

1-1 By: Allen (Senate Sponsor - Ellis) H.B. No. 4795
1-2 (In the Senate - Received from the House May 13, 2009;
1-3 May 14, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 23, 2009, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 23, 2009, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to territory included in, and the validation of acts of,
1-10 the Harris County Improvement District No. 10 and the Harris County
1-11 Improvement District No. 10B; changing the name of the Harris
1-12 County Improvement District No. 10B.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. (a) The legislature validates and confirms all
1-15 governmental acts and proceedings of the Harris County Improvement
1-16 District No. 10 and the Harris County Improvement District No. 10B
1-17 that were taken before the effective date of this Act in relation to
1-18 the creation of the Harris County Improvement District No. 10B from
1-19 land inside the Harris County Improvement District No. 10. The acts
1-20 and proceedings may not be held invalid because they were not in
1-21 accordance with Chapter 3860, Special District Local Laws Code, or
1-22 other law.

1-23 (b) This section does not apply to any matter that on the
1-24 effective date of this Act:

1-25 (1) is involved in litigation if the litigation
1-26 ultimately results in the matter being held invalid by a final court
1-27 judgment; or

1-28 (2) has been held invalid by a final court judgment.

1-29 SECTION 2. (a) The name of the Harris County Improvement
1-30 District No. 10B is changed to Five Corners Improvement District.

1-31 (b) A reference in law to the Harris County Improvement
1-32 District No. 10B means the Five Corners Improvement District.

1-33 SECTION 3. The boundaries of the Five Corners Improvement
1-34 District include the land described below, in addition to the
1-35 original boundaries of the district:

1-36 BEING an area of approximately 10,747 acres, situated in the
1-37 City of Houston, Harris County, with said area being more
1-38 particularly described as follows:

1-39 The POINT OF BEGINNING being at the northwest corner of the
1-40 intersection of the right of way of West Orem Drive and the west
1-41 right-of-way of Almeda Road;

1-42 THENCE south southwest along the west right-of-way of Almeda
1-43 Road to the southwest corner of intersection with West Fuqua
1-44 Street/ Almeda-Genoa Road right-of-way;

1-45 THENCE east along the south right-of-way of Almeda-Genoa Road
1-46 to the southwest corner of intersection with west right-of-way
1-47 State Highway 288;

1-48 THENCE south along the west right-of-way of State Highway 288
1-49 to the southwest corner of intersection with south right-of-way of
1-50 Fellows Road;

1-51 THENCE west along the south right-of-way of Fellows Road to
1-52 the east right-of-way of Almeda Road;

1-53 THENCE north northeast along the east right-of-way of Almeda
1-54 Road to the southeast corner of intersection with south
1-55 right-of-way of East Anderson Road;

1-56 THENCE west approximately 1.48 miles along the south
1-57 right-of-way of East Anderson / Anderson Road to the northeast
1-58 corner of 57.4 acre parcel (RES A BLK 1, HOME PARK, WOODLAND ESTATES
1-59 MANUFACTURED);

1-60 THENCE south along the east boundaries of 57.4 acre parcel
1-61 (RES A BLK 1, HOME PARK, WOODLAND ESTATES MANUFACTURED) and 46.92
1-62 acre parcel (TR 1, ABST 1009 TTRR CP SEC 13), to the south
1-63 right-of-way of South Sam Houston Toll Road;

1-64 THENCE west and northwest along the south right-of-way of

2-1 South Sam Houston Toll Road to the northwest corner of intersection
2-2 with north right-of-way of US Highway 90 / 90A / Main Street;
2-3 THENCE east northeast along the north right-of-way of US
2-4 Highway 90 / 90A / Main Street to the northeast corner of
2-5 intersection with north right-of-way of South Holmes Road;
2-6 THENCE east northeast approximately 1.16 miles along the
2-7 north right-of-way of South Holmes Road to point north of north east
2-8 corner of 8.44 acre parcel (TR 3G, ABST 179 BBB&C RR CO);
2-9 THENCE south across the right-of-way of South Holmes Road
2-10 along the shared boundary of 8.44 acre parcel (TR 3G, ABST 179 BBB&C
2-11 RR CO) and HCFCD open drainage ditch C161-00-00 (drains to Sims
2-12 Bayou) downstream to the confluence with HCFCD open drainage ditch
2-13 C161-01-00;
2-14 THENCE west along the south bank of HCFCD open drainage ditch
2-15 C161-01-00 to the northwest corner of GLEN IRIS SEC 5 AMENDED;
2-16 THENCE south along the west boundary of GLEN IRIS SEC 5
2-17 AMENDED, GLEN IRIS SEC 4, GLEN IRIS SEC 3, GLEN IRIS SEC 2 and GLEN
2-18 IRIS SEC 1 to the north right-of-way of West Orem Drive;
2-19 THENCE east along the north right-of-way of West Orem Drive
2-20 to the POINT OF BEGINNING SAVE AND EXCEPT all that certain 117.3
2-21 acres of land, out of the 125.1153 acre tract described in the deed
2-22 from Jack A. Conner, Trustee to Houston Palace Events, Inc.
2-23 recorded under File No. U091125, in the Official Public Records of
2-24 Real Property of Harris County, Texas, in the C.M. Roberts Survey,
2-25 A-661, Harris County, Texas, and more particularly described by
2-26 metes and bounds as follows: (All bearings based on the Texas State
2-27 Plane Coordinate System, South Central Zone)
2-28 BEGINNING at a 1/2" iron rod found for the southeast corner of
2-29 the 1.000 acre tract described in the deed from Nausheen Corp. to
2-30 Mir Brothers, Inc. recorded under File No. T868456, in the Official
2-31 Public Records of Real Property of Harris County, Texas, common to
2-32 the most easterly northeast corner of said 125.1153 acre tract, in
2-33 the west right-of-way line of Almeda Road (R.O.W. varies);
2-34 THENCE South 17° 22' 31" West -2031.02', along said west
2-35 right-of-way line to a 3" iron pipe found for an angle corner of
2-36 said 125.1153 acre tract, common to an angle corner of the herein
2-37 described tract;
2-38 THENCE South 19° 06' 59" West-724.97', continuing along said
2-39 west right-of-way line to a 3/4" iron rod set for the most easterly
2-40 southeast corner of the herein described tract, from which a found
2-41 HCFCD aluminum cap bears South 61° 05' 37" East - 0.73';
2-42 THENCE North 72° 40' 04" West - 25.85', along a north line of
2-43 the 8.5571 acre tract described as Parcel 18-060.1 in the Award of
2-44 the Special Commissioners from Houston Palace Events, Inc., et al
2-45 to Harris County Flood Control District recorded under File No.
2-46 W697743, in the Official Public Records of Real Property of Harris
2-47 County, Texas, to a HCFCD aluminum cap found for an angle corner of
2-48 said 8.5571 acre tract, common to an angle corner of the herein
2-49 described tract;
2-50 THENCE South 17° 22' 39" West - 78.35', along a west line of
2-51 said 8.5571 acre tract, to a 5/8" iron rod found for an angle corner
2-52 of said 8.5571 acre tract, common to a point on a curve to the left,
2-53 having a central angle of 08° 41' 33", a radius of 4334.27', and from
2-54 which point the center of the circle of said curve bears South 17°
2-55 08' 15" West;
2-56 THENCE along said curve to the left, along a north line of
2-57 said 8.5571 acre tract, in a westerly direction, an arc distance of
2-58 657.57' to a 5/8" iron rod found for the end of curve;
2-59 THENCE North 81° 33' 18" West - 600.18', continuing along a
2-60 north line of said 8.5571 acre tract to a 5/8" iron rod found for an
2-61 angle corner of said 8.5571 acre tract, common to the most southerly
2-62 southwest corner of the herein described tract;
2-63 THENCE North 02° 01' 19" West - 172.68', along an east line of
2-64 said 8.5571 acre tract to a 5/8" iron rod found for an angle corner
2-65 of said 8.5571 acre tract, common to an angle corner of the herein
2-66 described tract;
2-67 THENCE South 87° 52' 34" West - 15.00', along a north line of
2-68 said 8.5571 acre tract to a 3/4" iron rod set for the most westerly
2-69 southwest corner of the herein described tract, in the east line of

3-1 the 120' wide Harris County Flood Control District fee strip as
 3-2 described in the deed recorded under File No. C102905, in the
 3-3 Official Public Records of Real Property of Harris County, Texas,
 3-4 common to the west line of aforesaid 125.1153 acre tract, from which
 3-5 a 5/8" iron rod found for an angle corner of said 8.5571 acre tract
 3-6 bears South 02° 01' 19" East -273.28';

3-7 THENCE North 02° 01' 19" West - 2528.98', along the west line
 3-8 of said 125.1153 acre tract, common to the east line of said 120'
 3-9 wide Harris County Flood Control District fee strip, to a 3/4" iron
 3-10 rod set for the northwest corner of the herein described tract, in
 3-11 the south right-of-way line of West Orem Drive (R.O.W. varies);

3-12 THENCE North 87° 09' 51" East - 1214.82', along said south
 3-13 right-of-way line to a 3/4" iron rod set for the Point of Curvature
 3-14 of a curve to the right, having a central angle of 15° 24' 44", and a
 3-15 radius of 1970.00';

3-16 THENCE along said curve to the right, continuing along said
 3-17 south right-of-way line, in an easterly direction, an arc distance
 3-18 of 529.92' to the Point of Reverse Curvature of a curve to the left,
 3-19 having a central angle of 09° 48' 11", and a radius of 2050.00';

3-20 THENCE along said curve to the left, continuing along said
 3-21 south right-of-way line, in an easterly direction, an arc distance
 3-22 of 350.74' to the most northerly northeast corner of the herein
 3-23 described tract in the west line of the aforesaid 1.000 acre tract,
 3-24 from which a found 5/8" iron rod bears North 17° 22' 12" East -
 3-25 1.16';

3-26 THENCE South 17° 22' 12" West - 211.98', along the west line of
 3-27 said 1.000 acre tract, to a 1/2" iron rod found for the southwest
 3-28 corner of said 1.000 acre tract, common to an angle corner of the
 3-29 herein described tract;

3-30 THENCE South 87° 38' 52" East - 213.18', along the south line
 3-31 of said 1.000 acre tract to the POINT OF BEGINNING of the herein
 3-32 described tract and containing 117.3 acres of land.

3-33 SECTION 4. The following tracts of land are removed from the
 3-34 boundaries of the district:

3-35 Part 1: Any land within the boundaries of Harris County
 3-36 Municipal Utility District No. 390, Harris County Municipal Utility
 3-37 District No. 393, and Harris County Municipal Utility District No.
 3-38 404 as of the effective date of this Act.

3-39 Part 2: Being a tract of land containing 13.989 acres,
 3-40 located within the J. Hamilton Survey, Abstract 877, in Harris
 3-41 County, Texas; Said 13.989 acres being out of a call 41.984 acre
 3-42 tract of land recorded in the name of NE 40 Partners, L.P., in
 3-43 Harris County Clerk's File (H.C.C.F.) Number W817136 and out of
 3-44 Restricted Reserve "E" of Airport Boulevard Estates Sec. 1, a
 3-45 subdivision recorded in Film Code Number 557118 of the Harris
 3-46 County Map Records (H.C.M.R.); Said 13.989 acres being more
 3-47 particularly described by metes and bounds as follows (bearings and
 3-48 coordinates are based on Texas South Central Zone Number 4204,
 3-49 State Plane grid coordinates (NAD 83), to convert coordinates to
 3-50 surface, divide by a combined scale factor of 0.999879):

3-51 COMMENCING (grid coordinate X: 3112338.50, Y: 13798930.50)
 3-52 at a one inch iron pipe found at the northeast corner of said 41.984
 3-53 acre tract on the south right-of-way (R.O.W.) line of Airport
 3-54 Boulevard (width varies per H.C.C.F. Number V726469);

3-55 Thence, with said south R.O.W line and the north of said
 3-56 41.984 acre tract, South 87 degrees 13 minutes 09 seconds West, a
 3-57 distance of 789.96 feet to a 5/8 inch capped iron rod found at the
 3-58 POINT OF BEGINNING (grid coordinate X: 3111933.80, Y: 13798910.84)
 3-59 of the herein described tract;

3-60 Thence, through and across said 41.984 acre tract, the
 3-61 following three (3) courses:

3-62 1. South 02 degrees 30 minutes 29 seconds East, a distance
 3-63 of 439.66 feet to a 5/8 inch capped iron rod found;

3-64 2. South 47 degrees 30 minutes 29 seconds East, a distance
 3-65 of 160.79 feet to a 5/8 inch capped iron rod found;

3-66 3. South 42 degrees 29 minutes 31 seconds West, a distance
 3-67 of 659.23 feet to a 5/8 inch capped iron rod found on the
 3-68 southwesterly line of said 41.984 acre tract;

3-69 Thence, with the southwesterly line of said 41.984 acre

4-1 tract, 413.70 feet along the arc of a curve to the left, having a
 4-2 central angle of 14 degrees 29 minutes 51 seconds, a radius of
 4-3 1,635.00 feet and a chord that bears North 60 degrees 41 minutes 00
 4-4 seconds West, a distance of 412.60 feet to a 5/8 inch capped iron
 4-5 rod found at a point of tangency;

4-6 Thence, continuing with the southwesterly line of said 41.984
 4-7 acre tract, North 67 degrees 55 minutes 49 seconds West, at 44.38
 4-8 feet pass a 5/8 inch capped iron rod found at the southwest corner
 4-9 of said 41.984 acre tract on the easterly line of said Restricted
 4-10 Reserve "E" of Airport Boulevard Estates Sec. 1 and continuing
 4-11 through and across said Restricted Reserve "E" an overall distance
 4-12 of 54.39 feet to a 3/4 inch iron rod set on the west line of said
 4-13 Restricted Reserve "E" and the east R.O.W. line of Oakmoor Parkway
 4-14 (width varies per F.C. Number 557118 of the H.C.M.R.);

4-15 Thence, with the west line of said Restricted Reserve "E" and
 4-16 said east R.O.W. line, the following four (4) courses:

4-17 1. North 19 degrees 46 minutes 29 seconds East, a distance
 4-18 of 25.60 feet to a 3/4 inch iron set at the beginning of a curve to
 4-19 the left;

4-20 2. 256.02 feet along the arc of said curve to the left,
 4-21 having a central angle of 18 degrees 48 minutes 23 seconds, a radius
 4-22 of 780.00 feet and a chord that bears North 10 degrees 22 minutes 17
 4-23 seconds East, a distance of 254.87 feet to a 3/4 inch iron rod set at
 4-24 a point of tangency;

4-25 3. North 00 degrees 58 minutes 06 seconds East, a distance
 4-26 of 252.18 feet to a 3/4 inch iron rod set at an angle point;

4-27 4. North 00 degrees 31 minutes 17 seconds West, a distance
 4-28 of 203.91 feet to a 3/4 inch iron rod set at an angle point;

4-29 Thence, continuing with said east R.O.W. line and the most
 4-30 northerly line of said Restricted Reserve "E", North 44 degrees 36
 4-31 minutes 48 seconds East, at 14.11 feet pass the most northerly
 4-32 corner of said Restricted Reserve "E" and continuing an overall
 4-33 distance of 47.72 feet to a 3/4 inch iron rod found on the south
 4-34 R.O.W. line of said Airport Boulevard, from which a 5/8 inch capped
 4-35 iron rod found bears South 44 degrees 36 minutes 48 seconds West, a
 4-36 distance of 1.83 feet;

4-37 Thence, with said south R.O.W. line, 251.52 feet along the
 4-38 arc of a curve to the right, having a central angle of 07 degrees 23
 4-39 minutes 25 seconds, a radius of 1,950.00 feet and a chord that bears
 4-40 North 83 degrees 31 minutes 27 seconds East, a distance of 251.34
 4-41 feet to a 3/4 inch capped iron rod set at a point of tangency in said
 4-42 south R.O.W. line on the north line of said 41.984 acre tract, from
 4-43 which a 5/8 inch iron rod found bears North 87 degrees 13 minutes 09
 4-44 seconds East, a distance of 1.00 feet;

4-45 Thence, with said south R.O.W. line and the north line of said
 4-46 41.984 acre tract, North 87 degrees 13 minutes 09 seconds East, a
 4-47 distance of 377.90 feet to the POINT OF BEGINNING and containing
 4-48 13.989 acres of land.

4-49 SECTION 5. The legislature finds that:

4-50 (1) proper and legal notice of the intention to
 4-51 introduce this Act, setting forth the general substance of this
 4-52 Act, has been published as provided by law, and the notice and a
 4-53 copy of this Act have been furnished to all persons, agencies,
 4-54 officials, or entities to which they are required to be furnished by
 4-55 the constitution and laws of this state, including the governor,
 4-56 who has submitted the notice and Act to the Texas Commission on
 4-57 Environmental Quality;

4-58 (2) the Texas Commission on Environmental Quality has
 4-59 filed its recommendations relating to this Act with the governor,
 4-60 lieutenant governor, and speaker of the house of representatives
 4-61 within the required time;

4-62 (3) the general law relating to consent by political
 4-63 subdivisions to the creation of districts with conservation,
 4-64 reclamation, and road powers and the inclusion of land in those
 4-65 districts has been complied with; and

4-66 (4) all requirements of the constitution and laws of
 4-67 this state and the rules and procedures of the legislature with
 4-68 respect to the notice, introduction, and passage of this Act have
 4-69 been fulfilled and accomplished.

5-1 SECTION 6. This Act takes effect immediately if it receives
5-2 a vote of two-thirds of all the members elected to each house, as
5-3 provided by Section 39, Article III, Texas Constitution. If this
5-4 Act does not receive the vote necessary for immediate effect, this
5-5 Act takes effect September 1, 2009.

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