

By: Nichols S.B. No. 1091
(In the Senate - Filed March 2, 2007; March 14, 2007, read first time and referred to Committee on Intergovernmental Relations; April 16, 2007, reported adversely, with favorable Committee Substitute by the following vote: Yeas 4, Nays 0; April 16, 2007, sent to printer.)

COMMITTEE SUBSTITUTE FOR S.B. No. 1091 By: Nichols

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) Terry Vaughn;

(2) Clarke Evans;

(3) Sherry Baker;

(4) Dale Wilson; and

(5) Ronnie Vincent.

(b) If a temporary director fails to qualify for office, the temporary directors who have qualified shall appoint a person to fill the vacancy. If at any time there are fewer than three qualified temporary directors, the Texas Commission on

Environmental Quality shall appoint the necessary number of persons to fill all vacancies on the board.

(c) Temporary directors serve until the earlier of:
 (1) the date directors are elected under Section 8203.023; or

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

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

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

Sec. 8203.024. INITIAL ELECTED DIRECTORS; TERMS. The directors elected under Section 8203.023 shall draw lots to determine which two shall serve until the first regularly scheduled 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 improvements in aid of those roads.

(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.

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

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

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

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

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

(c) The district may not, for the development or maintenance of a recreational facility, acquire by condemnation land, an

3-1 easement, or other property inside or outside the district.

3-2 [Sections 8203.105-8203.150 reserved for expansion]

3-3 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-4 Sec. 8203.151. OPERATION AND MAINTENANCE TAX. (a) The
 3-5 district may impose a tax for any district operation and
 3-6 maintenance purpose in the manner provided by Section 49.107, Water
 3-7 Code.

3-8 (b) Section 49.107(f), Water Code, does not apply to
 3-9 reimbursements for projects constructed or acquired under Section
 3-10 8203.102.

3-11 Sec. 8203.152. TAX TO REPAY BONDS. The district may impose
 3-12 a tax to pay the principal of and interest on bonds issued under
 3-13 Section 8203.201.

3-14 Sec. 8203.153. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
 3-15 ASSESSMENTS. The district may not impose an impact fee or
 3-16 assessment on the property, including the equipment,
 3-17 rights-of-way, facilities, or improvements, of:

3-18 (1) an electric utility or a power generation company
 3-19 as defined by Section 31.002, Utilities Code;

3-20 (2) a gas utility as defined by Section 101.003 or
 3-21 121.001, Utilities Code;

3-22 (3) a telecommunications provider as defined by
 3-23 Section 51.002, Utilities Code;

3-24 (4) a cable operator as defined by 47 U.S.C. Section
 3-25 522; or

3-26 (5) a person who provides to the public advanced
 3-27 telecommunications services.

3-28 [Sections 8203.154-8203.200 reserved for expansion]

3-29 SUBCHAPTER E. BONDS

3-30 Sec. 8203.201. AUTHORITY TO ISSUE BONDS AND OTHER
 3-31 OBLIGATIONS. (a) The district may issue bonds or other
 3-32 obligations as provided by Chapters 49 and 54, Water Code, and to
 3-33 finance the construction, maintenance, or operation of projects
 3-34 under Section 8203.102.

3-35 (b) The district may issue bonds or other obligations
 3-36 payable wholly or partly from ad valorem taxes, impact fees,
 3-37 revenue, grants, or other district money.

3-38 (c) The district may not issue bonds or other obligations
 3-39 secured wholly or partly by ad valorem taxation to finance projects
 3-40 authorized by Section 8203.102 unless the issuance is approved by a
 3-41 vote of a two-thirds majority of district voters voting at an
 3-42 election called for that purpose.

3-43 (d) Bonds or other obligations issued or incurred to finance
 3-44 projects authorized by Section 8203.102 may not exceed one-fourth
 3-45 of the assessed value of the real property in the district.

3-46 (e) The district may not issue bonds or other obligations
 3-47 secured wholly or partly by ad valorem taxation to finance projects
 3-48 authorized by Section 8203.104 unless the issuance is approved by a
 3-49 vote of a majority of district voters voting at an election called
 3-50 for that purpose. Section 49.464(a), Water Code, does not apply to
 3-51 the district.

3-52 [Sections 8203.202-8203.250 reserved for expansion]

3-53 SUBCHAPTER F. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

3-54 Sec. 8203.251. DIVISION OF DISTRICT; REQUIREMENTS. (a) At
 3-55 any time before the district issues indebtedness secured by taxes
 3-56 or net revenue, the district may be divided into two or more new
 3-57 districts.

3-58 (b) A new district created by division of the district must
 3-59 be at least 100 acres.

3-60 (c) Any new district created by the division of the district
 3-61 may not, at the time the new district is created, contain any land
 3-62 outside the area described by Section 2 of the Act creating this
 3-63 chapter.

3-64 (d) The board may consider a proposal to divide the district
 3-65 on:

3-66 (1) a petition of a landowner in the district; or

3-67 (2) a motion by the board.

3-68 (e) If the board decides to divide the district, the board
 3-69 shall:

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

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

Sec. 8203.252. ELECTION FOR DIVISION OF DISTRICT.

(a) After the board has complied with Section 8203.251(e), the board shall hold an election in the district to determine whether the district should be divided as proposed.

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

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

(2) the proposition to be voted on.

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

(1) the district is divided; and

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

(A) the Texas Commission on Environmental Quality;

(B) the attorney general;

(C) the commissioners court of each county in which a new district is located; and

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

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

Sec. 8203.253. ELECTION OF DIRECTORS OF NEW DISTRICTS.

(a) Not later than the 90th day after the date of an election in favor of the division of the district, the board shall:

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

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

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

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

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

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

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

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

(1) water and wastewater services; or

(2) any other matter the boards of the new districts consider appropriate.

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

TRACT 1

Being 399.382 acres of land situated in the State of Texas, County of San Jacinto, a part of the John Davis Survey, A-13, and the John W. Adams Survey, A-1, 397.437 acres being the same land described as 397.374 acres in Exhibit "A" and 1.945 acres being the same land described as 1.941 acres in Exhibit "B" in deed to Jackie Q. Bass recorded under Clerk's File No. 00-5232, Page 17650 of the San Jacinto County Official Public Records and in deed to Norman Frewin (undivided 1/2 interest) recorded under Clerk's File No. 04-1142, 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 Bass and Frewin called 397.374 acres and said Reneau called 381.948 acres to a 1/2" iron rod set for corner;

Thence S 07° 35' 41" E 379.86 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 N 89° 44' 50" W 436.38 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 88° 10' 40" W 705.26 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 set for corner;

Thence S 42° 49' 31" W 490.69 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 87° 04' 53" W 380.15 ft. along the common line between said Bass and Frewin called 397.374 acres and said Reneau called 381.948 acres to a boat spike found for corner;

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

Thence S 88° 37' 20" W 200.17 ft. along the common line between said Bass and Frewin called 397.374 acres and said Reneau called 381.948 acres to its intersection with the centerline of Shoemaker Creek,

said point being the south common corner between the herein described 397.437 acre tract and the called 563 acres described in deed to Norm Frewin recorded under Clerk's File No. 01-1288, Page 5061 of said Official Public Records;

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

N 24° 22' 49" E 31.08 ft.;

S 85° 14' 24" E 159.15 ft.;

N 51° 08' 31" E 37.66 ft.;

6-1 N 51° 40' 05" W 77.75 ft.;
 6-2 N 04° 56' 40" W 117.36 ft.;
 6-3 N 50° 57' 02" W 114.62 ft.;
 6-4 N 15° 49' 41" W 78.85 ft.;
 6-5 N 68° 22' 24" E 118.99 ft.;
 6-6 S 26° 10' 49" E 71.99 ft.;
 6-7 N 81° 11' 03" E 49.72 ft.;
 6-8 N 10° 13' 24" W 95.69 ft.;
 6-9 N 58° 48' 33" E 36.89 ft.;
 6-10 S 63° 27' 04" E 81.77 ft.;
 6-11 N 22° 03' 58" W 151.13 ft.;
 6-12 N 46° 39' 24" E 100.59 ft.;
 6-13 N 03° 08' 05" E 155.24 ft.;
 6-14 N 43° 17' 40" E 37.10 ft.;
 6-15 N 00° 31' 10" W 159.76 ft.;
 6-16 N 23° 32' 06" E 88.38 ft.;
 6-17 N 49° 46' 48" W 103.36 ft.;
 6-18 N 37° 27' 52" E 147.02 ft.;
 6-19 N 36° 38' 28" W 64.34 ft.;
 6-20 N 04° 50' 54" E 302.36 ft.;
 6-21 N 55° 29' 45" W 59.81 ft.;
 6-22 N 08° 44' 10" E 114.59 ft.;
 6-23 N 34° 18' 40" W 67.84 ft.;
 6-24 N 10° 57' 26" E 40.69 ft.;
 6-25 N 20° 53' 16" W 49.22 ft.;
 6-26 N 25° 37' 00" E 105.66 ft.;
 6-27 N 88° 06' 02" E 46.07 ft.;
 6-28 N 18° 59' 42" W 67.27 ft.;
 6-29 N 16° 06' 21" E 59.84 ft.;
 6-30 N 22° 02' 03" W 71.15 ft.;
 6-31 N 34° 14' 23" E 60.62 ft.;
 6-32 N 33° 21' 03" W 88.36 ft.;
 6-33 N 22° 57' 52" W 87.50 ft.;
 6-34 N 34° 50' 20" W 109.02 ft.;
 6-35 N 56° 52' 11" W 141.00 ft.;
 6-36 N 14° 54' 09" W 47.34 ft.;
 6-37 N 43° 31' 21" W 62.95 ft.;
 6-38 N 13° 05' 26" E 56.00 ft.;
 6-39 N 38° 22' 19" W 103.76 ft.;
 6-40 N 85° 29' 47" W 65.21 ft.;
 6-41 S 62° 03' 29" W 63.57 ft.;
 6-42 N 05° 25' 47" E 92.61 ft.;
 6-43 N 20° 38' 22" W 108.61 ft.;
 6-44 N 56° 01' 31" E 90.53 ft. to the north common corner between said
 6-45 tract, located on a southern boundary line of the called 1,064.54
 6-46 acres described as "Fee Tract G-17" in deed to the Trinity River
 6-47 Authority of Texas recorded in Volume 108, Page 161 of said San
 6-48 Jacinto County Deed Records, same being the Lake Livingston Fee
 6-49 Take Line;
 6-50 Thence along the common line between said Bass and Frewin called
 6-51 397.374 acres and said Trinity River Authority called 1,064.54
 6-52 acres, same being the Lake Livingston Fee Take Line, as follows:
 6-53 S 47° 16' 40" E 29.04 ft. to a 5/8" iron rod found for corner;
 6-54 N 15° 14' 20" E 160.08 ft. to a 5/8" iron rod found for corner;
 6-55 N 23° 08' 40" W 175.81 ft. to a 5/8" iron rod found for corner;
 6-56 N 48° 36' 35" E 227.71 ft. to a 5/8" iron rod found for corner;
 6-57 N 13° 36' 20" W 235.15 ft. to a 5/8" iron rod found for corner;
 6-58 N 32° 48' 23" W 193.11 ft. to a 5/8" iron rod found for corner;
 6-59 N 05° 14' 18" E 241.31 ft. to a 5/8" iron rod found for corner;
 6-60 N 24° 47' 17" W 214.93 ft. to a 5/8" iron rod found for corner;
 6-61 N 18° 12' 18" E 156.87 ft. to a 5/8" iron rod found for corner;
 6-62 N 31° 25' 55" E 423.47 ft. to a 5/8" iron rod found for corner;
 6-63 N 64° 01' 20" E 123.74 ft. to a 5/8" iron rod found for corner;
 6-64 N 09° 30' 20" E 186.23 ft. to a 5/8" iron rod found for corner;
 6-65 N 29° 52' 58" W 189.26 ft. to a 5/8" iron rod found for corner;
 6-66 N 72° 04' 02" W 164.47 ft. to a 5/8" iron rod found for corner;
 6-67 N 01° 17' 22" W 143.59 ft. to a point for corner;
 6-68 N 10° 38' 38" E 178.01 ft. to a point for corner;
 6-69 N 13° 43' 37" E 179.61 ft. to a 5/8" iron rod found for corner;

7-1 N 43° 32' 53" E 153.77 ft. to a 5/8" iron rod found for corner;
 7-2 S 79° 09' 47" E 151.84 ft. to a 5/8" iron rod found for corner;
 7-3 N 36° 37' 28" W 398.70 ft. to a 5/8" iron rod found for corner;
 7-4 N 56° 37' 16" W 230.69 ft. to a 5/8" iron rod found for corner;
 7-5 N 73° 28' 55" E 557.75 ft. to a 5/8" iron rod found for corner;
 7-6 S 55° 35' 05" E 245.53 ft. to a 5/8" iron rod found for corner;
 7-7 S 88° 39' 30" E 311.39 ft. to a 5/8" iron rod found for corner;
 7-8 N 65° 57' 22" E 156.01 ft. to a 5/8" iron rod found for corner;
 7-9 S 89° 43' 15" E 227.75 ft. to a 5/8" iron rod found for corner;
 7-10 N 73° 11' 36" E 156.86 ft. to a point for corner;
 7-11 N 79° 50' 55" E 84.50 ft. to a point for corner;
 7-12 N 66° 51' 55" E 182.50 ft. to a point for corner;
 7-13 N 67° 31' 55" E 269.74 ft. to a point for corner;
 7-14 N 85° 47' 55" E 136.14 ft. to a point for corner;
 7-15 S 81° 10' 05" E 133.71 ft. to a point for corner;
 7-16 S 73° 54' 05" E 127.61 ft. to a point for corner;
 7-17 S 86° 23' 05" E 182.37 ft. to a point for corner;
 7-18 N 42° 31' 55" E 92.51 ft. to a point for corner;
 7-19 S 35° 22' 05" E 119.07 ft. to a point for corner;
 7-20 N 54° 25' 55" E 97.95 ft. to a point for corner;
 7-21 S 61° 24' 06" E 199.28 ft. to a point for corner;
 7-22 S 71° 40' 06" E 88.64 ft. to a point for corner;
 7-23 N 06° 38' 06" W 120.20 ft. to a point for corner;
 7-24 N 73° 13' 54" E 122.59 ft. to a point for corner;
 7-25 S 50° 18' 06" E 142.13 ft. to a point for corner;
 7-26 S 68° 17' 06" E 179.83 ft. to a point for corner;
 7-27 N 36° 56' 54" E 109.75 ft. to a point for corner;
 7-28 N 52° 08' 54" E 203.06 ft. to a point for corner;
 7-29 S 53° 49' 06" E 288.73 ft. to a point for corner;
 7-30 N 25° 30' 06" W 89.47 ft. to a point for corner;
 7-31 N 68° 01' 54" E 182.96 ft. to a point for corner;
 7-32 N 60° 42' 54" E 122.23 ft. to a point for corner;
 7-33 N 88° 15' 54" E 241.03 ft. to a point for corner;
 7-34 S 38° 33' 06" E 140.94 ft. to a point for corner;
 7-35 N 46° 29' 54" E 202.62 ft. to the north common corner between said
 7-36 Bass and Frewin tract and said Trinity River Authority called
 7-37 454.26 acres, said point being located on the common survey line
 7-38 between said Davis and Adams Surveys;
 7-39 Thence S 35° 33' 11" W, along the common line between said Bass and
 7-40 Frewin tract and said Trinity River Authority called 454.26 acre
 7-41 tract, same being the common survey line between said Davis and
 7-42 Adams Surveys, at 100.00 ft. pass a 1/2" iron rod set for reference,
 7-43 and continuing along said common line in all a total distance of
 7-44 1,887.38 ft. to a concrete monument found for corner;
 7-45 Thence S 35° 38' 38" W 2,389.62 ft. along the common line between
 7-46 said Bass and Frewin tract and said Trinity River Authority called
 7-47 454.26 acre tract, same being the common survey line between said
 7-48 Davis and Adams Surveys, to a 5/8" iron rod with aluminum cap found
 7-49 for corner;
 7-50 Thence S 54° 54' 24" E 54.79 ft. along the common line between said
 7-51 Bass and Frewin tract and said Trinity River Authority called
 7-52 454.26 acre tract to a 5/8" iron rod with aluminum cap found for
 7-53 corner;
 7-54 Thence S 16° 43' 59" E 381.40 ft. along the common line between said
 7-55 Bass and Frewin tract and said Trinity River Authority called
 7-56 454.26 acre tract to a 5/8" iron rod with aluminum cap found for
 7-57 corner;
 7-58 Thence S 23° 46' 05" W 303.32 ft. along the common line between said
 7-59 Bass and Frewin tract and said Trinity River Authority called
 7-60 454.26 acre tract to a 5/8" iron rod with aluminum cap found for
 7-61 corner;
 7-62 Thence S 64° 52' 16" E 582.75 ft. along the common line between said
 7-63 Bass and Frewin tract and said Trinity River Authority called
 7-64 454.26 acre tract to a 5/8" iron rod with aluminum cap found for
 7-65 corner;
 7-66 Thence S 33° 03' 59" E 499.08 ft. along the common line between said
 7-67 Bass and Frewin tract and said Trinity River Authority called
 7-68 454.26 acre tract to a 5/8" iron rod with aluminum cap found for
 7-69 corner;

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

PARCEL TWO: 1.945 Acres

Beginning at a 5/8" iron rod with aluminum cap found for the south common corner between PARCEL ONE as described above (397.437 acres) 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, said point being and angle point in the north line of said Bass and Frewin called 1.941 acre tract;

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

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

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

Thence 116.87 ft. along the east line of said Bass and Frewin called 1.941 acre tract, same being the west right of way line of said 120 ft. wide Easement, in a curve to the left having a central angle of 14° 33' 24", the radius being 460.00 ft. and the chord bears S 26° 49' 08" E 116.55 ft. to a 1/2" iron rod set for the east common corner between the herein described 1.945 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;

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

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

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

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

TRACT 2

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

9-1 PARCEL ONE: 151.397 Acres
 9-2 Beginning at a concrete right of way monument found for the
 9-3 southwest corner of "Parcel A" of Block One (1) of Waterwood Turtle
 9-4 Creek, said point being the south common corner between said Reneau
 9-5 lands and the called 157.1095 acres described as "Fifteenth
 9-6 Property, Parcel 11" in deed to Jacinto Investments, L.P. and CEM
 9-7 Properties, Inc. recorded in Volume 214, Page 648 of said Official
 9-8 Public Records, located on the north right of way line of F. M.
 9-9 Highway No. 980;
 9-10 Thence N 20° 49' 16" W, along the common line between said Reneau
 9-11 tract and said Jacinto Investments, L.P. tract, same being the west
 9-12 line of said Block 1 of Waterwood Turtle Creek, at 553.01 ft. pass a
 9-13 1/2" iron rod set for reference, and in all a total distance of
 9-14 578.01 ft. to the intersection with the centerline of Newton
 9-15 Branch;
 9-16 Thence along the centerline of Newton Branch, same being the common
 9-17 line between said Reneau called 381.948 acres and said Jacinto
 9-18 Investments, L.P. called 157.1095 acres, with its meanders as
 9-19 follows:
 9-20 N 56° 16' 55" W 52.45 ft.;
 9-21 S 88° 17' 16" W 88.52 ft.;
 9-22 N 65° 06' 16" W 36.57 ft.;
 9-23 N 33° 44' 28" W 45.84 ft.;
 9-24 N 75° 00' 11" W 124.78 ft.;
 9-25 N 44° 02' 57" E 39.31 ft.;
 9-26 N 21° 11' 01" E 105.65 ft.;
 9-27 N 09° 57' 18" E 94.29 ft.;
 9-28 N 26° 59' 41" W 60.53 ft.;
 9-29 N 36° 55' 25" E 106.00 ft.;
 9-30 N 59° 49' 42" E 126.25 ft.;
 9-31 N 66° 05' 40" E 73.64 ft.;
 9-32 S 77° 43' 47" E 32.27 ft.;
 9-33 N 52° 00' 36" E 59.23 ft.;
 9-34 N 36° 49' 24" E 34.19 ft.;
 9-35 N 58° 58' 03" E 103.85 ft.;
 9-36 N 38° 35' 41" E 36.31 ft.;
 9-37 N 16° 11' 08" W 68.39 ft.;
 9-38 N 46° 27' 43" W 28.27 ft.;
 9-39 N 32° 48' 37" E 59.03 ft.;
 9-40 N 45° 34' 49" E 54.87 ft.;
 9-41 N 07° 01' 33" E 30.22 ft.;
 9-42 N 11° 42' 55" W 134.42 ft.;
 9-43 N 24° 52' 21" W 74.06 ft.;
 9-44 N 35° 46' 35" W 87.84 ft.;
 9-45 N 16° 53' 53" E 33.43 ft.;
 9-46 N 53° 14' 12" E 49.42 ft.;
 9-47 N 03° 15' 55" W 125.38 ft.;
 9-48 N 57° 38' 43" E 63.49 ft.;
 9-49 S 86° 53' 44" E 32.93 ft.;
 9-50 S 41° 15' 07" E 67.46 ft.;
 9-51 S 06° 27' 07" W 66.39 ft.;
 9-52 S 29° 12' 38" E 33.98 ft.;
 9-53 S 75° 26' 31" E 46.50 ft.;
 9-54 N 62° 35' 27" E 62.13 ft.;
 9-55 N 17° 01' 30" E 36.69 ft.;
 9-56 N 06° 36' 09" W 38.51 ft.;
 9-57 N 38° 23' 05" W 55.51 ft.;
 9-58 N 11° 00' 43" E 47.85 ft.;
 9-59 N 58° 52' 11" E 82.09 ft.;
 9-60 N 51° 06' 38" E 44.29 ft.;
 9-61 N 25° 14' 12" E 42.88 ft.;
 9-62 N 19° 16' 01" W 81.78 ft.;
 9-63 N 16° 30' 33" W 138.28 ft.;
 9-64 N 47° 28' 58" W 93.18 ft.;
 9-65 N 09° 47' 43" W 26.67 ft.;
 9-66 N 42° 41' 02" E 37.48 ft.;
 9-67 N 74° 09' 01" E 52.89 ft.;
 9-68 N 58° 50' 37" E 135.20 ft.;
 9-69 N 80° 43' 43" E 59.97 ft.;

10-1 N 20° 59' 09" E 40.28 ft.;
 10-2 N 49° 48' 38" W 67.47 ft.;
 10-3 N 28° 58' 37" W 77.73 ft.;
 10-4 N 36° 34' 42" E 47.36 ft.;
 10-5 N 73° 09' 48" E 100.93 ft.;
 10-6 N 07° 57' 39" W 201.32 ft.;
 10-7 N 52° 10' 48" W 106.30 ft.;
 10-8 N 28° 37' 40" E 113.97 ft.;
 10-9 N 60° 54' 41" W 79.60 ft.;
 10-10 S 75° 35' 33" W 47.38 ft.;
 10-11 S 40° 24' 03" W 59.54 ft.;
 10-12 S 62° 49' 28" W 28.54 ft.;
 10-13 N 42° 03' 10" W 27.74 ft. and
 10-14 N 02° 31' 29" W 102.23 ft. to the intersection
 10-15 Of the center-line of Newton Branch with the Lake Livingston Fee
 10-16 Take Line, said point being the north common corner between said
 10-17 Reneau tract and said Jacinto Investments, L.P. tract, located on a
 10-18 south line of the called 322.05 acres described as "Fee Tract G-11"
 10-19 in deed to Trinity River Authority of Texas recorded in Volume 108,
 10-20 Page 161 of the San Jacinto County Deed Records;
 10-21 Thence along the common line between said Reneau called 381.948
 10-22 acres and said Trinity River Authority called 322.05 acres, same
 10-23 being the Lake Livingston Fee Take Line, as follows:
 10-24 N 59° 40' 22" E 73.10 ft. to a point for corner;
 10-25 N 53° 02' 22" E 187.29 ft. to a 5/8" iron rod found for corner;
 10-26 N 48° 35' 38" W 195.98 ft. to a 5/8" iron rod found for corner;
 10-27 N 25° 47' 23" E 93.02 ft. to a 5/8" iron rod found for corner;
 10-28 N 35° 53' 16" E 158.04 ft. to a 5/8" iron rod found for corner;
 10-29 N 21° 46' 39" E 69.42 ft. to a 5/8" iron rod found for corner;
 10-30 N 23° 14' 40" W 161.16 ft. to a 5/8" iron rod found for corner;
 10-31 N 30° 16' 55" W 127.41 ft. to a 5/8" iron rod found for corner;
 10-32 N 44° 42' 44" W 208.53 ft. to a 5/8" iron rod found for corner;
 10-33 N 34° 59' 23" W 79.67 ft. to a 5/8" iron rod found for corner;
 10-34 N 56° 44' 16" E 105.21 ft. to a 5/8" iron rod found for corner;
 10-35 N 28° 21' 36" E 117.46 ft. to a 5/8" iron rod found for corner;
 10-36 N 19° 40' 01" W 144.28 ft. to a 5/8" iron rod found for corner;
 10-37 N 65° 51' 06" W 178.11 ft. to a 5/8" iron rod found for corner;
 10-38 N 43° 59' 25" E 205.51 ft. to a 1/2" iron rod set for the west common
 10-39 corner between said Reneau called 381.948 acres and the called 563
 10-40 acres described in deed to Norm Frewin recorded under Clerk's File
 10-41 No. 01-1288, Pg. 5061 of said Official Public Records;
 10-42 Thence N 82° 27' 29" E 352.04 ft. along the common line between said
 10-43 Reneau called 381.948 acres and said Frewin called 563 acres to a
 10-44 1/2" iron rod set for corner;
 10-45 Thence S 16° 03' 33" E 598.70 ft. along the common line between said
 10-46 Reneau called 381.948 acres and said Frewin called 563 acres to a
 10-47 1/2" iron rod set for corner;
 10-48 Thence S 85° 54' 34" E 279.21 ft. along the common line between said
 10-49 Reneau called 381.948 acres and said Frewin called 563 acres to a
 10-50 1/2" iron rod set for corner;
 10-51 Thence S 80° 31' 07" E 170.18 ft. along the common line between said
 10-52 Reneau called 381.948 acres and said Frewin called 563 acres to a
 10-53 60d nail found for corner;
 10-54 Thence N 83° 06' 27" E 426.68 ft. along the common line between said
 10-55 Reneau called 381.948 acres and said Frewin called 563 acres to a
 10-56 1/2" iron rod found for corner;
 10-57 Thence S 48° 52' 14" E 420.81 ft. along the common line between said
 10-58 Reneau called 381.948 acres and said Frewin called 563 acres to a
 10-59 1/2" iron rod set for corner;
 10-60 Thence S 02° 44' 05" E 91.72 ft. along the common line between said
 10-61 Reneau called 381.948 acres and said Frewin called 563 acres to a
 10-62 1/2" iron rod found for corner;
 10-63 Thence N 85° 56' 14" E 294.97 ft. along the common line between said
 10-64 Reneau called 381.948 acres and said Frewin called 563 acres to a
 10-65 1/2" iron rod found for corner;
 10-66 Thence S 01° 55' 41" W 714.74 ft. along the common line between said
 10-67 Reneau called 381.948 acres and said Frewin called 563 acres to a
 10-68 1/2" iron rod found for the northwest corner of the called 5.029
 10-69 acres (a 100 ft. wide strip for roadway purposes) described as

11-1 "Second Tract" in said Frewin deed and a corner of a part of said
 11-2 Reneau called 381.948 acres;
 11-3 Thence 2,163.75 ft. in a southwesterly direction along the common
 11-4 line between the herein described 151.397 acres and said Frewin
 11-5 called 5.029 acres, in a curve to the left having a central angle 76°
 11-6 26' 56", the radius being 1,621.66 ft. and the chord bears S 17° 15'
 11-7 27" W 2,006.78 ft. to a 1/2" iron rod set for the west common corner
 11-8 between said Frewin called 5.029 acres and the called 1.377 acres
 11-9 described as "Third Tract" in said Frewin deed, said point also
 11-10 being the common corner between a part of said Reneau called 381.948
 11-11 acres and said Block 2 of Waterwood Turtle Creek as described in
 11-12 said Reneau deed recorded under Clerk's File No. 01-3453, Page
 11-13 12713 of said Official Public Records;
 11-14 Thence S 20° 59' 27" E 600.00 ft. along the common line between said
 11-15 Frewin called 1.377 acres and said Block 2 of Waterwood Turtle Creek
 11-16 to a 1/2" iron rod set for the southeast corner of the herein
 11-17 described 151.397 acres, same being the south common corner between
 11-18 said Frewin tract and said Block 2, located on the north right of
 11-19 way line of said F. M. Highway No. 980;
 11-20 Thence S 69° 00' 33" W 1,693.17 ft. along the north right of way line
 11-21 of said F. M. Highway No. 980, same being the south lines of said
 11-22 Waterwood Turtle Creek and said Reneau called 381.948 acres to a
 11-23 1/2" iron rod set for corner, from said point a concrete
 11-24 right-of-way monument bears S 24° 40' 09" E 2.48 ft.;
 11-25 Thence S 77° 02' 24" W 201.87 ft. along the north right of way line of
 11-26 said F. M. Highway No. 980, same being the south line of said Block 1
 11-27 of Waterwood Turtle Creek to the place of beginning and containing
 11-28 within these bounds 151.397 acres of land.
 11-29 PARCEL TWO: 336.200 Acres
 11-30 Beginning at a concrete right of way monument found for the
 11-31 southeast corner of Block 4 of Waterwood Turtle Creek, a
 11-32 subdivision in said San Jacinto County, Texas, as shown by the map
 11-33 or plat recorded in Volume 7, Page 19 of the San Jacinto County Plat
 11-34 Records (said Plat being canceled by instrument recorded under
 11-35 Clerk's File No. 02-3382, Page 44056 of said Official Public
 11-36 Records) and being a part of the lands described in said deed to
 11-37 Kyle Reneau and Beth Reneau recorded under Clerk's File No.
 11-38 01-3453, Page 12713 of said Official Public Records, located at the
 11-39 intersection of the north right of way line of F. M. Highway No. 980
 11-40 (120 ft. wide right-of-way) with the west right of way line of Spur
 11-41 Highway No. 980 (120 ft. wide right-of-way);
 11-42 Thence N 89° 15' 00" W 1,843.70 ft. along the north right of way line
 11-43 of said F. M. Highway No. 980, same being the south line of said
 11-44 Block 4 of Waterwood Turtle Creek, to a concrete right of way
 11-45 monument found for corner;
 11-46 Thence 1,110.12 ft. in a southwesterly direction along the north
 11-47 right of way line of said F. M. Highway No. 980, same being the south
 11-48 line of said Block 4 of Waterwood Turtle Creek, a south line of the
 11-49 called 381.948 acres described in said deed to R. Kyle Reneau and
 11-50 Beth C. Reneau recorded under Clerk's File No. 01-4293, Page 15705
 11-51 of said Official Public Records, and the south line of Block 3 of
 11-52 said Waterwood Turtle Creek, in a curve to the left having a central
 11-53 angle 21° 44' 27", the radius being 2,925.62 ft. and the chord bears
 11-54 S 79° 52' 47" W 1,103.47 ft. to a 1/2" iron rod set for corner, from
 11-55 said point a concrete right-of-way monument bears S 69° 14' 36" W
 11-56 0.62 ft.;
 11-57 Thence S 69° 00' 33" W 3,011.38 ft. along the north right of way line
 11-58 of said F. M. Highway No. 980, same being the south line of said
 11-59 Block 3 of Waterwood Turtle Creek, to a 1/2" iron rod set for the
 11-60 south common corner between said Block 3 and the called 1.377 acres
 11-61 described as "Third Tract" in deed to Norm Frewin recorded under
 11-62 Clerk's File No. 01-1288, Page 5061 of said Official Public
 11-63 Records;
 11-64 Thence N 20° 59' 27" W 600.00 ft. along the common line between said
 11-65 Block 3 of Waterwood Turtle Creek and said Frewin called 1.377 acres
 11-66 to a 1/2" iron rod set for the west common corner between said Block
 11-67 3 and a part of said Reneau called 381.948 acres, same being the
 11-68 east common corner between said Frewin called 1.377 acres and the
 11-69 called 5.029 acres described as "Second Tract" in said Frewin deed,

12-1 said point being the P.C. of a curve;
 12-2 Thence 2,220.00 ft. in a northeasterly direction along the west
 12-3 line of the herein described 336.200 acres, same being the common
 12-4 line between a part of said Reneau called 381.948 acres and said
 12-5 Frewin called 5.029 acres, in a curve to the right having a central
 12-6 angle 83° 35' 27", the radius being 1,521.66 ft. and the chord bears
 12-7 N 20° 49' 48" E 2,028.29 ft. to a 1/2" iron rod set for the north
 12-8 common corner between said tracts, located on the south line of the
 12-9 called 563 acres described in said Frewin deed;
 12-10 Thence N 86° 03' 37" E 393.56 ft. along the common line between said
 12-11 Reneau called 381.948 acres and said Frewin called 563 acres to a
 12-12 1/2" iron rod found for corner;
 12-13 Thence N 02° 00' 37" W 371.79 ft. along the common line between said
 12-14 Reneau called 381.948 acres and said Frewin called 563 acres to a
 12-15 1/2" iron rod found for corner;
 12-16 Thence N 88° 37' 20" E, along the common line between said Reneau
 12-17 called 381.948 acres and said Frewin called 563 acres, at 350.12 ft.
 12-18 pass the south common corner between said Frewin tract and the
 12-19 called 397.374 acres described as "Tract One" in deed to Jackie Q.
 12-20 Bass recorded under Clerk's File No. 00-5232, Page 17650 of said
 12-21 Official Public Records and in deed to Norman Frewin (undivided 1/2
 12-22 interest) recorded under Clerk's File No. 04-1142, Page 5315 of
 12-23 said Official Public Records, located in the centerline of Shoemake
 12-24 Creek, and continuing N 88° 37' 20" E, along the common line between
 12-25 said Reneau tract and said Bass and Frewin called 397.374 acres, in
 12-26 all a total distance of 550.29 ft. to a boat spike found for corner;
 12-27 Thence N 81° 43' 06" E 584.33 ft. along the common line between said
 12-28 Reneau called 381.948 acres and said Bass and Frewin called 397.374
 12-29 acres to a boat spike found for corner;
 12-30 Thence N 87° 04' 53" E 380.15 ft. along the common line between said
 12-31 Reneau called 381.948 acres and said Bass and Frewin called 397.374
 12-32 acres to a 1/2" iron rod found for corner;
 12-33 Thence N 42° 49' 31" E 490.69 ft. along the common line between said
 12-34 Reneau called 381.948 acres and said Bass and Frewin called 397.374
 12-35 acres to a 1/2" iron rod set for corner;
 12-36 Thence N 88° 10' 40" E 705.26 ft. along the common line between said
 12-37 Reneau called 381.948 acres and said Bass and Frewin called 397.374
 12-38 acres to a 1/2" iron rod found for corner;
 12-39 Thence S 89° 44' 50" E 436.38 ft. along the common line between said
 12-40 Reneau called 381.948 acres and said Bass and Frewin called 397.374
 12-41 acres to a 1/2" iron rod found for corner;
 12-42 Thence N 07° 35' 41" W 379.86 ft. along the common line between said
 12-43 Reneau called 381.948 acres and said Bass and Frewin called 397.374
 12-44 acres to a 1/2" iron rod set for corner;
 12-45 Thence N 79° 54' 44" E 216.33 ft. along the common line between said
 12-46 Reneau called 381.948 acres and said Bass and Frewin called 397.374
 12-47 acres to a 1/2" iron rod found for corner;
 12-48 Thence N 03° 24' 58" W 407.43 ft. along the common line between said
 12-49 Reneau called 381.948 acres and said Bass and Frewin called 397.374
 12-50 acres to a 1/2" iron rod found for corner;
 12-51 Thence N 05° 38' 50" W 214.60 ft. along the common line between said
 12-52 Reneau called 381.948 acres and said Bass and Frewin called 397.374
 12-53 acres to a 1/2" iron rod found for corner;
 12-54 Thence N 84° 13' 52" E 309.72 ft. along the common line between said
 12-55 Reneau called 381.948 acres and said Bass and Frewin called 397.374
 12-56 acres to a 1/2" iron rod found for the north common corner between
 12-57 said Reneau called 381.948 acres and the called 1.941 acres
 12-58 described as "Tract Two" in said Bass and Frewin deeds;
 12-59 Thence S 38° 14' 09" E 106.79 ft. along the common line between said
 12-60 Reneau called 381.948 acres and said Bass and Frewin called 1.941
 12-61 acres to a 1/2" iron rod found for corner;
 12-62 Thence S 85° 19' 05" E 703.57 ft. along the common line between said
 12-63 Reneau called 381.948 acres and said Bass and Frewin called 1.941
 12-64 acres to a 1/2" iron rod set for the east common corner between said
 12-65 tracts, located on the west right of way line of a 120 ft. wide
 12-66 easement (called 0.820 acres) described in said Bass and Frewin
 12-67 deeds and also described in Easement granted to the Trinity River
 12-68 Authority of Texas recorded in Volume 40, Page 455 of said Official
 12-69 Public Records and to Horizon Properties Corporation in instrument

recorded in Volume 133, Page 853 of the San Jacinto County Deed Records;

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

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

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

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

Thence $S 45^{\circ} 27' 39'' W$ 142.79 ft. along the east line of said Reneau called 381.948 acres, same being the west right of way line of said Spur Highway No. 980, to the place of beginning and containing within these bounds 336.200 acres of land.

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

TRACT 3

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

$N 43^{\circ} 59' 25'' E$ 48.31 ft. to a 5/8" iron rod found for corner;
 $N 11^{\circ} 27' 52'' E$ 152.90 ft. to a 5/8" iron rod found for corner;
 $N 20^{\circ} 58' 42'' W$ 261.91 ft. to a 5/8" iron rod found for corner;
 $N 29^{\circ} 41' 48'' E$ 178.53 ft. to a 5/8" iron rod found for corner;

14-1 N 20° 02' 35" W 184.78 ft. to a 5/8" iron rod found for corner;
 14-2 N 67° 57' 31" W 210.26 ft. to a 5/8" iron rod found for corner;
 14-3 S 85° 39' 40" W 136.50 ft. to a 5/8" iron rod found for corner;
 14-4 N 88° 20' 32" W 93.85 ft. to a point for corner;
 14-5 N 68° 51' 57" W 176.69 ft. to a point for corner;
 14-6 N 40° 19' 19" W 209.71 ft. to a 5/8" iron rod found for corner;
 14-7 N 28° 39' 53" E 98.53 ft. to a point for corner;
 14-8 N 67° 51' 02" E 98.66 ft. to a point for corner;
 14-9 N 17° 55' 17" E 135.50 ft. to a 5/8" iron rod found for corner;
 14-10 N 10° 32' 11" E 201.67 ft. to a 5/8" iron rod found for corner;
 14-11 N 54° 45' 20" W 304.06 ft. to a 5/8" iron rod found for corner;
 14-12 S 75° 22' 07" W 86.45 ft. to a point for corner;
 14-13 N 76° 58' 17" W 230.54 ft. to a 5/8" iron rod found for corner;
 14-14 N 35° 59' 09" W 107.90 ft. to a 5/8" iron rod found for corner;
 14-15 N 13° 59' 06" W 121.38 ft. to a 5/8" iron rod found for corner;
 14-16 N 35° 42' 25" W 179.27 ft. to a 5/8" iron rod found for corner;
 14-17 N 62° 33' 19" W 141.41 ft. to a 5/8" iron rod found for corner;
 14-18 S 85° 00' 36" W 101.30 ft. to a 5/8" iron rod found for corner;
 14-19 N 72° 13' 39" W 124.04 ft. to a point for corner;
 14-20 N 66° 26' 40" W 116.69 ft. to a point for corner;
 14-21 N 37° 54' 52" W 91.61 ft. to a point for corner;
 14-22 S 88° 43' 26" E 161.06 ft. to a point for corner;
 14-23 N 86° 40' 35" E 225.69 ft. to a 5/8" iron rod found for corner;
 14-24 S 58° 34' 36" E 188.00 ft. to a 5/8" iron rod found for corner;
 14-25 S 75° 31' 59" E 214.42 ft. to a point for corner;
 14-26 N 76° 57' 15" E 206.03 ft. to a 5/8" iron rod found for corner;
 14-27 S 45° 54' 13" E 217.33 ft. to a 5/8" iron rod found for corner;
 14-28 S 88° 37' 31" E 158.63 ft. to a 5/8" iron rod found for corner;
 14-29 N 53° 37' 23" E 88.11 ft. to a 5/8" iron rod found for corner;
 14-30 N 76° 06' 17" W 206.03 ft. to a 5/8" iron rod found for corner;
 14-31 N 25° 23' 17" W 102.73 ft. to a 5/8" iron rod found for corner;
 14-32 N 57° 15' 13" W 232.49 ft. to a 5/8" iron rod found for corner;
 14-33 S 58° 36' 26" W 120.00 ft. to a 5/8" iron rod found for corner;
 14-34 N 77° 16' 02" W 147.55 ft. to a 5/8" iron rod found for corner;
 14-35 N 35° 56' 12" W 190.40 ft. to a point for corner;
 14-36 N 20° 06' 37" E 178.47 ft. to a 5/8" iron rod found for corner;
 14-37 N 69° 14' 33" W 154.40 ft. to a 5/8" iron rod found for corner;
 14-38 S 00° 14' 58" W 60.86 ft. to a 5/8" iron rod found for corner;
 14-39 S 41° 21' 01" W 130.45 ft. to a point for corner;
 14-40 S 87° 39' 08" W 133.95 ft. to a point for corner;
 14-41 N 14° 10' 01" W 208.22 ft. to a 5/8" iron rod found for corner;
 14-42 S 82° 44' 49" W 161.77 ft. to a 5/8" iron rod found for corner;
 14-43 S 64° 23' 22" W 129.88 ft. to a point for corner;
 14-44 N 54° 05' 33" W 145.00 ft. to a point for corner;
 14-45 N 04° 28' 27" W 228.90 ft. to a 5/8" iron rod found for corner;
 14-46 S 63° 14' 57" W 130.02 ft. to a 5/8" iron rod found for corner;
 14-47 S 14° 16' 21" W 168.83 ft. to a 5/8" iron rod found for corner;
 14-48 S 20° 42' 09" W 95.30 ft. to a point for corner;
 14-49 N 41° 48' 27" W 150.26 ft. to a 5/8" iron rod found for corner;
 14-50 N 67° 02' 48" W 102.44 ft. to a 5/8" iron rod found for corner;
 14-51 S 20° 38' 47" W 247.97 ft. to a 5/8" iron rod found for corner;
 14-52 S 87° 31' 22" W 103.84 ft. to a 5/8" iron rod found for corner;
 14-53 S 53° 31' 18" W 111.37 ft. to a 5/8" iron rod found for corner;
 14-54 S 59° 32' 39" W 140.33 ft. to a point for corner;
 14-55 N 05° 45' 28" E 81.73 ft. to a point for corner;
 14-56 N 29° 50' 50" W 87.65 ft. to a point for corner;
 14-57 N 04° 25' 30" E 139.97 ft. to a point for corner;
 14-58 N 13° 00' 19" E 190.22 ft. to a 5/8" iron rod found for corner;
 14-59 N 01° 14' 04" W 160.12 ft. to a point for corner;
 14-60 N 04° 38' 49" E 209.26 ft. to a point for corner;
 14-61 N 12° 02' 40" E 265.69 ft. to a point for corner;
 14-62 S 56° 54' 58" E 141.82 ft. to a 5/8" iron rod found for corner;
 14-63 S 64° 41' 38" E 168.84 ft. to a 5/8" iron rod found for corner;
 14-64 N 69° 59' 27" E 130.46 ft. to a 5/8" iron rod found for corner;
 14-65 N 25° 56' 33" W 125.28 ft. to a point for corner;
 14-66 N 23° 28' 34" W 128.76 ft. to a point for corner;
 14-67 N 39° 53' 30" W 148.03 ft. to a point for corner;
 14-68 N 25° 53' 33" W 162.59 ft. to a point for corner;
 14-69 N 78° 44' 29" W 125.17 ft. to a point for corner;

15-1 N 20° 14' 04" E 108.52 ft. to a point for corner;
 15-2 N 37° 53' 54" E 99.80 ft. to a point for corner;
 15-3 N 37° 22' 54" E 140.64 ft. to a point for corner;
 15-4 N 02° 29' 14" E 111.43 ft. to a point for corner;
 15-5 N 02° 16' 44" W 147.48 ft. to a point for corner;
 15-6 N 46° 49' 48" E 95.74 ft. to a point for corner;
 15-7 S 22° 53' 27" E 214.38 ft. to a point for corner;
 15-8 S 87° 11' 31" E 118.73 ft. to a point for corner;
 15-9 S 30° 40' 30" E 195.62 ft. to a point for corner;
 15-10 S 42° 20' 33" E 166.50 ft. to a point for corner;
 15-11 S 45° 06' 11" E 199.48 ft. to a point for corner;
 15-12 S 69° 47' 58" E 128.83 ft. to a 5/8" iron rod found for corner;
 15-13 N 81° 53' 15" E 106.62 ft. to a 5/8" iron rod found for corner;
 15-14 N 68° 17' 04" W 178.24 ft. to a 5/8" iron rod found for corner;
 15-15 N 26° 46' 11" W 275.98 ft. to a point for corner;
 15-16 N 11° 16' 21" W 166.37 ft. to a point for corner;
 15-17 N 34° 54' 50" W 190.61 ft. to a point for corner;
 15-18 N 26° 03' 46" W 182.60 ft. to a point for corner;
 15-19 N 49° 12' 57" W 128.94 ft. to a point for corner;
 15-20 N 37° 54' 52" W 97.97 ft. to a point for corner;
 15-21 N 00° 11' 23" E 89.07 ft. to a point for corner;
 15-22 S 85° 26' 48" E 181.82 ft. to a point marking the south common corner
 15-23 between said Trinity River Authority called 322.05 acres and the
 15-24 called 9.31 acres described as "Fee Tract G-35" in deed to the
 15-25 Trinity River Authority of Texas recorded in Volume 105, Page 330 of
 15-26 said Deed Records, and continuing along the common line between
 15-27 said Frewin called 563 acres and said Trinity River Authority "Fee
 15-28 Tract G-35";
 15-29 S 84° 49' 48" E 0.44 ft. to a point for corner;
 15-30 S 81° 03' 50" E 218.21 ft. to a point for corner;
 15-31 S 80° 56' 50" E 339.05 ft. to a point for corner;
 15-32 S 81° 36' 50" E 208.56 ft. to a point for corner;
 15-33 S 80° 42' 50" E 281.51 ft. to a point marking the south common corner
 15-34 between said Trinity River Authority called 9.31 acres and the
 15-35 called 1,064.54 acres described as "Fee Tract G-17" in deed to the
 15-36 Trinity River Authority of Texas recorded in Volume 108, Page 161 of
 15-37 said Deed Records, and continuing along the common line between
 15-38 said Frewin called 563 acres and said Trinity River Authority "Fee
 15-39 Tract G-17";
 15-40 N 88° 27' 08" E 77.39 ft. to a point for corner;
 15-41 N 61° 44' 08" E 241.92 ft. to a point for corner;
 15-42 N 77° 46' 48" E 359.69 ft. to a point for corner;
 15-43 N 84° 48' 38" E 318.17 ft. to a point for corner;
 15-44 N 73° 39' 53" E 296.36 ft. to a point for corner;
 15-45 S 60° 29' 18" E 143.48 ft. to a point for corner;
 15-46 S 38° 10' 25" E 120.64 ft. to a point for corner;
 15-47 S 69° 29' 30" E 103.76 ft. to a point for corner;
 15-48 N 26° 13' 51" W 289.20 ft. to a point for corner;
 15-49 S 76° 50' 24" E 171.33 ft. to a point for corner;
 15-50 N 78° 49' 50" E 135.81 ft. to a point for corner;
 15-51 S 88° 36' 16" E 298.92 ft. to a point for corner;
 15-52 S 45° 54' 51" E 178.72 ft. to a point for corner;
 15-53 N 79° 13' 50" E 243.51 ft. to a point for corner;
 15-54 S 68° 13' 15" E 210.07 ft. to a point for corner;
 15-55 N 76° 37' 40" E 140.17 ft. to a point for corner;
 15-56 S 83° 44' 43" E 235.85 ft. to a point for corner;
 15-57 S 81° 05' 15" E 242.32 ft. to a point for corner;
 15-58 N 86° 45' 39" E 236.19 ft. to a point for corner;
 15-59 S 87° 48' 49" E 266.73 ft. to a point for corner;
 15-60 S 64° 26' 27" E 201.34 ft. to a 5/8" iron rod found for corner;
 15-61 S 71° 00' 40" E 257.22 ft. to a 5/8" iron rod found for corner;
 15-62 S 30° 02' 49" W 107.38 ft. to a 5/8" iron rod found for corner;
 15-63 S 24° 28' 16" W 384.68 ft. to a 5/8" iron rod found for corner;
 15-64 S 05° 45' 42" E 219.99 ft. to a 5/8" iron rod found for corner;
 15-65 S 20° 15' 47" E 187.27 ft. to a 5/8" iron rod found for corner;
 15-66 S 86° 58' 49" E 221.30 ft. to a 5/8" iron rod found for corner;
 15-67 S 17° 57' 41" W 210.48 ft. to a 5/8" iron rod found for corner;
 15-68 S 33° 59' 23" W 146.91 ft. to a 5/8" iron rod found for corner;
 15-69 S 61° 24' 34" W 146.12 ft. to a 5/8" iron rod found for corner;

16-1 S 24° 55' 03" W 279.37 ft. to a 5/8" iron rod found for corner;
 16-2 S 00° 38' 32" W 192.36 ft. to a 5/8" iron rod found for corner;
 16-3 S 27° 31' 09" E 222.62 ft. to a 5/8" iron rod found for corner;
 16-4 S 19° 54' 24" W 113.75 ft. to a 5/8" iron rod found for corner;
 16-5 S 05° 18' 18" E 160.95 ft. to a 5/8" iron rod found for corner;
 16-6 S 27° 09' 31" E 131.42 ft. to a 5/8" iron rod found for corner;
 16-7 S 02° 46' 35" E 134.45 ft. to a 5/8" iron rod found for corner;
 16-8 S 12° 36' 09" W 181.74 ft. to a 5/8" iron rod found for corner;
 16-9 S 37° 34' 09" W 112.89 ft. to a 5/8" iron rod found for corner;
 16-10 S 02° 16' 03" W 142.29 ft. to a 5/8" iron rod found for corner;
 16-11 S 47° 16' 40" E 203.32 ft. to the intersection with the centerline of
 16-12 Shoemake Creek, said point being the north common corner between
 16-13 said Frewin called 563 acres and the called 397.374 acres described
 16-14 in deed to Jackie Q Bass recorded under Clerk's File No. 00-5232,
 16-15 Page 17650 of said Official Public Records and in deed to Norman
 16-16 Frewin (undivided 1/2 interest) recorded under Clerk's File No.
 16-17 04-1142, Page 5315 of said Official Public Records;
 16-18 Thence along the centerline of Shoemake Creek, same being the
 16-19 common line between said Frewin called 563 acres and said Bass and
 16-20 Frewin called 397.374 acres, with its meanders as follows:
 16-21 S 56° 01' 31" W 90.53 ft.;
 16-22 S 20° 38' 22" E 108.61 ft.;
 16-23 S 05° 25' 47" W 92.61 ft.;
 16-24 N 62° 03' 29" E 63.57 ft.;
 16-25 S 85° 29' 47" E 65.21 ft.;
 16-26 S 38° 22' 19" E 103.76 ft.;
 16-27 S 13° 05' 26" W 56.00 ft.;
 16-28 S 43° 31' 21" E 62.95 ft.;
 16-29 S 14° 54' 09" E 47.34 ft.;
 16-30 S 56° 52' 11" E 141.00 ft.;
 16-31 S 34° 50' 20" E 109.02 ft.;
 16-32 S 22° 57' 52" E 87.50 ft.;
 16-33 S 33° 21' 03" E 88.36 ft.;
 16-34 S 34° 14' 23" W 60.62 ft.;
 16-35 S 22° 02' 03" E 71.15 ft.;
 16-36 S 16° 06' 21" W 59.84 ft.;
 16-37 S 18° 59' 42" E 67.27 ft.;
 16-38 S 88° 06' 02" W 46.07 ft.;
 16-39 S 25° 37' 00" W 105.66 ft.;
 16-40 S 20° 53' 16" E 49.22 ft.;
 16-41 S 10° 57' 26" W 40.69 ft.;
 16-42 S 34° 18' 40" E 67.84 ft.;
 16-43 S 08° 44' 10" W 114.59 ft.;
 16-44 S 55° 29' 45" E 59.81 ft.;
 16-45 S 04° 50' 54" W 302.36 ft.;
 16-46 S 36° 38' 28" E 64.34 ft.;
 16-47 S 37° 27' 52" W 147.02 ft.;
 16-48 S 49° 46' 48" E 103.36 ft.;
 16-49 S 23° 32' 06" W 88.38 ft.;
 16-50 S 00° 31' 10" E 159.76 ft.;
 16-51 S 43° 17' 40" W 37.10 ft.;
 16-52 S 03° 08' 05" W 155.24 ft.;
 16-53 S 46° 39' 24" W 100.59 ft.;
 16-54 S 22° 03' 58" E 151.13 ft.;
 16-55 N 63° 27' 04" W 81.77 ft.;
 16-56 S 58° 48' 33" W 36.89 ft.;
 16-57 S 10° 13' 24" E 95.69 ft.;
 16-58 S 81° 11' 03" W 49.72 ft.;
 16-59 N 26° 10' 49" W 71.99 ft.;
 16-60 S 68° 22' 24" W 118.99 ft.;
 16-61 S 15° 49' 41" E 78.85 ft.;
 16-62 S 50° 57' 02" E 114.62 ft.;
 16-63 S 04° 56' 40" E 117.36 ft.;
 16-64 S 51° 40' 05" E 77.75 ft.;
 16-65 S 51° 08' 31" W 37.66 ft.;
 16-66 N 85° 14' 24" W 159.15 ft.;
 16-67 S 24° 22' 49" W 31.08 ft. to the south common corner between said
 16-68 tracts, located on the north line of said Reneau called 381.948
 16-69 acres;

17-1 Thence S 88° 37' 20" W 350.12 ft. along the common line between said
 17-2 Frewin called 563 acres and said Reneau called 381.948 acres to a
 17-3 1/2" iron rod found for corner;
 17-4 Thence S 02° 00' 37" E 371.79 ft. along the common line between said
 17-5 Frewin called 563 acres and said Reneau called 381.948 acres to a
 17-6 1/2" iron rod found for corner;
 17-7 Thence S 86° 03' 37" W, along the common line between said Frewin
 17-8 called 563 acres and said Reneau called 381.948 acres, at 393.56 ft.
 17-9 pass the northwest corner of the called 5.029 acres (part of the
 17-10 6.400 acres described below as "Parcel Two") described as "Second
 17-11 Tract" in said Frewin deed, and continuing along the common line
 17-12 between said called 563 acres and said called 5.029 acres, in all a
 17-13 total distance of 613.35 ft. to a 1/2" iron rod found for the
 17-14 northwest corner of said called 5.029 acres and a corner of said
 17-15 Reneau called 381.948 acres;
 17-16 Thence N 01° 55' 41" E 714.74 ft. along the common line between said
 17-17 Frewin called 563 acres and said Reneau called 381.948 acres to a
 17-18 1/2" iron rod found for corner;
 17-19 Thence S 85° 56' 14" W 294.97 ft. along the common line between said
 17-20 Frewin called 563 acres and said Reneau called 381.948 acres to a
 17-21 1/2" iron rod found for corner;
 17-22 Thence N 02° 44' 05" W 91.72 ft. along the common line between said
 17-23 Frewin called 563 acres and said Reneau called 381.948 acres to a
 17-24 1/2" iron rod set for corner;
 17-25 Thence N 48° 52' 14" W 420.81 ft. along the common line between said
 17-26 Frewin called 563 acres and said Reneau called 381.948 acres to a
 17-27 1/2" iron rod found for corner;
 17-28 Thence S 83° 06' 27" W 426.68 ft. along the common line between said
 17-29 Frewin called 563 acres and said Reneau called 381.948 acres to a
 17-30 60d nail found for corner;
 17-31 Thence N 80° 31' 07" W 170.18 ft. along the common line between said
 17-32 Frewin called 563 acres and said Reneau called 381.948 acres to a
 17-33 1/2" iron rod set for corner;
 17-34 Thence N 85° 54' 34" W 279.21 ft. along the common line between said
 17-35 Frewin called 563 acres and said Reneau called 381.948 acres to a
 17-36 1/2" iron rod set for corner;
 17-37 Thence N 16° 03' 33" W 598.70 ft. along the common line between said
 17-38 Frewin called 563 acres and said Reneau called 381.948 acres to a
 17-39 1/2" iron rod set for corner;
 17-40 Thence S 82° 27' 29" W 352.04 ft. along the common line between said
 17-41 Frewin called 563 acres and said Reneau called 381.948 acres to the
 17-42 place of beginning and containing within these bounds 563.139 acres
 17-43 of land.
 17-44 PARCEL TWO: 6.400 Acres
 17-45 Beginning at a 1/2" iron rod found for the northwest corner of the
 17-46 called 5.029 acres described as "Second Tract" in said Frewin deed,
 17-47 said point being an exterior corner of the 563.139 acres described
 17-48 above and a corner of the called 381.948 acres described in deed to
 17-49 R. Kyle Reneau and Beth C. Reneau recorded under Clerk's File No.
 17-50 01-4293, Page 15705 of said San Jacinto County Official Public
 17-51 Records, said point being the northwest corner of the herein
 17-52 described 6.400 acre tract;
 17-53 Thence N 86° 03' 37" E 219.79 ft. along the common line between said
 17-54 called 5.029 acres and said 563.139 acres to the northeast corner of
 17-55 said called 5.029 acres and a corner of said Reneau called 381.948
 17-56 acres, said point being the northeast corner of the herein
 17-57 described 6.400 acre tract;
 17-58 Thence 2,220.00 ft. in a southwesterly direction along the common
 17-59 line between said called 5.029 acres and said Reneau called 381.948
 17-60 acres, in a curve to the left having a central angle 83° 35' 27", the
 17-61 radius being 1,521.66 ft. and the chord bears S 20° 49' 48" W
 17-62 2,028.29 ft. to a 1/2" iron rod set for the east common corner
 17-63 between said called 5.029 acre "Second Tract" and the called 1.377
 17-64 acres described as "Third Tract" in said Frewin deed, said point
 17-65 being the northwest corner of Lot 1, Block 3 of Waterwood Turtle
 17-66 Creek, a subdivision in said San Jacinto County, Texas, as shown by
 17-67 the map or plat recorded in Volume 7, Page 19 of the San Jacinto
 17-68 County Plat Records (said Plat being canceled by instrument
 17-69 recorded under Clerk's File No. 02-3382, Page 44056 of said

Official Public Records) and being a part of the lands described in deed to Kyle Reneau and wife, Beth Reneau, recorded under Clerk's File No. 01-3453, Page 12713 of said Official Public Records; Thence S 20° 59' 27" E 600.00 ft. along the common line between said called 1.377 acre "Third Tract" and said Reneau lands, same being the west line of said Lot 1, to a 1/2" iron rod set for corner, located on the north right of way line of F. M. Highway No. 980, said point being the southeast corner of the herein described 6.400 acre tract;

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

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

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

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

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

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

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

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

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

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