

By: Nichols

S.B. No. 1091

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Somerset Municipal Utility District No. 1; 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 8203 to read as follows:

CHAPTER 8203. SOMERSET MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8203.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Somerset Municipal Utility District No. 1.

Sec. 8203.002. NATURE OF DISTRICT. The district is a municipal utility district in San Jacinto County created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 8203.003. FINDING OF PUBLIC USE AND BENEFIT. The district is created to serve a public use and benefit.

Sec. 8203.004. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8203.023 before September 1, 2009:

(1) the district is dissolved September 1, 2009,

except that the district shall:

(A) pay any debts incurred;

(B) transfer to San Jacinto County any assets  
that remain after the payment of debts; and

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

(2) this chapter expires September 1, 2012.

Sec. 8203.005. INITIAL DISTRICT TERRITORY. (a) The  
district is initially composed of the territory described by  
Section 2 of the Act creating this chapter.

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

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

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

(3) the legality or operation of the board.

[Sections 8203.006-8203.020 reserved for expansion]

SUBCHAPTER A-1. TEMPORARY PROVISIONS

Sec. 8203.021. TEMPORARY DIRECTORS. (a) The temporary  
board consists of:

(1) \_\_\_\_;

(2) \_\_\_\_;

(3) \_\_\_\_;

(4) \_\_\_\_; and

(5) \_\_\_\_.

1        (b) If a temporary director fails to qualify for office, the  
2 temporary directors who have qualified shall appoint a person to  
3 fill the vacancy. If at any time there are fewer than three  
4 qualified temporary directors, the Texas Commission on  
5 Environmental Quality shall appoint the necessary number of persons  
6 to fill all vacancies on the board.

7        (c) Temporary directors serve until the earlier of:

8            (1) the date directors are elected under Section  
9 8203.023; or

10          (2) the date this chapter expires under Section  
11 8203.004.

12        Sec. 8203.022. ORGANIZATIONAL MEETING OF TEMPORARY  
13 DIRECTORS. As soon as practicable after all the temporary  
14 directors have qualified under Section 49.055, Water Code, the  
15 temporary directors shall convene the organizational meeting of the  
16 district at a location in the district agreeable to a majority of  
17 the directors. If a location cannot be agreed upon, the  
18 organizational meeting shall be at the San Jacinto County  
19 Courthouse.

20        Sec. 8203.023. CONFIRMATION AND INITIAL DIRECTORS'  
21 ELECTION. The temporary directors shall hold an election to  
22 confirm the creation of the district and to elect five directors as  
23 provided by Section 49.102, Water Code.

24        Sec. 8203.024. INITIAL ELECTED DIRECTORS; TERMS. The  
25 directors elected under Section 8203.023 shall draw lots to  
26 determine which two shall serve until the first regularly scheduled  
27 election of directors and which three shall serve until the second

regularly scheduled election of directors.

Sec. 8203.025. EXPIRATION OF SUBCHAPTER. This subchapter expires September 1, 2012.

[Sections 8203.026-8203.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8203.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five directors.

(b) Directors serve staggered four-year terms.

[Sections 8203.052-8203.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8203.101. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8203.102. ROAD PROJECTS; LIMIT ON EMINENT DOMAIN POWER. (a) The district may construct, acquire, improve, maintain, or operate macadamized, graveled, or paved roads or turnpikes, or improvements in aid of those roads or turnpikes.

(b) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the district is located. If the district is not located in the corporate limits or extraterritorial jurisdiction of a municipality, a road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each county in which the district is located.

1       (c) The district may not undertake a road project unless  
2 each municipality in whose corporate limits or extraterritorial  
3 jurisdiction the district is located consents by resolution. If  
4 the district is not located in the corporate limits or  
5 extraterritorial jurisdiction of a municipality, the district may  
6 not undertake a road project unless each county in which the  
7 district is located consents by resolution.

8       (d) The district may not exercise the power of eminent  
9 domain outside the district for a road project.

10       Sec. 8203.103. ROAD CONTRACTS. The district may contract  
11 for a road project in the manner provided by Subchapter I, Chapter  
12 49, Water Code.

13       Sec. 8203.104. RECREATIONAL FACILITIES; LIMIT ON EMINENT  
14 DOMAIN POWER. (a) In this section, "recreational facilities" has  
15 the meaning assigned by Section 49.462, Water Code.

16       (b) The district may develop and maintain recreational  
17 facilities.

18       (c) The district may not, for the development or maintenance  
19 of a recreational facility, acquire by condemnation land, an  
20 easement, or other property inside or outside the district.

21       [Sections 8203.105-8203.150 reserved for expansion]

22       SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

23       Sec. 8203.151. OPERATION AND MAINTENANCE TAX. (a) The  
24 district may impose a tax for any district operation and  
25 maintenance purpose in the manner provided by Section 49.107, Water  
26 Code.

27       (b) Section 49.107(f), Water Code, does not apply to

reimbursements for projects constructed or acquired under Section 8203.102.

Sec. 8203.152. TAX TO REPAY BONDS. The district may impose a tax to pay the principal of and interest on bonds issued under Section 8203.201.

Sec. 8203.153. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND ASSESSMENTS. The district may not impose an impact fee or assessment on the property, including the equipment, rights-of-way, facilities, or improvements, of:

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

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

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

(4) a cable operator as defined by 47 U.S.C. Section 522; or

(5) a person who provides to the public advanced telecommunications services.

[Sections 8203.154-8203.200 reserved for expansion]

#### SUBCHAPTER E. BONDS

Sec. 8203.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may issue bonds or other obligations as provided by Chapters 49 and 54, Water Code, and to finance the construction, maintenance, or operation of projects under Section 8203.102.

(b) The district may issue bonds or other obligations

1 payable wholly or partly from ad valorem taxes, impact fees,  
2 revenue, grants, or other district money.

3 (c) The district may not issue bonds or other obligations  
4 secured wholly or partly by ad valorem taxation to finance projects  
5 authorized by Section 8203.102 unless the issuance is approved by a  
6 vote of a two-thirds majority of district voters voting at an  
7 election called for that purpose.

8 (d) Bonds or other obligations issued or incurred to finance  
9 projects authorized by Section 8203.102 may not exceed one-fourth  
10 of the assessed value of the real property in the district.

11 (e) The district may not issue bonds or other obligations  
12 secured wholly or partly by ad valorem taxation to finance projects  
13 authorized by Section 8203.104 unless the issuance is approved by a  
14 vote of a majority of district voters voting at an election called  
15 for that purpose. Section 49.464(a), Water Code, does not apply to  
16 the district.

17 [Sections 8203.202-8203.250 reserved for expansion]

18 SUBCHAPTER F. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

19 Sec. 8203.251. DIVISION OF DISTRICT; REQUIREMENTS. (a) At  
20 any time before the district issues indebtedness secured by taxes  
21 or net revenue, the district, including any annexed territory, may  
22 be divided into two or more new districts.

23 (b) A new district created by division of the district must  
24 be at least 100 acres.

25 (c) The board may consider a proposal to divide the district  
26 on:

27 (1) a petition of a landowner in the district; or

1           (2) a motion by the board.

2           (d) If the board decides to divide the district, the board  
3 shall:

4           (1) set the terms of the division, including names for  
5 the new districts and a plan for the payment or performance of any  
6 outstanding district obligations; and

7           (2) prepare a metes and bounds description for each  
8 proposed district.

9           Sec. 8203.252. ELECTION FOR DIVISION OF DISTRICT. (a)  
10 After the board has complied with Section 8203.251(d), the board  
11 shall hold an election in the district to determine whether the  
12 district should be divided as proposed.

13           (b) The board shall give notice of the election not later  
14 than the 35th day before the date of the election. The notice must  
15 state:

16           (1) the date and location of the election; and

17           (2) the proposition to be voted on.

18           (c) If a majority of the votes cast are in favor of the  
19 division:

20           (1) the district is divided; and

21           (2) not later than the 30th day after the date of the  
22 election, the district shall provide written notice of the division  
23 to:

24           (A) the Texas Commission on Environmental  
25 Quality;

26           (B) the attorney general;

27           (C) the commissioners court of each county in



1 which a new district is located; and

2 (D) any municipality having extraterritorial  
3 jurisdiction over territory in each new district.

4 (d) If a majority of the votes cast are not in favor of the  
5 division, the district may not be divided.

6 Sec. 8203.253. ELECTION OF DIRECTORS OF NEW DISTRICTS. (a)  
7 Not later than the 90th day after the date of an election in favor of  
8 the division of the district, the board shall:

9 (1) appoint itself as the board of one of the new  
10 districts; and

11 (2) appoint five directors for each of the other new  
12 districts.

13 (b) Directors appointed under Subsection (a)(1) serve the  
14 staggered terms to which they were elected in the original  
15 district. Directors appointed under Subsection (a)(2) serve until  
16 the election for directors under Subsection (c).

17 (c) On the uniform election date in May of the first  
18 even-numbered year after the year in which the directors are  
19 appointed, the appointed board shall hold an election to elect five  
20 directors in each district for which directors were appointed under  
21 Subsection (a)(2). The directors shall draw lots to determine  
22 which two shall serve until the next regularly scheduled election  
23 of directors and which three shall serve until the second regularly  
24 scheduled election of directors.

25 Sec. 8203.254. CONTINUING POWERS AND OBLIGATIONS OF NEW  
26 DISTRICTS. (a) Each new district may incur and pay debts and has  
27 all powers of the original district created by this chapter.

1        (b) If the district is divided as provided by this  
2 subchapter, the current obligations and any bond authorizations of  
3 the district are not impaired. Debts shall be paid by revenue or by  
4 taxes or assessments imposed on real property in the district as if  
5 the district had not been divided or by contributions from each new  
6 district as stated in the terms set by the board under Section  
7 8203.251(d).

8        (c) Any other district obligation is divided pro rata among  
9 the new districts on an acreage basis or on other terms that are  
10 satisfactory to the new districts.

11        Sec. 8203.255. CONTRACT AUTHORITY OF NEW DISTRICTS. The  
12 new districts may contract with each other for:

13                (1) water and wastewater services; or  
14                (2) any other matter the boards of the new districts  
15 consider appropriate.

16        SECTION 2. The Somerset Municipal Utility District No. 1  
17 initially includes all the territory contained in the following  
18 described area:

19 TRACT 1

20 Being 399.382 acres of land situated in the State of Texas, County  
21 of San Jacinto, a part of the John Davis Survey, A-13, and the John  
22 W. Adams Survey, A-1, 397.437 acres being the same land described as  
23 397.374 acres in Exhibit "A" and 1.945 acres being the same land  
24 described as 1.941 acres in Exhibit "B" in deed to Jackie Q. Bass  
25 recorded under Clerk's File No. 00-5232, Page 17650 of the San  
26 Jacinto County Official Public Records and in deed to Norman Frewin  
27 (undivided 1/2 interest) recorded under Clerk's File No. 04-1142,

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Page 5315 of said Official Public Records, and this 399.382 acres being more particularly described by metes and bounds in two parcels as follows:

PARCEL ONE: 397.437 Acres

Beginning at a 5/8" iron rod with aluminum cap found for the south common corner between said Bass and Frewin called 397.374 acre tract and the called 454.26 acres described in deed to Trinity River Authority of Texas recorded in Volume 117, Page 163 of the San Jacinto County Deed Records, located on the north line of said Bass and Frewin called 1.941 acre tract (1.945 acres by resurvey and described as PARCEL TWO below);

Thence S 84° 13' 52" W, along the common line between said Bass and Frewin tracts, at 117.39 ft. pass a 1/2" iron rod found for the northwest corner of said called 1.941 acre tract, same being and exterior corner of the called 381.948 acres described in deed to R. Kyle Reneau and Beth C. Reneau recorded under Clerk's File No. 01-4293, Page 15705 of said Official Public Records, and continuing S 84° 13' 52" W, along the common line between said Bass and Frewin called 397.374 acres and said Reneau called 381.948 acres, in all a total distance of 427.11 ft. to a 1/2" iron rod found for corner;

Thence S 05° 38' 50" E 214.60 ft. along the common line between said Bass and Frewin called 397.374 acres and said Reneau called 381.948 acres to a 1/2" iron rod found for corner;

Thence S 03° 24' 58" E 407.43 ft. along the common line between said Bass and Frewin called 397.374 acres and said Reneau called 381.948 acres to a 1/2" iron rod found for corner;

Thence S 79° 54' 44" W 216.33 ft. along the common line between said

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1 Bass and Frewin called 397.374 acres and said Reneau called 381.948  
2 acres to a 1/2" iron rod set for corner;  
3 Thence S 07° 35' 41" E 379.86 ft. along the common line between said  
4 Bass and Frewin called 397.374 acres and said Reneau called 381.948  
5 acres to a 1/2" iron rod found for corner;  
6 Thence N 89° 44' 50" W 436.38 ft. along the common line between said  
7 Bass and Frewin called 397.374 acres and said Reneau called 381.948  
8 acres to a 1/2" iron rod found for corner;  
9 Thence S 88° 10' 40" W 705.26 ft. along the common line between said  
10 Bass and Frewin called 397.374 acres and said Reneau called 381.948  
11 acres to a 1/2" iron rod set for corner;  
12 Thence S 42° 49' 31" W 490.69 ft. along the common line between said  
13 Bass and Frewin called 397.374 acres and said Reneau called 381.948  
14 acres to a 1/2" iron rod found for corner;  
15 Thence S 87° 04' 53" W 380.15 ft. along the common line between said  
16 Bass and Frewin called 397.374 acres and said Reneau called 381.948  
17 acres to a boat spike found for corner;  
18 Thence S 81° 43' 06" W 584.33 ft. along the common line between said  
19 Bass and Frewin called 397.374 acres and said Reneau called 381.948  
20 acres to a boat spike found for corner;  
21 Thence S 88° 37' 20" W 200.17 ft. along the common line between said  
22 Bass and Frewin called 397.374 acres and said Reneau called 381.948  
23 acres to its intersection with the centerline of Shoemake Creek,  
24 said point being the south common corner between the herein  
25 described 397.437 acre tract and the called 563 acres described in  
26 deed to Norm Frewin recorded under Clerk's File No. 01-1288, Page  
27 5061 of said Official Public Records;

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1 Thence along the centerline of Shoemake Creek, same being the  
2 common line between said Frewin called 563 and said Bass and Frewin  
3 called 397.374 acres, with its meanders as follows:

4 N 24° 22' 49" E 31.08 ft.;

5 S 85° 14' 24" E 159.15 ft.;

6 N 51° 08' 31" E 37.66 ft.;

7 N 51° 40' 05" W 77.75 ft.;

8 N 04° 56' 40" W 117.36 ft.;

9 N 50° 57' 02" W 114.62 ft.;

10 N 15° 49' 41" W 78.85 ft.;

11 N 68° 22' 24" E 118.99 ft.;

12 S 26° 10' 49" E 71.99 ft.;

13 N 81° 11' 03" E 49.72 ft.;

14 N 10° 13' 24" W 95.69 ft.;

15 N 58° 48' 33" E 36.89 ft.;

16 S 63° 27' 04" E 81.77 ft.;

17 N 22° 03' 58" W 151.13 ft.;

18 N 46° 39' 24" E 100.59 ft.;

19 N 03° 08' 05" E 155.24 ft.;

20 N 43° 17' 40" E 37.10 ft.;

21 N 00° 31' 10" W 159.76 ft.;

22 N 23° 32' 06" E 88.38 ft.;

23 N 49° 46' 48" W 103.36 ft.;

24 N 37° 27' 52" E 147.02 ft.;

25 N 36° 38' 28" W 64.34 ft.;

26 N 04° 50' 54" E 302.36 ft.;

27 N 55° 29' 45" W 59.81 ft.;

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1                   N 08° 44' 10" E 114.59 ft. ;  
2                   N 34° 18' 40" W 67.84 ft. ;  
3                   N 10° 57' 26" E 40.69 ft. ;  
4                   N 20° 53' 16" W 49.22 ft. ;  
5                   N 25° 37' 00" E 105.66 ft. ;  
6                   N 88° 06' 02" E 46.07 ft. ;  
7                   N 18° 59' 42" W 67.27 ft. ;  
8                   N 16° 06' 21" E 59.84 ft. ;  
9                   N 22° 02' 03" W 71.15 ft. ;  
10                  N 34° 14' 23" E 60.62 ft. ;  
11                  N 33° 21' 03" W 88.36 ft. ;  
12                  N 22° 57' 52" W 87.50 ft. ;  
13                  N 34° 50' 20" W 109.02 ft. ;  
14                  N 56° 52' 11" W 141.00 ft. ;  
15                  N 14° 54' 09" W 47.34 ft. ;  
16                  N 43° 31' 21" W 62.95 ft. ;  
17                  N 13° 05' 26" E 56.00 ft. ;  
18                  N 38° 22' 19" W 103.76 ft. ;  
19                  N 85° 29' 47" W 65.21 ft. ;  
20                  S 62° 03' 29" W 63.57 ft. ;  
21                  N 05° 25' 47" E 92.61 ft. ;  
22                  N 20° 38' 22" W 108.61 ft. ;  
23                  N 56° 01' 31" E 90.53 ft. to the north common  
24 corner between said tract, located on a southern boundary line of  
25 the called 1,064.54 acres described as "Fee Tract G-17" in deed to  
26 the Trinity River Authority of Texas recorded in Volume 108, Page  
27 161 of said San Jacinto County Deed Records, same being the Lake

1 Livingston Fee Take Line;

2 Thence along the common line between said Bass and Frewin called  
3 397.374 acres and said Trinity River Authority called 1,064.54  
4 acres, same being the Lake Livingston Fee Take Line, as follows:

5 S 47° 16' 40" E 29.04 ft. to a 5/8" iron rod found for corner;

6 N 15° 14' 20" E 160.08 ft. to a 5/8" iron rod found for corner;

7 N 23° 08' 40" W 175.81 ft. to a 5/8" iron rod found for corner;

8 N 48° 36' 35" E 227.71 ft. to a 5/8" iron rod found for corner;

9 N 13° 36' 20" W 235.15 ft. to a 5/8" iron rod found for corner;

10 N 32° 48' 23" W 193.11 ft. to a 5/8" iron rod found for corner;

11 N 05° 14' 18" E 241.31 ft. to a 5/8" iron rod found for corner;

12 N 24° 47' 17" W 214.93 ft. to a 5/8" iron rod found for corner;

13 N 18° 12' 18" E 156.87 ft. to a 5/8" iron rod found for corner;

14 N 31° 25' 55" E 423.47 ft. to a 5/8" iron rod found for corner;

15 N 64° 01' 20" E 123.74 ft. to a 5/8" iron rod found for corner;

16 N 09° 30' 20" E 186.23 ft. to a 5/8" iron rod found for corner;

17 N 29° 52' 58" W 189.26 ft. to a 5/8" iron rod found for corner;

18 N 72° 04' 02" W 164.47 ft. to a 5/8" iron rod found for corner;

19 N 01° 17' 22" W 143.59 ft. to a point for corner;

20 N 10° 38' 38" E 178.01 ft. to a point for corner;

21 N 13° 43' 37" E 179.61 ft. to a 5/8" iron rod found for corner;

22 N 43° 32' 53" E 153.77 ft. to a 5/8" iron rod found for corner;

23 S 79° 09' 47" E 151.84 ft. to a 5/8" iron rod found for corner;

24 N 36° 37' 28" W 398.70 ft. to a 5/8" iron rod found for corner;

25 N 56° 37' 16" W 230.69 ft. to a 5/8" iron rod found for corner;

26 N 73° 28' 55" E 557.75 ft. to a 5/8" iron rod found for corner;

27 S 55° 35' 05" E 245.53 ft. to a 5/8" iron rod found for corner;

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1 S 88° 39' 30" E 311.39 ft. to a 5/8" iron rod found for corner;  
2 N 65° 57' 22" E 156.01 ft. to a 5/8" iron rod found for corner;  
3 S 89° 43' 15" E 227.75 ft. to a 5/8" iron rod found for corner;  
4 N 73° 11' 36" E 156.86 ft. to a point for corner;  
5 N 79° 50' 55" E 84.50 ft. to a point for corner;  
6 N 66° 51' 55" E 182.50 ft. to a point for corner;  
7 N 67° 31' 55" E 269.74 ft. to a point for corner;  
8 N 85° 47' 55" E 136.14 ft. to a point for corner;  
9 S 81° 10' 05" E 133.71 ft. to a point for corner;  
10 S 73° 54' 05" E 127.61 ft. to a point for corner;  
11 S 86° 23' 05" E 182.37 ft. to a point for corner;  
12 N 42° 31' 55" E 92.51 ft. to a point for corner;  
13 S 35° 22' 05" E 119.07 ft. to a point for corner;  
14 N 54° 25' 55" E 97.95 ft. to a point for corner;  
15 S 61° 24' 06" E 199.28 ft. to a point for corner;  
16 S 71° 40' 06" E 88.64 ft. to a point for corner;  
17 N 06° 38' 06" W 120.20 ft. to a point for corner;  
18 N 73° 13' 54" E 122.59 ft. to a point for corner;  
19 S 50° 18' 06" E 142.13 ft. to a point for corner;  
20 S 68° 17' 06" E 179.83 ft. to a point for corner;  
21 N 36° 56' 54" E 109.75 ft. to a point for corner;  
22 N 52° 08' 54" E 203.06 ft. to a point for corner;  
23 S 53° 49' 06" E 288.73 ft. to a point for corner;  
24 N 25° 30' 06" W 89.47 ft. to a point for corner;  
25 N 68° 01' 54" E 182.96 ft. to a point for corner;  
26 N 60° 42' 54" E 122.23 ft. to a point for corner;  
27 N 88° 15' 54" E 241.03 ft. to a point for corner;



1 S 38° 33' 06" E 140.94 ft. to a point for corner;

2 N 46° 29' 54" E 202.62 ft. to the north common corner between  
3 said Bass and Frewin tract and said Trinity River Authority called  
4 454.26 acres, said point being located on the common survey line  
5 between said Davis and Adams Surveys;

6 Thence S 35° 33' 11" W, along the common line between said Bass and  
7 Frewin tract and said Trinity River Authority called 454.26 acre  
8 tract, same being the common survey line between said Davis and  
9 Adams Surveys, at 100.00 ft. pass a 1/2" iron rod set for reference,  
10 and continuing along said common line in all a total distance of  
11 1,887.38 ft. to a concrete monument found for corner;

12 Thence S 35° 38' 38" W 2,389.62 ft. along the common line between  
13 said Bass and Frewin tract and said Trinity River Authority called  
14 454.26 acre tract, same being the common survey line between said  
15 Davis and Adams Surveys, to a 5/8" iron rod with aluminum cap found  
16 for corner;

17 Thence S 54° 54' 24" E 54.79 ft. along the common line between said  
18 Bass and Frewin tract and said Trinity River Authority called  
19 454.26 acre tract to a 5/8" iron rod with aluminum cap found for  
20 corner;

21 Thence S 16° 43' 59" E 381.40 ft. along the common line between said  
22 Bass and Frewin tract and said Trinity River Authority called  
23 454.26 acre tract to a 5/8" iron rod with aluminum cap found for  
24 corner;

25 Thence S 23° 46' 05" W 303.32 ft. along the common line between said  
26 Bass and Frewin tract and said Trinity River Authority called  
27 454.26 acre tract to a 5/8" iron rod with aluminum cap found for

1 corner;

2 Thence S 64° 52' 16" E 582.75 ft. along the common line between said  
3 Bass and Frewin tract and said Trinity River Authority called  
4 454.26 acre tract to a 5/8" iron rod with aluminum cap found for  
5 corner;

6 Thence S 33° 03' 59" E 499.08 ft. along the common line between said  
7 Bass and Frewin tract and said Trinity River Authority called  
8 454.26 acre tract to a 5/8" iron rod with aluminum cap found for  
9 corner;

10 Thence S 37° 35' 29" E 368.71 ft. along the common line between said  
11 Bass and Frewin tract and said Trinity River Authority called  
12 454.26 acre tract to the place of beginning and containing within  
13 these bounds 397.437 acres of land.

14 PARCEL TWO: 1.945 Acres

15 Beginning at a 5/8" iron rod with aluminum cap found for the south  
16 common corner between PARCEL ONE as described above (397.437 acres)  
17 and the called 454.26 acres described in deed to Trinity River  
18 Authority of Texas recorded in Volume 117, Page 163 of the San  
19 Jacinto County Deed Records, said point being and angle point in the  
20 north line of said Bass and Frewin called 1.941 acre tract;

21 Thence N 80° 24' 35" E 130.35 ft. along the common line between said  
22 Bass and Frewin called 1.941 acre tract and said Trinity River  
23 Authority called 454.26 acre tract to a 1/2" iron rod found for  
24 corner;

25 Thence S 84° 49' 09" E 375.48 ft. along the common line between said  
26 Bass and Frewin called 1.941 acre tract and said Trinity River  
27 Authority called 454.26 acre tract to a 1/2" iron rod found for

1 corner;

2 Thence S 68° 51' 53" E 102.35 ft. along the common line between said  
3 Bass and Frewin called 1.941 acre tract and said Trinity River  
4 Authority called 454.26 acre tract to a 1/2" iron rod set for corner  
5 located on the west right of way line of the called 0.820 acre (120  
6 ft. wide) easement granted to Trinity River Authority of Texas  
7 recorded in Volume 40, Page 455 of said Official Public Records  
8 (Horizon Properties Corporation Volume 133, Page 853, Deed  
9 Records), said easement also being described in said Bass and  
10 Frewin deeds;

11 Thence 116.87 ft. along the east line of said Bass and Frewin called  
12 1.941 acre tract, same being the west right of way line of said 120  
13 ft. wide Easement, in a curve to the left having a central angle of  
14 14°33' 24", the radius being 460.00 ft. and the chord bears S 26° 49'  
15 08" E 116.55 ft. to a 1/2" iron rod set for the east common corner  
16 between the herein described 1.945 acre tract and the called  
17 381.948 acres described in deed to R. Kyle Reneau and Beth C. Reneau  
18 recorded under Clerk's File No. 01-4293, Page 15705 of said  
19 Official Public Records;

20 Thence N 85° 19' 05" W 703.57 ft. along the common line between said  
21 Bass and Frewin tract and said Reneau called 381.948 acres to a 1/2"  
22 iron rod found for corner;

23 Thence N 38° 14' 09" W 106.79 ft. along the common line between said  
24 Bass and Frewin tract and said Reneau called 381.948 acres to a 1/2"  
25 iron rod found for the north common corner between said tracts,  
26 located on a south boundary line of the 397.437 acres described  
27 above;

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1 Thence N 84° 13' 52" E 117.39 ft. along the common line between the  
2 herein described 1.945 acres and said 397.437 acres to the place of  
3 beginning and containing within these bounds 1.945 acres of land.

4 Bearings for this description are based on plat call for the south  
5 line of Block 4 of Waterwood Turtle Creek as shown on the plat  
6 recorded in Volume 7, Page 19 of the San Jacinto County Plat  
7 Records.

8 TRACT 2

9 Being 487.597 acres of land situated in the State of Texas, County  
10 of San Jacinto, a part of the John Davis Survey, A-13, and the John  
11 W. Adams Survey, A-1, and being the total combined acreage by  
12 resurvey of the called 381.948 acres described in deed to R. Kyle  
13 Reneau and Beth C. Reneau recorded under Clerk's File No. 01-4293,  
14 Page 15705 of the San Jacinto County Official Public Records and a  
15 part of the lands described in deed to Kyle Reneau and wife, Beth  
16 Reneau, recorded under Clerk's File No. 01-3453, Page 12713 of said  
17 Official Public Records and being Blocks One (1), Two (2), Three (3)  
18 and Four (4) of Waterwood Turtle Creek, a subdivision in said San  
19 Jacinto County, as shown by the map or plat thereof recorded in  
20 Volume 7, Page 19 of the San Jacinto County Plat Records (said Plat  
21 being canceled by instrument recorded under Clerk's File No.  
22 02-3382, Page 44056 of said Official Public Records), and this  
23 487.597 acres being more particularly described by metes and bounds  
24 in two parcels (151.397 acres and 336.200 acres) as follows:

25 PARCEL ONE: 151.397 Acres

26 Beginning at a concrete right of way monument found for the  
27 southwest corner of "Parcel A" of Block One (1) of Waterwood Turtle

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1 Creek, said point being the south common corner between said Reneau  
2 lands and the called 157.1095 acres described as "Fifteenth  
3 Property, Parcel 11" in deed to Jacinto Investments, L.P. and CEM  
4 Properties, Inc. recorded in Volume 214, Page 648 of said Official  
5 Public Records, located on the north right of way line of F. M.  
6 Highway No. 980;

7 Thence N 20° 49' 16" W, along the common line between said Reneau  
8 tract and said Jacinto Investments, L.P. tract, same being the west  
9 line of said Block 1 of Waterwood Turtle Creek, at 553.01 ft. pass a  
10 1/2" iron rod set for reference, and in all a total distance of  
11 578.01 ft. to the intersection with the centerline of Newton  
12 Branch;

13 Thence along the centerline of Newton Branch, same being the common  
14 line between said Reneau called 381.948 acres and said Jacinto  
15 Investments, L.P. called 157.1095 acres, with its meanders as  
16 follows:

17 N 56° 16' 55" W 52.45 ft.;

18 S 88° 17' 16" W 88.52 ft.;

19 N 65° 06' 16" W 36.57 ft.;

20 N 33° 44' 28" W 45.84 ft.;

21 N 75° 00' 11" W 124.78 ft.;

22 N 44° 02' 57" E 39.31 ft.;

23 N 21° 11' 01" E 105.65 ft.;

24 N 09° 57' 18" E 94.29 ft.;

25 N 26° 59' 41" W 60.53 ft.;

26 N 36° 55' 25" E 106.00 ft.;

27 N 59° 49' 42" E 126.25 ft.;

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1	N 66° 05' 40" E 73.64 ft.;
2	S 77° 43' 47" E 32.27 ft.;
3	N 52° 00' 36" E 59.23 ft.;
4	N 36° 49' 24" E 34.19 ft.;
5	N 58° 58' 03" E 103.85 ft.;
6	N 38° 35' 41" E 36.31 ft.;
7	N 16° 11' 08" W 68.39 ft.;
8	N 46° 27' 43" W 28.27 ft.;
9	N 32° 48' 37" E 59.03 ft.;
10	N 45° 34' 49" E 54.87 ft.;
11	N 07° 01' 33" E 30.22 ft.;
12	N 11° 42' 55" W 134.42 ft.;
13	N 24° 52' 21" W 74.06 ft.;
14	N 35° 46' 35" W 87.84 ft.;
15	N 16° 53' 53" E 33.43 ft.;
16	N 53° 14' 12" E 49.42 ft.;
17	N 03° 15' 55" W 125.38 ft.;
18	N 57° 38' 43" E 63.49 ft.;
19	S 86° 53' 44" E 32.93 ft.;
20	S 41° 15' 07" E 67.46 ft.;
21	S 06° 27' 07" W 66.39 ft.;
22	S 29° 12' 38" E 33.98 ft.;
23	S 75° 26' 31" E 46.50 ft.;
24	N 62° 35' 27" E 62.13 ft.;
25	N 17° 01' 30" E 36.69 ft.;
26	N 06° 36' 09" W 38.51 ft.;
27	N 38° 23' 05" W 55.51 ft.;

1	N 11° 00' 43" E 47.85 ft.;
2	N 58° 52' 11" E 82.09 ft.;
3	N 51° 06' 38" E 44.29 ft.;
4	N 25° 14' 12" E 42.88 ft.;
5	N 19° 16' 01" W 81.78 ft.;
6	N 16° 30' 33" W 138.28 ft.;
7	N 47° 28' 58" W 93.18 ft.;
8	N 09° 47' 43" W 26.67 ft.;
9	N 42° 41' 02" E 37.48 ft.;
10	N 74° 09' 01" E 52.89 ft.;
11	N 58° 50' 37" E 135.20 ft.;
12	N 80° 43' 43" E 59.97 ft.;
13	N 20° 59' 09" E 40.28 ft.;
14	N 49° 48' 38" W 67.47 ft.;
15	N 28° 58' 37" W 77.73 ft.;
16	N 36° 34' 42" E 47.36 ft.;
17	N 73° 09' 48" E 100.93 ft.;
18	N 07° 57' 39" W 201.32 ft.;
19	N 52° 10' 48" W 106.30 ft.;
20	N 28° 37' 40" E 113.97 ft.;
21	N 60° 54' 41" W 79.60 ft.;
22	S 75° 35' 33" W 47.38 ft.;
23	S 40° 24' 03" W 59.54 ft.;
24	S 62° 49' 28" W 28.54 ft.;
25	N 42° 03' 10" W 27.74 ft. and
26	N 02° 31' 29" W 102.23 ft. to the intersection
27	Of the center-line of Newton Branch with the Lake Livingston Fee

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1 Take Line, said point being the north common corner between said  
2 Reneau tract and said Jacinto Investments, L.P. tract, located on a  
3 south line of the called 322.05 acres described as "Fee Tract G-11"  
4 in deed to Trinity River Authority of Texas recorded in Volume 108,  
5 Page 161 of the San Jacinto County Deed Records;

6 Thence along the common line between said Reneau called 381.948  
7 acres and said Trinity River Authority called 322.05 acres, same  
8 being the Lake Livingston Fee Take Line, as follows:

9 N 59° 40' 22" E 73.10 ft. to a point for corner;

10 N 53° 02' 22" E 187.29 ft. to a 5/8" iron rod found for corner;

11 N 48° 35' 38" W 195.98 ft. to a 5/8" iron rod found for corner;

12 N 25° 47' 23" E 93.02 ft. to a 5/8" iron rod found for corner;

13 N 35° 53' 16" E 158.04 ft. to a 5/8" iron rod found for corner;

14 N 21° 46' 39" E 69.42 ft. to a 5/8" iron rod found for corner;

15 N 23° 14' 40" W 161.16 ft. to a 5/8" iron rod found for corner;

16 N 30° 16' 55" W 127.41 ft. to a 5/8" iron rod found for corner;

17 N 44° 42' 44" W 208.53 ft. to a 5/8" iron rod found for corner;

18 N 34° 59' 23" W 79.67 ft. to a 5/8" iron rod found for corner;

19 N 56° 44' 16" E 105.21 ft. to a 5/8" iron rod found for corner;

20 N 28° 21' 36" E 117.46 ft. to a 5/8" iron rod found for corner;

21 N 19° 40' 01" W 144.28 ft. to a 5/8" iron rod found for corner;

22 N 65° 51' 06" W 178.11 ft. to a 5/8" iron rod found for corner;

23 N 43° 59' 25" E 205.51 ft. to a 1/2" iron rod set for the west

24 common corner between said Reneau called 381.948 acres and the  
25 called 563 acres described in deed to Norm Frewin recorded under  
26 Clerk's File No. 01-1288, Pg. 5061 of said Official Public Records;

27 Thence N 82° 27' 29" E 352.04 ft. along the common line between said



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1 Reneau called 381.948 acres and said Frewin called 563 acres to a  
2 1/2" iron rod set for corner;  
3 Thence S 16° 03' 33" E 598.70 ft. along the common line between said  
4 Reneau called 381.948 acres and said Frewin called 563 acres to a  
5 1/2" iron rod set for corner;  
6 Thence S 85° 54' 34" E 279.21 ft. along the common line between said  
7 Reneau called 381.948 acres and said Frewin called 563 acres to a  
8 1/2" iron rod set for corner;  
9 Thence S 80° 31' 07" E 170.18 ft. along the common line between said  
10 Reneau called 381.948 acres and said Frewin called 563 acres to a  
11 60d nail found for corner;  
12 Thence N 83° 06' 27" E 426.68 ft. along the common line between said  
13 Reneau called 381.948 acres and said Frewin called 563 acres to a  
14 1/2" iron rod found for corner;  
15 Thence S 48° 52' 14" E 420.81 ft. along the common line between said  
16 Reneau called 381.948 acres and said Frewin called 563 acres to a  
17 1/2" iron rod set for corner;  
18 Thence S 02° 44' 05" E 91.72 ft. along the common line between said  
19 Reneau called 381.948 acres and said Frewin called 563 acres to a  
20 1/2" iron rod found for corner;  
21 Thence N 85° 56' 14" E 294.97 ft. along the common line between said  
22 Reneau called 381.948 acres and said Frewin called 563 acres to a  
23 1/2" iron rod found for corner;  
24 Thence S 01° 55' 41" W 714.74 ft. along the common line between said  
25 Reneau called 381.948 acres and said Frewin called 563 acres to a  
26 1/2" iron rod found for the northwest corner of the called 5.029  
27 acres (a 100 ft. wide strip for roadway purposes) described as

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1 "Second Tract" in said Frewin deed and a corner of a part of said  
2 Reneau called 381.948 acres;

3 Thence 2,163.75 ft. in a southwesterly direction along the common  
4 line between the herein described 151.397 acres and said Frewin  
5 called 5.029 acres, in a curve to the left having a central angle 76°  
6 26' 56", the radius being 1,621.66 ft. and the chord bears S 17° 15'  
7 27" W 2,006.78 ft. to a 1/2" iron rod set for the west common corner  
8 between said Frewin called 5.029 acres and the called 1.377 acres  
9 described as "Third Tract" in said Frewin deed, said point also  
10 being the common corner between a part of said Reneau called 381.948  
11 acres and said Block 2 of Waterwood Turtle Creek as described in  
12 said Reneau deed recorded under Clerk's File No. 01-3453, Page  
13 12713 of said Official Public Records;

14 Thence S 20° 59' 27" E 600.00 ft. along the common line between said  
15 Frewin called 1.377 acres and said Block 2 of Waterwood Turtle Creek  
16 to a 1/2" iron rod set for the southeast corner of the herein  
17 described 151.397 acres, same being the south common corner between  
18 said Frewin tract and said Block 2, located on the north right of  
19 way line of said F. M. Highway No. 980;

20 Thence S 69° 00' 33" W 1,693.17 ft. along the north right of way line  
21 of said F. M. Highway No. 980, same being the south lines of said  
22 Waterwood Turtle Creek and said Reneau called 381.948 acres to a  
23 1/2" iron rod set for corner, from said point a concrete  
24 right-of-way monument bears S 24° 40' 09" E 2.48 ft.;

25 Thence S 77° 02' 24" W 201.87 ft. along the north right of way line of  
26 said F. M. Highway No. 980, same being the south line of said Block 1  
27 of Waterwood Turtle Creek to the place of beginning and containing

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1 within these bounds 151.397 acres of land.

2 PARCEL TWO: 336.200 Acres

3 Beginning at a concrete right of way monument found for the  
4 southeast corner of Block 4 of Waterwood Turtle Creek, a  
5 subdivision in said San Jacinto County, Texas, as shown by the map  
6 or plat recorded in Volume 7, Page 19 of the San Jacinto County Plat  
7 Records (said Plat being canceled by instrument recorded under  
8 Clerk's File No. 02-3382, Page 44056 of said Official Public  
9 Records) and being a part of the lands described in said deed to  
10 Kyle Reneau and Beth Reneau recorded under Clerk's File No.  
11 01-3453, Page 12713 of said Official Public Records, located at the  
12 intersection of the north right of way line of F. M. Highway No. 980  
13 (120 ft. wide right-of-way) with the west right of way line of Spur  
14 Highway No. 980 (120 ft. wide right-of-way);

15 Thence N 89° 15' 00" W 1,843.70 ft. along the north right of way line  
16 of said F. M. Highway No. 980, same being the south line of said  
17 Block 4 of Waterwood Turtle Creek, to a concrete right of way  
18 monument found for corner;

19 Thence 1,110.12 ft. in a southwesterly direction along the north  
20 right of way line of said F. M. Highway No. 980, same being the south  
21 line of said Block 4 of Waterwood Turtle Creek, a south line of the  
22 called 381.948 acres described in said deed to R. Kyle Reneau and  
23 Beth C. Reneau recorded under Clerk's File No. 01-4293, Page 15705  
24 of said Official Public Records, and the south line of Block 3 of  
25 said Waterwood Turtle Creek, in a curve to the left having a central  
26 angle 21° 44' 27", the radius being 2,925.62 ft. and the chord bears  
27 S 79° 52' 47" W 1,103.47 ft. to a 1/2" iron rod set for corner, from

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1 said point a concrete right-of-way monument bears S 69° 14' 36" W  
2 0.62 ft.;

3 Thence S 69° 00' 33" W 3,011.38 ft. along the north right of way line  
4 of said F. M. Highway No. 980, same being the south line of said  
5 Block 3 of Waterwood Turtle Creek, to a 1/2" iron rod set for the  
6 south common corner between said Block 3 and the called 1.377 acres  
7 described as "Third Tract" in deed to Norm Frewin recorded under  
8 Clerk's File No. 01-1288, Page 5061 of said Official Public  
9 Records;

10 Thence N 20° 59' 27" W 600.00 ft. along the common line between said  
11 Block 3 of Waterwood Turtle Creek and said Frewin called 1.377 acres  
12 to a 1/2" iron rod set for the west common corner between said Block  
13 3 and a part of said Reneau called 381.948 acres, same being the  
14 east common corner between said Frewin called 1.377 acres and the  
15 called 5.029 acres described as "Second Tract" in said Frewin deed,  
16 said point being the P.C. of a curve;

17 Thence 2,220.00 ft. in a northeasterly direction along the west  
18 line of the herein described 336.200 acres, same being the common  
19 line between a part of said Reneau called 381.948 acres and said  
20 Frewin called 5.029 acres, in a curve to the right having a central  
21 angle 83° 35' 27", the radius being 1,521.66 ft. and the chord bears  
22 N 20° 49' 48" E 2,028.29 ft. to a 1/2" iron rod set for the north  
23 common corner between said tracts, located on the south line of the  
24 called 563 acres described in said Frewin deed;

25 Thence N 86° 03' 37" E 393.56 ft. along the common line between said  
26 Reneau called 381.948 acres and said Frewin called 563 acres to a  
27 1/2" iron rod found for corner;

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1 Thence N 02° 00' 37" W 371.79 ft. along the common line between said  
2 Reneau called 381.948 acres and said Frewin called 563 acres to a  
3 1/2" iron rod found for corner;

4 Thence N 88° 37' 20" E, along the common line between said Reneau  
5 called 381.948 acres and said Frewin called 563 acres, at 350.12 ft.  
6 pass the south common corner between said Frewin tract and the  
7 called 397.374 acres described as "Tract One" in deed to Jackie Q.  
8 Bass recorded under Clerk's File No. 00-5232, Page 17650 of said  
9 Official Public Records and in deed to Norman Frewin (undivided 1/2  
10 interest) recorded under Clerk's File No. 04-1142, Page 5315 of  
11 said Official Public Records, located in the centerline of Shoemake  
12 Creek, and continuing N 88° 37' 20" E, along the common line between  
13 said Reneau tract and said Bass and Frewin called 397.374 acres, in  
14 all a total distance of 550.29 ft. to a boat spike found for corner;

15 Thence N 81° 43' 06" E 584.33 ft. along the common line between said  
16 Reneau called 381.948 acres and said Bass and Frewin called 397.374  
17 acres to a boat spike found for corner;

18 Thence N 87° 04' 53" E 380.15 ft. along the common line between said  
19 Reneau called 381.948 acres and said Bass and Frewin called 397.374  
20 acres to a 1/2" iron rod found for corner;

21 Thence N 42° 49' 31" E 490.69 ft. along the common line between said  
22 Reneau called 381.948 acres and said Bass and Frewin called 397.374  
23 acres to a 1/2" iron rod set for corner;

24 Thence N 88° 10' 40" E 705.26 ft. along the common line between said  
25 Reneau called 381.948 acres and said Bass and Frewin called 397.374  
26 acres to a 1/2" iron rod found for corner;

27 Thence S 89° 44' 50" E 436.38 ft. along the common line between said

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1 Reneau called 381.948 acres and said Bass and Frewin called 397.374  
2 acres to a 1/2" iron rod found for corner;  
3 Thence N 07° 35' 41" W 379.86 ft. along the common line between said  
4 Reneau called 381.948 acres and said Bass and Frewin called 397.374  
5 acres to a 1/2" iron rod set for corner;  
6 Thence N 79° 54' 44" E 216.33 ft. along the common line between said  
7 Reneau called 381.948 acres and said Bass and Frewin called 397.374  
8 acres to a 1/2" iron rod found for corner;  
9 Thence N 03° 24' 58" W 407.43 ft. along the common line between said  
10 Reneau called 381.948 acres and said Bass and Frewin called 397.374  
11 acres to a 1/2" iron rod found for corner;  
12 Thence N 05° 38' 50" W 214.60 ft. along the common line between said  
13 Reneau called 381.948 acres and said Bass and Frewin called 397.374  
14 acres to a 1/2" iron rod found for corner;  
15 Thence N 84° 13' 52" E 309.72 ft. along the common line between said  
16 Reneau called 381.948 acres and said Bass and Frewin called 397.374  
17 acres to a 1/2" iron rod found for the north common corner between  
18 said Reneau called 381.948 acres and the called 1.941 acres  
19 described as "Tract Two" in said Bass and Frewin deeds;  
20 Thence S 38° 14' 09" E 106.79 ft. along the common line between said  
21 Reneau called 381.948 acres and said Bass and Frewin called 1.941  
22 acres to a 1/2" iron rod found for corner;  
23 Thence S 85° 19' 05" E 703.57 ft. along the common line between said  
24 Reneau called 381.948 acres and said Bass and Frewin called 1.941  
25 acres to a 1/2" iron rod set for the east common corner between said  
26 tracts, located on the west right of way line of a 120 ft. wide  
27 easement (called 0.820 acres) described in said Bass and Frewin

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1 deeds and also described in Easement granted to the Trinity River  
2 Authority of Texas recorded in Volume 40, Page 455 of said Official  
3 Public Records and to Horizon Properties Corporation in instrument  
4 recorded in Volume 133, Page 853 of the San Jacinto County Deed  
5 Records;

6 Thence 161.82 ft. in a southeasterly direction along the east line  
7 of said Reneau called 381.948 acres, same being the west right of  
8 way line of said 120 ft. wide Easement, in a curve to the left having  
9 a central angle of  $20^{\circ} 09' 19''$ , the radius being 460.00 ft. and the  
10 chord bears  $S 44^{\circ} 10' 29'' E$  160.98 ft. to a 1/2" iron rod set marking  
11 the P.T. of said curve;

12 Thence  $S 54^{\circ} 15' 08'' E$ , along the east line of said Reneau called  
13 381.948 acres, same being the west right of way line of said 120 ft.  
14 wide Easement, at 100.00 ft. pass the southwest corner of said  
15 Easement, same being the terminal point of the west right of way  
16 line of said Spur Highway No. 980, and continuing  $S 54^{\circ} 15' 08'' E$ ,  
17 along the east line of said Reneau called 381.948 acres, same being  
18 the west right of way line of said Spur Highway No. 980, in all a  
19 total distance of 296.56 ft. to a 1/2" iron rod set marking the P.C.  
20 of a curve in said right of way line;

21 Thence 1,042.41 ft. in a southeasterly direction along the east  
22 line of said Reneau called 381.948 acres, same being the west right  
23 of way line of said Spur Highway No. 980, in a curve to the right  
24 having a central angle of  $55^{\circ} 00' 00''$ , the radius being 1,085.92 ft.  
25 and the chord bears  $S 26^{\circ} 45' 08'' E$  1002.84 ft. to a 1/2" iron rod set  
26 marking the P.T. of said curve, from said point a concrete right of  
27 way monument bears  $N 00^{\circ} 07' 03'' E$  94.27 ft.;

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1 Thence S 00° 44' 52" W, along the east line of said Reneau called  
2 381.948 acres, same being the west right of way line of said Spur  
3 Highway No. 980, at 1,243.44 ft. pass the east common corner between  
4 said Reneau called 381.948 acres and said Block 4 of Waterwood  
5 Turtle Creek, and continuing S 00° 44' 52" W, along the east line of  
6 said Block 4, same being the west right of way line of said Spur  
7 Highway No. 980, in all a total distance of 1,743.44 ft. to a 1/2"  
8 iron rod set for corner, from said point a concrete right of way  
9 monument bears N 15° 58' 12" E 4.92 ft.;

10 Thence S 45° 27' 39" W 142.79 ft. along the east line of said Reneau  
11 called 381.948 acres, same being the west right of way line of said  
12 Spur Highway No. 980, to the place of beginning and containing  
13 within these bounds 336.200 acres of land.

14 Bearings for this description are based on plat call for the south  
15 line of Block 4 of Waterwood Turtle Creek as shown on the plat  
16 recorded in Volume 7, Page 19 of the San Jacinto County Plat  
17 Records.

18 TRACT 3

19 Being 569.539 acres of land situated in the State of Texas, County  
20 of San Jacinto, a part of the John Davis Survey, A-13, and the John  
21 W. Adams Survey, A-1, 563.139 acres being the same lands called 563  
22 acres and 6.400 acres being the total combined acreage by resurvey  
23 of the called 5.029 acres described as "Second Tract" and the called  
24 1.377 acres described as "Third Tract" in deed to Norm Frewin  
25 recorded under Clerk's File No. 01-1288, Page 5061 of the San  
26 Jacinto County Official Public Records, and this 569.539 acres  
27 being more particularly described by metes and bounds in two



parcels as follows:

PARCEL ONE: 563.139 Acres

Beginning at a 1/2" iron rod set for the west common corner between the herein described 563.139 acre tract and the called 381.948 acres described in deed to R. Kyle Reneau and Beth C. Reneau recorded under Clerk's File No. 01-4293, Page 15705 of said Official Public Records, located on an eastern boundary line of the called 322.05 acres described as "Fee Tract G-11" in deed to the Trinity River Authority of Texas recorded in Volume 108, Page 161 of the San Jacinto County Deed Records, same being the Lake Livingston Fee Take Line;

Thence along the common line between said Frewin called 563 acres and said Trinity River Authority called 322.05 acres, same being the Lake Livingston Fee Take Line, as follows:

N 43° 59' 25" E 48.31 ft. to a 5/8" iron rod found for corner;  
N 11° 27' 52" E 152.90 ft. to a 5/8" iron rod found for corner;  
N 20° 58' 42" W 261.91 ft. to a 5/8" iron rod found for corner;  
N 29° 41' 48" E 178.53 ft. to a 5/8" iron rod found for corner;  
N 20° 02' 35" W 184.78 ft. to a 5/8" iron rod found for corner;  
N 67° 57' 31" W 210.26 ft. to a 5/8" iron rod found for corner;  
S 85° 39' 40" W 136.50 ft. to a 5/8" iron rod found for corner;  
N 88° 20' 32" W 93.85 ft. to a point for corner;  
N 68° 51' 57" W 176.69 ft. to a point for corner;  
N 40° 19' 19" W 209.71 ft. to a 5/8" iron rod found for corner;  
N 28° 39' 53" E 98.53 ft. to a point for corner;  
N 67° 51' 02" E 98.66 ft. to a point for corner;  
N 17° 55' 17" E 135.50 ft. to a 5/8" iron rod found for corner;

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1 N 10° 32' 11" E 201.67 ft. to a 5/8" iron rod found for corner;  
2 N 54° 45' 20" W 304.06 ft. to a 5/8" iron rod found for corner;  
3 S 75° 22' 07" W 86.45 ft. to a point for corner;  
4 N 76° 58' 17" W 230.54 ft. to a 5/8" iron rod found for corner;  
5 N 35° 59' 09" W 107.90 ft. to a 5/8" iron rod found for corner;  
6 N 13° 59' 06" W 121.38 ft. to a 5/8" iron rod found for corner;  
7 N 35° 42' 25" W 179.27 ft. to a 5/8" iron rod found for corner;  
8 N 62° 33' 19" W 141.41 ft. to a 5/8" iron rod found for corner;  
9 S 85° 00' 36" W 101.30 ft. to a 5/8" iron rod found for corner;  
10 N 72° 13' 39" W 124.04 ft. to a point for corner;  
11 N 66° 26' 40" W 116.69 ft. to a point for corner;  
12 N 37° 54' 52" W 91.61 ft. to a point for corner;  
13 S 88° 43' 26" E 161.06 ft. to a point for corner;  
14 N 86° 40' 35" E 225.69 ft. to a 5/8" iron rod found for corner;  
15 S 58° 34' 36" E 188.00 ft. to a 5/8" iron rod found for corner;  
16 S 75° 31' 59" E 214.42 ft. to a point for corner;  
17 N 76° 57' 15" E 206.03 ft. to a 5/8" iron rod found for corner;  
18 S 45° 54' 13" E 217.33 ft. to a 5/8" iron rod found for corner;  
19 S 88° 37' 31" E 158.63 ft. to a 5/8" iron rod found for corner;  
20 N 53° 37' 23" E 88.11 ft. to a 5/8" iron rod found for corner;  
21 N 76° 06' 17" W 206.03 ft. to a 5/8" iron rod found for corner;  
22 N 25° 23' 17" W 102.73 ft. to a 5/8" iron rod found for corner;  
23 N 57° 15' 13" W 232.49 ft. to a 5/8" iron rod found for corner;  
24 N 77° 16' 02" W 147.55 ft. to a 5/8" iron rod found for corner;  
25 N 35° 56' 12" W 190.40 ft. to a point for corner;  
26 N 20° 06' 37" E 178.47 ft. to a 5/8" iron rod found for corner;  
27 N 69° 14' 33" W 154.40 ft. to a 5/8" iron rod found for corner;

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1 S 00° 14' 58" W 60.86 ft. to a 5/8" iron rod found for corner;  
2 S 41° 21' 01" W 130.45 ft. to a point for corner;  
3 S 87° 39' 08" W 133.95 ft. to a point for corner;  
4 N 14° 10' 01" W 208.22 ft. to a 5/8" iron rod found for corner;  
5 S 82° 44' 49" W 161.77 ft. to a 5/8" iron rod found for corner;  
6 S 64° 23' 22" W 129.88 ft. to a point for corner;  
7 N 54° 05' 33" W 145.00 ft. to a point for corner;  
8 N 04° 28' 27" W 228.90 ft. to a 5/8" iron rod found for corner;  
9 S 63° 14' 57" W 130.02 ft. to a 5/8" iron rod found for corner;  
10 S 14° 16' 21" W 168.83 ft. to a 5/8" iron rod found for corner;  
11 S 20° 42' 09" W 95.30 ft. to a point for corner;  
12 N 41° 48' 27" W 150.26 ft. to a 5/8" iron rod found for corner;  
13 N 67° 02' 48" W 102.44 ft. to a 5/8" iron rod found for corner;  
14 S 20° 38' 47" W 247.97 ft. to a 5/8" iron rod found for corner;  
15 S 87° 31' 22" W 103.84 ft. to a 5/8" iron rod found for corner;  
16 S 53° 31' 18" W 111.37 ft. to a 5/8" iron rod found for corner;  
17 S 59° 32' 39" W 140.33 ft. to a point for corner;  
18 N 05° 45' 28" E 81.73 ft. to a point for corner;  
19 N 29° 50' 50" W 87.65 ft. to a point for corner;  
20 N 04° 25' 30" E 139.97 ft. to a point for corner;  
21 N 13° 00' 19" E 190.22 ft. to a 5/8" iron rod found for corner;  
22 N 01° 14' 04" W 160.12 ft. to a point for corner;  
23 N 04° 38' 49" E 209.26 ft. to a point for corner;  
24 N 12° 02' 40" E 265.69 ft. to a point for corner;  
25 S 56° 54' 58" E 141.82 ft. to a 5/8" iron rod found for corner;  
26 S 64° 41' 38" E 168.84 ft. to a 5/8" iron rod found for corner;  
27 N 69° 59' 27" E 130.46 ft. to a 5/8" iron rod found for corner;

1 N 25° 56' 33" W 125.28 ft. to a point for corner;  
 2 N 23° 28' 34" W 128.76 ft. to a point for corner;  
 3 N 39° 53' 30" W 148.03 ft. to a point for corner;  
 4 N 25° 53' 33" W 162.59 ft. to a point for corner;  
 5 N 78° 44' 29" W 125.17 ft. to a point for corner;  
 6 N 20° 14' 04" E 108.52 ft. to a point for corner;  
 7 N 37° 53' 54" E 99.80 ft. to a point for corner;  
 8 N 37° 22' 54" E 140.64 ft. to a point for corner;  
 9 N 02° 29' 14" E 111.43 ft. to a point for corner;  
 10 N 02° 16' 44" W 147.48 ft. to a point for corner;  
 11 N 46° 49' 48" E 95.74 ft. to a point for corner;  
 12 S 22° 53' 27" E 214.38 ft. to a point for corner;  
 13 S 87° 11' 31" E 118.73 ft. to a point for corner;  
 14 S 30° 40' 30" E 195.62 ft. to a point for corner;  
 15 S 42° 20' 33" E 166.50 ft. to a point for corner;  
 16 S 45° 06' 11" E 199.48 ft. to a point for corner;  
 17 S 69° 47' 58" E 128.83 ft. to a 5/8" iron rod found for corner;  
 18 N 81° 53' 15" E 106.62 ft. to a 5/8" iron rod found for corner;  
 19 N 68° 17' 04" W 178.24 ft. to a 5/8" iron rod found for corner;  
 20 N 26° 46' 11" W 275.98 ft. to a point for corner;  
 21 N 11° 16' 21" W 166.37 ft. to a point for corner;  
 22 N 34° 54' 50" W 190.61 ft. to a point for corner;  
 23 N 26° 03' 46" W 182.60 ft. to a point for corner;  
 24 N 49° 12' 57" W 128.94 ft. to a point for corner;  
 25 N 37° 54' 52" W 97.97 ft. to a point for corner;  
 26 N 00° 11' 23" E 89.07 ft. to a point for corner;  
 27 S 85° 26' 48" E 181.82 ft. to a point marking the south common

1 corner between said Trinity River Authority called 322.05 acres and  
2 the called 9.31 acres described as "Fee Tract G-35" in deed to the  
3 Trinity River Authority of Texas recorded in Volume 105, Page 330 of  
4 said Deed Records, and continuing along the common line between  
5 said Frewin called 563 acres and said Trinity River Authority "Fee  
6 Tract G-35";

7 S 84° 49' 48" E 0.44 ft. to a point for corner;

8 S 81° 03' 50" E 218.21 ft. to a point for corner;

9 S 80° 56' 50" E 339.05 ft. to a point for corner;

10 S 81° 36' 50" E 208.56 ft. to a point for corner;

11 S 80° 42' 50" E 281.51 ft. to a point marking the south common  
12 corner between said Trinity River Authority called 9.31 acres and  
13 the called 1,064.54 acres described as "Fee Tract G-17" in deed to  
14 the Trinity River Authority of Texas recorded in Volume 108, Page  
15 161 of said Deed Records, and continuing along the common line  
16 between said Frewin called 563 acres and said Trinity River  
17 Authority "Fee Tract G-17";

18 N 88° 27' 08" E 77.39 ft. to a point for corner;

19 N 61° 44' 08" E 241.92 ft. to a point for corner;

20 N 77° 46' 48" E 359.69 ft. to a point for corner;

21 N 84° 48' 38" E 318.17 ft. to a point for corner;

22 N 73° 39' 53" E 296.36 ft. to a point for corner;

23 S 60° 29' 18" E 143.48 ft. to a point for corner;

24 S 38° 10' 25" E 120.64 ft. to a point for corner;

25 S 69° 29' 30" E 103.76 ft. to a point for corner;

26 N 26° 13' 51" W 289.20 ft. to a point for corner;

27 S 76° 50' 24" E 171.33 ft. to a point for corner;

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1 N 78° 49' 50" E 135.81 ft. to a point for corner;  
2 S 88° 36' 16" E 298.92 ft. to a point for corner;  
3 S 45° 54' 51" E 178.72 ft. to a point for corner;  
4 N 79° 13' 50" E 243.51 ft. to a point for corner;  
5 S 68° 13' 15" E 210.07 ft. to a point for corner;  
6 N 76° 37' 40" E 140.17 ft. to a point for corner;  
7 S 83° 44' 43" E 235.85 ft. to a point for corner;  
8 S 81° 05' 15" E 242.32 ft. to a point for corner;  
9 N 86° 45' 39" E 236.19 ft. to a point for corner;  
10 S 87° 48' 49" E 266.73 ft. to a point for corner;  
11 S 64° 26' 27" E 201.34 ft. to a 5/8" iron rod found for corner;  
12 S 71° 00' 40" E 257.22 ft. to a 5/8" iron rod found for corner;  
13 S 30° 02' 49" W 107.38 ft. to a 5/8" iron rod found for corner;  
14 S 24° 28' 16" W 384.68 ft. to a 5/8" iron rod found for corner;  
15 S 05° 45' 42" E 219.99 ft. to a 5/8" iron rod found for corner;  
16 S 20° 15' 47" E 187.27 ft. to a 5/8" iron rod found for corner;  
17 S 86° 58' 49" E 221.30 ft. to a 5/8" iron rod found for corner;  
18 S 17° 57' 41" W 210.48 ft. to a 5/8" iron rod found for corner;  
19 S 33° 59' 23" W 146.91 ft. to a 5/8" iron rod found for corner;  
20 S 61° 24' 34" W 146.12 ft. to a 5/8" iron rod found for corner;  
21 S 24° 55' 03" W 279.37 ft. to a 5/8" iron rod found for corner;  
22 S 00° 38' 32" W 192.36 ft. to a 5/8" iron rod found for corner;  
23 S 27° 31' 09" E 222.62 ft. to a 5/8" iron rod found for corner;  
24 S 19° 54' 24" W 113.75 ft. to a 5/8" iron rod found for corner;  
25 S 05° 18' 18" E 160.95 ft. to a 5/8" iron rod found for corner;  
26 S 27° 09' 31" E 131.42 ft. to a 5/8" iron rod found for corner;  
27 S 02° 46' 35" E 134.45 ft. to a 5/8" iron rod found for corner;

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1 S 12° 36' 09" W 181.74 ft. to a 5/8" iron rod found for corner;  
2 S 37° 34' 09" W 112.89 ft. to a 5/8" iron rod found for corner;  
3 S 02° 16' 03" W 142.29 ft. to a 5/8" iron rod found for corner;  
4 S 47° 16' 40" E 203.32 ft. to the intersection with the  
5 centerline of Shoemake Creek, said point being the north common  
6 corner between said Frewin called 563 acres and the called 397.374  
7 acres described in deed to Jackie Q Bass recorded under Clerk's File  
8 No. 00-5232, Page 17650 of said Official Public Records and in deed  
9 to Norman Frewin (undivided 1/2 interest) recorded under Clerk's  
10 File No. 04-1142, Page 5315 of said Official Public Records;  
11 Thence along the centerline of Shoemake Creek, same being the  
12 common line between said Frewin called 563 acres and said Bass and  
13 Frewin called 397.374 acres, with its meanders as follows:

14 S 56° 01' 31" W 90.53 ft.;  
15 S 20° 38' 22" E 108.61 ft.;  
16 S 05° 25' 47" W 92.61 ft.;  
17 N 62° 03' 29" E 63.57 ft.;  
18 S 85° 29' 47" E 65.21 ft.;  
19 S 38° 22' 19" E 103.76 ft.;  
20 S 13° 05' 26" W 56.00 ft.;  
21 S 43° 31' 21" E 62.95 ft.;  
22 S 14° 54' 09" E 47.34 ft.;  
23 S 56° 52' 11" E 141.00 ft.;  
24 S 34° 50' 20" E 109.02 ft.;  
25 S 22° 57' 52" E 87.50 ft.;  
26 S 33° 21' 03" E 88.36 ft.;  
27 S 34° 14' 23" W 60.62 ft.;

1	S 22° 02' 03" E 71.15 ft.;
2	S 16° 06' 21" W 59.84 ft.;
3	S 18° 59' 42" E 67.27 ft.;
4	S 88° 06' 02" W 46.07 ft.;
5	S 25° 37' 00" W 105.66 ft.;
6	S 20° 53' 16" E 49.22 ft.;
7	S 10° 57' 26" W 40.69 ft.;
8	S 34° 18' 40" E 67.84 ft.;
9	S 08° 44' 10" W 114.59 ft.;
10	S 55° 29' 45" E 59.81 ft.;
11	S 04° 50' 54" W 302.36 ft.;
12	S 36° 38' 28" E 64.34 ft.;
13	S 37° 27' 52" W 147.02 ft.;
14	S 49° 46' 48" E 103.36 ft.;
15	S 23° 32' 06" W 88.38 ft.;
16	S 00° 31' 10" E 159.76 ft.;
17	S 43° 17' 40" W 37.10 ft.;
18	S 03° 08' 05" W 155.24 ft.;
19	S 46° 39' 24" W 100.59 ft.;
20	S 22° 03' 58" E 151.13 ft.;
21	N 63° 27' 04" W 81.77 ft.;
22	S 58° 48' 33" W 36.89 ft.;
23	S 10° 13' 24" E 95.69 ft.;
24	S 81° 11' 03" W 49.72 ft.;
25	N 26° 10' 49" W 71.99 ft.;
26	S 68° 22' 24" W 118.99 ft.;
27	S 15° 49' 41" E 78.85 ft.;



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1                   S 50° 57' 02" E 114.62 ft. ;  
2                   S 04° 56' 40" E 117.36 ft. ;  
3                   S 51° 40' 05" E 77.75 ft. ;  
4                   S 51° 08' 31" W 37.66 ft. ;  
5                   N 85° 14' 24" W 159.15 ft. ;  
6                   S 24° 22' 49" W 31.08 ft. to the south common  
7 corner between said tracts, located on the north line of said Reneau  
8 called 381.948 acres ;  
9 Thence S 88° 37' 20" W 350.12 ft. along the common line between said  
10 Frewin called 563 acres and said Reneau called 381.948 acres to a  
11 1/2" iron rod found for corner ;  
12 Thence S 02° 00' 37" E 371.79 ft. along the common line between said  
13 Frewin called 563 acres and said Reneau called 381.948 acres to a  
14 1/2" iron rod found for corner ;  
15 Thence S 86° 03' 37" W, along the common line between said Frewin  
16 called 563 acres and said Reneau called 381.948 acres, at 393.56 ft.  
17 pass the northwest corner of the called 5.029 acres (part of the  
18 6.400 acres described below as "Parcel Two") described as "Second  
19 Tract" in said Frewin deed, and continuing along the common line  
20 between said called 563 acres and said called 5.029 acres, in all a  
21 total distance of 613.35 ft. to a 1/2" iron rod found for the  
22 northwest corner of said called 5.029 acres and a corner of said  
23 Reneau called 381.948 acres ;  
24 Thence N 01° 55' 41" E 714.74 ft. along the common line between said  
25 Frewin called 563 acres and said Reneau called 381.948 acres to a  
26 1/2" iron rod found for corner ;  
27 Thence S 85° 56' 14" W 294.97 ft. along the common line between said

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1 Frewin called 563 acres and said Reneau called 381.948 acres to a  
2 1/2" iron rod found for corner;

3 Thence N 02° 44' 05" W 91.72 ft. along the common line between said  
4 Frewin called 563 acres and said Reneau called 381.948 acres to a  
5 1/2" iron rod set for corner;

6 Thence N 48° 52' 14" W 420.81 ft. along the common line between said  
7 Frewin called 563 acres and said Reneau called 381.948 acres to a  
8 1/2" iron rod found for corner;

9 Thence S 83° 06' 27" W 426.68 ft. along the common line between said  
10 Frewin called 563 acres and said Reneau called 381.948 acres to a  
11 60d nail found for corner;

12 Thence N 80° 31' 07" W 170.18 ft. along the common line between said  
13 Frewin called 563 acres and said Reneau called 381.948 acres to a  
14 1/2" iron rod set for corner;

15 Thence N 85° 54' 34" W 279.21 ft. along the common line between said  
16 Frewin called 563 acres and said Reneau called 381.948 acres to a  
17 1/2" iron rod set for corner;

18 Thence N 16° 03' 33" W 598.70 ft. along the common line between said  
19 Frewin called 563 acres and said Reneau called 381.948 acres to a  
20 1/2" iron rod set for corner;

21 Thence S 82° 27' 29" W 352.04 ft. along the common line between said  
22 Frewin called 563 acres and said Reneau called 381.948 acres to the  
23 place of beginning and containing within these bounds 563.139 acres  
24 of land.

25 PARCEL TWO: 6.400 Acres

26 Beginning at a 1/2" iron rod found for the northwest corner of the  
27 called 5.029 acres described as "Second Tract" in said Frewin deed,

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1 said point being an exterior corner of the 563.139 acres described  
2 above and a corner of the called 381.948 acres described in deed to  
3 R. Kyle Reneau and Beth C. Reneau recorded under Clerk's File No.  
4 01-4293, Page 15705 of said San Jacinto County Official Public  
5 Records, said point being the northwest corner of the herein  
6 described 6.400 acre tract;

7 Thence N 86° 03' 37" E 219.79 ft. along the common line between said  
8 called 5.029 acres and said 563.139 acres to the northeast corner of  
9 said called 5.029 acres and a corner of said Reneau called 381.948  
10 acres, said point being the northeast corner of the herein  
11 described 6.400 acre tract;

12 Thence 2,220.00 ft. in a southwesterly direction along the common  
13 line between said called 5.029 acres and said Reneau called 381.948  
14 acres, in a curve to the left having a central angle 83° 35' 27", the  
15 radius being 1,521.66 ft. and the chord bears S 20° 49' 48" W  
16 2,028.29 ft. to a 1/2" iron rod set for the east common corner  
17 between said called 5.029 acre "Second Tract" and the called 1.377  
18 acres described as "Third Tract" in said Frewin deed, said point  
19 being the northwest corner of Lot 1, Block 3 of Waterwood Turtle  
20 Creek, a subdivision in said San Jacinto County, Texas, as shown by  
21 the map or plat recorded in Volume 7, Page 19 of the San Jacinto  
22 County Plat Records (said Plat being canceled by instrument  
23 recorded under Clerk's File No. 02-3382, Page 44056 of said  
24 Official Public Records) and being a part of the lands described in  
25 deed to Kyle Reneau and wife, Beth Reneau, recorded under Clerk's  
26 File No. 01-3453, Page 12713 of said Official Public Records;

27 Thence S 20° 59' 27" E 600.00 ft. along the common line between said

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1 called 1.377 acre "Third Tract" and said Reneau lands, same being  
2 the west line of said Lot 1, to a 1/2" iron rod set for corner,  
3 located on the north right of way line of F. M. Highway No. 980, said  
4 point being the southeast corner of the herein described 6.400 acre  
5 tract;

6 Thence S 69° 00' 33" W 100.00 ft. along the south line of said called  
7 1.377 acres, same being the north right of way line of said F. M.  
8 Highway No. 980, to a 1/2" iron rod set for the south common corner  
9 between said called 1.377 acres and Parcel B, Block 2 of said  
10 Waterwood Turtle Creek (same being a part of the lands described in  
11 said Reneau deed recorded under Clerk's File No. 01-3453, Page  
12 12713), said point being the southwest corner of the herein  
13 described 6.400 acre tract;

14 Thence N 20° 59' 27" W 600.00 ft. along the common line between said  
15 called 1.377 acres and said Block 2 of Waterwood Turtle Creek to a  
16 1/2" iron rod set for the west common corner between said called  
17 1.377 acres and said called 5.029 acres and a corner of said Reneau  
18 called 381.948 acres, said point being the P.C. of a curve;

19 Thence 2,163.75 ft. in a northeasterly direction along the common  
20 line between said called 5.029 acres and said Reneau called 381.948  
21 acres, in a curve to the right having a central angle 76° 26' 56",  
22 the radius being 1,621.66 ft. and the chord bears N 17° 15' 27" E  
23 2,006.78 ft. to the place of beginning and containing within these  
24 bounds 6.400 acres of land.

25 Bearings for this description are based on plat call for the south  
26 line of Block 4 of Waterwood Turtle Creek as shown on the plat  
27 recorded in Volume 7, Page 19 of the San Jacinto County Plat

1 Records.

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

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

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

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

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