

By: Nichols

S.B. No. 2504

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Montgomery County Municipal Utility Districts Nos. 128 and 129; providing authority to impose a tax and issue bonds; granting a limited 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 Chapters 8355 and 8356 to read as follows:

CHAPTER 8355. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 128

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8355.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Montgomery County Municipal Utility District No. 128.

Sec. 8355.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8355.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8355.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8355.003

1 until each municipality in whose corporate limits or
2 extraterritorial jurisdiction the district is located has
3 consented by ordinance or resolution to the creation of the
4 district and to the inclusion of land in the district.

5 Sec. 8355.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
6 The district is created to serve a public purpose and benefit.

7 (b) The district is created to accomplish the purposes of:

8 (1) a municipal utility district as provided by
9 general law and Section 59, Article XVI, Texas Constitution; and

10 (2) Section 52, Article III, Texas Constitution, that
11 relate to the construction, acquisition, improvement, operation,
12 or maintenance of macadamized, graveled, or paved roads, or
13 improvements, including storm drainage, in aid of those roads.

14 Sec. 8355.006. INITIAL DISTRICT TERRITORY. (a) The
15 district is initially composed of the territory described by
16 Section 2(a) of the Act creating this chapter.

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

21 (1) organization, existence, or validity;

22 (2) right to issue any type of bond for the purposes
23 for which the district is created or to pay the principal of and
24 interest on a bond;

25 (3) right to impose a tax; or

26 (4) legality or operation.

27 [Sections 8355.007-8355.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8355.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8355.052, directors serve staggered four-year terms.

Sec. 8355.052. TEMPORARY DIRECTORS. (a) The temporary board consists of:

(1) H. Daniel Wright;

(2) Justin Hood;

(3) Sherry Barker;

(4) Noe Carrasco; and

(5) Rusty Wilson.

(b) If a temporary director fails to qualify for office, the temporary directors who have qualified shall appoint a person to fill the vacancy.

(c) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8355.003; or

(2) September 1, 2013.

(d) If permanent directors have not been elected under Section 8355.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (e) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 8355.003; or

(2) the fourth anniversary of the date of the

1 appointment or reappointment.

2 (e) If Subsection (d) applies, the owner or owners of a
3 majority of the assessed value of the real property in the district
4 may submit a petition to the Texas Commission on Environmental
5 Quality requesting that the commission appoint as successor
6 temporary directors the five persons named in the petition. The
7 commission shall appoint as successor temporary directors the five
8 persons named in the petition.

9 [Sections 8355.053-8355.100 reserved for expansion]

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 8355.101. GENERAL POWERS AND DUTIES. The district has
12 the powers and duties necessary to accomplish the purposes for
13 which the district is created.

14 Sec. 8355.102. MUNICIPAL UTILITY DISTRICT POWERS AND
15 DUTIES. The district has the powers and duties provided by the
16 general law of this state, including Chapters 49 and 54, Water Code,
17 applicable to municipal utility districts created under Section 59,
18 Article XVI, Texas Constitution.

19 Sec. 8355.103. AUTHORITY FOR ROAD PROJECTS. Under Section
20 52, Article III, Texas Constitution, the district may design,
21 acquire, construct, finance, issue bonds for, improve, operate,
22 maintain, and convey to this state, a county, or a municipality for
23 operation and maintenance macadamized, graveled, or paved roads, or
24 improvements, including storm drainage, in aid of those roads.

25 Sec. 8355.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
26 project must meet all applicable construction standards,
27 subdivision requirements, and regulations of each municipality in

1 whose corporate limits or extraterritorial jurisdiction the road
2 project is located.

3 (b) If a road project is not located in the corporate limits
4 or extraterritorial jurisdiction of a municipality, the road
5 project must meet all applicable construction standards,
6 subdivision requirements, and regulations of each county in which
7 the road project is located.

8 (c) If the state will maintain and operate the road, the
9 Texas Transportation Commission must approve the plans and
10 specifications of the road project.

11 Sec. 8355.105. DIVISION OF DISTRICT. (a) The district may
12 be divided into two or more new districts only if the district:

13 (1) has no outstanding bonded debt; and

14 (2) is not imposing ad valorem taxes.

15 (b) This chapter applies to any new district created by the
16 division of the district, and a new district has all the powers and
17 duties of the district.

18 (c) Any new district created by the division of the district
19 may not, at the time the new district is created:

20 (1) contain any land outside the area described by
21 Section 2(a) of the Act creating this chapter; or

22 (2) contain less than 200 or more than 600 acres of
23 land without the prior consent of any municipality in whose
24 extraterritorial jurisdiction the district is located.

25 (d) The board, on its own motion or on receipt of a petition
26 signed by the owner or owners of a majority of the assessed value of
27 the real property in the district, may adopt an order dividing the

1 district.

2 (e) The board may adopt an order dividing the district
3 before or after the date the board holds an election under Section
4 8355.003 to confirm the district's creation.

5 (f) An order dividing the district shall:

6 (1) name each new district;

7 (2) include the metes and bounds description of the
8 territory of each new district;

9 (3) appoint temporary directors for each new district;

10 and

11 (4) provide for the division of assets and liabilities
12 between or among the new districts.

13 (g) On or before the 30th day after the date of adoption of
14 an order dividing the district, the district shall file the order
15 with the Texas Commission on Environmental Quality and record the
16 order in the real property records of each county in which the
17 district is located.

18 (h) Any new district created by the division of the district
19 shall hold a confirmation and directors' election as required by
20 Section 8355.003. A new district that is not confirmed is subject
21 to dissolution under general law.

22 (i) Except as provided by Subsection (c), municipal consent
23 to the creation of the district and to the inclusion of land in the
24 district granted under Section 8355.004 acts as municipal consent
25 to the creation of any new district created by the division of the
26 district and to the inclusion of land in the new district.

27 (j) Any new district created by the division of the district

1 must hold an election as required by this chapter to obtain voter
2 approval before the district may impose a maintenance tax or issue
3 bonds payable wholly or partly from ad valorem taxes.

4 Sec. 8355.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
5 OR RESOLUTION. The district shall comply with all applicable
6 requirements of any ordinance or resolution that is adopted under
7 Section 54.016 or 54.0165, Water Code, and that consents to the
8 creation of the district or to the inclusion of land in the
9 district.

10 Sec. 8355.107. EFFECT OF ANNEXATION. (a) A municipality
11 within whose extraterritorial jurisdiction the land in the district
12 lies may annex all of the district into its corporate limits under
13 the terms of an agreement entered into before the effective date of
14 the Act creating this chapter between the municipality and the
15 owners of the land being annexed, and, in that instance, the
16 district may not be dissolved, except as provided by Subsection
17 (b).

18 (b) The district may be dissolved and its debts and
19 obligations assumed by the municipality in accordance with Chapter
20 43, Local Government Code, including Sections 43.075 and 43.0715,
21 on:

22 (1) annexation of all of the territory of the district
23 by the municipality; and

24 (2) completion of the construction of the water,
25 sanitary sewer, and drainage improvements and roads required to
26 serve at least 95 percent of the land in the district.

27 (c) Notwithstanding Section 54.016(f)(2), Water Code, a

contract between the municipality and the district that provides for the allocation of the taxes or revenues between the district and the municipality following the date of inclusion of all the district's territory in the corporate limits of the municipality may provide that the total annual ad valorem taxes collected by the municipality and the district from taxable property in the district may exceed the municipality's ad valorem tax on the property.

Sec. 8355.108. LIMITATION ON USE OF EMINENT DOMAIN. The district may not exercise the power of eminent domain outside the district to acquire a site or easement for:

- (1) a road project authorized by Section 8355.103; or
- (2) a recreational facility as defined by Section 49.462, Water Code.

[Sections 8355.109-8355.150 reserved for expansion]

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8355.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

- (1) revenue other than ad valorem taxes; or
- (2) contract payments described by Section 8355.153.

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

(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an

election held for that purpose.

Sec. 8355.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8355.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 8355.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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

[Sections 8355.154-8355.200 reserved for expansion]

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8355.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, including revenue received by the district under Chapter 311, Tax Code, and Chapter 380, Local Government Code, assessments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 8355.202. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the

board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 8355.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

CHAPTER 8356. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 129

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8356.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Montgomery County Municipal Utility District No. 129.

Sec. 8356.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8356.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8356.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8356.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has

consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 8356.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

(b) The district is created to accomplish the purposes of:

(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and

(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 8356.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2(b) of the Act creating this chapter.

(b) The boundaries and field notes contained in Section 2(b) 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 the district's:

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

[Sections 8356.007-8356.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8356.051. GOVERNING BODY; TERMS. (a) The district is

1 governed by a board of five elected directors.

2 (b) Except as provided by Section 8356.052, directors serve
3 staggered four-year terms.

4 Sec. 8356.052. TEMPORARY DIRECTORS. (a) The temporary
5 board consists of:

6 (1) Wade Bradow;

7 (2) Joel Littlefield;

8 (3) Bryan Neal;

9 (4) James Coody; and

10 (5) Simon Sequeira.

11 (b) If a temporary director fails to qualify for office, the
12 temporary directors who have qualified shall appoint a person to
13 fill the vacancy.

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

15 (1) the date permanent directors are elected under
16 Section 8356.003; or

17 (2) September 1, 2013.

18 (d) If permanent directors have not been elected under
19 Section 8356.003 and the terms of the temporary directors have
20 expired, successor temporary directors shall be appointed or
21 reappointed as provided by Subsection (e) to serve terms that
22 expire on the earlier of:

23 (1) the date permanent directors are elected under
24 Section 8356.003; or

25 (2) the fourth anniversary of the date of the
26 appointment or reappointment.

27 (e) If Subsection (d) applies, the owner or owners of a

1 majority of the assessed value of the real property in the district
2 may submit a petition to the Texas Commission on Environmental
3 Quality requesting that the commission appoint as successor
4 temporary directors the five persons named in the petition. The
5 commission shall appoint as successor temporary directors the five
6 persons named in the petition.

7 [Sections 8356.053-8356.100 reserved for expansion]

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 8356.101. GENERAL POWERS AND DUTIES. The district has
10 the powers and duties necessary to accomplish the purposes for
11 which the district is created.

12 Sec. 8356.102. MUNICIPAL UTILITY DISTRICT POWERS AND
13 DUTIES. The district has the powers and duties provided by the
14 general law of this state, including Chapters 49 and 54, Water Code,
15 applicable to municipal utility districts created under Section 59,
16 Article XVI, Texas Constitution.

17 Sec. 8356.103. AUTHORITY FOR ROAD PROJECTS. Under Section
18 52, Article III, Texas Constitution, the district may design,
19 acquire, construct, finance, issue bonds for, improve, operate,
20 maintain, and convey to this state, a county, or a municipality for
21 operation and maintenance macadamized, graveled, or paved roads, or
22 improvements, including storm drainage, in aid of those roads.

23 Sec. 8356.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
24 project must meet all applicable construction standards,
25 subdivision requirements, and regulations of each municipality in
26 whose corporate limits or extraterritorial jurisdiction the road
27 project is located.

1 (b) If a road project is not located in the corporate limits
2 or extraterritorial jurisdiction of a municipality, the road
3 project must meet all applicable construction standards,
4 subdivision requirements, and regulations of each county in which
5 the road project is located.

6 (c) If the state will maintain and operate the road, the
7 Texas Transportation Commission must approve the plans and
8 specifications of the road project.

9 Sec. 8356.105. DIVISION OF DISTRICT. (a) The district may
10 be divided into two or more new districts only if the district:

11 (1) has no outstanding bonded debt; and

12 (2) is not imposing ad valorem taxes.

13 (b) This chapter applies to any new district created by the
14 division of the district, and a new district has all the powers and
15 duties of the district.

16 (c) Any new district created by the division of the district
17 may not, at the time the new district is created:

18 (1) contain any land outside the area described by
19 Section 2(b) of the Act creating this chapter; or

20 (2) contain less than 200 or more than 600 acres of
21 land without the prior consent of any municipality in whose
22 extraterritorial jurisdiction the district is located.

23 (d) The board, on its own motion or on receipt of a petition
24 signed by the owner or owners of a majority of the assessed value of
25 the real property in the district, may adopt an order dividing the
26 district.

27 (e) The board may adopt an order dividing the district

1 before or after the date the board holds an election under Section
2 8356.003 to confirm the district's creation.

3 (f) An order dividing the district shall:

4 (1) name each new district;

5 (2) include the metes and bounds description of the
6 territory of each new district;

7 (3) appoint temporary directors for each new district;

8 and

9 (4) provide for the division of assets and liabilities
10 between or among the new districts.

11 (g) On or before the 30th day after the date of adoption of
12 an order dividing the district, the district shall file the order
13 with the Texas Commission on Environmental Quality and record the
14 order in the real property records of each county in which the
15 district is located.

16 (h) Any new district created by the division of the district
17 shall hold a confirmation and directors' election as required by
18 Section 8356.003. A new district that is not confirmed is subject
19 to dissolution under general law.

20 (i) Except as provided by Subsection (c), municipal consent
21 to the creation of the district and to the inclusion of land in the
22 district granted under Section 8356.004 acts as municipal consent
23 to the creation of any new district created by the division of the
24 district and to the inclusion of land in the new district.

25 (j) Any new district created by the division of the district
26 must hold an election as required by this chapter to obtain voter
27 approval before the district may impose a maintenance tax or issue

bonds payable wholly or partly from ad valorem taxes.

Sec. 8356.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 8356.107. EFFECT OF ANNEXATION. (a) A municipality within whose extraterritorial jurisdiction the land in the district lies may annex all of the district into its corporate limits under the terms of an agreement entered into before the effective date of the Act creating this chapter between the municipality and the owners of the land being annexed, and, in that instance, the district may not be dissolved, except as provided by Subsection (b).

(b) The district may be dissolved and its debts and obligations assumed by the municipality in accordance with Chapter 43, Local Government Code, including Sections 43.075 and 43.0715, on:

(1) annexation of all of the territory of the district by the municipality; and

(2) completion of the construction of the water, sanitary sewer, and drainage improvements and roads required to serve at least 95 percent of the land in the district.

(c) Notwithstanding Section 54.016(f)(2), Water Code, a contract between the municipality and the district that provides for the allocation of the taxes or revenues between the district and

1 the municipality following the date of inclusion of all the
2 district's territory in the corporate limits of the municipality
3 may provide that the total annual ad valorem taxes collected by the
4 municipality and the district from taxable property in the district
5 may exceed the municipality's ad valorem tax on the property.

6 Sec. 8356.108. LIMITATION ON USE OF EMINENT DOMAIN. The
7 district may not exercise the power of eminent domain outside the
8 district to acquire a site or easement for:

- 9 (1) a road project authorized by Section 8356.103; or
10 (2) a recreational facility as defined by Section
11 49.462, Water Code.

12 [Sections 8356.109-8356.150 reserved for expansion]

13 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

14 Sec. 8356.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
15 district may issue, without an election, bonds and other
16 obligations secured by:

- 17 (1) revenue other than ad valorem taxes; or
18 (2) contract payments described by Section 8356.153.
19 (b) The district must hold an election in the manner
20 provided by Chapters 49 and 54, Water Code, to obtain voter approval
21 before the district may impose an ad valorem tax or issue bonds
22 payable from ad valorem taxes.

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

27 Sec. 8356.152. OPERATION AND MAINTENANCE TAX. (a) If

1 authorized at an election held under Section 8356.151, the district
2 may impose an operation and maintenance tax on taxable property in
3 the district in accordance with Section 49.107, Water Code.

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

6 Sec. 8356.153. CONTRACT TAXES. (a) In accordance with
7 Section 49.108, Water Code, the district may impose a tax other than
8 an operation and maintenance tax and use the revenue derived from
9 the tax to make payments under a contract after the provisions of
10 the contract have been approved by a majority of the district voters
11 voting at an election held for that purpose.

12 (b) A contract approved by the district voters may contain a
13 provision stating that the contract may be modified or amended by
14 the board without further voter approval.

15 [Sections 8356.154-8356.200 reserved for expansion]

16 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

17 Sec. 8356.201. AUTHORITY TO ISSUE BONDS AND OTHER
18 OBLIGATIONS. The district may issue bonds or other obligations
19 payable wholly or partly from ad valorem taxes, impact fees,
20 revenue, including revenue received by the district under Chapter
21 311, Tax Code, and Chapter 380, Local Government Code, assessments,
22 grants, or other district money, or any combination of those
23 sources, to pay for any authorized district purpose.

24 Sec. 8356.202. TAXES FOR BONDS. At the time the district
25 issues bonds payable wholly or partly from ad valorem taxes, the
26 board shall provide for the annual imposition of a continuing
27 direct ad valorem tax, without limit as to rate or amount, while all

or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 8356.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. (a) The Montgomery County Municipal Utility District No. 128 initially includes all the territory contained in the following area:

TRACT NO. 1

FIELD NOTES FOR A 66.8118 ACRE TRACT OF LAND IN THE JAMES BUCHANAN SURVEY, ABSTRACT 100, AND THE ELIJAH COLLARD SURVEY, ABSTRACT 7, MONTGOMERY COUNTY, TEXAS, BEING A PART AND OUT OF THAT SAME TRACT DESCRIBED AS 71.6505 ACRES IN DEED FROM 830 PARK, LTD. TO RANDAL A. HENDRICKS, TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 8208404 IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the called Southwest corner of the aforementioned James Buchanan Survey, same being the Southwest corner of a certain called 112.658 acre tract described in deed from C. A. Johnson to Floyd L. McNutt, Trustee, being of record in Volume 664, at Page 537 of the Deed Records of Montgomery County, Texas, and the most southerly Southwest corner of the herein described tract;

THENCE North 12 degrees, 52 minutes, 27 seconds East a distance of 717.81 feet to a point for corner;

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1 THENCE North 75 degrees, 23 minutes, 12 seconds West a distance of
2 137.03 feet to a point for corner in the East right-of-way line of
3 Old Egypt Road (80' R-O-W);
4 THENCE in a northerly direction along said East right-of-way line,
5 North 19 degrees, 10 minutes, 23 seconds East, 296.88 feet to a
6 point for corner;
7 THENCE North 21 degrees, 09 minutes, 33 seconds East, continuing
8 along said East right-of-way line, 196.92 feet to a point in said
9 line being the most southerly Northwest corner of a called 4.8800
10 acre tract being designated for use as a City of Conroe water
11 plant/fire station;
12 THENCE South 65 degrees, 50 minutes, 54 seconds East, along the
13 boundary of said called 4.8800 acre City of Conroe tract, a distance
14 of 243.66 feet to a point for corner;
15 THENCE South 02 degrees, 51 minutes, 09 seconds West, along the most
16 southerly West line of said called 4.8800 acre tract, a distance of
17 460.99 feet to a point for the most southerly Southwest corner of
18 said tract;
19 THENCE South 87 degrees, 08 minutes, 51 seconds East, along the
20 South line of said called 4.8800 acre tract, a distance of 275.00
21 feet to a point for the Southeast corner of said tract;
22 THENCE North 02 degrees, 51 minutes, 09 seconds East, along the East
23 line of said called 4.8800 acre tract, a distance of 568.44 feet to
24 a point for the Northeast corner of said tract;
25 THENCE North 65 degrees, 50 minutes, 54 seconds West, along the
26 Northeast line of said called 4.8800 acre tract, a distance of
27 461.81 feet to a point in the aforementioned

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1 East right-of-way line of Old Egypt Road, same being the most
2 northerly Northwest corner of said tract;
3 THENCE North 26 degrees, 41 minutes, 03 seconds East, along said
4 East right-of-way line, a distance of 261.40 feet to a an angle
5 point;
6 THENCE North 34 degrees, 34 minute, 34 seconds East, continuing
7 along said East right-of-way line, 321.85 feet to a point for corner
8 in the South right-of-way line of F. M. Highway No. 830 (120'
9 R-O-W);
10 THENCE South 82 degrees, 34 minutes, 28 seconds East, along said
11 South right-of-way line, a distance of 86.72 feet to a point in said
12 line being the point of intersection of said right-of-way line with
13 a non-tangent curve to the right;
14 THENCE, continuing along said South right-of-way line, in a
15 southeasterly direction around said curve to the right having a
16 radius of 5,301.86 feet, a central angle of 04 degrees, 26 minutes,
17 06 seconds, and a chord bearing South 49 degrees, 07 minutes, 58
18 seconds East 410.30 feet, for a distance of 410.40 feet to the point
19 of tangency of said curve;
20 THENCE, continuing along said South right-of-way line, South 46
21 degrees, 23 minutes, 05 seconds East for a distance of 477.83 feet
22 to a point in said line being the point of curvature of a curve to
23 the left;
24 THENCE, continuing along said South right-of-way line, in a
25 southeasterly direction around said curve to the left having a
26 radius of 3,795.04 feet, a central angle of 16 degrees, 27 minutes,
27 08 seconds, and a chord bearing South 54 degrees, 53 minutes, 20

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1 seconds East 1,085.98 feet, for a distance of 1,089.72 feet to a
2 point in said line being the Northwest corner of a certain adjacent
3 called 80.883 acre tract described in deed from Barclay-Anderson &
4 Company, Inc. to Randal Arlan Hendricks, Trustee being of record
5 under County Clerk's File Number 8258092 in the Real Property
6 Records of Montgomery County, Texas for the Northeast corner of the
7 herein described 66.8118 acre tract;

8 THENCE South 10 degrees, 39 minutes, 40 seconds West, along the West
9 line of said called 80.883 acre tract and being the East line of the
10 tract herein described, a distance of 1,064.64 feet to a point in
11 the South line of the aforementioned James Buchanan Survey being
12 the Southwest corner of said called 80.883 acre tract for the
13 Southeast corner of the herein described 66.8118 acre tract;

14 THENCE North 78 degrees, 44 minutes, 21 seconds West, along said
15 South line of the Buchanan Survey, same being the South line of the
16 aforementioned called 71.6503 acre tract and the South line of the
17 tract herein described, a distance of 2,050.01 feet to the PLACE OF
18 BEGINNING and containing 66.8118 acres of land, more or less.

19 TRACT NO. 2

20 FIELD NOTES FOR A 34.161 ACRE TRACT OF LAND BEING A CALLED 34.3175
21 ACRE TRACT OUT OF THE JAMES BUCHANAN SURVEY, ABSTRACT 100,
22 MONTGOMERY COUNTY, TEXAS, DESCRIBED IN DEED FROM 830 PARK, LTD., TO
23 RANDAL A. HENDRICKS, TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S
24 FILE NUMBER 8208404 IN THE REAL PROPERTY RECORDS OF MONTGOMERY
25 COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND
26 BOUNDS AS FOLLOWS:

27 BEGINNING at the Northeast corner of said 34.3175 acre tract, said

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1 point being an interior corner of a certain called 191.659 acre
2 tract described in deed from Barclay-Anderson & Company, Inc., to
3 Randal Arlan Hendricks, Trustee, being of record under Clerk's File
4 Number 8258092 of the Real Property Records of Montgomery County,
5 Texas, for the Northeast corner of the herein described tract;
6 THENCE South 13 degrees, 58 minutes, 47 seconds West, along a
7 Westerly line of said called 191.659 acre tract and the Easterly
8 line of said called 34.3175 acre tract, a distance of 1,374.54 feet
9 to a point on a curve in Northeasterly right-of-way line of F.M.
10 Highway No. 830, based on 120-foot width for the most Southerly
11 Southwest corner of said called 191.659 acre tract and the
12 Southeast corner of said called 34.3175 acre tract and the herein
13 described tract;
14 THENCE in a Northwesterly direction along the Northeasterly
15 right-of-way line of said F.M. Highway No. 830 and the
16 Southwesterly line of said called 34.3175 acre tract, around a
17 curve to the right having a radius of 3,697.10 feet and a central
18 angle of 15 degrees, 49 minutes, 52 seconds, for a distance of
19 1,021.53 feet to a point for the end of said curve;
20 THENCE North 43 degrees, 19 minutes, 20 seconds West, continuing
21 along the Northeasterly right-of-way line of said F.M. Highway No.
22 830 and the Southwesterly line of said called 34.3175 acre tract, a
23 distance of 365.54 feet to an angle point;
24 THENCE North 37 degrees, 47 minutes, 14 seconds West, continuing
25 along Northeasterly right-of-way line of said F.M. Highway No. 830
26 and the Southwesterly line of said called 34.3175 acre tract, a
27 distance of 100.68 feet to an angle point;

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1 THENCE North 43 degrees, 22 minutes, 43 seconds West, continuing
2 along the Northeasterly right-of-way line of said F.M. Highway No.
3 830 and the Southwesterly line of said called 34.3175 acre tract, a
4 distance of 12.27 feet to the beginning of a curve to the left;
5 THENCE in a Northwesterly direction continuing along the
6 Northeasterly right-of-way line of said F.M. Highway No. 830 and
7 the Southwesterly line of said called 34.3175 acre tract, around
8 said curve to the left having a radius of 3,639.97 feet and a
9 central angle of 02 degrees, 59 minutes, 04 seconds, for a distance
10 of 189.60 feet to a point for the end of said curve;
11 THENCE North 51 degrees, 09 minutes, 49 seconds West, continuing
12 along the Northeasterly right-of-way line of said F.M. Highway No.
13 830 and the Southwesterly line of said called 34.3175 acre tract, a
14 distance of 102.46 feet to a point for the beginning of a curve to
15 the left;
16 THENCE in a Northwesterly direction continuing along the
17 Northeasterly right-of-way line of said F.M. Highway No. 830 and
18 the Southwesterly line of said called 34.3175 acre tract, around a
19 curve to the left having a radius of 5,789.65 feet and a central
20 angle of 00 degrees, 44 minutes, 52 seconds, for a distance of 75.56
21 feet to a point for the end of said curve, being the Southwest
22 corner of said called 34.3175 acre tract and the herein described
23 tract;
24 THENCE North 07 degrees, 11 minutes, 00 seconds East, along the
25 Westerly line of said called 34.3175 acre tract, a distance of 57.31
26 feet to a point in the Southeasterly right-of-way line of
27 Willis-Montgomery Road, based on 60-foot width, for an angle point

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1 in the Westerly line of said called 34.3175 acre tract and the
2 herein described tract;

3 THENCE North 61 degrees, 27 minutes, 00 seconds East, along the
4 Southeasterly right-of-way line of said Willis-Montgomery Road and
5 the Northwesterly line of said called 34.3175 acre tract, a
6 distance of 335.54 feet to an angle point, said point being the
7 Southwest corner of the aforesaid called 191.659 acre tract;

8 THENCE North 75 degrees, 09 minutes, 59 seconds East, along the
9 Northwesterly line of said called 34.3175 acre tract and a
10 Southeasterly line of said called 191.659 acre tract, a distance of
11 478.37 feet to a point for an angle point in the Southeasterly line
12 of said called 191.659 acre tract and the Northwest corner of said
13 called 34.3175 acre tract and the herein described tract;

14 THENCE South 75 degrees, 18 minutes, 12 seconds East, continuing
15 along the Northerly line of said called 34.3175 acre tract and a
16 Southerly line of said called 191.659 acre tract, a distance of
17 982.35 feet to the PLACE OF BEGINNING and containing 34.161 acres of
18 land, more or less.

19 TRACT NO. 3

20 FIELD NOTES FOR A 207.700 NET ACRE TRACT OF LAND IN THE JAMES
21 BUCHANAN SURVEY, ABSTRACT 100, MONTGOMERY COUNTY, TEXAS, BEING THAT
22 SAME TRACT DESCRIBED AS 211.346 ACRES IN DEED FROM BARCLAY-ANDERSON
23 & COMPANY, INC., TO RANDAL ARLAN HENDRICKS, TRUSTEE, BEING OF
24 RECORD UNDER COUNTY CLERK'S FILE NUMBER 8258092 IN THE REAL
25 PROPERTY RECORDS OF MONTGOMERY COUNTY SAVE AND EXCEPT A 40-FOOT
26 WIDE STRIP LYING WITHIN THE RIGHT-OF-WAY LINE OF LOWER
27 WILLIS-MONTGOMERY ROAD AND BEING MORE PARTICULARLY DESCRIBED BY

1 METES AND BOUNDS AS FOLLOWS:

2 BEGINNING at the called Northwest corner of the James Buchanan
3 Survey, same being the called Southwest corner of the Uriah
4 Springer Survey, Abstract 532;

5 THENCE South 15 degrees, 30 minutes, 10 seconds West, along the most
6 northerly West line of said James Buchanan Survey, a distance of
7 998.54 feet to an angle point in said line;

8 THENCE South 15 degrees, 52 minutes, 15 seconds West, continuing
9 along the most northerly West line of the Buchanan Survey, a
10 distance of 267.91 feet to an angle point in said line;

11 THENCE South 15 degrees, 01 minute, 49 seconds West, continuing
12 along said line, a distance of 1,961.79 feet to a point for corner
13 in the North line of the Elijah Collard Survey, Abstract 7, same
14 being the most westerly South line of the aforementioned James
15 Buchanan Survey, for the most westerly corner of the herein
16 described 207.700 acre tract;

17 THENCE South 76 degrees 10 minutes, 29 seconds East, along the
18 common line of said James Buchanan and Elijah Collard surveys, a
19 distance of 1,269.66 feet to the Northeast corner of said Elijah
20 Collard Survey;

21 THENCE South 15 degrees, 11 minutes, 21 seconds West, along the East
22 line of the Elijah Collard Survey, a distance of 438.15 feet to a
23 point for corner in the northerly right-of-way line of F. M. Highway
24 No. 830 (120' R-O-W);

25 THENCE South 50 degrees, 39 minutes, 31 seconds East, along said
26 northerly right-of-way line, a distance of 205.79 feet to the point
27 of intersection of said line with the westerly right-of-way line of

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1 lower Willis-Montgomery Road (80' R-O-W);
2 THENCE North 74 degrees, 00 minutes, 45 seconds East, along the
3 westerly right-of-way line of lower Willis-Montgomery Road, a
4 distance of 357.17' to a point for corner;
5 THENCE North 41 degrees, 37 minutes, 13 seconds East, continuing
6 along said westerly line of lower Willis-Montgomery Road, a
7 distance of 3,991.73 feet to the point of intersection of said line
8 with the North line of the James Buchanan Survey for the Northeast
9 corner of the herein described 207.700 acre tract;
10 THENCE North 75 degrees, 11 minutes, 31 seconds West, along the
11 North line of said James Buchanan Survey, a distance of 1,408.08
12 feet to an angle point in said line;
13 THENCE North 77 degrees, 49 minutes, 44 seconds West, continuing
14 along said survey line, a distance of 541.97 feet to an angle point
15 in said line being the Southeast corner of a certain adjacent called
16 50.0 acre tract described in deed recorded in Volume 724, at Page
17 590 of the Deed Records of Montgomery County;
18 THENCE North 74 degrees, 51 minutes, 09 seconds West, continuing
19 along said North line of the James Buchanan Survey, and being the
20 South line of the aforementioned 50.0 acre tract, a distance of
21 1,587.00 feet to the PLACE OF BEGINNING and containing a net area of
22 207.700 acres of land, more or less.

23 TRACT NO. 4

24 FIELD NOTES FOR A 53.3594 ACRE TRACT OF LAND COMPRISED OF A PORTION
25 OF A CALLED 52.94 ACRE TRACT OUT OF THE URIAH SPRINGER SURVEY,
26 ABSTRACT 532, AND A CALLED 2.356 ACRE TRACT OUT OF THE F. K.
27 HENDERSON SURVEY, ABSTRACT 248, MONTGOMERY COUNTY, TEXAS, BOTH OF

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1 SAID TRACTS BEING DESCRIBED IN DEED FROM ARNOLD H. MIERS TO RANDAL
2 A. HENDRICKS, TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S FILE
3 NUMBER 8523408 IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY,
4 TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS
5 FOLLOWS:

6 BEGINNING at the Southwest corner of the Margaret Ella Watson
7 Subdivision, according to a map or plat of said subdivision being of
8 record in Volume 5, at Page 10, of the Map Records of Montgomery
9 County, Texas, same being the Southeast corner of the
10 aforementioned called 52.94 acre tract, for the most southerly
11 Southeast corner of the herein described tract;

12 THENCE North 15 degrees, 30 minutes, 05 seconds East, along the West
13 line of said Margaret Ella Watson Subdivision, same being the East
14 line of the aforementioned called 52.94 acre tract, a distance of
15 561.91 feet to a point in said line being the Southwest corner of
16 Lot No. 2 of said subdivision;

17 THENCE South 47 degrees, 57 minutes, 14 seconds East, along the
18 common line of Lot No. 1 and Lot No. 2 of said subdivision, a
19 distance of 348.57 feet to a point in the westerly right-of-way line
20 of Lower Willis-Montgomery Road being the most southerly corner of
21 said Lot No. 2;

22 THENCE North 42 degrees, 08 minutes, 34 seconds East, along said
23 westerly right-of-way line, a distance of 250.03 feet to the most
24 easterly corner of said Lot No. 2;

25 THENCE North 48 degrees, 03 minutes, 02 seconds West, along the
26 common line of Lot No. 2 and Lot No. 3 of said Margaret Ella Watson
27 Subdivision, a distance of 473.50 feet to a point in the East line

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1 of the aforementioned called 54.94 acre tract being the most
2 northerly corner of said Lot No. 2;
3 THENCE North 15 degrees, 30 minutes, 05 seconds East, along the East
4 line of said called 52.94 acre tract, same being the West line of
5 the Margaret Ella Watson Subdivision, a distance of 803.15 feet to
6 the point of intersection of said line with a non-tangent curve to
7 the right;
8 THENCE, departing from said East line, along said curve to the right
9 having a radius of 2,640.00 feet, a central angle of 20 degrees, 27
10 minutes, 54 seconds, and a chord bearing North 67 degrees, 01
11 minute, 49 seconds West 937.95 feet, a distance of 942.96 feet to
12 the point of intersection of said curve with the North line of the
13 aforementioned called 52.94 acre tract;
14 THENCE North 74 degrees, 41 minutes, 20 seconds West, along the
15 North line of said called 52.94 acre tract, a distance of 373.90
16 feet to the Northwest corner of said called 52.94 acre tract, said
17 point lying in the East line of a certain adjacent called 139.788
18 acre tract described in deed from Barclay-Anderson & Company, Inc.
19 to Randal A. Hendricks, Trustee being of record under County
20 Clerk's File Number 8258092 in the Real Property Records of
21 Montgomery County;
22 THENCE South 15 degrees, 29 minutes, 55 seconds West, along the West
23 line of said called 52.94 acre tract, same being the East line of
24 said called 139.788 acre tract, a distance of 1,768.75 feet to a
25 point in the South line of the aforementioned Uriah Springer Survey
26 being the Southeast corner of said called 139.788 acre tract, being
27 the Southwest corner of said called 52.94 acre tract and the

1 Southwest corner of the tract herein described;
2 THENCE South 74 degrees, 41 minutes, 34 seconds East, along said
3 South line of the Uriah Springer Survey, same being the South line
4 of said called 52.94 acre tract and the North line of a certain
5 adjacent called 211.346 acre tract described in deed from
6 Barclay-Anderson & Company, Inc. to Randal Arlan Hendricks, Trustee
7 being of record under County Clerk's File Number 8258092 in the Real
8 Property Records of Montgomery County, a distance of 1,303.82 feet
9 to the PLACE OF BEGINNING and containing 53.3594 acres of land, more
10 or less.

11 TRACT NO. 5

12 FIELD NOTES FOR A 84.9540 ACRE TRACT OF LAND IN THE URIAH SPRINGER
13 SURVEY, ABSTRACT 532, MONTGOMERY COUNTY, TEXAS, BEING A PART AND
14 OUT OF THAT CERTAIN CALLED 139.788 ACRE TRACT DESCRIBED IN DEED FROM
15 BARCLAY-ANDERSON & COMPANY, INC. TO RANDAL ARLAN HENDRICKS,
16 TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 8258092
17 IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, SAID 84.9540
18 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS
19 FOLLOWS:

20 BEGINNING at a point in the South line of the Uriah Springer Survey,
21 being the Southeast corner of a certain adjacent 50 acre Moran
22 Corporation tract being of record in Volume 724, at Page 590 of the
23 Deed Records of Montgomery County, Texas, same being the westerly
24 Southeast corner of the aforementioned called 139.788 acre tract
25 and being in the North line of a certain adjacent called 211.346
26 acre tract described in the aforementioned deed from
27 Barclay-Anderson & Company, Inc., to Randal Arlan Hendricks,

1 Trustee;
2 THENCE South 77 degrees, 49 minutes, 44 seconds East, along the
3 common line of said 139.788 acre and 211.346 acre tracts, a distance
4 of 541.97 feet to the Southwest corner of a certain adjacent called
5 52.94 acre tract described in deed from Arnold H. Meiers to Randal
6 A. Hendricks, Trustee, being of record under County Clerk's File
7 Number 8523408 in the Real Property Records of Montgomery County,
8 said point being the most easterly Southeast corner of the
9 aforementioned called 139.788 acre tract and the herein described
10 84.9540 acre tract;
11 THENCE North 14 degrees, 59 minutes, 23 seconds East, along the
12 common line of said called 52.94 acre and 139.788 acre tracts and
13 being the East line of the tract herein described, a distance of
14 1,769.74 feet to the Northwest corner of said 52.94 acre tract;
15 THENCE North 15 degrees, 01 minute, 37 seconds East, continuing
16 along the East line of said called 139.788 acre tract, a distance of
17 88.11 feet to a point in said line being the Southeast corner of the
18 aforementioned called 18.33 acre tract;
19 THENCE North 75 degrees, 19 minutes, 10 seconds West, along the
20 South line of said 18.33 acre tract, a distance of 442.02 feet to
21 the Southwest corner of said tract;
22 THENCE North 14 degrees, 30 minutes, 23 seconds East, along the West
23 line of said 18.33 acre tract; a distance of 354.20 feet to the
24 point of intersection of said line with a non-tangent curve to the
25 right;
26 THENCE in a northwesterly direction along said curve to the right
27 having a radius of 2,640.00 feet, a central angle of 09 degrees, 35

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1 minutes, 16 seconds and a chord bearing North 31 degrees, 42
2 minutes, 27 seconds West 441.26 feet, a distance of 441.78 feet to
3 the Point of Tangency of said curve;
4 THENCE North 26 degrees, 54 minutes, 48 seconds West a distance of
5 632.96 feet to the Point of Curvature of a curve to the right;
6 THENCE in a northwesterly direction along said curve to the right
7 having a radius of 2,640.00 feet, a central angle of 23 degrees, 23
8 minutes, 23 seconds and a chord bearing North 15 degrees, 28
9 minutes, 37 seconds West 1,070.26 feet, a distance of 1,077.73 feet
10 to the point of intersection of said curve with the southerly
11 right-of-way line of F. M. Highway No. 1097;
12 THENCE North 75 degrees, 19 minutes, 46 seconds West, along the
13 southerly right-of-way line of F. M. Highway No. 1097, same being
14 the North line of the aforementioned called 139.788 acre tract and
15 the North line of the herein described 84.9540 acre tract, a
16 distance of 350.08 feet to the Northwest corner of said called
17 139.788 acre tract, same being the point of intersection of said
18 southerly right-of-way line with the easterly right-of-way line of
19 Thompson Road;
20 THENCE South 15 degrees, 17 minutes 24 seconds West, along said
21 easterly right-of-way line of Thompson Road and being the West line
22 of the aforementioned called 139.788 acre tract, a distance of
23 2,147.02 feet to a point in said line being the Northwest corner of
24 a certain adjacent called 4.377 acre tract described in deed from
25 Randal Arlan Hendricks, Trustee, to GTE Mobilnet of South Texas
26 Limited Partnership being of record under County Clerk's File
27 Number 9653436 in the Real Property Records of Montgomery County;

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1 THENCE South 74 degrees, 51 minutes, 09 seconds West, along the
2 North line of said called 4.377 acre tract, a distance of 465.00
3 feet to the Northeast corner of said tract;

4 THENCE South 15 degrees, 17 minutes, 24 seconds East, along the East
5 line of said tract, a distance of 410.00 feet to the Southeast
6 corner of said tract, said point lying in the North line of the
7 aforementioned called 50 acre Moran Corporation tract;

8 THENCE South 74 degrees, 51 minutes, 09 seconds East, along said
9 North line, a distance of 1,092.46 feet to the Northeast corner of
10 said called 50 acre tract;

11 THENCE South 15 degrees, 09 minutes, 00 seconds West, along the East
12 line of said 50 acre tract, a distance of 1,369.30 feet to the PLACE
13 OF BEGINNING, and containing 84.9540 acres of land, more or less.

14 TRACT NO. 6

15 FIELD NOTES FOR A CALLED 105.3609 ACRE TRACT OF LAND IN THE F. K.
16 HENDERSON SURVEY, ABSTRACT 248, MONTGOMERY COUNTY, TEXAS, BEING A
17 PART AND OUT OF A CERTAIN CALLED 349.99 ACRE TRACT DESCRIBED IN DEED
18 FROM RANDAL A. HENDRICKS, TRUSTEE, TO RANDAL ARLAN HENDRICKS,
19 TRUSTEE DATED DECEMBER 17, 1974 AND BEING OF RECORD IN VOLUME 878,
20 AT PAGE 240, OF THE DEED RECORDS OF MONTGOMERY COUNTY, TEXAS, SAID
21 CALLED 105.3609 ACRE TRACT BEING DESCRIBED MORE PARTICULARLY BY
22 METES AND BOUNDS AS FOLLOWS:

23 COMMENCING at a point in the westerly right-of-way line of
24 Interstate Highway No. 45, said point being the Northeast corner of
25 the aforementioned called 349.99 acre tract and the Northeast
26 corner of a certain adjacent called 28.534 acre tract described in
27 deed from Randal Arlan Hendricks, Trustee, to First Baptist Church

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1 of Willis being of record under County Clerk's File Number 9622769
2 in the Real Property Records of Montgomery County;
3 THENCE South 14 degrees, 28 minutes, 41 seconds East, along the
4 westerly right-of-way line of Interstate Highway No. 45, same being
5 the common easterly line of said called 349.99 acre and 28.534 acre
6 tracts, a distance of 1,053.82 feet to a point in said line being
7 the Southeast corner of said called 28.534 acre tract;
8 THENCE, continuing South 14 degrees, 28 minutes, 41 seconds East,
9 along the westerly right-of-way line of Interstate Highway No. 45,
10 same being the easterly line of said called 349.99 acre tract, a
11 distance of 214.44 feet to an angle point in said line;
12 THENCE, continuing along the westerly right-of-way line of
13 Interstate Highway No. 45, same being the easterly line of said
14 called 349.99 acre tract, with the following courses and distances:
15 South 15 degrees, 05 minutes, 21 seconds East, 701.77 feet to an
16 angle point;
17 South 15 degrees, 17 minutes, 05 seconds East, 500.43 feet to an
18 angle point;
19 South 12 degrees, 03 minutes, 45 seconds East, 600.07 feet to an
20 angle point;
21 THENCE, continuing along the westerly right-of-way line of
22 Interstate Highway No. 45, same being the easterly line of said
23 called 349.99 acre tract, South 16 degrees, 28 minutes, 29 seconds
24 East, 624.32 feet to a point in said line for the Northeast corner
25 and PLACE OF BEGINNING of the herein described called 105.3609 acre
26 tract;
27 THENCE, continuing South 16 degrees, 28 minutes, 29 seconds East

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1 along the westerly right-of-way line of Interstate Highway No. 45,
2 same being the easterly line of said called 349.99 acre tract and
3 the easterly line of the tract herein described, a distance of 75.85
4 feet to an angle point;
5 THENCE South 09 degrees, 05 minutes, 49 seconds East, continuing
6 along said westerly right-of-way line of Interstate Highway No. 45,
7 same being the easterly line of said called 349.99 acre tract and
8 the easterly line of the tract herein described, a distance of
9 726.72 feet to a point in said line being the Southeast corner of
10 said called 349.99 acre tract, for the Southeast corner of the
11 herein described 105.3609 acre tract;
12 THENCE South 75 degrees, 02 minutes, 51 seconds West, along the
13 South line of said called 349.99 acre tract and being the South line
14 of the tract herein described, 1,391.51 feet to an angle point in
15 said line;
16 THENCE South 80 degrees, 35 minutes, 59 seconds West, along the
17 South line of said called 349.99 acre tract, a distance of 230.95
18 feet to the most southerly Southeast corner of said called 349.99
19 acre tract;
20 THENCE North 74 degrees, 49 minutes, 35 seconds West, along the
21 South line of said called 349.99 acre tract, a distance of 169.00
22 feet to a point for corner;
23 THENCE, continuing along the South line of said called 349.99 acre
24 tract, with the following courses and distances:
25 North 74 degrees, 03 minutes, 07 seconds West, 319.46 feet to an
26 angle point;
27 North 72 degrees, 39 minutes, 50 seconds West, 325.00 feet to an

1 angle point;
2 North 74 degrees, 05 minutes, 35 seconds West, 299.30 feet to an
3 angle point;
4 North 74 degrees, 19 minutes, 35 seconds West, 100.70 feet to an
5 angle point;
6 North 73 degrees, 44 minutes, 35 seconds West, 298.00 feet to an
7 angle point;
8 North 74 degrees, 57 minutes, 35 seconds West, 300.00 feet to an
9 angle point;
10 North 72 degrees, 26 minutes, 35 seconds West, 200.00 feet to an
11 angle point;
12 North 76 degrees, 11 minutes, 35 seconds West, 200.00 feet to an
13 angle point;
14 North 73 degrees, 55 minutes, 35 seconds West, 205.00 feet to an
15 angle point;
16 North 76 degrees, 30 minutes, 35 seconds West, 195.00 feet to an
17 angle point;
18 North 75 degrees, 16 minutes, 35 seconds West, 450.00 feet to an
19 angle point;
20 North 75 degrees, 48 minutes, 35 seconds West, 385.00 feet to an
21 angle point;
22 North 79 degrees, 37 minutes, 35 seconds West, 205.00 feet to an
23 angle point;
24 THENCE North 74 degrees, 49 minutes, 35 seconds West, continuing
25 along said South line, a distance of 451.31 feet to the point of
26 intersection of said line with the easterly right-of-way line of
27 Willis-Montgomery Road (70' R-O-W), said point being the Southwest

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1 corner of said called 349.99 acre tract and the Southwest corner of
2 the herein described called 105.3609 acre tract;
3 THENCE North 42 degrees, 06 minutes, 00 seconds East along said
4 easterly right-of-way line of Willis-Montgomery Road, same being
5 the Northwest line of the aforementioned called 349.99 acre tract
6 and the Northwest line of the tract herein described, a distance of
7 1,622.72 feet to the point of intersection of said line with a
8 non-tangent curve to the left;
9 THENCE in an easterly direction along said curve to the left having
10 a radius of 2,640.00 feet, a central angle of 69 degrees, 50
11 minutes, 46 seconds, a chord bearing South 65 degrees, 09 minutes,
12 06 seconds East 3,022.67 feet, for a distance of 3,218.28 feet to
13 the point of intersection of said curve with a second non-tangent
14 curve to the left;
15 THENCE in an easterly direction along said curve to the left having
16 a radius of 2,640.00 feet, a central angle of 23 degrees, 22
17 minutes, 54 seconds, a chord bearing North 87 degrees, 12 minutes,
18 46 seconds East 1,069.89 feet, for a distance of 1,077.35 feet to
19 the Point of Tangency of said curve;
20 THENCE North 75 degrees, 31 minutes, 19 seconds East a distance of
21 511.01 feet to the PLACE OF BEGINNING, and containing 105.3609
22 acres of land, more or less.

23 TRACT NO. 7

24 FIELD NOTES FOR A CALLED 201.00 ACRE TRACT OF LAND IN THE JAMES
25 BUCHANAN SURVEY, ABSTRACT 100, MONTGOMERY COUNTY, TEXAS, BEING ALL
26 THAT CERTAIN CALLED 246 ACRE TRACT DESCRIBED IN DEED FROM
27 BARCLAY-ANDERSON & COMPANY, INC. TO RANDAL ARLAN HENDRICKS,

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1 TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 8258092
2 IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, TEXAS, SAVE AND
3 EXCEPT, ALL THAT CERTAIN CALLED 45.000 ACRE TRACT DESCRIBED IN DEED
4 FROM RANDAL ARLAN HENDRICKS, TRUSTEE, TO WILLIS INDEPENDENT SCHOOL
5 DISTRICT, BEING OF RECORD IN THE REAL PROPERTY RECORDS OF
6 MONTGOMERY COUNTY, TEXAS UNDER COUNTY CLERK'S FILE NUMBER
7 2001-112403, SAID 201.00 ACRE TRACT BEING MORE PARTICULARLY
8 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

9 BEGINNING at the most easterly Northeast corner of the
10 aforementioned called 246 acre tract, same being the called
11 Southeast corner of a certain adjacent 20.75 acre tract formerly
12 being the property of L & M Lumber Company;

13 THENCE North 75 degrees, 13 minutes, 16 seconds West, along the
14 South line of said adjacent 20.75 acre tract, same being the most
15 easterly North line of the aforementioned called 246 acre tract, a
16 distance of 498.54 feet to a point for corner being the called
17 Southwest corner of said 20.75 acre tract;

18 THENCE North 15 degrees, 47 minutes, 46 seconds West, along the West
19 line of said adjacent 20.75 acre tract, same being the most
20 northerly Northeast line of the aforementioned called 246 acre
21 tract, a distance of 1,285.13 feet to a point in the North line of
22 the James Buchanan Survey being the called Northwest corner of said
23 20.75 acre tract for the most northerly Northeast corner of said 246
24 acre tract, same being the most northerly Northeast corner of the
25 herein described 201.00 acre tract;

26 THENCE North 75 degrees, 09 minutes, 31 seconds West, along the
27 North line of said Buchanan Survey, and being the North line of the

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1 aforementioned called 246 acre tract and the North line of the tract
2 herein described, a distance of 1,179.70 feet to a point for the
3 Northwest corner of said 246 acre tract, same being also the
4 Northwest corner of the tract herein described;
5 THENCE South 13 degrees, 48 minutes, 37 seconds West, along the West
6 line of said called 246 acre tract, a distance of 4,987.28 feet to a
7 point in the North right-of-way line of F. M. Highway No. 830 being
8 the Southwest corner of said 246 acre tract and the Southwest corner
9 of the herein described 201.00 acre tract;
10 THENCE South 67 degrees, 22 minutes, 09 seconds East, along said
11 North right-of-way line and being the South line of the
12 aforementioned called 246 acre tract and the South line of the tract
13 herein described, a distance of 547.42 feet to the point of
14 curvature of a curve to the left;
15 THENCE, continuing along said North right-of-way line, in an
16 easterly direction along said curve to the left having a radius of
17 3,758.11 feet, through a central angle of 01 degree, 35 minutes, 20
18 seconds for a distance of 104.21 feet to a point in said line being
19 the Southwest corner of the aforementioned called 45.000 acre
20 Willis Independent School District tract;
21 THENCE North 14 degrees, 04 minutes, 58 seconds East, along the West
22 line of said called 45.000 acre tract, a distance of 850.62 feet to
23 the most westerly Northwest corner of said tract;
24 THENCE South 75 degrees, 55 minutes, 02 seconds East, along the most
25 westerly North line of said called 45.000 acre tract, a distance of
26 750.00 feet to the most southerly Northwest corner of said tract;
27 THENCE North 14 degrees, 04 minutes, 58 seconds East, along the most

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1 northerly Northwest line of said called 45.000 acre tract, a
2 distance of 657.46 feet to the most northerly Northwest corner of
3 said tract;

4 THENCE South 75 degrees, 55 minutes, 02 seconds East, along the most
5 easterly North line of said called 45.000 acre tract, a distance of
6 900.00 feet to a point in the East line of the aforementioned called
7 246 acre tract being the Northeast corner of said called 45.000 acre
8 tract and the most easterly Southeast corner of the herein
9 described 201.00 acre tract;

10 THENCE North 14 degrees, 04 minutes, 58 seconds East, along the East
11 line of said called 246 acre tract, a distance of 2,438.60 feet to
12 the PLACE OF BEGINNING and containing 201.00 acres of land, more or
13 less.

14 TRACT NO. 8

15 FIELD NOTES FOR A 94.00 ACRE TRACT OF LAND IN THE JAMES BUCHANAN
16 SURVEY, ABSTRACT 100, MONTGOMERY COUNTY, TEXAS, DESCRIBED IN DEED
17 FROM BARCLAY-ANDERSON & COMPANY, INC., TO RANDAL ARLAN HENDRICKS,
18 TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 8258092
19 IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY AND BEING MORE
20 PARTICULAR-LY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

21 BEGINNING at a point in the North line of the aforementioned James
22 Buchanan Survey, from which the Northwest corner of the L. & M.
23 Lumber Company 20.75 acre tract bears South 75 degrees, 09 minutes,
24 31 seconds East a distance of 1,179.7 feet, same being the Northwest
25 corner of a certain adjacent called 246 acre tract described in deed
26 from Barclay-Anderson & Co. Inc. to Randal Arlan Hednricks, Trustee
27 and being of record under County Clerk's File Number 8258092 in the

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1 real property records of Montgomery County and Northeast corner of
2 the herein described 94.00 acre tract;
3 THENCE South 13 degrees, 48 minutes, 37 seconds West, along the West
4 line of said called 246 acre tract, same being the East line of the
5 tract herein described, a distance of 4,987.28 feet to a point in
6 the North right-of-way line of F. M. Highway No. 830 being the
7 Southwest corner of said called 246 acre tract and the Southeast
8 corner of the herein described 94.00 acre tract;
9 THENCE North 67 degrees, 22 minutes, 09 seconds West, along said
10 North right-of-way line, same being the South line of the herein
11 described tract, a distance of 840.45 feet to a point in said line
12 being the Southeast corner of a certain adjacent called 191.659
13 acre tract described in the aforementioned deed to Randal Arlan
14 Hendricks, Trustee for the Southwest corner of the herein described
15 94.00 acre tract;
16 THENCE North 13 degrees, 48 minutes, 37 seconds East, along the East
17 line of said called 191.659 acre tract, same being the West line of
18 the tract herein described, a distance of 4,873.35 feet to a point
19 in the aforementioned North line of the James Buchanan Survey being
20 the Northeast corner of said 191.659 acre tract and the Northwest
21 corner of the herein described 94.00 acre tract;
22 THENCE South 75 degrees, 09 minutes, 32 seconds East, along the
23 North line of the James Buchanan Survey, same being the South line
24 of a certain adjacent called 321.6242 acre tract described in deed
25 from Randal A. Hendricks, Trustee, to Randal Arlan Hendricks,
26 Trustee being of record in Volume 878, at Page 240 in the Deed
27 Records of Montgomery County, and the North line of the herein

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1 described tract, a distance of 830.64 feet to the PLACE OF BEGINNING
2 and containing 94.00 acres of land, more or less.

3 TRACT NO. 9

4 FIELD NOTES FOR AN 80.8895 ACRE TRACT OF LAND IN THE JAMES BUCHANAN
5 SURVEY, ABSTRACT 100, MONTGOMERY COUNTY, TEXAS, BEING THAT SAME
6 CALLED 80.883 ACRE TRACT DESCRIBED IN DEED FROM BARCLAY-ANDERSON &
7 COMPANY, INC. TO RANDAL ARLAN HENDRICKS, TRUSTEE, BEING OF RECORD
8 UNDER COUNTY CLERK'S FILE NUMBER 8258092 IN THE REAL PROPERTY
9 RECORDS OF MONTGOMERY COUNTY, TEXAS AND BEING MORE PARTICULARLY
10 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

11 BEGINNING at the Southeast corner of the aforementioned called
12 80.883 acre tract, same being the called Southeast corner of the
13 James Buchanan Survey, Abstract 100;

14 THENCE North 75 degrees, 09 minutes, 45 seconds West, along the
15 South line of said Buchanan Survey, a distance of 4,549.85 feet to
16 the Southeast corner of a certain called 112.658 acre tract
17 described in deed from C. A. Johnson to Floyd L. McNutt dated June
18 12, 1968 and being of record in Volume 664, at Page 537, of the Deed
19 Records of Montgomery County, Texas for the point for the Southwest
20 corner of the herein described tract;

21 THENCE North 13 degrees, 10 minutes, 20 seconds East, along the East
22 line of said called 112.658 acre tract, a distance of 1,064.68 feet
23 to a point in the South right-of-way line of F. M. Highway No. 830
24 (120' R-O-W) for the Northwest corner of the herein described
25 tract, said point lying in a non-tangent curve to the left;

26 THENCE along said South right-of-way line of F. M. Highway No. 830,
27 same being the North line of the herein described tract, in a

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southeasterly direction with said curve to the left having a radius of 3,795.04 feet and a chord bearing South 63 degrees, 36 minutes, 38 seconds East 476.82 feet, a distance of 477.14 feet to the Point of Tangency of said curve;

THENCE South 67 degrees 22 minutes, 09 seconds East, continuing along said South right-of-way line, a distance of 2,360.58 feet to the Point of Curvature of a curve to the left;

THENCE, continuing along said South right-of-way line, around said curve to the left having a radius of 3,878.12 feet and a central angle of 24 degrees, 15 minutes, 50 seconds, a distance of 1,642.33 feet to the Point of Tangency of said curve;

THENCE North 88 degrees, 22 minutes, 00 seconds East, continuing along said South right-of-way line of F. M. Highway No. 830, a distance of 149.74 feet to a point being the Northeast corner of the aforementioned called 80.883 acre tract, for the Northeast corner of the herein described tract;

THENCE South 14 degrees, 25 minutes, 40 seconds West a distance of 814.11 feet to the PLACE OF BEGINNING and containing 80.8895 acres of land, more or less.

TRACT NO. 10

FIELD NOTES FOR A 188.0782 ACRE TRACT OF LAND IN THE JAMES BUCHANAN SURVEY, ABSTRACT 100, MONTGOMERY COUNTY, TEXAS, BEING THAT SAME TRACT DESCRIBED AS 191.659 ACRES IN DEED FROM BARCLAY-ANDERSON & COMPANY, INC. TO RANDAL ARLAN HENDRICKS, TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 8258092 IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, TEXAS SAVE AND EXCEPT A 40-FOOT WIDE STRIP LOCATED WITHIN THE RIGHT-OF-WAY OF WILLIS-MONTGOMERY ROAD AND

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1 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
2 COMMENCING at a point in the called North line of the James Buchanan
3 Survey, being the Northwest corner of a certain called 20.75 acre L
4 & M Lumber Company tract, same being also the most northerly
5 Northeast corner of a certain called 246 acre tract described in the
6 aforementioned deed from Barclay-Anderson & Company, Inc. to Randal
7 Arlan Hendricks, Trustee;
8 THENCE North 75 degrees, 09 minutes, 31 seconds West, along the
9 called North line of the James Buchanan Survey, a distance of
10 2,010.34 feet to a point in said line being the Northwest corner of
11 a certain adjacent called 94.0 acre tract described in the
12 aforementioned deed from Barclay-Anderson & Company, Inc. to Randal
13 Arlan Hendricks, Trustee, for the Northeast corner and PLACE OF
14 BEGINNING of the herein described 188.0782 acre tract;
15 THENCE, continuing North 75 degrees, 09 minutes, 31 seconds West,
16 along the North line of the Buchanan Survey and being the North line
17 of the tract herein described, a distance of 974.66 feet to the
18 point of intersection of said line with the easterly right-of-way
19 line of Willis-Montgomery Road (80' R-O-W) for the Northwest corner
20 of the tract herein described;
21 THENCE South 41 degrees, 37 minutes, 13 seconds West, along said
22 easterly right-of-way line of Willis-Montgomery Road, a distance of
23 3,906.73 feet to a point in said line being the intersection of said
24 line with the Northwest line of a certain called 34.3175 acre tract
25 described in deed from 830 Park, Ltd. to Randal A. Hendricks,
26 Trustee, being of record under County Clerk's File Number 8208404
27 in the Real Property Records of Montgomery County, for the most

1 westerly Southwest corner of the herein described tract;
2 THENCE North 74 degrees, 17 minutes, 58 seconds East, along said
3 Northwest line, a distance of 404.57 feet to a point for corner
4 being the most northerly Northwest corner of the aforementioned
5 called 34.3175 acre tract;
6 THENCE South 76 degrees, 10 minutes, 11 seconds East, along the
7 North line of said called 34.3175 acre tract, a distance of 983.35
8 feet to the Northeast corner of said tract;
9 THENCE South 13 degrees, 10 minutes, 20 seconds West, along the East
10 line of said called 34.3175 acre tract, a distance of 1,375.10 feet
11 to a point in the North right-of-way line of F. M. Highway No. 830
12 being the Southeast corner of said tract, for the most southerly
13 Southwest corner of the herein described 188.0782 acre tract, said
14 point lying in a curve to the left;
15 THENCE in a southeasterly direction with the long chord of said
16 curve to the left, South 63 degrees, 23 minutes, 53 seconds East for
17 a distance of 497.55 feet to a point for corner;
18 THENCE, continuing with the North right-of-way line of F. M.
19 Highway No. 830, South 67 degrees, 22 minutes, 09 seconds East for a
20 distance of 972.71 feet to the Southwest corner of the
21 aforementioned called 94.0 acre tract for the Southeast corner of
22 the herein described 188.0782 acre tract;
23 THENCE North 13 degrees, 48 minutes, 37 seconds East, along the West
24 line of said called 94.0 acre tract, a distance of 4,873.35 feet to
25 the PLACE OF BEGINNING and containing 188.0782 acres of land, more
26 or less.

27 (b) The Montgomery County Municipal Utility District No.

129 initially includes all the territory contained in the following area:

TRACT NO. 1

FIELD NOTES FOR A CALLED 29.1602 ACRE TRACT OF LAND IN THE URIAH SPRINGER SURVEY, ABSTRACT 532, MONTGOMERY COUNTY, TEXAS, BEING A PART AND OUT OF A CERTAIN CALLED 139.788 ACRE TRACT DESCRIBED IN DEED FROM BARCLAY-ANDERSON & COMPANY, INC. TO RANDAL ARLAN HENDRICKS, TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 8258092 IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, SAID CALLED 29.1602 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the southerly right-of-way line of F. M. Highway No. 1097 being the Northwest corner of a certain called 18.33 acre tract described in deed from Randal Arlan Hendricks, Trustee to Smith Memorial Park being of record in County Clerk's File Number 2004-040916 in the Real Property Records of Montgomery County and being the Northeast corner of the herein described tract;

THENCE South 14 degrees, 30 minutes, 23 seconds West, along the West line of said called 18.33 acre tract, same being the East line of the tract herein described, a distance of 1,703.37 feet to the point intersection of said line with a non-tangent curve to the right, said point of intersection being also the Southeast corner of the herein described called 29.1602 acre tract;

THENCE in a northwesterly direction along said curve to the right having a radius of 2,640.00 feet, a central angle of 09 degrees, 35 minutes, 16 seconds and a chord bearing North 31 degrees, 42

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1 minutes, 27 seconds West 441.26 feet, a distance of 441.78 feet to
2 the Point of Tangency of said curve;
3 THENCE North 26 degrees, 54 minutes, 48 seconds West a distance of
4 632.96 feet to the Point of Curvature of a curve to the right;
5 THENCE in a northwesterly direction along said curve to the right
6 having a radius of 2,640.00 feet, a central angle of 23 degrees, 23
7 minutes, 23 seconds and a chord bearing North 15 degrees, 28
8 minutes, 37 seconds West 1,070.26 feet, a distance of 1,077.73 feet
9 to the point of intersection of said curve with the aforementioned
10 southerly right-of-way line of F. M. Highway No. 1097 for the
11 Northwest corner of the herein described tract;
12 THENCE South 75 degrees, 19 minutes, 46 seconds East, along said
13 right-of-way line, same being the North line of the aforementioned
14 called 139.788 acre tract and the North line of the tract herein
15 described, a distance of 1,272.17 feet to the PLACE OF BEGINNING and
16 containing 29.1602 acres of land, more or less.

17 TRACT NO. 2

18 FIELD NOTES FOR A CALLED 216.2634 ACRE TRACT OF LAND IN THE F. K.
19 HENDERSON SURVEY, ABSTRACT 248, MONTGOMERY COUNTY, TEXAS, BEING A
20 PART AND OUT OF A CERTAIN CALLED 349.99 ACRE TRACT DESCRIBED IN DEED
21 FROM RANDAL A. HENDRICKS, TRUSTEE, TO RANDAL ARLAN HENDRICKS,
22 TRUSTEE DATED DECEMBER 17, 1974 AND BEING OF RECORD IN VOLUME 878,
23 AT PAGE 240, OF THE DEED RECORDS OF MONTGOMERY COUNTY, TEXAS, SAID
24 CALLED 216.2634 ARE TRACT BEING DESCRIBED MORE PARTICULARLY BY
25 METES AND BOUNDS AS FOLLOWS:

26 COMMENCING at a point in the westerly right-of-way line of
27 Interstate Highway No. 45, said point being the Northeast corner of

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1 the aforementioned called 349.99 acre tract and the Northeast
2 corner of a certain adjacent called 28.534 acre tract described in
3 deed from Randal Arlan Hendricks, Trustee, to First Baptist Church
4 of Willis being of record under County Clerk's File Number 9622769
5 in the Real Property Records of Montgomery County;
6 THENCE South 14 degrees, 28 minutes, 41 seconds East, along the
7 westerly right-of-way line of Interstate Highway No. 45, same being
8 the common easterly line of said called 349.99 acre and 28.534 acre
9 tracts, a distance of 1,053.82 feet to a point in said line being
10 the Southeast corner of said called 28.534 acre tract, for the PLACE
11 OF BEGINNING of the herein described 216.2634 acre tract;
12 THENCE, continuing South 14 degrees, 28 minutes, 41 seconds East,
13 along the westerly right-of-way line of Interstate Highway No. 45,
14 same being the easterly line of said called 349.99 acre tract and
15 the easterly line of the tract herein described, a distance of
16 214.44 feet to an angle point in said line;
17 THENCE, continuing along the westerly right-of-way line of
18 Interstate Highway No. 45, same being the easterly line of said
19 called 349.99 acre tract and the easterly line of the tract herein
20 described, with the following courses and distances:
21 South 15 degrees, 05 minutes, 21 seconds East, 701.77 feet to an
22 angle point;
23 South 15 degrees, 17 minutes, 05 seconds East, 500.43 feet to an
24 angle point;
25 South 12 degrees, 03 minutes, 45 seconds East, 600.07 feet to an
26 angle point;
27 THENCE, continuing along the westerly right-of-way line of

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1 Interstate Highway No. 45, same being the easterly line of said
2 called 349.99 acre tract and the easterly line of the tract herein
3 described, South 16 degrees, 28 minutes, 29 seconds East, 624.32
4 feet to a point in said line for the most easterly Southeast corner
5 of the herein described tract;
6 THENCE, departing from said westerly right-of-way line, South 75
7 degrees, 31 minutes, 19 seconds West a distance of 511.01 feet to
8 the Point of Curvature of a curve to the right;
9 THENCE in a westerly direction along said curve to the right having
10 a radius of 2,640.00 feet, a central angle of 23 degrees, 22
11 minutes, 54 seconds and a chord bearing South 87 degrees, 12
12 minutes, 46 seconds West 1,069.89 feet, a distance of 1,077.35 feet
13 to the point of intersection of said curve with a non-tangent curve
14 to the right;
15 THENCE in a westerly direction along said curve to the right having
16 a radius of 2,640.00 feet, a central angle of 69 degrees, 50
17 minutes, 46 seconds and a chord bearing North 65 degrees, 09
18 minutes, 06 seconds West 3,022.67 feet, a distance of 3,218.28 feet
19 to the point of intersection of said curve with the easterly
20 right-of-way line of Willis-Montgomery Road (70' R-O-W) for the
21 Southwest corner of the herein described tract;
22 THENCE North 42 degrees, 06 minutes, 00 seconds East along said
23 easterly right-of-way line of Willis-Montgomery Road, same being
24 the Northwest line of the aforementioned called 349.99 acre tract
25 and the Northwest line of the tract herein described, a distance of
26 2,741.82 feet to a point in said line being the most westerly
27 Northwest corner of a certain called 28.534 acre tract described in

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1 deed from Randal Arlan Hendricks, Trustee to First Baptist Church
2 of Willis dated April 11, 1969 and being of record under County
3 Clerk's File Number 9622769 in the Real Property Records of
4 Montgomery County, Texas and being also the Southwest corner of a
5 30-foot wide access easement described in Exhibit "B" to said deed;
6 THENCE North 74 degrees, 45 minutes, 38 seconds East along the South
7 line of said 30-foot wide access easement, and being parallel to and
8 30.00 feet at right angles in a southerly direction from the North
9 line of said called 349.99 acre tract, a distance of 252.47 feet to
10 a reentrant corner of the aforementioned called 28.534 acre tract;
11 THENCE South 14 degrees, 28 minutes, 41 seconds East, along the most
12 westerly Southwest line of said called 28.534 acre tract, a
13 distance of 796.93 feet to the most westerly southwest corner of
14 said tract;
15 THENCE North 75 degrees, 31 minutes, 19 seconds East, along the most
16 westerly South line of said called 28.534 acre tract, a distance of
17 845.00 feet to a point for corner;
18 THENCE South 14 degrees, 28 minutes, 41 seconds East, along the most
19 southerly southwest line of said called 28.534 acre tract, a
20 distance of 209.00 feet to the most southerly corner of said called
21 28.534 acre tract;
22 THENCE North 75 degrees, 31 minutes, 09 seconds East, along the most
23 easterly South line of said called 28.534 acre tract, a distance of
24 500.01 feet (being called North 75 degrees, 31 minutes, 19 seconds
25 East 500.00 feet in the aforementioned 28.534 acre deed) to the
26 PLACE OF BEGINNING and containing 216.2634 acres of land, more or
27 less.

1 TRACT NO. 3

2 FIELD NOTES FOR A CALLED 1.9381 ACRE TRACT OF LAND IN THE URIAH
3 SPRINGER SURVEY, ABSTRACT 532, BEING A PART AND OUT OF A CERTAIN
4 CALLED 52.94 ACRE TRACT DESCRIBED IN DEED FROM ARNOLD H. MIERS TO
5 RANDAL A. HENDRICKS, TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S
6 FILE NUMBER 8523408 IN THE REAL PROPERTY RECORDS OF MONTGOMERY
7 COUNTY, TEXAS, SAID CALLED 1.9381 ACRE TRACT BEING MORE
8 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

9 BEGINNING at the Northeast corner of the aforementioned called
10 52.94 acre tract, same being the Southeast corner of Lot 26, Block
11 2, Hilltop Village Subdivision, according to a map or plat of said
12 subdivision being of record in Cabinet "E", Slide 110-B, in the Map
13 Records of Montgomery County, Texas;

14 THENCE South 15 degrees, 30 minutes, 05 seconds West, along the East
15 line of said called 52.94 acre tract, same being the West line of
16 the Margaret Ella Watson Subdivision according to a map or plat of
17 said subdivision being of record in Volume 5, at Page 10, of the Map
18 Records of Montgomery County, a distance of 125.00 feet to the point
19 of intersection of said line with a non-tangent curve to the right;

20 THENCE in a westerly direction along said curve to the right, having
21 a radius of 2,640.00 feet, a central angle of 20 degrees, 27
22 minutes, 53 seconds and a chord bearing North 67 degrees, 02
23 minutes, 04 seconds West 937.94 feet, a distance of 942.95 feet to
24 the point of intersection of said curve with the North line of the
25 aforementioned called 52.94 acre tract;

26 THENCE South 74 degrees, 41 minutes, 35 seconds East, along the
27 North line of said called 52.94 acre tract (being called South 74

1 degrees, 41 minutes, 20 seconds East in the aforementioned 52.94
2 acre deed), a distance of 930.00 feet to the PLACE OF BEGINNING and
3 containing 1.9381 acres of land, more or less.

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

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

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

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

22 SECTION 4. This Act takes effect September 1, 2009.