richard Bianchi;

25 (3) Gwynn Lumpkin;

26 (4) Sam Ward; and

27 (5) Jeanie Wittliff.

1        (b) Unless the initial board agrees otherwise, the initial  
2 directors shall draw lots to determine which two shall serve until  
3 the first regularly scheduled election of directors and which three  
4 shall serve until the second regularly scheduled election of  
5 directors.

6        (c) This section expires September 1, 2014.

7        [Sections 8222.053-8222.100 reserved for expansion]

8                    SUBCHAPTER C. POWERS AND DUTIES

9        Sec. 8222.101. GENERAL POWERS AND DUTIES. The district has  
10 the powers and duties necessary to accomplish the purposes for  
11 which the district is created.

12        Sec. 8222.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
13 DUTIES. The district has the powers and duties provided by the  
14 general law of this state, including Chapters 49 and 54, Water Code,  
15 applicable to municipal utility districts created under Section 59,  
16 Article XVI, Texas Constitution.

17        Sec. 8222.103. ROAD PROJECTS. (a) Under Section 52,  
18 Article III, Texas Constitution, the district may finance,  
19 construct, or acquire a road project as provided by this section.

20        (b) The district shall employ, or contract with, a licensed  
21 engineer to certify whether a proposed road project meets the  
22 criteria for a thoroughfare, arterial, or collector road of:

23                    (1) a county in whose jurisdiction the proposed road  
24 project is located; or

25                    (2) a municipality in whose corporate limits or  
26 extraterritorial jurisdiction the proposed road project is  
27 located.

1       (c) The district may finance, construct, or acquire a road  
2 that has been certified by the licensed engineer as a thoroughfare,  
3 arterial, or collector road, or any improvements in aid of the  
4 certified road.

5       (d) A road project must meet all applicable standards,  
6 regulations, ordinances, or orders of:

7           (1) each municipality in whose corporate limits or  
8 extraterritorial jurisdiction the road project is located; and

9           (2) each county in which the road project is located if  
10 the road project is not located in the corporate limits of a  
11 municipality.

12       (e) The district may, with the consent of the municipality  
13 or county, convey a completed road project to:

14           (1) a municipality in whose corporate limits or  
15 extraterritorial jurisdiction the road project is located; or

16           (2) a county in which the road project is located.

17       Sec. 8222.104. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
18 OR RESOLUTION. The district shall comply with all applicable  
19 requirements of any ordinance or resolution, adopted by the  
20 governing body of a municipality under Section 54.016, Water Code,  
21 that consents to the creation of the district or to the inclusion of  
22 land in the district.

23       Sec. 8222.105. NAVIGATION DISTRICT POWERS. (a) The  
24 district has the powers provided by the general law of this state,  
25 including Chapters 60 and 62, Water Code, applicable to navigation  
26 districts created under Section 59, Article XVI, Texas  
27 Constitution.

1       (b) The district may purchase, construct, acquire, own,  
2 operate, maintain, improve, or extend, inside or outside the  
3 district, a canal, waterway, bulkhead, dock, or other improvement  
4 necessary or convenient to accomplish the navigation purposes of  
5 the district.

6       [Sections 8222.106-8222.150 reserved for expansion]

7               SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

8       Sec. 8222.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
9 district may issue, without an election, bonds and other  
10 obligations secured by revenue or contract payments from a source  
11 other than ad valorem taxation.

12       (b) The district must hold an election in the manner  
13 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
14 before the district may impose an ad valorem tax or issue bonds  
15 payable from ad valorem taxes.

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

20       Sec. 8222.152. OPERATION AND MAINTENANCE TAX. (a) If  
21 authorized at an election held under Section 8222.151, the district  
22 may impose an operation and maintenance tax on taxable property in  
23 the district as provided by Chapter 49.107, Water Code.

24       (b) The board shall determine the tax rate. The rate may not  
25 exceed the rate approved at the election.

26       [Sections 8222.153-8222.200 reserved for expansion]

SUBCHAPTER E. BONDS

Sec. 8222.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 8222.202. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of a bond, note, or other obligation issued or incurred to finance a road project may not exceed one-fourth of the assessed value of real property in the district according to the most recent certified tax appraisal roll for Aransas County.

Sec. 8222.203. TAXES FOR BONDS AND OTHER OBLIGATIONS. At the time bonds or other obligations payable wholly or partly from ad valorem taxes are issued:

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

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

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

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

(C) pay the expenses of imposing the taxes.

1 SECTION 2. The Lamar Improvement District initially  
2 includes all the territory contained in the following area:

3 PART 1:

4 The following lots and/or blocks as described in the plat for  
5 Lamar Outlets, as recorded in the real property records of Aransas  
6 County:

- 7 1) Lamar Outlots, Lot 34
- 8 2) Lamar Outlots, Lots 1E/150', all of 2 & W/125' of 3

9 The following lots and/or blocks as described in the plat for  
10 Lamar Townsite, as recorded in the real property records of Aransas  
11 County:

- 12 1) Lamar Townsite, Block 165, Lots 9, Less 2' and all  
13 10
- 14 2) Lamar Townsite, Block 105, Lots 7, 8, 15, 16
- 15 3) Lamar Townsite, Block 106, Lots 1, 2, 9, 10
- 16 4) Lamar Townsite, Block 139, Lots 1 thru 16
- 17 5) Lamar Townsite, Block 146, Lots 5, 6, 7
- 18 6) Lamar Townsite, Block 153, Lots 1 thru 16
- 19 7) Lamar Townsite, Block 157, Lots 1, 2, 3, 6, 7, 8
- 20 8) Lamar Townsite, Block 157, Lots 4 and 5
- 21 9) Lamar Townsite, Block 165, Lots 1 thru 8 and SW/2'  
22 of 9
- 23 10) Lamar Townsite, Block 165, Lots 11 thru 16
- 24 11) Lamar Townsite, Block 166, Lots 1 thru 13
- 25 12) Lamar Townsite, Block 166, Lots 14, 15, 16
- 26 13) Lamar Townsite, Block 167, Lots 1 thru 16
- 27 14) Lamar Townsite, Block 168, Lots 1 thru 16

- 1            15) Lamar Townsite, Block 172, Lots 1 thru 8
- 2            16) Lamar Townsite, Block 18, Lots 14-15 & 16
- 3            17) Lamar Townsite, Block 19, Lots 1 thru 16
- 4            18) Lamar Townsite, Block 20, Lots 1-2 & 3
- 5            19) Lamar Townsite, Block 36, Lots 1 thru 8
- 6            20) Lamar Townsite, Block 53, Lots 10 thru 16
- 7            21) Lamar Townsite, Block 56, Lots 1 thru 16
- 8            22) Lamar Townsite, Block 63, Lots 1 thru 16
- 9            23) Lamar Townsite, Block 69, Lots 1 thru 14
- 10           24) Lamar Townsite, Block 75, Lots 1 thru 16
- 11           25) Lamar Townsite, Block 80, Lots 5 thru 12
- 12           26) Lamar Townsite, Block 81, Lots 1 thru 8 & 10 thru
- 13           16
- 14           27) Lamar Townsite, Block 87, Lots 1 thru 16
- 15           28) Lamar Townsite, Block 92, Lots 2 thru 8 and 13
- 16           29) Lamar Townsite, Block 93, Lots 1 thru 8
- 17           30) Lamar Townsite, Block 93, Lots 12 and 13
- 18           31) Lamar Townsite, Block 99, Lots 5 to 8, 13 thru 16

19            The following lots and/or blocks as described in the plat for  
20 Lamar Reserve, as recorded in the real property records of Aransas  
21 County:

- 22            1) Lamar Reserve, Block E Side of Res A
- 23            2) Lamar Reserve, Block Pt of Res A
- 24            3) Lamar Reserve, Block Res A, Lot Tract 1 & 2

25            The following lots and/or blocks as described in the A96  
26 Williams Lewis Survey, as recorded in the real property records of  
27 Aransas County:



1           1) A96 William Lewis Survey, Acres 200.5096, &  
2 30'X740' Closing of 1st St.

3           And that portion of the real property located east of SH 35 as  
4 described in the plat for the Fannie VW Heard Subdivision, as  
5 recorded in the real property records of Aransas County.

6           PART 2:

7           TRACT 2A:

8           BEING 0.334 ACRES OF LAND CALLED 0.42 ACRES, LAMAR TOWNSITE  
9 IN THE NORTHEAST CORNER OF RESERVATION "A", ARANSAS COUNTY, TEXAS,  
10 AND BEING MORE PARTICULARLY DESCRIBED IN THAT DEED DATED MAY 24,  
11 1949, FROM ROY BRAMAN ET UX, TO C. L. DUTTON ET UX, RECORDED IN  
12 VOLUME E-3, PAGE 589, DEED RECORDS OF ARANSAS COUNTY, TEXAS, AND  
13 ALSO BEING DESCRIBED IN VOLUME 196, PAGE 347, DEED RECORDS OF  
14 ARANSAS COUNTY, TEXAS, WITH SAID 0.334 ACRE TRACT BEING MORE  
15 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

16           BEGIN at a spike and washer found at the point of intersection  
17 of the Southwest R.O.W. line of Texas State Park Road No. 13, and  
18 the West R.O.W. line of Walnut Street, and being the NORTHEAST  
19 corner and PLACE OF BEGINNING of this survey;

20           THENCE, South 00°25'00" West along and with the West R.O.W.  
21 line of Walnut Street a distance of 212.0 feet to a 1/2" steel rebar  
22 found for the Northeast corner of the Emma Huddleston Estate tract  
23 and being the SOUTHEAST corner of this survey;

24           THENCE, North 84°01'00" West along and with the North line of  
25 said Huddleston tract a distance of 68.03 feet to a 5/8" steel rebar  
26 set in the East line of Sea Gun Bay Homes P.U.D., according to the  
27 Map Recorded in Volume 3, Page 102, Map Records of Aransas County,

1 Texas, and being the SOUTHWEST corner of this survey;

2 THENCE, North 01°42'30" East along and with the East line of  
3 Sea Gun Bay Homes P.U.D. a distance of 233.88 feet to a 1 1/2"  
4 galvanized iron pipe found in the Southwest R.O.W. line of Texas  
5 State Park Road No. 13 and being the NORTHWEST corner of this  
6 survey;

7 THENCE, South 65°07'00" East along and with the Southwest  
8 R.O.W. line of Texas State Park Road No. 13 a distance of 68.6 feet  
9 to the PLACE OF BEGINNING and containing 0.334 acres of land more or  
10 less.

11 TRACT 2B:

12 BEING 0.395 ACRES OF LAND OUT OF RESERVATION "A", LAMAR  
13 TOWNSITE, WILLIAM LEWIS SURVEY ABSTRACT NO. 96, ARANSAS COUNTY,  
14 TEXAS, WITH SAID 0.395 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED  
15 BY METES AND BOUNDS AS FOLLOWS:

16 BEGIN at a 1/2" steel rebar found in the West R.O.W. line of  
17 Walnut Street a platted 60.0 foot wide county roadway and being the  
18 Southeast corner of a 0.334 acre tract in the name of Charles  
19 Blackwood, called 0.42 acres as described in a deed recorded in  
20 Volume E-3, Page 589, Deed Records of Aransas County, Texas, and  
21 from whence 1/2" steel rebar found at the point of intersection of  
22 West R.O.W. line of Walnut Street and the South R.O.W. line of Park  
23 Road No. 13, bears North 00°25'00" East a distance of 212.0 feet,  
24 with said 1/2" steel rebar found being the NORTHEAST corner and  
25 PLACE OF BEGINNING of this survey;

26 THENCE, South 00°25'00" West along and with the West R.O.W.  
27 line of Walnut Street a distance of 237.67 feet to a 5/8" steel

1 rebar found for the SOUTHEAST corner of this survey;

2       THENCE, South 85°47'28" West along and with the North line of  
3 Sea Gun Bay Homes, P.U.D., according to the Map Recorded in Volume  
4 3, Page 102, Map Records of Aransas County, Texas, a distance of  
5 73.6 feet to an old fence post found for the SOUTHWEST corner of  
6 this survey;

7       THENCE, North 01°42'36" East along and with the East line of  
8 said Sea Gun Bay Homes, P.U.D., a distance of 250.26 feet to a 5/8"  
9 steel rebar found for the SOUTHWEST corner of said Charles  
10 Blackwood tract and being the NORTHWEST corner of this survey;

11       THENCE, South 84°01'00" East along and with the South line of  
12 said Charles Blackwood tract a distance of 68.03 feet to the PLACE  
13 OF BEGINNING and containing 0.395 acres or 17,207 square feet of  
14 land more or less.

15       TRACT 2C:

16       BEING 2.497 ACRES OF LAND OUT OF LOTS 16 AND 17 OF THE F.V.W.  
17 HEARD'S SUBDIVISION, LAMAR PENINSULA, ARANSAS COUNTY, TEXAS  
18 ACCORDING TO THE MAP RECORDED IN VOLUME 1, PAGE 56, MAP RECORDS OF  
19 ARANSAS COUNTY TEXAS

20       TRACT 2D:

21       Being described as TRACT NO. 5 in Volume 236, page 160, Deed  
22 Records, Aransas County, Texas and being a part or parcel of land  
23 containing 0.983 acres of land, located in Aransas County, Texas,  
24 said 0.983 acres of land being more fully described as follows:

25       COMMENCING at a concrete monument marking the intersection of  
26 the easterly Right of Way of Highway No. 35 with the southerly Right  
27 of Way of State Park Road 13:

1           THENCE, North 86°04'00" East with said southerly Right of Way  
2 of State Park Road 13, a distance of 93.89 feet to a concrete  
3 monument for corner:

4           THENCE, South 65°02'10" East with said Right of Way, a  
5 distance of 281.95 feet to a point for corner:

6           THENCE, South 15°29'00" West, a distance of 53.12 feet to the  
7 POINT OF BEGINNING:

8           THENCE, South 74°52'21" East, a distance of 109.25 feet to a  
9 point for corner:

10          THENCE, South 15°07'39" West, a distance of 16.00 feet to a  
11 point for corner:

12          THENCE, South 74°52'21" East, a distance of 72.00 feet to a  
13 point for corner:

14          THENCE, South 15°07'39" West, a distance of 6.00 feet to a  
15 point for corner:

16          THENCE, South 74°52'21" East, a distance of 68.00 feet to a  
17 point for corner:

18          THENCE, South 15°07'39" West, a distance of 17.00 feet to a  
19 point for corner:

20          THENCE, South 74°52'21" East, a distance of 36.95 feet to a  
21 point of curvature:

22          THENCE, in a Southeasterly direction with a curve to the  
23 right, said curve having a central angle of 71°34'08", a radius of  
24 30.00 feet, and whose long chord bears South 39°05'17" East (35.08  
25 foot chord), an arc distance of 37.47 feet to a point of compound  
26 curvature:

27          THENCE, in a Southwesterly direction with a curve to the

1 right, said curve having a central angle of  $43^{\circ}33'09''$ , a radius of  
2 115.00 feet, and whose long chord bears South  $18^{\circ}28'21''$  West (85.33  
3 foot chord), an arc distance of 87.42 feet to a point for corner:

4       THENCE, North  $88^{\circ}13'40''$  West, a distance of 29.89 feet to a  
5 point for corner:

6       THENCE, in a Southwesterly direction following a curve to the  
7 right, said curve having a central angle of  $35^{\circ}28'42''$ , a radius of  
8 30.00 feet, and whose long chord bears South  $84^{\circ}42'18''$  West (18.29  
9 foot chord), an arc distance of 18.58 feet to a point of reverse  
10 curvature:

11       THENCE, in a Northwesterly direction with a curve to the  
12 left, said curve having a central angle of  $2^{\circ}35'00''$ , a radius of  
13 30.00 feet, and whose long chord bears North  $78^{\circ}50'51''$  West (3.61  
14 foot chord), an arc distance of 3.61 feet to a point of tangency:

15       THENCE, North  $80^{\circ}08'21''$  West, a distance of 88.00 feet to a  
16 point of curvature:

17       THENCE, in a Northwesterly direction with a curve to the  
18 right, said curve having a central angle of  $31^{\circ}55'00''$ , a radius of  
19 155.00 feet, and whose long chord bears North  $64^{\circ}10'51''$  West (85.23  
20 foot chord), an arc distance of 86.34 feet to a point of reverse  
21 curvature:

22       THENCE, in a Northwesterly direction with a curve to the  
23 left, said curve having a central angle of  $14^{\circ}47'26''$ , a radius of  
24 285.00 feet, and whose long chord bears North  $55^{\circ}37'04''$  West (73.37  
25 foot chord), an arc distance of 73.57 feet to a point of reverse  
26 curvature:

27       THENCE, in a Northwesterly direction with a curve to the

1 right, said curve having a central angle of 78°29'47", a radius of  
2 23.00 feet, and whose long chord bears North 23°45'53" West (31.63  
3 foot chord), an arc distance of 34.25 feet to a point of tangency:

4       THENCE, North 15°29'00" East, a distance of 101.68 feet to the  
5 POINT OF BEGINNING

6       and containing 0.983 acres of land, more or less.

7       TRACT 2E:

8       BEING 4.367 ACRES OF LAND OUT OF A 7.262 ACRE TRACT OF LAND  
9 LYING SOUTH OF AND ADJACENT TO THE SOUTH LINE OF THE WILLIAM LEWIS  
10 SURVEY A-96, ARANSAS COUNTY, TEXAS, AND BEING BOUND ON THE WEST BY  
11 AN EXISTING CONCRETE BULKHEAD ALONG THE EASTERLY PERIMETER OF SEA  
12 GUN HARBOR, BEING BOUND ON THE SOUTH BY THE MEAN HIGH WATER LINE OF  
13 ARANSAS BAY, AND BEING BOUND ON THE EAST BY THE ORIGINAL EASTERLY  
14 BOUNDARY OF SAID 7.262 ACRE TRACT AS SURVEYED BY J. E. MORTENSEN  
15 LICENSE STATE LAND SURVEYOR, IN JANUARY, 1980, AND DESCRIBED BY  
16 DEED OF RECORD UNDER CLERK'S FILE NO. 180994, PROPERTY RECORDS OF  
17 ARANSAS COUNTY, TEXAS, WITH SAID 4.367 ACRE TRACT BEING MORE  
18 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

19       BEGIN at a 5/8" steel rebar found in the East R.O.W. line of  
20 Walnut Street, a platted 60.0 foot wide county roadway, in the  
21 Townsite of Lamar and being the original Northeast corner of said  
22 7.262 acre tract and being the NORTHEAST corner and PLACE OF  
23 BEGINNING of this survey;

24       THENCE, South 72°36'58" West along the original North line of  
25 said 7.262 acre tract a distance of 145.47 feet to a 5/8" steel  
26 rebar found in the Southerly projection of the Westerly boundary of  
27 the E. Huddleston Tract described in Volume P-2, Page 294, Deed

1 Records of Aransas County, Texas, and being a CORNER of this survey;

2       THENCE, South 70°13'12" West along and with the South boundary  
3 of Sea Gun Bay Homes, P.U.D., as shown by Map of Record in Volume 3,  
4 Page 102, Map Records of Aransas County, Texas, also known as Tract  
5 No. 1 of the Sea Gun Sports Inn, according to the Map Recorded in  
6 Volume 3, Page 101, Map Records of Aransas County, Texas, a distance  
7 of 165.8 feet to a 5/8" steel rebar found for the Northeast corner  
8 of a 0.290 acre tract out of said 7.262 acre tract, described under  
9 Clerk's File No. 180994, Official Property Records of Aransas  
10 County, Texas, and being the NORTHWEST corner of this survey;

11       THENCE, South 13°50'55" East along and with the East boundary  
12 of said 0.290 acre tract a distance of 60.97 feet to the landside of  
13 an existing corner of a concrete bulkhead and being an INTERIOR  
14 corner of this survey;

15       THENCE, South 26°59'29" West a distance of 1.91 feet to the  
16 waterside of said existing concrete bulkhead corner and being an  
17 EXTERIOR corner of this survey;

18       THENCE, in a Southerly direction along and with the seaward  
19 edge of said existing concrete bulkhead as follows: South 13°45'59"  
20 East a distance of 60.26 feet to a point; thence, South 05°25'26"  
21 West a distance of 66.97 feet to a point; thence, South 05°15'57"  
22 West a distance of 89.64 feet to a point; thence, South 05°16'31"  
23 West a distance of 83.8 feet to a point; thence, South 07°38'19" West  
24 a distance of 59.6 feet to a point; thence, South 12°11'18" West a  
25 distance of 66.09 feet to a point; thence, South 18°19'06" West a  
26 distance of 78.19 feet to a point; thence, South 24°04'00" West a  
27 distance of 77.88 feet to a point; thence, South 32°08'18" West a

1 distance of 16.45 feet to a point on the outside edge of said  
2 concrete bulkhead and being the SOUTHWEST corner of this survey;

3       THENCE, in an Easterly direction along and with the mean high  
4 water line of Aransas Bay as follows: South 70°46'14" East a  
5 distance of 24.82 feet to a lathe set; thence, South 27°43'50" East a  
6 distance of 14.18 feet to a lathe set; thence, North 66°37'03" East a  
7 distance of 49.18 feet to a lathe set; thence, North 86°32'14" East a  
8 distance of 44.15 feet to a lathe set; thence, North 77°58'50" East a  
9 distance of 80.38 feet to a lathe set; thence, North 81°49'08" East a  
10 distance of 96.47 feet to a lathe set; thence, South 66°15'02" East a  
11 distance of 15.19 feet to a lathe set; thence, North 69°24'17" East a  
12 distance of 29.97 feet to a lathe set; thence, North 55°53'48" East a  
13 distance of 65.62 feet to a lathe set; thence, North 76°57'54" East a  
14 distance of 34.98 feet to a lathe set; thence, North 80°43'10" East a  
15 distance of 20.28 feet to a lathe set; North 49°07'46" East a  
16 distance of 85.57 feet to a lathe set on the original East boundary  
17 of the Texas General Land Office line and being the SOUTHEAST corner  
18 of this survey;

19       THENCE, in a Westerly and Northwesterly direction along and  
20 with the original boundary of said 7.262 acre tract as follows:  
21 North 80°20'00" West a distance of 40.39 feet to a 5/8" steel rebar  
22 set; thence, North 20°39'35" West a distance of 29.42 feet to a 5/8"  
23 steel rebar set; thence, South 85°01'28" West a distance of 18.94  
24 feet to a 5/8" steel rebar set; thence, South 10°03'57" East a  
25 distance of 24.97 feet to a 5/8" steel rebar set; South 70°28'03"  
26 West a distance of 107.33 feet to a 5/8" steel rebar set; thence,  
27 North 01°24'47" East a distance of 131.25 feet to a 5/8" steel rebar



1 set; thence, North 24°27'09" East a distance of 91.5 feet to a 5/8"  
2 steel rebar set; thence, North 08°25'06" West a distance of 23.17  
3 feet to a 5/8" steel rebar set; thence, North 77°54'14" West a  
4 distance of 34.67 feet to a 5/8" steel rebar set; thence, North  
5 07°58'17" West a distance of 130.58 feet to a 5/8" steel rebar set;  
6 thence, North 06°47'54" East a distance of 74.64 feet to a 5/8" steel  
7 rebar set; thence, North 02°28'46" East a distance of 73.92 feet to a  
8 5/8" steel rebar set; thence, North 02°36'20" East a distance of  
9 16.33 feet to a 5/8" steel rebar set; thence, North 33°12'46" East a  
10 distance of 16.36 feet to a 5/8" steel rebar set; thence, North  
11 59°42'24" East a distance of 28.83 feet to a 5/8" steel rebar set in  
12 the Southerly projection of the East R.O.W. line of Walnut Street  
13 and being an EXTERIOR corner of this survey;

14       THENCE, North 00°58'09" East along and with the Southerly  
15 projection of the East R.O.W. line of Walnut Street a distance of  
16 62.31 feet to the PLACE OF BEGINNING and containing 4.367 acres of  
17 land save and except a 0.089 acre tract located within the interior  
18 of said 4.367 acre tract as said 0.089 acre tract was conveyed under  
19 Clerk's File No. 162859, Real Property Records of Aransas County,  
20 Texas.

21       TRACT 2F:

22       BEING 8.305 ACRES OF LAND OUT OF A 412.63 ACRE TRACT DEEDED BY  
23 THE STATE OF TEXAS TO THE STATE HIGHWAY COMMISSION BY HOUSE BILL NO.  
24 713, 42ND LEGISLATURE IN GENERAL SESSION IN 1931, RECORDED IN  
25 SURVEYOR'S HEADRIGHT NO. 1, PAGES 406-407, ARANSAS COUNTY  
26 SURVEYOR'S OFFICE, ROCKPORT, TEXAS, WITH SAID PROPERTY BEING  
27 LOCATED SOUTH OF LAMAR TOWNSITE AND SOUTH OF THE WILLIAM LEWIS

1 SURVEY A-96, ARANSAS COUNTY, TEXAS, WITH SAID 8.305 ACRE TRACT  
2 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

3 BEGIN at a 5/8" iron rod set in the most Southerly Northeast  
4 line of said 412.63 acre tract from whence an old nail found at the  
5 centerline North end of the old Copano Bay Causeway bears South  
6 44°26'27" West a distance of 1120.22 feet and from whence an old 3/4"  
7 iron pipe found for the Southeast corner of Lot 16 of the Heard  
8 Subdivision according to map recorded in Volume 1, Page 56, map  
9 records of Aransas County, Texas and same pipe being the Southwest  
10 corner of a 2.624 acre tract called tract 1 in a warranty deed from  
11 the estate of N. A. Kalt to Aransas Bay Interest LLC as shown of  
12 record under Clerk's File No. 209344 bears South 89°37'24" East a  
13 distance of 123.17 feet with said 5/8" iron rod set being the  
14 NORTHWEST corner and PLACE OF BEGINNING of this survey;

15 THENCE South 53°30'56" East along and with the Northeast line  
16 of said 412.63 acre tract a distance of 135.0 feet to a 5/8" iron rod  
17 set on +1.0 foot contour line established from topographic map of  
18 Copano Causeway and Approaches dated March 1930 and being a corner  
19 of this survey; thence in an Easterly direction, along and with said  
20 +1.0 foot contour line as follows; North 60°20'46" East a distance  
21 of 39.89 feet to a drill hole set in the Westerly edge of concrete  
22 boat ramp; thence North 85°03'06" East a distance of 25.02 to a drill  
23 hole set on Easterly edge of concrete boat ramp; thence South  
24 83°18'51" East a distance of 19.55 feet to a 5/8" iron rod found in  
25 the South line of a 2.624 acre tract called tract 1 in a deed from  
26 the estate of N. A. Kalt to Aransas Bay Interest LLC recorded under  
27 Clerk's File No. 209344, Official Property Records of Aransas

1 County, Texas; thence South 56°27'10" East along and with said 2.624  
2 acre tract a distance of 133.91 feet to a drill hole set in concrete  
3 slab; thence South 39°26'20" East a distance of 105.0 feet to a  
4 submerged corner of Sea Gun Harbor; thence South 66°47'44" East a  
5 distance of 86.68 feet to the original Northeast corner of said  
6 412.63 acre tract to a submerged corner in Sea Gun Harbor and being  
7 the NORTHEAST corner of this survey;

8         THENCE South 32°04'54" West along and with the Southeast line  
9 of said 412.63 acre tract at 541.22 feet pass a drill hole set in the  
10 top of an existing concrete bulkhead around Sea Gun Harbor for a  
11 point on line and in all a distance of 598.97 feet to a 5/8" iron rod  
12 set at the top of cut bank along the mean high water line of Aransas  
13 Bay for the SOUTHEAST corner of this survey;

14         THENCE in a Southwesterly direction along and with the top of  
15 cut bank in wash line along the shoreline of Aransas Bay as follows;  
16 North 88°51'44" West a distance of 92.51 feet to a point, thence  
17 South 89°21'28" West a distance of 97.0 feet to a point, thence South  
18 85°29'39" West a distance of 126.8 feet to a point, thence South  
19 80°02'39" West a distance of 132.94 feet to a point, thence South  
20 78°03'22" West a distance of 104.57 feet to a point, thence South  
21 74°47'03" West a distance of 19.62 feet to a 5/8" iron rod set for  
22 the SOUTHWEST corner of this survey;

23         THENCE North 32°04'54" East a distance of 226.23 feet to a  
24 point submerged in an existing inland pond for an angle point in  
25 said survey;

26         THENCE North 27°09'39" East a distance of 702.13 feet to the  
27 PLACE OF BEGINNING and containing 8.305 acres of land partially

1 submerged more or less.

2 TRACT 2G:

3 BEING 0.283 ACRES OF LAND OUT OF TRACT 18, MRS. F.V.W. HEARD  
4 SUBDIVISION, LAMAR TOWNSITE, WILLIAM LEWIS SURVEY A-96, ARANSAS  
5 COUNTY, TEXAS, AND BEING A PORTION OF THE SEA GUN SPORTS INN  
6 PROPERTY BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS  
7 FOLLOWS:

8 BEGIN at a 1 1/2" iron pipe found in the Easterly R.O.W. line  
9 of Texas State Highway No. 35 for the common corner of Tract 17 and  
10 18, F.V.W. Heard Subdivision and being the Southwest corner and  
11 PLACE OF BEGINNING of this survey;

12 THENCE, North 31°00'30" East along and with the Easterly  
13 R.O.W. line of Texas State Highway No. 35 a distance of 55.63 feet  
14 to a 60d nail and washer set in asphalt drive for the Northwest  
15 corner of this survey;

16 THENCE, South 61°47'10" East a distance of 199.61 feet to a  
17 60d nail and washer found in asphalt for the Northeast corner of  
18 this survey;

19 THENCE, South 22°55'20" West along the original East line of  
20 said Tract 18 a distance of 65.57 feet to a 3/4" iron pipe found for  
21 the Northeast corner of Tract 17 for the Southeast corner of this  
22 survey;

23 THENCE, North 59°07'00" West along and with the common line  
24 between said Tracts 17 and 18, F.V.W. Heard Subdivision a distance  
25 of 208.60 feet to the PLACE OF BEGINNING and containing 0.283 acres  
26 of land more or less.

27 TRACT 2H:

1 BEING A PARCEL OF LAND CONTAINING 2.624 ACRES OF LAND BEING  
2 PART OF TRACT 2c AS FOUND IN EXHIBIT "B" OF THE SEA GUN RESORT HOTEL  
3 DRAWING DATED AUGUST 1977, LOCATED IN ARANSAS COUNTY, TEXAS, SAID  
4 2.624 ACRES OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS  
5 AS FOLLOWS:

6 BEGINNING at a point, being the northeast corner of said  
7 Tract 2c in the westerly right-of-way of Marina Lane:

8 THENCE S 15°29'00" W with the westerly right-of-way of Marina  
9 Lane, a distance of 415.56 feet to a point for corner:

10 THENCE S 74°31'00" E, a distance of 20.00 feet to a point for  
11 corner:

12 THENCE S 15°29'00" W, a distance of 77.02 feet to a point for  
13 corner:

14 THENCE N 54°01'50" W, a distance of 19.64 feet to a point for  
15 corner:

16 THENCE S 15°48'50" W, a distance of 44.05 feet to a point for  
17 corner:

18 THENCE N 56°27'10" W, a distance of 206.93 feet to a point for  
19 corner:

20 THENCE N 47°05'40" W, a distance of 87.90 feet to a point for  
21 corner:

22 THENCE N 22°55'20" E, a distance of 392.90 feet to a point for  
23 corner:

24 THENCE S 72°14'13" E, a distance of 158.00 feet to a point for  
25 corner:

26 THENCE N 72°36'10" E, a distance of 77.00 feet to the POINT OF  
27 BEGINNING, and containing 2.624 acres of land more or less.

1 TRACT 2I:

2 Being a part or parcel of land containing 0.990 acres of land,  
3 located in Aransas County, Texas, said 0.990 acres of land being  
4 more fully described as follows:

5 COMMENCING at a concrete monument marking the intersection of  
6 the easterly right of way of Highway No. 35 with the southerly right  
7 of way of State Park Road 13:

8 THENCE North 86°04'00" East with said southerly right of way  
9 of State Park Road 13, a distance of 93.89 feet to a concrete  
10 monument for corner:

11 THENCE South 65°02'10" East with said right of way a distance  
12 of 33.22 feet to the POINT OF BEGINNING:

13 THENCE South 65°02'10" East with said right of way, a distance  
14 of 228.45 feet to a point for corner:

15 THENCE South 15°29'00" West, a distance of 181.63 feet to a  
16 point for corner:

17 THENCE North 61°47'10" West, a distance of 276.13 feet to a  
18 point for corner:

19 THENCE North 31°00'30" East, a distance of 164.40 feet to the  
20 POINT OF BEGINNING and containing 0.990 acres of land, more or less.

21 TRACT 2J:

22 COMMENCING at a concrete monument marking the intersection of  
23 the easterly right-of-way of Highway No. 35 with the southerly  
24 right-of-way of State Park Road 13;

25 THENCE South 31°00'30" West with said easterly right-of-way  
26 of Highway No. 35, a distance of 142.54 feet to a point for corner;

27 THENCE South 61°47'10" East, a distance of 199.61 feet to the

1 POINT OF BEGINNING:

2 THENCE South 61°47'10" East, a distance of 194.89 feet to a  
3 point for corner;

4 THENCE South 15°29'00" West, a distance of 170.00 feet to a  
5 point for corner;

6 THENCE South 72°36'10" West, a distance of 77.00 feet to a  
7 point for corner;

8 THENCE North 72°14'13" West, a distance of 158.00 feet to a  
9 point for corner;

10 THENCE North 22°55'20" East, a distance of 250.57 feet to the  
11 POINT OF BEGINNING and containing 1.073 acres of land, more or less.

12 PART 3:

13 TRACT 3A:

14 BEING 82.382 ACRES OF LAND EMBRACING ALL OF OUTLOTS  
15 FIFTY-NINE (59), SIXTY (60), SIXTY-ONE (61), SIXTY-TWO (62),  
16 SIXTY-THREE (63), SIXTY-FOUR (64), A PORTION OF OUTLOT SIXTY-FIVE  
17 (65), ALL OF OUTLOTS SIXTY-SIX (66), SIXTY-SEVEN (67), SIXTY-EIGHT  
18 (68), SIXTY-NINE (69), SEVENTY (70), SEVENTY-ONE (71) AND  
19 SEVENTY-TWO (72), LAMAR OUTLOTS, LAMAR TOWNSITE, WILLIAM LEWIS  
20 SURVEY A-96, ARANSAS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED  
21 IN VOLUME 2, PAGES 36-37, PLAT RECORDS OF ARANSAS COUNTY, TEXAS,  
22 ALONG WITH THE SOUTH ONE-HALF (S/2) OF SOUTH STREET CLOSED AND  
23 ABANDONED BY THE COMMISSIONERS COURT OF ARANSAS COUNTY AND RECORDED  
24 IN VOLUME 14, PAGE 52, MINUTES OF THE COMMISSIONERS COURT OF ARANSAS  
25 COUNTY, TEXAS, WITH SAID 82.382 ACRE TRACT BEING MORE PARTICULARLY  
26 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

27 BEGIN at a 5/8" steel rebar set in the East boundary of the

1 Texas Parks and Wildlife Goose Island State Park and being on the  
2 centerline of said South Street closed and abandoned by  
3 Commissioners Court and being the NORTHWEST corner and PLACE OF  
4 BEGINNING of this survey;

5 THENCE, North 89°27'21" East along and with the centerline of  
6 South Street at 701.16 feet pass an old fence corner post found at  
7 the common corners of Outlots 66, 67, 84 and 85, at 2501.01 feet  
8 pass a 5/8" steel rebar set on line for reference and in all a  
9 distance of 2944.73 feet to a point on the mean high water line of  
10 St. Charles Bay and being the NORTHEAST corner of this survey;

11 THENCE, in a Southerly direction along and with the meanders  
12 of the shoreline of St. Charles Bay mean high water line as follows:

13 South 38°20'11" West a distance of 50.55 feet to a point;  
14 South 29°56'16" West a distance of 83.26 feet to a point;  
15 South 07°39'59" West, a distance of 52.79 feet to a point;  
16 South 05°20'41" East a distance of 14.43 feet to a point;  
17 South 09°06'59" East a distance of 43.91 feet to a point;  
18 South 26°28'17" East a distance of 43.23 feet to a point;  
19 South 23°02'47" East a distance of 36.16 feet to a point;  
20 South 11°16'07" West a distance of 105.22 feet to a point;  
21 South 39°18'08" West a distance of 34.14 feet to a point;  
22 South 31°01'16" West a distance of 61.95 feet to a point;  
23 South 22°34'52" West a distance of 30.53 feet to a point;  
24 South 29°35'21" East a distance of 17.54 feet to a point;  
25 South 10°51'38" West a distance of 42.06 feet to a point;  
26 South 08°20'31" East a distance of 24.94 feet to a point;  
27 South 36°18'29" West a distance of 18.64 feet to a point;



1 South 35°06'01" West a distance of 28.59 feet to a point;  
2 South 34°47'22" West a distance of 8.31 feet to a point;  
3 South 06°25'11" West a distance of 13.69 feet to a point;  
4 South 87°44'02" West a distance of 9.99 feet to a point;  
5 North 53°22'57" West a distance of 7.17 feet to a point;  
6 South 53°42'42" West a distance of 50.99 feet to a point;  
7 South 36°41'23" West a distance of 45.64 feet to a point;  
8 South 45°29'17" West a distance of 17.19 feet to a point;  
9 North 86°08'55" West a distance of 11.48 feet to a point;  
10 South 50°25'43" West a distance of 191.88 feet to a point;  
11 South 49°49'22" West a distance of 123.50 feet to a point;  
12 South 46°07'19" West a distance of 148.24 feet to a point;  
13 South 41°01'37" West a distance of 38.65 feet to a point;  
14 South 12°24'38" West a distance of 24.86 feet to a point;  
15 South 67°10'57" West a distance of 16.42 feet to a point;  
16 South 48°52'31" West a distance of 34.79 feet to a point;  
17 South 12°24'53" West a distance of 26.77 feet to a point;  
18 South 32°35'54" West a distance of 21.90 feet to a point;  
19 South 84°21'20" West a distance of 26.63 feet to a point;  
20 South 58°47'15" West a distance of 53.76 feet to a point;  
21 South 79°17'32" West a distance of 43.88 feet to a point;  
22 South 49°35'26" West a distance of 103.25 feet to a point;  
23 South 79°19'50" West a distance of 38.59 feet to a point;  
24 South 45°47'48" West a distance of 25.79 feet to a point;  
25 South 57°24'47" West a distance of 30.63 feet to a point;  
26 South 54°08'06" West a distance of 53.79 feet to a point;  
27 South 45°51'09" West a distance of 40.35 feet to a point;

1 South 71°58'58" West a distance of 33.13 feet to a point;  
2 South 58°57'41" West a distance of 82.46 feet to a point;  
3 South 57°59'37" West a distance of 96.57 feet to a point;  
4 South 56°29'32" West a distance of 139.21 feet to a point;  
5 South 61°51'05" West a distance of 44.21 feet to a point;  
6 THENCE, in a Westerly direction along and with the meanders  
7 of the shoreline of St. Charles Bay mean high water line as follows:  
8 North 82°36'30" West a distance of 55.37 feet to a point;  
9 South 73°27'02" West a distance of 27.77 feet to a point;  
10 North 85°37'15" West a distance of 17.47 feet to a point;  
11 South 77°38'18" West a distance of 35.08 feet to a point;  
12 South 70°33'50" West a distance of 49.93 feet to a point;  
13 North 81°05'23" West a distance of 11.28 feet to a point;  
14 North 80°35'20" West a distance of 54.28 feet to a point;  
15 North 66°57'53" West a distance of 23.03 feet to a point;  
16 North 57°29'46" West a distance of 77.82 feet to a point;  
17 North 70°40'54" West a distance of 30.27 feet to a point;  
18 North 54°06'28" West a distance of 10.60 feet to a point;  
19 North 18°55'05" West a distance of 32.48 feet to a point;  
20 North 53°33'32" West a distance of 36.95 feet to a point;  
21 South 84°40'44" West a distance of 60.10 feet to a point;  
22 South 71°07'03" West a distance of 53.97 feet to a point;  
23 South 60°52'38" West a distance of 45.30 feet to a point;  
24 South 67°12'02" West a distance of 35.46 feet to a point;  
25 South 80°31'42" West a distance of 32.49 feet to a point;  
26 South 78°00'47" West a distance of 27.83 feet to a point;  
27 South 61°32'24" West a distance of 18.39 feet to a point;

1 North 80°49'51" West a distance of 14.33 feet to a point;  
2 South 83°04'13" West a distance of 35.05 feet to a point;  
3 South 82°22'29" West a distance of 23.70 feet to a point;  
4 North 76°50'57" West a distance of 18.69 feet to a point;  
5 South 70°06'33" West a distance of 81.49 feet to a point;  
6 South 54°33'08" West a distance of 49.01 feet to a point;  
7 South 72°34'56" West a distance of 30.98 feet to a point;  
8 South 57°54'43" West a distance of 38.69 feet to a point;  
9 South 70°52'17" West a distance of 31.24 feet to a point;  
10 South 60°50'44" West a distance of 28.58 feet to a point;  
11 South 49°29'39" West a distance of 49.15 feet to a point;  
12 South 65°39'08" West a distance of 30.58 feet to a point;  
13 South 79°20'54" West a distance of 47.20 feet to a point;  
14 North 78°42'47" West a distance of 27.03 feet to a point;  
15 North 57°47'56" West a distance of 33.57 feet to a point;  
16 North 72°22'13" West a distance of 36.10 feet to a point;  
17 South 79°49'59" West a distance of 17.70 feet to a point;  
18 THENCE, North 0°57'39" West along and with the common line  
19 between Outlots 58 and 59 at 127.78 feet pass a 5/8" steel rebar set  
20 on line for reference and in all a distance of 841.25 feet to a 5/8"  
21 steel rebar set for the common corner of Outlots 58, 59, 65 and 66  
22 and being an INTERIOR corner of this survey;  
23 THENCE, South 89°27'21" West along and with the common line  
24 between Outlots 58 and 65 a distance of 317.10 feet to a 5/8" steel  
25 rebar set in the East boundary of Texas Parks and Wildlife Goose  
26 Island State Park and being an EXTERIOR corner of this survey;  
27 THENCE, North 0°56'38" West along and with the East boundary

1 of said Texas Parks and Wildlife Goose Island State Park a distance  
2 of 799.99 feet to the PLACE OF BEGINNING and containing 82.382 acres  
3 of land, more or less.

4 TRACT 3B:

5 BEING 15.4 ACRES OF LAND EMBRACING THE NORTHERLY ONE-HALF  
6 (N/2) OF OUTLOTS EIGHTY-FIVE (85), EIGHTY-SIX (86), EIGHTY-SEVEN  
7 (87) AND ALL OF OUTLOT EIGHTY-EIGHT (88), LAMAR OUTLOTS, LAMAR  
8 TOWNSITE, WILLIAM LEWIS SURVEY A-96, ARANSAS COUNTY, TEXAS,  
9 ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGES 36-37, PLAT  
10 RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 15.4 ACRE TRACT BEING  
11 MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

12 BEGIN at an old cedar fence post found in the West boundary of  
13 said Outlot 85 and being the common Easterly corner of Outlots 83  
14 and 84 of said Lamar Outlots and being the SOUTHWEST corner and  
15 PLACE OF BEGINNING of this survey;

16 THENCE, North 0°57'39" West along and with the common boundary  
17 between Outlots 83 and 85 a distance of 385.0 feet to a 5/8" steel  
18 rebar set for the common corner of Outlots 83, 85, 91 and 92 and  
19 being the NORTHWEST corner of this survey;

20 THENCE, North 89°34'11" East along and with the South boundary  
21 of Outlots 92, 93 and 95 of said Lamar Outlots at 1269.97 feet pass a  
22 5/8" steel rebar set on line for reference and in all a distance of  
23 1818.45 feet to a point on the mean high water line of St. Charles  
24 Bay and being the NORTHEAST corner of this survey;

25 THENCE, in a Southerly direction along and with the meanders  
26 of the shoreline of St. Charles Bay mean high water line as follows:

27 South 39°54'54" West a distance of 21.34 feet to a point;

1 South 43°55'59" West a distance of 21.87 feet to a point;  
2 South 68°38'23" West a distance of 6.66 feet to a point;  
3 South 47°46'35" West a distance of 25.20 feet to a point;  
4 South 09°03'15" West a distance of 28.93 feet to a point;  
5 South 42°06'20" West a distance of 17.83 feet to a point;  
6 South 61°01'08" West a distance of 22.61 feet to a point;  
7 South 31°54'48" West a distance of 41.40 feet to a point;  
8 South 11°22'20" West a distance of 21.25 feet to a point;  
9 South 00°10'01" East a distance of 40.13 feet to a point;  
10 South 20°23'44" East a distance of 43.76 feet to a point;  
11 South 32°35'47" East a distance of 19.95 feet to a point;  
12 South 40°14'53" West a distance of 10.61 feet to a point;  
13 South 83°55'35" West a distance of 16.02 feet to a point;  
14 South 75°05'18" East a distance of 6.51 feet to a point;  
15 South 73°05'05" East a distance of 46.28 feet to a point;  
16 South 43°05'06" East a distance of 49.45 feet to a point;  
17 South 32°26'45" East a distance of 27.12 feet to a point;  
18 South 61°50'12" East a distance of 47.51 feet to a point;  
19 South 57°43'00" East a distance of 30.64 feet to a point for  
20 the SOUTHEAST corner of this survey and being on the common line  
21 between Outlots 88 and 89 of the Lamar Outlots;

22 THENCE, South 89°27'21" West along and with the common line  
23 between Outlots 88 and 89 of the Lamar Outlots at 455.84 feet pass a  
24 5/8" steel rebar set on line for reference and continuing along and  
25 with the common line between said Outlot 89 and the North boundary  
26 of the South one-half of Outlots 87, 86 and 85 a total distance of  
27 1865.95 feet to the PLACE OF BEGINNING and containing 15.4 acres of

1 land, more or less.

2 TRACT 3C:

3 BEING 20.344 ACRES OF LAND EMBRACING THE SOUTHERLY ONE-HALF  
4 (S/2) OF OUTLOTS EIGHTY-FIVE (85), EIGHTY-SIX (86), EIGHTY-SEVEN  
5 (87) AND ALL OF OUTLOT EIGHTY-NINE (89), LAMAR OUTLOTS, LAMAR  
6 TOWNSITE, WILLIAM LEWIS SURVEY A-96, ARANSAS COUNTY, TEXAS,  
7 ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGES 36-37, PLAT  
8 RECORDS OF ARANSAS COUNTY, TEXAS, ALONG WITH THE NORTH ONE-HALF  
9 (N/2) OF SOUTH STREET CLOSED AND ABANDONED BY THE COMMISSIONERS  
10 COURT OF ARANSAS COUNTY AND RECORDED IN VOLUME 14, PAGE 52, MINUTES  
11 OF THE COMMISSIONERS COURT OF ARANSAS COUNTY, TEXAS, WITH SAID  
12 20.344 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND  
13 BOUNDS AS FOLLOWS:

14 BEGIN at an old cedar fence post found in the West boundary of  
15 said Outlot 85 and being the common Easterly corner of Outlots 83  
16 and 84 of said Lamar Outlots and being the NORTHWEST corner and  
17 PLACE OF BEGINNING of this survey;

18 THENCE, North 89°27'21" East along and with the South boundary  
19 of the North one-half of Outlots 85, 86, 87 and the South boundary  
20 of Outlot 88 of the Lamar Outlots at 1410.11 feet pass a 5/8" steel  
21 rebar set on line for reference and in all a distance of 1865.95  
22 feet to a point on the mean high water line of St. Charles Bay and  
23 being the NORTHEAST corner of this survey;

24 THENCE, in a Southeasterly direction along and with the  
25 meanders of the shoreline of St. Charles Bay mean high water line as  
26 follows:

27 South 57°43'00" East a distance of 23.07 feet to a point;

1 South 33°28'45" East a distance of 32.41 feet to a point;  
2 South 42°37'59" East a distance of 42.01 feet to a point;  
3 South 46°47'05" East a distance of 42.30 feet to a point;  
4 South 63°51'34" East a distance of 37.42 feet to a point;  
5 South 75°31'51" East a distance of 80.39 feet to a point;  
6 South 70°46'37" East a distance of 35.52 feet to a point;  
7 South 64°44'07" East a distance of 45.05 feet to a point;  
8 South 55°14'40" East a distance of 69.96 feet to a point;  
9 South 48°42'49" East a distance of 47.45 feet to a point;  
10 South 36°40'16" East a distance of 23.62 feet to a point;  
11 South 26°11'12" East a distance of 62.64 feet to a point;  
12 South 19°54'19" East a distance of 56.63 feet to a point;  
13 South 10°29'15" West a distance of 15.74 feet to a point;  
14 South 79°14'15" West a distance of 14.27 feet to a point;  
15 South 70°57'38" West a distance of 20.12 feet to a point;  
16 South 38°20'11" West a distance of 25.93 feet to a point and  
17 being on the centerline projection of South Street and being the  
18 SOUTHEAST corner of this survey;

19 THENCE, South 89°27'21" West along and with the centerline of  
20 South Street at 443.72 feet pass a 5/8" steel rebar set on line for  
21 reference and in all a distance of 2243.57 feet to an old fence  
22 corner post found for the common corner of Outlots 84, 85, 86, and  
23 87 and being the SOUTHWEST corner of this survey;

24 THENCE, North 0°57'39" West at 30.00 feet pass the original  
25 Southwest corner of said Outlot 85 and in all a distance of 415.00  
26 feet to the PLACE OF BEGINNING and containing 20.344 acres of land,  
27 more or less.

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

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

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

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

19           SECTION 4. This Act takes effect immediately if it receives  
20 a vote of two-thirds of all the members elected to each house, as  
21 provided by Section 39, Article III, Texas Constitution. If this  
22 Act does not receive the vote necessary for immediate effect, this  
23 Act takes effect September 1, 2007.