

1-1 By: Hegar S.B. No. 1295
1-2 (In the Senate - Filed March 3, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 6, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;
1-6 April 6, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1295 By: Wentworth
1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the creation of the Aliana Management District;
1-11 providing authority to impose a tax and issue bonds.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-13 SECTION 1. Subtitle C, Title 4, Special District Local Laws
1-14 Code, is amended by adding Chapter 3865 to read as follows:

1-15 CHAPTER 3865. ALIANA MANAGEMENT DISTRICT
1-16 SUBCHAPTER A. GENERAL PROVISIONS

1-17 Sec. 3865.001. DEFINITIONS. In this chapter:

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

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

1-20 (3) "District" means the Aliana Management District.

1-21 Sec. 3865.002. NATURE OF DISTRICT. The district is a
1-22 special district created under Sections 52 and 52-a, Article III,
1-23 and Section 59, Article XVI, Texas Constitution.

1-24 Sec. 3865.003. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-25 (a) The district is created to serve a public purpose and benefit.

1-26 (b) All land and other property included in the district
1-27 will benefit from the improvements and services to be provided by
1-28 the district under powers conferred by Sections 52 and 52-a,
1-29 Article III, and Section 59, Article XVI, Texas Constitution, and
1-30 other powers granted under this chapter.

1-31 (c) The district is created to accomplish the purposes of a
1-32 municipal management district as provided by general law and
1-33 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-34 Texas Constitution.

1-35 (d) The creation of the district is in the public interest
1-36 and is essential to:

1-37 (1) further the public purposes of developing and
1-38 diversifying the economy of the state;

1-39 (2) eliminate unemployment and underemployment; and

1-40 (3) develop or expand transportation and commerce.

1-41 (e) The district will:

1-42 (1) promote the health, safety, and general welfare of
1-43 residents, employers, potential employees, employees, visitors,
1-44 and consumers in the district, and of the public;

1-45 (2) provide needed funding for the district to
1-46 preserve, maintain, and enhance the economic health and vitality of
1-47 the district territory as a community and business center; and

1-48 (3) promote the health, safety, welfare, and enjoyment
1-49 of the public by providing pedestrian ways and by landscaping and
1-50 developing certain areas in the district, which are necessary for
1-51 the restoration, preservation, and enhancement of scenic beauty.

1-52 (f) Pedestrian ways along or across a street, whether at
1-53 grade or above or below the surface, and street lighting, street
1-54 landscaping, parking, and street art objects are parts of and
1-55 necessary components of a street and are considered to be a street
1-56 or road improvement.

1-57 (g) The district will not act as the agent or
1-58 instrumentality of any private interest even though the district
1-59 will benefit many private interests as well as the public.

1-60 Sec. 3865.004. INITIAL DISTRICT TERRITORY. (a) The
1-61 district is initially composed of the territory described by
1-62 Section 2 of the Act creating this chapter.

1-63 (b) The boundaries and field notes contained in Section 2 of
1-64 the Act creating this chapter form a closure. A mistake made in the
1-65 field notes or in copying the field notes in the legislative process

2-1 does not affect the district's:
 2-2 (1) organization, existence, or validity;
 2-3 (2) right to issue any type of bond for the purposes
 2-4 for which the district is created or to pay the principal of and
 2-5 interest on a bond;
 2-6 (3) right to impose a tax; or
 2-7 (4) legality or operation.

2-8 Sec. 3865.005. COUNTY CONSENT REQUIRED. The district may
 2-9 not take any action until the Commissioners Court of Fort Bend
 2-10 County consents by resolution to the creation of the district.

2-11 [Sections 3865.006-3865.050 reserved for expansion]

2-12 SUBCHAPTER B. BOARD OF DIRECTORS

2-13 Sec. 3865.051. GOVERNING BODY; TERMS. (a) The district is
 2-14 governed by a board of five directors.

2-15 (b) Except as provided by Section 3865.053, directors serve
 2-16 staggered four-year terms.

2-17 (c) The initial and each succeeding board of directors shall
 2-18 recommend to the Fort Bend County Commissioners Court persons to
 2-19 serve on the succeeding board.

2-20 (d) After reviewing the recommendations, the commissioners
 2-21 court shall approve or disapprove the directors recommended by the
 2-22 board.

2-23 (e) If the commissioners court is not satisfied with the
 2-24 recommendations submitted by the board, the board, on the request
 2-25 of the commissioners court, shall submit additional
 2-26 recommendations.

2-27 (f) Board members may serve successive terms.

2-28 (g) If a court finds any provision of Subsections (c)-(f) to
 2-29 be invalid, the Texas Commission on Environmental Quality shall
 2-30 appoint the board from recommendations submitted by the preceding
 2-31 board.

2-32 Sec. 3865.052. QUALIFICATIONS. To be qualified to serve as
 2-33 a director, a person must meet the qualifications of Section
 2-34 375.063, Local Government Code.

2-35 Sec. 3865.053. INITIAL DIRECTORS. (a) The initial board
 2-36 consists of:

- 2-37 (1) Jeff Gilman;
- 2-38 (2) Charles D. Marcucci;
- 2-39 (3) Charles H. Weiss;
- 2-40 (4) Hillary Burke; and
- 2-41 (5) Greg Valikonis.

2-42 (b) The initial directors shall draw lots to determine which
 2-43 two shall serve two-year terms and which three shall serve
 2-44 four-year terms.

2-45 [Sections 3865.054-3865.100 reserved for expansion]

2-46 SUBCHAPTER C. POWERS AND DUTIES

2-47 Sec. 3865.101. GENERAL POWERS AND DUTIES. The district has
 2-48 the powers and duties necessary to accomplish the purposes for
 2-49 which the district is created.

2-50 Sec. 3865.102. MUNICIPAL MANAGEMENT DISTRICT POWERS AND
 2-51 DUTIES. The district has the powers and duties provided by the
 2-52 general law of this state, including Chapter 375, Local Government
 2-53 Code, applicable to municipal management districts created under
 2-54 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
 2-55 Texas Constitution, except the district may not construct, acquire,
 2-56 maintain, or operate a turnpike or toll road.

2-57 Sec. 3865.103. EXERCISE OF POWERS OF DEVELOPMENT
 2-58 CORPORATION. The district may exercise the powers of a corporation
 2-59 created under Chapter 505, Local Government Code.

2-60 Sec. 3865.104. SPORTS VENUE. The district may construct,
 2-61 acquire, improve, maintain, and operate a sports venue, including
 2-62 an arena, coliseum, stadium, or other type of area or facility used
 2-63 for one or more professional or amateur sports or athletics events.

2-64 Sec. 3865.105. ECONOMIC DEVELOPMENT. The district may
 2-65 create economic development programs and exercise the economic
 2-66 development powers that:

- 2-67 (1) Chapter 380, Local Government Code, provides to a
 2-68 municipality with a population of more than 100,000; and
- 2-69 (2) Chapter 1509, Government Code, provides to any
 2-70 municipality, except the district may not create the programs or
 2-71 exercise the powers provided by Subchapter E of that chapter.

3-1 Sec. 3865.106. NO EMINENT DOMAIN. The district may not
3-2 exercise the power of eminent domain.

3-3 [Sections 3865.107-3865.150 reserved for expansion]

3-4 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-5 Sec. 3865.151. ELECTIONS REGARDING TAXES OR BONDS.

3-6 (a) The district may issue, without an election, bonds and other
3-7 obligations secured by revenue or contract payments from any source
3-8 other than ad valorem taxation.

3-9 (b) The district must hold an election in the manner
3-10 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-11 before the district may impose an ad valorem tax or issue bonds
3-12 payable from ad valorem taxes.

3-13 (c) The district may not issue bonds payable from ad valorem
3-14 taxes to finance a road project unless the issuance is approved by a
3-15 vote of a two-thirds majority of the district voters voting at an
3-16 election held for that purpose.

3-17 Sec. 3865.152. OPERATION AND MAINTENANCE TAX. (a) If
3-18 authorized at an election held under Section 3865.151, the district
3-19 may impose an operation and maintenance tax on taxable property in
3-20 the district in accordance with Section 49.107, Water Code.

3-21 (b) The board shall determine the tax rate. The rate may not
3-22 exceed the rate approved at the election.

3-23 Sec. 3865.153. CONTRACT TAXES. (a) In accordance with
3-24 Section 49.108, Water Code, the district may make payments under a
3-25 contract from taxes other than operation and maintenance taxes
3-26 after the provisions of the contract have been approved by a
3-27 majority of the district voters voting at an election held for that
3-28 purpose.

3-29 (b) A contract approved by the district voters may contain a
3-30 provision stating that the contract may be modified or amended by
3-31 the board without further voter approval.

3-32 Sec. 3865.154. HOTEL OCCUPANCY TAX. The district may
3-33 impose a hotel occupancy tax in the manner provided in Section
3-34 351.002, Tax Code. A tax imposed under this section may not exceed
3-35 the maximum rate provided in Section 351.003(a), Tax Code.

3-36 Sec. 3865.155. SALES AND USE TAX. (a) The district may
3-37 impose a sales and use tax if authorized by a majority of the voters
3-38 of the district voting at an election called for that purpose.
3-39 Revenue from the tax may be used for any purpose for which ad
3-40 valorem tax revenue of the district may be used.

3-41 (b) The district may not adopt a sales and use tax if as a
3-42 result of the adoption of the tax the combined rate of all sales and
3-43 use taxes imposed by the district and other political subdivisions
3-44 of this state having territory in the district would exceed two
3-45 percent at any location in the district.

3-46 (c) If the voters of the district approve the adoption of
3-47 the tax at an election held on the same election date on which
3-48 another political subdivision adopts a sales and use tax or
3-49 approves an increase in the rate of its sales and use tax and as a
3-50 result the combined rate of all sales and use taxes imposed by the
3-51 district and other political subdivisions of this state having
3-52 territory in the district would exceed two percent at any location
3-53 in the district, the election to adopt a sales and use tax under
3-54 this chapter has no effect.

3-55 (d) Chapter 321, Tax Code, applies to the imposition,
3-56 computation, administration, enforcement, and collection of the
3-57 sales and use tax imposed by this section except to the extent it is
3-58 inconsistent with this chapter.

3-59 [Sections 3865.156-3865.200 reserved for expansion]

3-60 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-61 Sec. 3865.201. AUTHORITY TO ISSUE BONDS AND OTHER
3-62 OBLIGATIONS. The district may issue bonds or other obligations
3-63 payable wholly or partly from ad valorem taxes, impact fees,
3-64 revenue, contract payments, grants, hotel occupancy taxes, sales
3-65 and use taxes, revenue from economic development agreements under
3-66 Chapter 380 or 381, Local Government Code, other district money, or
3-67 any combination of those sources, to pay for any authorized
3-68 district purpose.

3-69 Sec. 3865.202. TAXES FOR BONDS. (a) At the time the
3-70 district issues bonds payable wholly or partly from ad valorem
3-71 taxes, the board shall provide for the annual imposition of an ad

4-1 valorem tax, without limit as to rate or amount, as required by
4-2 Section 54.601, Water Code.

4-3 (b) The board shall annually impose the tax while all or
4-4 part of the bonds are outstanding. Sections 54.601 and 54.602,
4-5 Water Code, govern the amount and rate of the tax.

4-6 Sec. 3865.203. BONDS FOR ROAD PROJECTS. At the time of
4-7 issuance, the total principal amount of bonds or other obligations
4-8 issued or incurred to finance road projects may not exceed
4-9 one-fourth of the assessed value of the real property in the
4-10 district.

4-11 SECTION 2. The Aliana Management District initially
4-12 includes all the territory contained in the following area:

4-13 BEING a tract or parcel of land situated in the Jane Wilkins
4-14 League, Abstract No. 96 and the Jesse H. Cartwright League,
4-15 Abstract No. 16, Fort Bend County, Texas, and being all of a called
4-16 23.441 acre tract of land described in a Deed to HEB Grocery
4-17 Company, LP, as recorded in Clerk's File No. 2008113371 of the
4-18 Official Public Records of Fort Bend County, Texas, and being part
4-19 of a called 1997.624 acre tract of land described in a Deed to BAM
4-20 Houston Real Estate Investment, L.P., as recorded in Clerk's File
4-21 No. 2005091010 of the Official Public Records of Fort Bend County,
4-22 Texas, and being part of a called 314.079 acre tract of land
4-23 described as Part Two and part of a called 79.678 acre tract of land
4-24 described as Part Three in a Deed to Aliana Development Company, as
4-25 recorded in Clerk's File No. 2007074437 of the Official Public
4-26 Records of Fort Bend County, Texas, and being all of West Airport
4-27 Boulevard per Plat recorded in Clerk's File No. 20080069 of the
4-28 Official Public Records of Fort Bend County, Texas, and being all of
4-29 West Aliana Trace Drive per Plat recorded in Clerk's File No.
4-30 20070248 of the Official Public Records of Fort Bend County, Texas,
4-31 and also being a portion of F.M. Highway No. 1464 right-of-way
4-32 described in Save & Except Tract 1 per said Deed to BAM Houston Real
4-33 Estate Investment, L.P., recorded in Clerk's File No. 2005091010,
4-34 and being more particularly described as follows:

4-35 BEGINNING at a point for corner at the intersection of the
4-36 East line of Harlem Road (called 71.5' wide right-of-way) with the
4-37 South line of Madden Road (variable width right-of-way), said point
4-38 being the most Westerly Northwest corner of the above cited
4-39 1997.624 acre tract of land;

4-40 THENCE North 87 degrees 53 minutes 31 seconds East along the
4-41 North line of said 1997.624 acre tract and the South line of said
4-42 Madden Road, for a distance of 2244.25 feet to a point for corner,
4-43 said point being the Northeast corner of the above cited West Aliana
4-44 Trace Drive, (100' right-of-way per said Plat);

4-45 THENCE South 02 degrees 06 minutes 29 seconds East along the
4-46 East line of said West Aliana Trace Drive, for a distance of 50.00
4-47 feet to a point for corner at the beginning of a non-tangent curve
4-48 to the left;

4-49 THENCE in a Southwesterly direction, along the East line of
4-50 said West Aliana Trace Drive, and along said non-tangent curve to
4-51 the left having a central angle of 90 degrees 02 minutes 51 seconds,
4-52 a radius of 25.00 feet, a chord bearing of South 42 degrees 51
4-53 minutes 45 seconds West, a chord distance of 35.37 feet and an arc
4-54 length of 39.29 feet to a point for corner;

4-55 THENCE South 02 degrees 10 minutes 00 seconds East along the
4-56 East line of said West Aliana Trace Drive, for a distance of 666.87
4-57 feet to a point for corner;

4-58 THENCE North 87 degrees 22 minutes 54 seconds East departing
4-59 the East line of said West Aliana Trace Drive, for a distance of
4-60 292.30 feet to a point for corner at the beginning of a non-tangent
4-61 curve to the left;

4-62 THENCE in a Southeasterly direction, along said non-tangent
4-63 curve to the left having a central angle of 70 degrees 31 minutes 43
4-64 seconds, a radius of 75.00 feet, a chord bearing of South 57 degrees
4-65 21 minutes 14 seconds East, a chord distance of 86.60 feet and an
4-66 arc length of 92.32 feet to a point for corner;

4-67 THENCE North 87 degrees 22 minutes 54 seconds East for a
4-68 distance of 741.82 feet to a point for corner;

4-69 THENCE South 02 degrees 37 minutes 06 seconds East for a
4-70 distance of 1200.65 feet to a point for corner;

4-71 THENCE South 87 degrees 22 minutes 54 seconds West for a

5-1 distance of 405.02 feet to a point for corner at the beginning of a
5-2 curve to the left;

5-3 THENCE in a Southwesterly direction, along said curve to the
5-4 left having a central angle of 68 degrees 53 minutes 05 seconds, a
5-5 radius of 75.00 feet, a chord bearing of South 52 degrees 56 minutes
5-6 21 seconds West, a chord distance of 84.84 feet and an arc length of
5-7 90.17 feet to a point for corner;

5-8 THENCE South 87 degrees 22 minutes 54 seconds West for a
5-9 distance of 387.46 feet to a point for corner;

5-10 THENCE North 01 degrees 11 minutes 15 seconds West passing
5-11 the occupied Southeast corner of a called 2 acre tract of land
5-12 described in a Deed to Pleasant Green Missionary Baptist Church, as
5-13 recorded in Volume K, Page 654 of the Deed Records of Fort Bend
5-14 County, Texas, at a distance of 68.94 feet, and continuing along the
5-15 East line of same for a total distance of 484.17 feet to a point for
5-16 corner at the occupied Northeast corner of same;

5-17 THENCE North 89 degrees 21 minutes 05 seconds West along the
5-18 North line of said 2 acre tract, passing the occupied Northwest
5-19 corner of same at a distance of 205.32 feet, and continuing for a
5-20 total distance of 226.53 feet to a point for corner, said point
5-21 being the beginning of a non-tangent curve to the right;

5-22 THENCE in a Southerly direction, along said non-tangent curve
5-23 to the right having a central angle of 09 degrees 14 minutes 22
5-24 seconds, a radius of 2550.00 feet, a chord bearing of South 02
5-25 degrees 13 minutes 29 seconds East, a chord distance of 410.77 feet
5-26 and an arc length of 411.21 feet to a point for corner at the
5-27 beginning of a reverse curve to the left;

5-28 THENCE in a Southeasterly direction, along said reverse curve
5-29 to the left having a central angle of 39 degrees 39 minutes 45
5-30 seconds, a radius of 1450.00 feet, a chord bearing of South 17
5-31 degrees 26 minutes 10 seconds East, a chord distance of 983.83 feet
5-32 and an arc length of 1003.75 feet to a point for corner at the
5-33 beginning of a reverse curve to the right;

5-34 THENCE in a Southeasterly direction, along said reverse curve
5-35 to the right having a central angle of 03 degrees 27 minutes 52
5-36 seconds, a radius of 4050.00 feet, a chord bearing of South 35
5-37 degrees 32 minutes 06 seconds East, a chord distance of 244.84 feet
5-38 and an arc length of 244.88 feet to a point for corner at the
5-39 beginning of a reverse curve to the left;

5-40 THENCE in a Southeasterly direction, along said reverse curve
5-41 to the left having a central angle of 89 degrees 17 minutes 49
5-42 seconds, a radius of 25.00 feet, a chord bearing of South 78 degrees
5-43 27 minutes 05 seconds East, a chord distance of 35.14 feet and an
5-44 arc length of 38.96 feet to a point for corner;

5-45 THENCE North 56 degrees 54 minutes 01 seconds East for a
5-46 distance of 408.48 feet to a point for corner at the beginning of a
5-47 curve to the right;

5-48 THENCE in an Easterly direction, along said curve to the
5-49 right having a central angle of 30 degrees 28 minutes 53 seconds, a
5-50 radius of 1475.00 feet, a chord bearing of North 72 degrees 08
5-51 minutes 27 seconds East, a chord distance of 775.48 feet and an arc
5-52 length of 784.70 feet to a point for corner;

5-53 THENCE North 87 degrees 22 minutes 54 seconds East for a
5-54 distance of 1331.98 feet to a point for corner;

5-55 THENCE South 02 degrees 37 minutes 06 seconds East for a
5-56 distance of 406.66 feet to a point for corner in the Northerly line
5-57 of the above cited West Airport Boulevard, said point being the
5-58 beginning of a non-tangent curve to the right;

5-59 THENCE in an Easterly direction, along the Northerly line of
5-60 said West Airport Boulevard, and along said non-tangent curve to
5-61 the right having a central angle of 00 degrees 16 minutes 08
5-62 seconds, a radius of 5050.00 feet, a chord bearing of North 82
5-63 degrees 29 minutes 45 seconds East, a chord distance of 23.70 feet
5-64 and an arc length of 23.70 feet to a point for corner at the
5-65 beginning of a compound curve to the right;

5-66 THENCE in an Easterly direction, continuing along the
5-67 Northerly line of said West Airport Boulevard, and along said
5-68 compound curve to the right having a central angle of 30 degrees 18
5-69 minutes 31 seconds, a radius of 7050.00 feet, a chord bearing of
5-70 South 82 degrees 12 minutes 56 seconds East, a chord distance of
5-71 3686.02 feet and an arc length of 3729.35 feet to a point for

6-1 corner;

6-2 THENCE South 67 degrees 03 minutes 40 seconds East continuing
6-3 along the Northerly line of said West Airport Boulevard, for a
6-4 distance of 665.98 feet to a point for corner at the beginning of a
6-5 curve to the left;

6-6 THENCE in a Southeasterly direction, continuing along the
6-7 Northerly line of said West Airport Boulevard, and along said curve
6-8 to the left having a central angle of 11 degrees 49 minutes 23
6-9 seconds, a radius of 3950.00 feet, a chord bearing of South 72
6-10 degrees 58 minutes 19 seconds East, a chord distance of 813.64 feet
6-11 and an arc length of 815.08 feet to a point for corner;

6-12 THENCE North 02 degrees 10 minutes 00 seconds West departing
6-13 the Northerly line of said West Airport Boulevard, for a distance of
6-14 714.11 feet to a point for corner;

6-15 THENCE North 87 degrees 22 minutes 54 seconds East for a
6-16 distance of 847.36 feet to a point for corner in the Westerly line
6-17 of F.M. Highway No. 1464 (a variable width right-of-way), said
6-18 point also being the beginning of a non-tangent curve to the left;

6-19 THENCE in a Northwesterly direction, along the Westerly line
6-20 of said F.M. Highway No. 1464, and along said non-tangent curve to
6-21 the left having a central angle of 18 degrees 13 minutes 08 seconds,
6-22 a radius of 4900.00 feet, a chord bearing of North 23 degrees 16
6-23 minutes 40 seconds West, a chord distance of 1551.56 feet and an arc
6-24 length of 1558.11 feet to a point for corner;

6-25 THENCE North 32 degrees 23 minutes 16 seconds West along the
6-26 Westerly line of said F.M. Highway No. 1464, for a distance of
6-27 1364.57 feet to a point for corner, said point also being an
6-28 interior Northeast corner of the above cited 314.079 acre tract;

6-29 THENCE South 57 degrees 36 minutes 44 seconds West along an
6-30 interior North line of said 314.079 acre tract, for a distance of
6-31 300.00 feet to a point for corner at an interior Northwest corner of
6-32 same;

6-33 THENCE North 32 degrees 23 minutes 16 seconds West departing
6-34 an interior Northwest corner of said 314.079 acre tract, and
6-35 passing an interior Southeast corner of said 314.079 acre tract at a
6-36 distance of 170.58 feet, and continuing along an interior East line
6-37 of same for a total distance of 1178.58 feet to a point for corner;

6-38 THENCE North 31 degrees 33 minutes 58 seconds West continuing
6-39 along an interior East line of said 314.079 acre tract, for a
6-40 distance of 144.01 feet to a point for corner;

6-41 THENCE North 30 degrees 02 minutes 18 seconds West continuing
6-42 along an interior East line of said 314.079 acre tract, for a
6-43 distance of 144.12 feet to a point for corner;

6-44 THENCE North 27 degrees 59 minutes 24 seconds West continuing
6-45 along an interior East line of said 314.079 acre tract, for a
6-46 distance of 241.96 feet to a point for corner in the Southerly line
6-47 of West Bellfort, a 100' right-of-way per Plat recorded in Clerk's
6-48 File No. 20070260 of the Official Public Records of Fort Bend
6-49 County, Texas;

6-50 THENCE in a Northeasterly direction, along the Southerly line
6-51 of said West Bellfort, and along a non-tangent curve to the left
6-52 having a central angle of 02 degrees 16 minutes 09 seconds, a radius
6-53 of 4050.00 feet, a chord bearing of North 60 degrees 17 minutes 55
6-54 seconds East, a chord distance of 160.39 feet and an arc length of
6-55 160.40 feet to a point for corner;

6-56 THENCE North 59 degrees 09 minutes 49 seconds East along the
6-57 projected Southerly line of said West Bellfort, for a distance of
6-58 360.27 feet to a point for corner at the beginning of a curve to the
6-59 left;

6-60 THENCE in a Northeasterly direction, along the Southerly line
6-61 of said West Bellfort, and along said curve to the left having a
6-62 central angle of 07 degrees 57 minutes 06 seconds, a radius of
6-63 2050.00 feet, a chord bearing of North 55 degrees 11 minutes 14
6-64 seconds East, a chord distance of 284.27 feet and an arc length of
6-65 284.50 feet to a point for corner at the beginning of a non-tangent
6-66 curve to the left;

6-67 THENCE in a Southeasterly direction, departing the Southerly
6-68 line of said West Bellfort, and along said non-tangent curve to the
6-69 left having a central angle of 06 degrees 41 minutes 00 seconds, a
6-70 radius of 4546.73 feet, a chord bearing of South 29 degrees 02
6-71 minutes 46 seconds East, a chord distance of 530.05 feet and an arc

7-1 length of 530.35 feet to a point for corner;
7-2 THENCE South 32 degrees 23 minutes 16 seconds East for a
7-3 distance of 1173.43 feet to a point for corner, said point being an
7-4 interior Northwest corner of a called 27.013 acre tract of land
7-5 described as Part Five in a Deed to Aliana Development Company, as
7-6 recorded in Clerk's File No. 2007074437 of the Official Public
7-7 Records of Fort Bend County, Texas;
7-8 THENCE South 57 degrees 36 minutes 44 seconds West along a
7-9 Northwesterly line of said 27.013 acre tract, for a distance of
7-10 300.00 feet to a point for corner in the Easterly line of the above
7-11 cited F.M. Highway No. 1464;
7-12 THENCE South 32 degrees 23 minutes 16 seconds East along the
7-13 Easterly line of said F.M. Highway No. 1464, for a distance of
7-14 1364.58 feet to a point for corner at the beginning of a curve to the
7-15 right;
7-16 THENCE in a Southeasterly direction, along the Easterly line
7-17 of said F.M. Highway No. 1464, and along said curve to the right
7-18 having a central angle of 06 degrees 38 minutes 36 seconds, a radius
7-19 of 5100.00 feet, a chord bearing of South 29 degrees 03 minutes 58
7-20 seconds East, a chord distance of 591.00 feet and an arc length of
7-21 591.33 feet to a point for corner at the beginning of a non-tangent
7-22 curve to the right;
7-23 THENCE in a Northeasterly direction, along the Northerly line
7-24 of said F.M. Highway No. 1464, and along said non-tangent curve to
7-25 the right having a central angle of 18 degrees 38 minutes 36
7-26 seconds, a radius of 1050.00 feet, a chord bearing of North 79
7-27 degrees 22 minutes 45 seconds East, a chord distance of 340.15 feet
7-28 and an arc length of 341.66 feet to a point for corner;
7-29 THENCE North 88 degrees 42 minutes 09 seconds East along the
7-30 Northerly line of said F.M. Highway No. 1464, for a distance of
7-31 44.67 feet to a point for corner in the East line of the above cited
7-32 1997.624 acre tract, said point also being the original West line of
7-33 F.M. Highway No. 1464;
7-34 THENCE South 02 degrees 33 minutes 11 seconds East along the
7-35 East line of said 1997.624 acre tract, for a distance of 3682.01
7-36 feet to a point for corner;
7-37 THENCE South 87 degrees 37 minutes 59 seconds West along the
7-38 Easterly line of said 1997.624 acre tract, for a distance of 35.60
7-39 feet to a point for corner;
7-40 THENCE South 02 degrees 16 minutes 30 seconds East along the
7-41 Easterly line of said 1997.624 acre tract, for a distance of 18.37
7-42 feet to a point for corner at the beginning of a non-tangent curve
7-43 to the right;
7-44 THENCE in a Southerly direction, along the Easterly line of
7-45 said 1997.624 acre tract and along said non-tangent curve to the
7-46 right having a central angle of 04 degrees 32 minutes 47 seconds, a
7-47 radius of 1834.86 feet, a chord bearing of South 00 degrees 15
7-48 minutes 57 seconds East, a chord distance of 145.56 feet and an arc
7-49 length of 145.59 feet to a point for corner;
7-50 THENCE South 87 degrees 38 minutes 52 seconds West departing
7-51 the Easterly line of said 1997.624 acre tract, passing the Westerly
7-52 line of said F.M. Highway No. 1464 and the Northeast corner of a
7-53 called 9.000 acre tract of land conveyed to Grand Parkway Baptist
7-54 Church, Inc., per Deed recorded in Clerk's File No. 2006108454 of
7-55 the Official Public Records of Fort Bend County, Texas, at a
7-56 distance of 56.34 feet, and continuing along the North line of said
7-57 9.000 acre tract for a total distance of 1386.76 feet to a point for
7-58 corner at the Northwest corner of same, said point also being in the
7-59 most Easterly West line of said 1997.624 acre tract;
7-60 THENCE North 02 degrees 19 minutes 34 seconds West along the
7-61 most Easterly West line of said 1997.624 acre tract, passing an
7-62 interior corner of same at a distance of 706.82 feet, and continuing
7-63 for a total distance of 2037.21 feet to a point for corner in the
7-64 Southerly line of said West Airport Boulevard, said point also
7-65 being the beginning of a non-tangent curve to the right;
7-66 THENCE in a Northwesterly direction, along the Southerly line
7-67 of said West Airport Boulevard, and along said non-tangent curve to
7-68 the right having a central angle of 07 degrees 47 minutes 10
7-69 seconds, a radius of 4050.00 feet, a chord bearing of North 70
7-70 degrees 57 minutes 14 seconds West, a chord distance of 549.94 feet
7-71 and an arc length of 550.36 feet to a point for corner;

8-1 THENCE North 67 degrees 03 minutes 40 seconds West continuing
8-2 along the Southerly line of said West Airport Boulevard, for a
8-3 distance of 665.97 feet to a point for corner at the beginning of a
8-4 curve to the left;

8-5 THENCE in a Westerly direction, continuing along the
8-6 Southerly line of said West Airport Boulevard, and along said curve
8-7 to the left having a central angle of 30 degrees 18 minutes 31
8-8 seconds, a radius of 6950.00 feet, a chord bearing of North 82
8-9 degrees 12 minutes 55 seconds West, a chord distance of 3633.74 feet
8-10 and an arc length of 3676.46 feet to a point for corner at the
8-11 beginning of a compound curve to the left;

8-12 THENCE in a Westerly direction, continuing along the
8-13 Southerly line of said West Airport Boulevard, and along said
8-14 compound curve to the left having a central angle of 00 degrees 22
8-15 minutes 14 seconds, a radius of 4950.00 feet, a chord bearing of
8-16 South 82 degrees 26 minutes 42 seconds West, a chord distance of
8-17 32.01 feet and an arc length of 32.01 feet to a point for corner;

8-18 THENCE South 02 degrees 37 minutes 06 seconds East departing
8-19 the Southerly line of said West Airport Boulevard, for a distance of
8-20 531.47 feet to a point for corner at the beginning of a non-tangent
8-21 curve to the left;

8-22 THENCE in a Southeasterly direction, along said non-tangent
8-23 curve to the left having a central angle of 39 degrees 14 minutes 06
8-24 seconds, a radius of 2340.00 feet, a chord bearing of South 22
8-25 degrees 00 minutes 28 seconds East, a chord distance of 1571.26 feet
8-26 and an arc length of 1602.38 feet to a point for corner;

8-27 THENCE South 23 degrees 59 minutes 26 seconds East for a
8-28 distance of 100.00 feet to a point for corner at the beginning of a
8-29 non-tangent curve to the right;

8-30 THENCE in a Westerly direction, along said non-tangent curve
8-31 to the right having a central angle of 39 degrees 21 minutes 16
8-32 seconds, a radius of 2400.00 feet, a chord bearing of South 85
8-33 degrees 41 minutes 12 seconds West, a chord distance of 1616.26 feet
8-34 and an arc length of 1648.47 feet to a point for corner at the
8-35 beginning of a non-tangent curve to the left;

8-36 THENCE in a Southeasterly direction, along said non-tangent
8-37 curve to the left having a central angle of 72 degrees 37 minutes 15
8-38 seconds, a radius of 2745.59 feet, a chord bearing of South 11
8-39 degrees 22 minutes 49 seconds East, a chord distance of 3251.66 feet
8-40 and an arc length of 3479.97 feet to a point for corner at the
8-41 beginning of compound curve to the left;

8-42 THENCE in a Southeasterly direction, along said compound
8-43 curve to the left having a central angle of 21 degrees 24 minutes 28
8-44 seconds, a radius of 955.00 feet, a chord bearing of South 58
8-45 degrees 23 minutes 40 seconds East, a chord distance of 354.75 feet
8-46 and an arc length of 356.82 feet to a point for corner at the
8-47 beginning of a reverse curve to the right;

8-48 THENCE in a Southerly direction, along said reverse curve to
8-49 the right having a central angle of 135 degrees 47 minutes 22
8-50 seconds, a radius of 1045.00 feet, a chord bearing of South 01
8-51 degrees 12 minutes 14 seconds East, a chord distance of 1936.37 feet
8-52 and an arc length of 2476.62 feet to a point for corner;

8-53 THENCE South 66 degrees 41 minutes 27 seconds West for a
8-54 distance of 606.68 feet to a point in the Easterly line of State
8-55 Highway No. 99 (Grand Parkway - variable width right-of-way), said
8-56 point being North 23 degrees 17 minutes 58 seconds West a distance
8-57 of 2960.15 feet from the most Southerly corner of the above cited
8-58 1997.624 acre tract of land;

8-59 THENCE North 23 degrees 17 minutes 58 seconds West along the
8-60 Easterly line of said State Highway No. 99, for a distance of
8-61 4218.77 feet to a point for corner at the beginning of a curve to the
8-62 right;

8-63 THENCE in a Northwesterly direction, along the Easterly line
8-64 of said State Highway No. 99, and along said curve to the right
8-65 having a central angle of 02 degrees 06 minutes 53 seconds, a radius
8-66 of 22768.31 feet, a chord bearing of North 22 degrees 14 minutes 18
8-67 seconds West, a chord distance of 840.31 feet and an arc length of
8-68 840.36 feet to a point for corner;

8-69 THENCE North 21 degrees 08 minutes 45 seconds West along the
8-70 Easterly line of said State Highway No. 99, for a distance of 508.80
8-71 feet to a point for corner;

