

1-1 By: Nichols S.B. No. 2504
1-2 (In the Senate - Filed April 6, 2009; April 8, 2009, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 20, 2009, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; April 20, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the creation of the Montgomery County Municipal Utility
1-9 Districts Nos. 128 and 129; providing authority to impose a tax and
1-10 issue bonds; granting a limited power of eminent domain.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-13 Code, is amended by adding Chapters 8355 and 8356 to read as
1-14 follows:

1-15 CHAPTER 8355. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 128

1-16 SUBCHAPTER A. GENERAL PROVISIONS

1-17 Sec. 8355.001. 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 Montgomery County Municipal
1-21 Utility District No. 128.

1-22 Sec. 8355.002. NATURE OF DISTRICT. The district is a
1-23 municipal utility district created under Section 59, Article XVI,
1-24 Texas Constitution.

1-25 Sec. 8355.003. CONFIRMATION AND DIRECTORS' ELECTION
1-26 REQUIRED. The temporary directors shall hold an election to
1-27 confirm the creation of the district and to elect five permanent
1-28 directors as provided by Section 49.102, Water Code.

1-29 Sec. 8355.004. CONSENT OF MUNICIPALITY REQUIRED. The
1-30 temporary directors may not hold an election under Section 8355.003
1-31 until each municipality in whose corporate limits or
1-32 extraterritorial jurisdiction the district is located has
1-33 consented by ordinance or resolution to the creation of the
1-34 district and to the inclusion of land in the district.

1-35 Sec. 8355.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-36 (a) The district is created to serve a public purpose and benefit.

1-37 (b) The district is created to accomplish the purposes of:

1-38 (1) a municipal utility district as provided by
1-39 general law and Section 59, Article XVI, Texas Constitution; and

1-40 (2) Section 52, Article III, Texas Constitution, that
1-41 relate to the construction, acquisition, improvement, operation,
1-42 or maintenance of macadamized, graveled, or paved roads, or
1-43 improvements, including storm drainage, in aid of those roads.

1-44 Sec. 8355.006. INITIAL DISTRICT TERRITORY. (a) The
1-45 district is initially composed of the territory described by
1-46 Section 2(a) of the Act creating this chapter.

1-47 (b) The boundaries and field notes contained in Section 2(a)
1-48 of the Act creating this chapter form a closure. A mistake made in
1-49 the field notes or in copying the field notes in the legislative
1-50 process does not affect the district's:

1-51 (1) organization, existence, or validity;

1-52 (2) right to issue any type of bond for the purposes
1-53 for which the district is created or to pay the principal of and
1-54 interest on a bond;

1-55 (3) right to impose a tax; or

1-56 (4) legality or operation.

1-57 [Sections 8355.007-8355.050 reserved for expansion]

1-58 SUBCHAPTER B. BOARD OF DIRECTORS

1-59 Sec. 8355.051. GOVERNING BODY; TERMS. (a) The district is
1-60 governed by a board of five elected directors.

1-61 (b) Except as provided by Section 8355.052, directors serve
1-62 staggered four-year terms.

1-63 Sec. 8355.052. TEMPORARY DIRECTORS. (a) The temporary
1-64 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 appointment or reappointment.

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

[Sections 8355.053-8355.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

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

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

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

Sec. 8355.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

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

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

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

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

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

(2) contain less than 200 or more than 600 acres of

land without the prior consent of any municipality in whose extraterritorial jurisdiction the district is located.

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

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

(f) An order dividing the district shall:

(1) name each new district;

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

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

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

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

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

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

(j) Any new district created by the division of the district must hold an election as required by this chapter to obtain voter approval before the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes.

Sec. 8355.106. 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. 8355.107. 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 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 governed by a board of five elected directors.

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

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

(1) Wade Bradow;

(2) Joel Littlefield;

(3) Bryan Neal;

(4) James Coody; and

(5) Simon Sequeira.

(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 8356.003; or

(2) September 1, 2013.

(d) If permanent directors have not been elected under Section 8356.003 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 8356.003; or

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

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

[Sections 8356.053-8356.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

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

Sec. 8356.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the

general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

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

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

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

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

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

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

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

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

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

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

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

(e) The board may adopt an order dividing the district before or after the date the board holds an election under Section 8356.003 to confirm the district's creation.

(f) An order dividing the district shall:

(1) name each new district;

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

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

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

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

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

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

(j) Any new district created by the division of the district must hold an election as required by this chapter to obtain voter approval before the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes.

7-1 Sec. 8356.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
 7-2 OR RESOLUTION. The district shall comply with all applicable
 7-3 requirements of any ordinance or resolution that is adopted under
 7-4 Section 54.016 or 54.0165, Water Code, and that consents to the
 7-5 creation of the district or to the inclusion of land in the
 7-6 district.

7-7 Sec. 8356.107. EFFECT OF ANNEXATION. (a) A municipality
 7-8 within whose extraterritorial jurisdiction the land in the district
 7-9 lies may annex all of the district into its corporate limits under
 7-10 the terms of an agreement entered into before the effective date of
 7-11 the Act creating this chapter between the municipality and the
 7-12 owners of the land being annexed, and, in that instance, the
 7-13 district may not be dissolved, except as provided by Subsection
 7-14 (b).

7-15 (b) The district may be dissolved and its debts and
 7-16 obligations assumed by the municipality in accordance with Chapter
 7-17 43, Local Government Code, including Sections 43.075 and 43.0715,
 7-18 on:

7-19 (1) annexation of all of the territory of the district
 7-20 by the municipality; and

7-21 (2) completion of the construction of the water,
 7-22 sanitary sewer, and drainage improvements and roads required to
 7-23 serve at least 95 percent of the land in the district.

7-24 (c) Notwithstanding Section 54.016(f)(2), Water Code, a
 7-25 contract between the municipality and the district that provides
 7-26 for the allocation of the taxes or revenues between the district and
 7-27 the municipality following the date of inclusion of all the
 7-28 district's territory in the corporate limits of the municipality
 7-29 may provide that the total annual ad valorem taxes collected by the
 7-30 municipality and the district from taxable property in the district
 7-31 may exceed the municipality's ad valorem tax on the property.

7-32 Sec. 8356.108. LIMITATION ON USE OF EMINENT DOMAIN. The
 7-33 district may not exercise the power of eminent domain outside the
 7-34 district to acquire a site or easement for:

7-35 (1) a road project authorized by Section 8356.103; or
 7-36 (2) a recreational facility as defined by Section
 7-37 49.462, Water Code.

7-38 [Sections 8356.109-8356.150 reserved for expansion]

7-39 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

7-40 Sec. 8356.151. ELECTIONS REGARDING TAXES OR BONDS.
 7-41 (a) The district may issue, without an election, bonds and other
 7-42 obligations secured by:

7-43 (1) revenue other than ad valorem taxes; or
 7-44 (2) contract payments described by Section 8356.153.

7-45 (b) The district must hold an election in the manner
 7-46 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 7-47 before the district may impose an ad valorem tax or issue bonds
 7-48 payable from ad valorem taxes.

7-49 (c) The district may not issue bonds payable from ad valorem
 7-50 taxes to finance a road project unless the issuance is approved by a
 7-51 vote of a two-thirds majority of the district voters voting at an
 7-52 election held for that purpose.

7-53 Sec. 8356.152. OPERATION AND MAINTENANCE TAX. (a) If
 7-54 authorized at an election held under Section 8356.151, the district
 7-55 may impose an operation and maintenance tax on taxable property in
 7-56 the district in accordance with Section 49.107, Water Code.

7-57 (b) The board shall determine the tax rate. The rate may not
 7-58 exceed the rate approved at the election.

7-59 Sec. 8356.153. CONTRACT TAXES. (a) In accordance with
 7-60 Section 49.108, Water Code, the district may impose a tax other than
 7-61 an operation and maintenance tax and use the revenue derived from
 7-62 the tax to make payments under a contract after the provisions of
 7-63 the contract have been approved by a majority of the district voters
 7-64 voting at an election held for that purpose.

7-65 (b) A contract approved by the district voters may contain a
 7-66 provision stating that the contract may be modified or amended by
 7-67 the board without further voter approval.

7-68 [Sections 8356.154-8356.200 reserved for expansion]

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8356.201. 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. 8356.202. 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. 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;

THENCE North 75 degrees, 23 minutes, 12 seconds West a distance of 137.03 feet to a point for corner in the East right-of-way line of Old Egypt Road (80' R-O-W);

THENCE in a northerly direction along said East right-of-way line, North 19 degrees, 10 minutes, 23 seconds East, 296.88 feet to a point for corner;

THENCE North 21 degrees, 09 minutes, 33 seconds East, continuing along said East right-of-way line, 196.92 feet to a point in said line being the most southerly Northwest corner of a called 4.8800 acre tract being designated for use as a City of Conroe water plant/fire station;

THENCE South 65 degrees, 50 minutes, 54 seconds East, along the boundary of said called 4.8800 acre City of Conroe tract, a distance of 243.66 feet to a point for corner;

THENCE South 02 degrees, 51 minutes, 09 seconds West, along the most southerly West line of said called 4.8800 acre tract, a distance of 460.99 feet to a point for the most southerly Southwest corner of said tract;

THENCE South 87 degrees, 08 minutes, 51 seconds East, along the South line of said called 4.8800 acre tract, a distance of 275.00 feet to a point for the Southeast corner of said tract;

THENCE North 02 degrees, 51 minutes, 09 seconds East, along the East line of said called 4.8800 acre tract, a distance of 568.44 feet to a point for the Northeast corner of said tract;

THENCE North 65 degrees, 50 minutes, 54 seconds West, along the Northeast line of said called 4.8800 acre tract, a distance of 461.81 feet to a point in the aforementioned

East right-of-way line of Old Egypt Road, same being the most northerly Northwest corner of said tract;

THENCE North 26 degrees, 41 minutes, 03 seconds East, along said

9-1 East right-of-way line, a distance of 261.40 feet to a an angle
 9-2 point;
 9-3 THENCE North 34 degrees, 34 minute, 34 seconds East, continuing
 9-4 along said East right-of-way line, 321.85 feet to a point for corner
 9-5 in the South right-of-way line of F. M. Highway No. 830 (120'
 9-6 R-O-W);
 9-7 THENCE South 82 degrees, 34 minutes, 28 seconds East, along said
 9-8 South right-of-way line, a distance of 86.72 feet to a point in said
 9-9 line being the point of intersection of said right-of-way line with
 9-10 a non-tangent curve to the right;
 9-11 THENCE, continuing along said South right-of-way line, in a
 9-12 southeasterly direction around said curve to the right having a
 9-13 radius of 5,301.86 feet, a central angle of 04 degrees, 26 minutes,
 9-14 06 seconds, and a chord bearing South 49 degrees, 07 minutes, 58
 9-15 seconds East 410.30 feet, for a distance of 410.40 feet to the point
 9-16 of tangency of said curve;
 9-17 THENCE, continuing along said South right-of-way line, South 46
 9-18 degrees, 23 minutes, 05 seconds East for a distance of 477.83 feet
 9-19 to a point in said line being the point of curvature of a curve to
 9-20 the left;
 9-21 THENCE, continuing along said South right-of-way line, in a
 9-22 southeasterly direction around said curve to the left having a
 9-23 radius of 3,795.04 feet, a central angle of 16 degrees, 27 minutes,
 9-24 08 seconds, and a chord bearing South 54 degrees, 53 minutes, 20
 9-25 seconds East 1,085.98 feet, for a distance of 1,089.72 feet to a
 9-26 point in said line being the Northwest corner of a certain adjacent
 9-27 called 80.883 acre tract described in deed from Barclay-Anderson &
 9-28 Company, Inc. to Randal Arlan Hendricks, Trustee being of record
 9-29 under County Clerk's File Number 8258092 in the Real Property
 9-30 Records of Montgomery County, Texas for the Northeast corner of the
 9-31 herein described 66.8118 acre tract;
 9-32 THENCE South 10 degrees, 39 minutes, 40 seconds West, along the West
 9-33 line of said called 80.883 acre tract and being the East line of the
 9-34 tract herein described, a distance of 1,064.64 feet to a point in
 9-35 the South line of the aforementioned James Buchanan Survey being
 9-36 the Southwest corner of said called 80.883 acre tract for the
 9-37 Southeast corner of the herein described 66.8118 acre tract;
 9-38 THENCE North 78 degrees, 44 minutes, 21 seconds West, along said
 9-39 South line of the Buchanan Survey, same being the South line of the
 9-40 aforementioned called 71.6503 acre tract and the South line of the
 9-41 tract herein described, a distance of 2,050.01 feet to the PLACE OF
 9-42 BEGINNING and containing 66.8118 acres of land, more or less.
 9-43 TRACT NO. 2
 9-44 FIELD NOTES FOR A 34.161 ACRE TRACT OF LAND BEING A CALLED 34.3175
 9-45 ACRE TRACT OUT OF THE JAMES BUCHANAN SURVEY, ABSTRACT 100,
 9-46 MONTGOMERY COUNTY, TEXAS, DESCRIBED IN DEED FROM 830 PARK, LTD., TO
 9-47 RANDAL A. HENDRICKS, TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S
 9-48 FILE NUMBER 8208404 IN THE REAL PROPERTY RECORDS OF MONTGOMERY
 9-49 COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND
 9-50 BOUNDS AS FOLLOWS:
 9-51 BEGINNING at the Northeast corner of said 34.3175 acre tract, said
 9-52 point being an interior corner of a certain called 191.659 acre
 9-53 tract described in deed from Barclay-Anderson & Company, Inc., to
 9-54 Randal Arlan Hendricks, Trustee, being of record under Clerk's File
 9-55 Number 8258092 of the Real Property Records of Montgomery County,
 9-56 Texas, for the Northeast corner of the herein described tract;
 9-57 THENCE South 13 degrees, 58 minutes, 47 seconds West, along a
 9-58 Westerly line of said called 191.659 acre tract and the Easterly
 9-59 line of said called 34.3175 acre tract, a distance of 1,374.54 feet
 9-60 to a point on a curve in Northeasterly right-of-way line of F.M.
 9-61 Highway No. 830, based on 120-foot width for the most Southerly
 9-62 Southwest corner of said called 191.659 acre tract and the
 9-63 Southeast corner of said called 34.3175 acre tract and the herein
 9-64 described tract;
 9-65 THENCE in a Northwesterly direction along the Northeasterly
 9-66 right-of-way line of said F.M. Highway No. 830 and the
 9-67 Southwesterly line of said called 34.3175 acre tract, around a
 9-68 curve to the right having a radius of 3,697.10 feet and a central
 9-69 angle of 15 degrees, 49 minutes, 52 seconds, for a distance of

10-1 1,021.53 feet to a point for the end of said curve;
 10-2 THENCE North 43 degrees, 19 minutes, 20 seconds West, continuing
 10-3 along the Northeasterly right-of-way line of said F.M. Highway No.
 10-4 830 and the Southwesterly line of said called 34.3175 acre tract, a
 10-5 distance of 365.54 feet to an angle point;
 10-6 THENCE North 37 degrees, 47 minutes, 14 seconds West, continuing
 10-7 along Northeasterly right-of-way line of said F.M. Highway No. 830
 10-8 and the Southwesterly line of said called 34.3175 acre tract, a
 10-9 distance of 100.68 feet to an angle point;
 10-10 THENCE North 43 degrees, 22 minutes, 43 seconds West, continuing
 10-11 along the Northeasterly right-of-way line of said F.M. Highway No.
 10-12 830 and the Southwesterly line of said called 34.3175 acre tract, a
 10-13 distance of 12.27 feet to the beginning of a curve to the left;
 10-14 THENCE in a Northwesterly direction continuing along the
 10-15 Northeasterly right-of-way line of said F.M. Highway No. 830 and
 10-16 the Southwesterly line of said called 34.3175 acre tract, around
 10-17 said curve to the left having a radius of 3,639.97 feet and a
 10-18 central angle of 02 degrees, 59 minutes, 04 seconds, for a distance
 10-19 of 189.60 feet to a point for the end of said curve;
 10-20 THENCE North 51 degrees, 09 minutes, 49 seconds West, continuing
 10-21 along the Northeasterly right-of-way line of said F.M. Highway No.
 10-22 830 and the Southwesterly line of said called 34.3175 acre tract, a
 10-23 distance of 102.46 feet to a point for the beginning of a curve to
 10-24 the left;
 10-25 THENCE in a Northwesterly direction continuing along the
 10-26 Northeasterly right-of-way line of said F.M. Highway No. 830 and
 10-27 the Southwesterly line of said called 34.3175 acre tract, around a
 10-28 curve to the left having a radius of 5,789.65 feet and a central
 10-29 angle of 00 degrees, 44 minutes, 52 seconds, for a distance of 75.56
 10-30 feet to a point for the end of said curve, being the Southwest
 10-31 corner of said called 34.3175 acre tract and the herein described
 10-32 tract;
 10-33 THENCE North 07 degrees, 11 minutes, 00 seconds East, along the
 10-34 Westerly line of said called 34.3175 acre tract, a distance of 57.31
 10-35 feet to a point in the Southeasterly right-of-way line of
 10-36 Willis-Montgomery Road, based on 60-foot width, for an angle point
 10-37 in the Westerly line of said called 34.3175 acre tract and the
 10-38 herein described tract;
 10-39 THENCE North 61 degrees, 27 minutes, 00 seconds East, along the
 10-40 Southeasterly right-of-way line of said Willis-Montgomery Road and
 10-41 the Northwesterly line of said called 34.3175 acre tract, a
 10-42 distance of 335.54 feet to an angle point, said point being the
 10-43 Southwest corner of the aforesaid called 191.659 acre tract;
 10-44 THENCE North 75 degrees, 09 minutes, 59 seconds East, along the
 10-45 Northwesterly line of said called 34.3175 acre tract and a
 10-46 Southeasterly line of said called 191.659 acre tract, a distance of
 10-47 478.37 feet to a point for an angle point in the Southeasterly line
 10-48 of said called 191.659 acre tract and the Northwest corner of said
 10-49 called 34.3175 acre tract and the herein described tract;
 10-50 THENCE South 75 degrees, 18 minutes, 12 seconds East, continuing
 10-51 along the Northerly line of said called 34.3175 acre tract and a
 10-52 Southerly line of said called 191.659 acre tract, a distance of
 10-53 982.35 feet to the PLACE OF BEGINNING and containing 34.161 acres of
 10-54 land, more or less.
 10-55 TRACT NO. 3
 10-56 FIELD NOTES FOR A 207.700 NET ACRE TRACT OF LAND IN THE JAMES
 10-57 BUCHANAN SURVEY, ABSTRACT 100, MONTGOMERY COUNTY, TEXAS, BEING THAT
 10-58 SAME TRACT DESCRIBED AS 211.346 ACRES IN DEED FROM BARCLAY-ANDERSON
 10-59 & COMPANY, INC., TO RANDAL ARLAN HENDRICKS, TRUSTEE, BEING OF
 10-60 RECORD UNDER COUNTY CLERK'S FILE NUMBER 8258092 IN THE REAL
 10-61 PROPERTY RECORDS OF MONTGOMERY COUNTY SAVE AND EXCEPT A 40-FOOT
 10-62 WIDE STRIP LYING WITHIN THE RIGHT-OF-WAY LINE OF LOWER
 10-63 WILLIS-MONTGOMERY ROAD AND BEING MORE PARTICULARLY DESCRIBED BY
 10-64 METES AND BOUNDS AS FOLLOWS:
 10-65 BEGINNING at the called Northwest corner of the James Buchanan
 10-66 Survey, same being the called Southwest corner of the Uriah
 10-67 Springer Survey, Abstract 532;
 10-68 THENCE South 15 degrees, 30 minutes, 10 seconds West, along the most
 10-69 northerly West line of said James Buchanan Survey, a distance of

11-1 998.54 feet to an angle point in said line;
 11-2 THENCE South 15 degrees, 52 minutes, 15 seconds West, continuing
 11-3 along the most northerly West line of the Buchanan Survey, a
 11-4 distance of 267.91 feet to an angle point in said line;
 11-5 THENCE South 15 degrees, 01 minute, 49 seconds West, continuing
 11-6 along said line, a distance of 1,961.79 feet to a point for corner
 11-7 in the North line of the Elijah Collard Survey, Abstract 7, same
 11-8 being the most westerly South line of the aforementioned James
 11-9 Buchanan Survey, for the most westerly corner of the herein
 11-10 described 207.700 acre tract;
 11-11 THENCE South 76 degrees 10 minutes, 29 seconds East, along the
 11-12 common line of said James Buchanan and Elijah Collard surveys, a
 11-13 distance of 1,269.66 feet to the Northeast corner of said Elijah
 11-14 Collard Survey;
 11-15 THENCE South 15 degrees, 11 minutes, 21 seconds West, along the East
 11-16 line of the Elijah Collard Survey, a distance of 438.15 feet to a
 11-17 point for corner in the northerly right-of-way line of F. M. Highway
 11-18 No. 830 (120' R-O-W);
 11-19 THENCE South 50 degrees, 39 minutes, 31 seconds East, along said
 11-20 northerly right-of-way line, a distance of 205.79 feet to the point
 11-21 of intersection of said line with the westerly right-of-way line of
 11-22 lower Willis-Montgomery Road (80' R-O-W);
 11-23 THENCE North 74 degrees, 00 minutes, 45 seconds East, along the
 11-24 westerly right-of-way line of lower Willis-Montgomery Road, a
 11-25 distance of 357.17' to a point for corner;
 11-26 THENCE North 41 degrees, 37 minutes, 13 seconds East, continuing
 11-27 along said westerly line of lower Willis-Montgomery Road, a
 11-28 distance of 3,991.73 feet to the point of intersection of said line
 11-29 with the North line of the James Buchanan Survey for the Northeast
 11-30 corner of the herein described 207.700 acre tract;
 11-31 THENCE North 75 degrees, 11 minutes, 31 seconds West, along the
 11-32 North line of said James Buchanan Survey, a distance of 1,408.08
 11-33 feet to an angle point in said line;
 11-34 THENCE North 77 degrees, 49 minutes, 44 seconds West, continuing
 11-35 along said survey line, a distance of 541.97 feet to an angle point
 11-36 in said line being the Southeast corner of a certain adjacent called
 11-37 50.0 acre tract described in deed recorded in Volume 724, at Page
 11-38 590 of the Deed Records of Montgomery County;
 11-39 THENCE North 74 degrees, 51 minutes, 09 seconds West, continuing
 11-40 along said North line of the James Buchanan Survey, and being the
 11-41 South line of the aforementioned 50.0 acre tract, a distance of
 11-42 1,587.00 feet to the PLACE OF BEGINNING and containing a net area of
 11-43 207.700 acres of land, more or less.
 11-44 TRACT NO. 4
 11-45 FIELD NOTES FOR A 53.3594 ACRE TRACT OF LAND COMPRISED OF A PORTION
 11-46 OF A CALLED 52.94 ACRE TRACT OUT OF THE URIAH SPRINGER SURVEY,
 11-47 ABSTRACT 532, AND A CALLED 2.356 ACRE TRACT OUT OF THE F. K.
 11-48 HENDERSON SURVEY, ABSTRACT 248, MONTGOMERY COUNTY, TEXAS, BOTH OF
 11-49 SAID TRACTS BEING DESCRIBED IN DEED FROM ARNOLD H. MIERS TO RANDAL
 11-50 A. HENDRICKS, TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S FILE
 11-51 NUMBER 8523408 IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY,
 11-52 TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS
 11-53 FOLLOWS:
 11-54 BEGINNING at the Southwest corner of the Margaret Ella Watson
 11-55 Subdivision, according to a map or plat of said subdivision being of
 11-56 record in Volume 5, at Page 10, of the Map Records of Montgomery
 11-57 County, Texas, same being the Southeast corner of the
 11-58 aforementioned called 52.94 acre tract, for the most southerly
 11-59 Southeast corner of the herein described tract;
 11-60 THENCE North 15 degrees, 30 minutes, 05 seconds East, along the West
 11-61 line of said Margaret Ella Watson Subdivision, same being the East
 11-62 line of the aforementioned called 52.94 acre tract, a distance of
 11-63 561.91 feet to a point in said line being the Southwest corner of
 11-64 Lot No. 2 of said subdivision;
 11-65 THENCE South 47 degrees, 57 minutes, 14 seconds East, along the
 11-66 common line of Lot No. 1 and Lot No. 2 of said subdivision, a
 11-67 distance of 348.57 feet to a point in the westerly right-of-way line
 11-68 of Lower Willis-Montgomery Road being the most southerly corner of
 11-69 said Lot No. 2;

12-1 THENCE North 42 degrees, 08 minutes, 34 seconds East, along said
 12-2 westerly right-of-way line, a distance of 250.03 feet to the most
 12-3 easterly corner of said Lot No. 2;
 12-4 THENCE North 48 degrees, 03 minutes, 02 seconds West, along the
 12-5 common line of Lot No. 2 and Lot No. 3 of said Margaret Ella Watson
 12-6 Subdivision, a distance of 473.50 feet to a point in the East line
 12-7 of the aforementioned called 54.94 acre tract being the most
 12-8 northerly corner of said Lot No. 2;
 12-9 THENCE North 15 degrees, 30 minutes, 05 seconds East, along the East
 12-10 line of said called 52.94 acre tract, same being the West line of
 12-11 the Margaret Ella Watson Subdivision, a distance of 803.15 feet to
 12-12 the point of intersection of said line with a non-tangent curve to
 12-13 the right;
 12-14 THENCE, departing from said East line, along said curve to the right
 12-15 having a radius of 2,640.00 feet, a central angle of 20 degrees, 27
 12-16 minutes, 54 seconds, and a chord bearing North 67 degrees, 01
 12-17 minute, 49 seconds West 937.95 feet, a distance of 942.96 feet to
 12-18 the point of intersection of said curve with the North line of the
 12-19 aforementioned called 52.94 acre tract;
 12-20 THENCE North 74 degrees, 41 minutes, 20 seconds West, along the
 12-21 North line of said called 52.94 acre tract, a distance of 373.90
 12-22 feet to the Northwest corner of said called 52.94 acre tract, said
 12-23 point lying in the East line of a certain adjacent called 139.788
 12-24 acre tract described in deed from Barclay-Anderson & Company, Inc.
 12-25 to Randal A. Hendricks, Trustee being of record under County
 12-26 Clerk's File Number 8258092 in the Real Property Records of
 12-27 Montgomery County;
 12-28 THENCE South 15 degrees, 29 minutes, 55 seconds West, along the West
 12-29 line of said called 52.94 acre tract, same being the East line of
 12-30 said called 139.788 acre tract, a distance of 1,768.75 feet to a
 12-31 point in the South line of the aforementioned Uriah Springer Survey
 12-32 being the Southeast corner of said called 139.788 acre tract, being
 12-33 the Southwest corner of said called 52.94 acre tract and the
 12-34 Southwest corner of the tract herein described;
 12-35 THENCE South 74 degrees, 41 minutes, 34 seconds East, along said
 12-36 South line of the Uriah Springer Survey, same being the South line
 12-37 of said called 52.94 acre tract and the North line of a certain
 12-38 adjacent called 211.346 acre tract described in deed from
 12-39 Barclay-Anderson & Company, Inc. to Randal Arlan Hendricks, Trustee
 12-40 being of record under County Clerk's File Number 8258092 in the Real
 12-41 Property Records of Montgomery County, a distance of 1,303.82 feet
 12-42 to the PLACE OF BEGINNING and containing 53.3594 acres of land, more
 12-43 or less.
 12-44 TRACT NO. 5
 12-45 FIELD NOTES FOR A 84.9540 ACRE TRACT OF LAND IN THE URIAH SPRINGER
 12-46 SURVEY, ABSTRACT 532, MONTGOMERY COUNTY, TEXAS, BEING A PART AND
 12-47 OUT OF THAT CERTAIN CALLED 139.788 ACRE TRACT DESCRIBED IN DEED FROM
 12-48 BARCLAY-ANDERSON & COMPANY, INC. TO RANDAL ARLAN HENDRICKS,
 12-49 TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 8258092
 12-50 IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, SAID 84.9540
 12-51 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS
 12-52 FOLLOWS:
 12-53 BEGINNING at a point in the South line of the Uriah Springer Survey,
 12-54 being the Southeast corner of a certain adjacent 50 acre Moran
 12-55 Corporation tract being of record in Volume 724, at Page 590 of the
 12-56 Deed Records of Montgomery County, Texas, same being the westerly
 12-57 Southeast corner of the aforementioned called 139.788 acre tract
 12-58 and being in the North line of a certain adjacent called 211.346
 12-59 acre tract described in the aforementioned deed from
 12-60 Barclay-Anderson & Company, Inc., to Randal Arlan Hendricks,
 12-61 Trustee;
 12-62 THENCE South 77 degrees, 49 minutes, 44 seconds East, along the
 12-63 common line of said 139.788 acre and 211.346 acre tracts, a distance
 12-64 of 541.97 feet to the Southwest corner of a certain adjacent called
 12-65 52.94 acre tract described in deed from Arnold H. Meiers to Randal
 12-66 A. Hendricks, Trustee, being of record under County Clerk's File
 12-67 Number 8523408 in the Real Property Records of Montgomery County,
 12-68 said point being the most easterly Southeast corner of the
 12-69 aforementioned called 139.788 acre tract and the herein described

13-1 84.9540 acre tract;
 13-2 THENCE North 14 degrees, 59 minutes, 23 seconds East, along the
 13-3 common line of said called 52.94 acre and 139.788 acre tracts and
 13-4 being the East line of the tract herein described, a distance of
 13-5 1,769.74 feet to the Northwest corner of said 52.94 acre tract;
 13-6 THENCE North 15 degrees, 01 minute, 37 seconds East, continuing
 13-7 along the East line of said called 139.788 acre tract, a distance of
 13-8 88.11 feet to a point in said line being the Southeast corner of the
 13-9 aforementioned called 18.33 acre tract;
 13-10 THENCE North 75 degrees, 19 minutes, 10 seconds West, along the
 13-11 South line of said 18.33 acre tract, a distance of 442.02 feet to
 13-12 the Southwest corner of said tract;
 13-13 THENCE North 14 degrees, 30 minutes, 23 seconds East, along the West
 13-14 line of said 18.33 acre tract; a distance of 354.20 feet to the
 13-15 point of intersection of said line with a non-tangent curve to the
 13-16 right;
 13-17 THENCE in a northwesterly direction along said curve to the right
 13-18 having a radius of 2,640.00 feet, a central angle of 09 degrees, 35
 13-19 minutes, 16 seconds and a chord bearing North 31 degrees, 42
 13-20 minutes, 27 seconds West 441.26 feet, a distance of 441.78 feet to
 13-21 the Point of Tangency of said curve;
 13-22 THENCE North 26 degrees, 54 minutes, 48 seconds West a distance of
 13-23 632.96 feet to the Point of Curvature of a curve to the right;
 13-24 THENCE in a northwesterly direction along said curve to the right
 13-25 having a radius of 2,640.00 feet, a central angle of 23 degrees, 23
 13-26 minutes, 23 seconds and a chord bearing North 15 degrees, 28
 13-27 minutes, 37 seconds West 1,070.26 feet, a distance of 1,077.73 feet
 13-28 to the point of intersection of said curve with the southerly
 13-29 right-of-way line of F. M. Highway No. 1097;
 13-30 THENCE North 75 degrees, 19 minutes, 46 seconds West, along the
 13-31 southerly right-of-way line of F. M. Highway No. 1097, same being
 13-32 the North line of the aforementioned called 139.788 acre tract and
 13-33 the North line of the herein described 84.9540 acre tract, a
 13-34 distance of 350.08 feet to the Northwest corner of said called
 13-35 139.788 acre tract, same being the point of intersection of said
 13-36 southerly right-of-way line with the easterly right-of-way line of
 13-37 Thompson Road;
 13-38 THENCE South 15 degrees, 17 minutes 24 seconds West, along said
 13-39 easterly right-of-way line of Thompson Road and being the West line
 13-40 of the aforementioned called 139.788 acre tract, a distance of
 13-41 2,147.02 feet to a point in said line being the Northwest corner of
 13-42 a certain adjacent called 4.377 acre tract described in deed from
 13-43 Randal Arlan Hendricks, Trustee, to GTE Mobilnet of South Texas
 13-44 Limited Partnership being of record under County Clerk's File
 13-45 Number 9653436 in the Real Property Records of Montgomery County;
 13-46 THENCE South 74 degrees, 51 minutes, 09 seconds West, along the
 13-47 North line of said called 4.377 acre tract, a distance of 465.00
 13-48 feet to the Northeast corner of said tract;
 13-49 THENCE South 15 degrees, 17 minutes, 24 seconds East, along the East
 13-50 line of said tract, a distance of 410.00 feet to the Southeast
 13-51 corner of said tract, said point lying in the North line of the
 13-52 aforementioned called 50 acre Moran Corporation tract;
 13-53 THENCE South 74 degrees, 51 minutes, 09 seconds East, along said
 13-54 North line, a distance of 1,092.46 feet to the Northeast corner of
 13-55 said called 50 acre tract;
 13-56 THENCE South 15 degrees, 09 minutes, 00 seconds West, along the East
 13-57 line of said 50 acre tract, a distance of 1,369.30 feet to the PLACE
 13-58 OF BEGINNING, and containing 84.9540 acres of land, more or less.
 13-59 TRACT NO. 6
 13-60 FIELD NOTES FOR A CALLED 105.3609 ACRE TRACT OF LAND IN THE F. K.
 13-61 HENDERSON SURVEY, ABSTRACT 248, MONTGOMERY COUNTY, TEXAS, BEING A
 13-62 PART AND OUT OF A CERTAIN CALLED 349.99 ACRE TRACT DESCRIBED IN DEED
 13-63 FROM RANDAL A. HENDRICKS, TRUSTEE, TO RANDAL ARLAN HENDRICKS,
 13-64 TRUSTEE DATED DECEMBER 17, 1974 AND BEING OF RECORD IN VOLUME 878,
 13-65 AT PAGE 240, OF THE DEED RECORDS OF MONTGOMERY COUNTY, TEXAS, SAID
 13-66 CALLED 105.3609 ACRE TRACT BEING DESCRIBED MORE PARTICULARLY BY
 13-67 METES AND BOUNDS AS FOLLOWS:
 13-68 COMMENCING at a point in the westerly right-of-way line of
 13-69 Interstate Highway No. 45, said point being the Northeast corner of

14-1 the aforementioned called 349.99 acre tract and the Northeast
 14-2 corner of a certain adjacent called 28.534 acre tract described in
 14-3 deed from Randal Arlan Hendricks, Trustee, to First Baptist Church
 14-4 of Willis being of record under County Clerk's File Number 9622769
 14-5 in the Real Property Records of Montgomery County;
 14-6 THENCE South 14 degrees, 28 minutes, 41 seconds East, along the
 14-7 westerly right-of-way line of Interstate Highway No. 45, same being
 14-8 the common easterly line of said called 349.99 acre and 28.534 acre
 14-9 tracts, a distance of 1,053.82 feet to a point in said line being
 14-10 the Southeast corner of said called 28.534 acre tract;
 14-11 THENCE, continuing South 14 degrees, 28 minutes, 41 seconds East,
 14-12 along the westerly right-of-way line of Interstate Highway No. 45,
 14-13 same being the easterly line of said called 349.99 acre tract, a
 14-14 distance of 214.44 feet to an angle point in said line;
 14-15 THENCE, continuing along the westerly right-of-way line of
 14-16 Interstate Highway No. 45, same being the easterly line of said
 14-17 called 349.99 acre tract, with the following courses and distances:
 14-18 South 15 degrees, 05 minutes, 21 seconds East, 701.77 feet to an
 14-19 angle point;
 14-20 South 15 degrees, 17 minutes, 05 seconds East, 500.43 feet to an
 14-21 angle point;
 14-22 South 12 degrees, 03 minutes, 45 seconds East, 600.07 feet to an
 14-23 angle point;
 14-24 THENCE, continuing along the westerly right-of-way line of
 14-25 Interstate Highway No. 45, same being the easterly line of said
 14-26 called 349.99 acre tract, South 16 degrees, 28 minutes, 29 seconds
 14-27 East, 624.32 feet to a point in said line for the Northeast corner
 14-28 and PLACE OF BEGINNING of the herein described called 105.3609 acre
 14-29 tract;
 14-30 THENCE, continuing South 16 degrees, 28 minutes, 29 seconds East
 14-31 along the westerly right-of-way line of Interstate Highway No. 45,
 14-32 same being the easterly line of said called 349.99 acre tract and
 14-33 the easterly line of the tract herein described, a distance of 75.85
 14-34 feet to an angle point;
 14-35 THENCE South 09 degrees, 05 minutes, 49 seconds East, continuing
 14-36 along said westerly right-of-way line of Interstate Highway No. 45,
 14-37 same being the easterly line of said called 349.99 acre tract and
 14-38 the easterly line of the tract herein described, a distance of
 14-39 726.72 feet to a point in said line being the Southeast corner of
 14-40 said called 349.99 acre tract, for the Southeast corner of the
 14-41 herein described 105.3609 acre tract;
 14-42 THENCE South 75 degrees, 02 minutes, 51 seconds West, along the
 14-43 South line of said called 349.99 acre tract and being the South line
 14-44 of the tract herein described, 1,391.51 feet to an angle point in
 14-45 said line;
 14-46 THENCE South 80 degrees, 35 minutes, 59 seconds West, along the
 14-47 South line of said called 349.99 acre tract, a distance of 230.95
 14-48 feet to the most southerly Southeast corner of said called 349.99
 14-49 acre tract;
 14-50 THENCE North 74 degrees, 49 minutes, 35 seconds West, along the
 14-51 South line of said called 349.99 acre tract, a distance of 169.00
 14-52 feet to a point for corner;
 14-53 THENCE, continuing along the South line of said called 349.99 acre
 14-54 tract, with the following courses and distances:
 14-55 North 74 degrees, 03 minutes, 07 seconds West, 319.46 feet to an
 14-56 angle point;
 14-57 North 72 degrees, 39 minutes, 50 seconds West, 325.00 feet to an
 14-58 angle point;
 14-59 North 74 degrees, 05 minutes, 35 seconds West, 299.30 feet to an
 14-60 angle point;
 14-61 North 74 degrees, 19 minutes, 35 seconds West, 100.70 feet to an
 14-62 angle point;
 14-63 North 73 degrees, 44 minutes, 35 seconds West, 298.00 feet to an
 14-64 angle point;
 14-65 North 74 degrees, 57 minutes, 35 seconds West, 300.00 feet to an
 14-66 angle point;
 14-67 North 72 degrees, 26 minutes, 35 seconds West, 200.00 feet to an
 14-68 angle point;
 14-69 North 76 degrees, 11 minutes, 35 seconds West, 200.00 feet to an

15-1 angle point;
 15-2 North 73 degrees, 55 minutes, 35 seconds West, 205.00 feet to an
 15-3 angle point;
 15-4 North 76 degrees, 30 minutes, 35 seconds West, 195.00 feet to an
 15-5 angle point;
 15-6 North 75 degrees, 16 minutes, 35 seconds West, 450.00 feet to an
 15-7 angle point;
 15-8 North 75 degrees, 48 minutes, 35 seconds West, 385.00 feet to an
 15-9 angle point;
 15-10 North 79 degrees, 37 minutes, 35 seconds West, 205.00 feet to an
 15-11 angle point;
 15-12 THENCE North 74 degrees, 49 minutes, 35 seconds West, continuing
 15-13 along said South line, a distance of 451.31 feet to the point of
 15-14 intersection of said line with the easterly right-of-way line of
 15-15 Willis-Montgomery Road (70' R-O-W), said point being the Southwest
 15-16 corner of said called 349.99 acre tract and the Southwest corner of
 15-17 the herein described called 105.3609 acre tract;
 15-18 THENCE North 42 degrees, 06 minutes, 00 seconds East along said
 15-19 easterly right-of-way line of Willis-Montgomery Road, same being
 15-20 the Northwest line of the aforementioned called 349.99 acre tract
 15-21 and the Northwest line of the tract herein described, a distance of
 15-22 1,622.72 feet to the point of intersection of said line with a
 15-23 non-tangent curve to the left;
 15-24 THENCE in an easterly direction along said curve to the left having
 15-25 a radius of 2,640.00 feet, a central angle of 69 degrees, 50
 15-26 minutes, 46 seconds, a chord bearing South 65 degrees, 09 minutes,
 15-27 06 seconds East 3,022.67 feet, for a distance of 3,218.28 feet to
 15-28 the point of intersection of said curve with a second non-tangent
 15-29 curve to the left;
 15-30 THENCE in an easterly direction along said curve to the left having
 15-31 a radius of 2,640.00 feet, a central angle of 23 degrees, 22
 15-32 minutes, 54 seconds, a chord bearing North 87 degrees, 12 minutes,
 15-33 46 seconds East 1,069.89 feet, for a distance of 1,077.35 feet to
 15-34 the Point of Tangency of said curve;
 15-35 THENCE North 75 degrees, 31 minutes, 19 seconds East a distance of
 15-36 511.01 feet to the PLACE OF BEGINNING, and containing 105.3609
 15-37 acres of land, more or less.
 15-38 TRACT NO. 7
 15-39 FIELD NOTES FOR A CALLED 201.00 ACRE TRACT OF LAND IN THE JAMES
 15-40 BUCHANAN SURVEY, ABSTRACT 100, MONTGOMERY COUNTY, TEXAS, BEING ALL
 15-41 THAT CERTAIN CALLED 246 ACRE TRACT DESCRIBED IN DEED FROM
 15-42 BARCLAY-ANDERSON & COMPANY, INC. TO RANDAL ARLAN HENDRICKS,
 15-43 TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 8258092
 15-44 IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, TEXAS, SAVE AND
 15-45 EXCEPT, ALL THAT CERTAIN CALLED 45.000 ACRE TRACT DESCRIBED IN DEED
 15-46 FROM RANDAL ARLAN HENDRICKS, TRUSTEE, TO WILLIS INDEPENDENT SCHOOL
 15-47 DISTRICT, BEING OF RECORD IN THE REAL PROPERTY RECORDS OF
 15-48 MONTGOMERY COUNTY, TEXAS UNDER COUNTY CLERK'S FILE NUMBER
 15-49 2001-112403, SAID 201.00 ACRE TRACT BEING MORE PARTICULARLY
 15-50 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
 15-51 BEGINNING at the most easterly Northeast corner of the
 15-52 aforementioned called 246 acre tract, same being the called
 15-53 Southeast corner of a certain adjacent 20.75 acre tract formerly
 15-54 being the property of L & M Lumber Company;
 15-55 THENCE North 75 degrees, 13 minutes, 16 seconds West, along the
 15-56 South line of said adjacent 20.75 acre tract, same being the most
 15-57 easterly North line of the aforementioned called 246 acre tract, a
 15-58 distance of 498.54 feet to a point for corner being the called
 15-59 Southwest corner of said 20.75 acre tract;
 15-60 THENCE North 15 degrees, 47 minutes, 46 seconds West, along the West
 15-61 line of said adjacent 20.75 acre tract, same being the most
 15-62 northerly Northeast line of the aforementioned called 246 acre
 15-63 tract, a distance of 1,285.13 feet to a point in the North line of
 15-64 the James Buchanan Survey being the called Northwest corner of said
 15-65 20.75 acre tract for the most northerly Northeast corner of said 246
 15-66 acre tract, same being the most northerly Northeast corner of the
 15-67 herein described 201.00 acre tract;
 15-68 THENCE North 75 degrees, 09 minutes, 31 seconds West, along the
 15-69 North line of said Buchanan Survey, and being the North line of the

16-1 aforementioned called 246 acre tract and the North line of the tract
 16-2 herein described, a distance of 1,179.70 feet to a point for the
 16-3 Northwest corner of said 246 acre tract, same being also the
 16-4 Northwest corner of the tract herein described;
 16-5 THENCE South 13 degrees, 48 minutes, 37 seconds West, along the West
 16-6 line of said called 246 acre tract, a distance of 4,987.28 feet to a
 16-7 point in the North right-of-way line of F. M. Highway No. 830 being
 16-8 the Southwest corner of said 246 acre tract and the Southwest corner
 16-9 of the herein described 201.00 acre tract;
 16-10 THENCE South 67 degrees, 22 minutes, 09 seconds East, along said
 16-11 North right-of-way line and being the South line of the
 16-12 aforementioned called 246 acre tract and the South line of the tract
 16-13 herein described, a distance of 547.42 feet to the point of
 16-14 curvature of a curve to the left;
 16-15 THENCE, continuing along said North right-of-way line, in an
 16-16 easterly direction along said curve to the left having a radius of
 16-17 3,758.11 feet, through a central angle of 01 degree, 35 minutes, 20
 16-18 seconds for a distance of 104.21 feet to a point in said line being
 16-19 the Southwest corner of the aforementioned called 45.000 acre
 16-20 Willis Independent School District tract;
 16-21 THENCE North 14 degrees, 04 minutes, 58 seconds East, along the West
 16-22 line of said called 45.000 acre tract, a distance of 850.62 feet to
 16-23 the most westerly Northwest corner of said tract;
 16-24 THENCE South 75 degrees, 55 minutes, 02 seconds East, along the most
 16-25 westerly North line of said called 45.000 acre tract, a distance of
 16-26 750.00 feet to the most southerly Northwest corner of said tract;
 16-27 THENCE North 14 degrees, 04 minutes, 58 seconds East, along the most
 16-28 northerly Northwest line of said called 45.000 acre tract, a
 16-29 distance of 657.46 feet to the most northerly Northwest corner of
 16-30 said tract;
 16-31 THENCE South 75 degrees, 55 minutes, 02 seconds East, along the most
 16-32 easterly North line of said called 45.000 acre tract, a distance of
 16-33 900.00 feet to a point in the East line of the aforementioned called
 16-34 246 acre tract being the Northeast corner of said called 45.000 acre
 16-35 tract and the most easterly Southeast corner of the herein
 16-36 described 201.00 acre tract;
 16-37 THENCE North 14 degrees, 04 minutes, 58 seconds East, along the East
 16-38 line of said called 246 acre tract, a distance of 2,438.60 feet to
 16-39 the PLACE OF BEGINNING and containing 201.00 acres of land, more or
 16-40 less.
 16-41 TRACT NO. 8
 16-42 FIELD NOTES FOR A 94.00 ACRE TRACT OF LAND IN THE JAMES BUCHANAN
 16-43 SURVEY, ABSTRACT 100, MONTGOMERY COUNTY, TEXAS, DESCRIBED IN DEED
 16-44 FROM BARCLAY-ANDERSON & COMPANY, INC., TO RANDAL ARLAN HENDRICKS,
 16-45 TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 8258092
 16-46 IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY AND BEING MORE
 16-47 PARTICULAR-LY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
 16-48 BEGINNING at a point in the North line of the aforementioned James
 16-49 Buchanan Survey, from which the Northwest corner of the L. & M.
 16-50 Lumber Company 20.75 acre tract bears South 75 degrees, 09 minutes,
 16-51 31 seconds East a distance of 1,179.7 feet, same being the Northwest
 16-52 corner of a certain adjacent called 246 acre tract described in deed
 16-53 from Barclay-Anderson & Co. Inc. to Randal Arlan Hednricks, Trustee
 16-54 and being of record under County Clerk's File Number 8258092 in the
 16-55 real property records of Montgomery County and Northeast corner of
 16-56 the herein described 94.00 acre tract;
 16-57 THENCE South 13 degrees, 48 minutes, 37 seconds West, along the West
 16-58 line of said called 246 acre tract, same being the East line of the
 16-59 tract herein described, a distance of 4,987.28 feet to a point in
 16-60 the North right-of-way line of F. M. Highway No. 830 being the
 16-61 Southwest corner of said called 246 acre tract and the Southeast
 16-62 corner of the herein described 94.00 acre tract;
 16-63 THENCE North 67 degrees, 22 minutes, 09 seconds West, along said
 16-64 North right-of-way line, same being the South line of the herein
 16-65 described tract, a distance of 840.45 feet to a point in said line
 16-66 being the Southeast corner of a certain adjacent called 191.659
 16-67 acre tract described in the aforementioned deed to Randal Arlan
 16-68 Hendricks, Trustee for the Southwest corner of the herein described
 16-69 94.00 acre tract;

17-1 THENCE North 13 degrees, 48 minutes, 37 seconds East, along the East
 17-2 line of said called 191.659 acre tract, same being the West line of
 17-3 the tract herein described, a distance of 4,873.35 feet to a point
 17-4 in the aforementioned North line of the James Buchanan Survey being
 17-5 the Northeast corner of said 191.659 acre tract and the Northwest
 17-6 corner of the herein described 94.00 acre tract;
 17-7 THENCE South 75 degrees, 09 minutes, 32 seconds East, along the
 17-8 North line of the James Buchanan Survey, same being the South line
 17-9 of a certain adjacent called 321.6242 acre tract described in deed
 17-10 from Randal A. Hendricks, Trustee, to Randal Arlan Hendricks,
 17-11 Trustee being of record in Volume 878, at Page 240 in the Deed
 17-12 Records of Montgomery County, and the North line of the herein
 17-13 described tract, a distance of 830.64 feet to the PLACE OF BEGINNING
 17-14 and containing 94.00 acres of land, more or less.
 17-15 TRACT NO. 9
 17-16 FIELD NOTES FOR AN 80.8895 ACRE TRACT OF LAND IN THE JAMES BUCHANAN
 17-17 SURVEY, ABSTRACT 100, MONTGOMERY COUNTY, TEXAS, BEING THAT SAME
 17-18 CALLED 80.883 ACRE TRACT DESCRIBED IN DEED FROM BARCLAY-ANDERSON &
 17-19 COMPANY, INC. TO RANDAL ARLAN HENDRICKS, TRUSTEE, BEING OF RECORD
 17-20 UNDER COUNTY CLERK'S FILE NUMBER 8258092 IN THE REAL PROPERTY
 17-21 RECORDS OF MONTGOMERY COUNTY, TEXAS AND BEING MORE PARTICULARLY
 17-22 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
 17-23 BEGINNING at the Southeast corner of the aforementioned called
 17-24 80.883 acre tract, same being the called Southeast corner of the
 17-25 James Buchanan Survey, Abstract 100;
 17-26 THENCE North 75 degrees, 09 minutes, 45 seconds West, along the
 17-27 South line of said Buchanan Survey, a distance of 4,549.85 feet to
 17-28 the Southeast corner of a certain called 112.658 acre tract
 17-29 described in deed from C. A. Johnson to Floyd L. McNutt dated June
 17-30 12, 1968 and being of record in Volume 664, at Page 537, of the Deed
 17-31 Records of Montgomery County, Texas for the point for the Southwest
 17-32 corner of the herein described tract;
 17-33 THENCE North 13 degrees, 10 minutes, 20 seconds East, along the East
 17-34 line of said called 112.658 acre tract, a distance of 1,064.68 feet
 17-35 to a point in the South right-of-way line of F. M. Highway No. 830
 17-36 (120' R-O-W) for the Northwest corner of the herein described
 17-37 tract, said point lying in a non-tangent curve to the left;
 17-38 THENCE along said South right-of-way line of F. M. Highway No. 830,
 17-39 same being the North line of the herein described tract, in a
 17-40 southeasterly direction with said curve to the left having a radius
 17-41 of 3,795.04 feet and a chord bearing South 63 degrees, 36 minutes,
 17-42 38 seconds East 476.82 feet, a distance of 477.14 feet to the Point
 17-43 of Tangency of said curve;
 17-44 THENCE South 67 degrees 22 minutes, 09 seconds East, continuing
 17-45 along said South right-of-way line, a distance of 2,360.58 feet to
 17-46 the Point of Curvature of a curve to the left;
 17-47 THENCE, continuing along said South right-of-way line, around said
 17-48 curve to the left having a radius of 3,878.12 feet and a central
 17-49 angle of 24 degrees, 15 minutes, 50 seconds, a distance of 1,642.33
 17-50 feet to the Point of Tangency of said curve;
 17-51 THENCE North 88 degrees, 22 minutes, 00 seconds East, continuing
 17-52 along said South right-of-way line of F. M. Highway No. 830, a
 17-53 distance of 149.74 feet to a point being the Northeast corner of the
 17-54 aforementioned called 80.883 acre tract, for the Northeast corner
 17-55 of the herein described tract;
 17-56 THENCE South 14 degrees, 25 minutes, 40 seconds West a distance of
 17-57 814.11 feet to the PLACE OF BEGINNING and containing 80.8895 acres
 17-58 of land, more or less.
 17-59 TRACT NO. 10
 17-60 FIELD NOTES FOR A 188.0782 ACRE TRACT OF LAND IN THE JAMES BUCHANAN
 17-61 SURVEY, ABSTRACT 100, MONTGOMERY COUNTY, TEXAS, BEING THAT SAME
 17-62 TRACT DESCRIBED AS 191.659 ACRES IN DEED FROM BARCLAY-ANDERSON &
 17-63 COMPANY, INC. TO RANDAL ARLAN HENDRICKS, TRUSTEE, BEING OF RECORD
 17-64 UNDER COUNTY CLERK'S FILE NUMBER 8258092 IN THE REAL PROPERTY
 17-65 RECORDS OF MONTGOMERY COUNTY, TEXAS SAVE AND EXCEPT A 40-FOOT WIDE
 17-66 STRIP LOCATED WITHIN THE RIGHT-OF-WAY OF WILLIS-MONTGOMERY ROAD AND
 17-67 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
 17-68 COMMENCING at a point in the called North line of the James Buchanan
 17-69 Survey, being the Northwest corner of a certain called 20.75 acre L

18-1 & M Lumber Company tract, same being also the most northerly
 18-2 Northeast corner of a certain called 246 acre tract described in the
 18-3 aforementioned deed from Barclay-Anderson & Company, Inc. to Randal
 18-4 Arlan Hendricks, Trustee;
 18-5 THENCE North 75 degrees, 09 minutes, 31 seconds West, along the
 18-6 called North line of the James Buchanan Survey, a distance of
 18-7 2,010.34 feet to a point in said line being the Northwest corner of
 18-8 a certain adjacent called 94.0 acre tract described in the
 18-9 aforementioned deed from Barclay-Anderson & Company, Inc. to Randal
 18-10 Arlan Hendricks, Trustee, for the Northeast corner and PLACE OF
 18-11 BEGINNING of the herein described 188.0782 acre tract;
 18-12 THENCE, continuing North 75 degrees, 09 minutes, 31 seconds West,
 18-13 along the North line of the Buchanan Survey and being the North line
 18-14 of the tract herein described, a distance of 974.66 feet to the
 18-15 point of intersection of said line with the easterly right-of-way
 18-16 line of Willis-Montgomery Road (80' R-O-W) for the Northwest corner
 18-17 of the tract herein described;
 18-18 THENCE South 41 degrees, 37 minutes, 13 seconds West, along said
 18-19 easterly right-of-way line of Willis-Montgomery Road, a distance of
 18-20 3,906.73 feet to a point in said line being the intersection of said
 18-21 line with the Northwest line of a certain called 34.3175 acre tract
 18-22 described in deed from 830 Park, Ltd. to Randal A. Hendricks,
 18-23 Trustee, being of record under County Clerk's File Number 8208404
 18-24 in the Real Property Records of Montgomery County, for the most
 18-25 westerly Southwest corner of the herein described tract;
 18-26 THENCE North 74 degrees, 17 minutes, 58 seconds East, along said
 18-27 Northwest line, a distance of 404.57 feet to a point for corner
 18-28 being the most northerly Northwest corner of the aforementioned
 18-29 called 34.3175 acre tract;
 18-30 THENCE South 76 degrees, 10 minutes, 11 seconds East, along the
 18-31 North line of said called 34.3175 acre tract, a distance of 983.35
 18-32 feet to the Northeast corner of said tract;
 18-33 THENCE South 13 degrees, 10 minutes, 20 seconds West, along the East
 18-34 line of said called 34.3175 acre tract, a distance of 1,375.10 feet
 18-35 to a point in the North right-of-way line of F. M. Highway No. 830
 18-36 being the Southeast corner of said tract, for the most southerly
 18-37 Southwest corner of the herein described 188.0782 acre tract, said
 18-38 point lying in a curve to the left;
 18-39 THENCE in a southeasterly direction with the long chord of said
 18-40 curve to the left, South 63 degrees, 23 minutes, 53 seconds East for
 18-41 a distance of 497.55 feet to a point for corner;
 18-42 THENCE, continuing with the North right-of-way line of F. M.
 18-43 Highway No. 830, South 67 degrees, 22 minutes, 09 seconds East for a
 18-44 distance of 972.71 feet to the Southwest corner of the
 18-45 aforementioned called 94.0 acre tract for the Southeast corner of
 18-46 the herein described 188.0782 acre tract;
 18-47 THENCE North 13 degrees, 48 minutes, 37 seconds East, along the West
 18-48 line of said called 94.0 acre tract, a distance of 4,873.35 feet to
 18-49 the PLACE OF BEGINNING and containing 188.0782 acres of land, more
 18-50 or less.

18-51 (b) The Montgomery County Municipal Utility District No.
 18-52 129 initially includes all the territory contained in the following
 18-53 area:

18-54 TRACT NO. 1

18-55 FIELD NOTES FOR A CALLED 29.1602 ACRE TRACT OF LAND IN THE URIAH
 18-56 SPRINGER SURVEY, ABSTRACT 532, MONTGOMERY COUNTY, TEXAS, BEING A
 18-57 PART AND OUT OF A CERTAIN CALLED 139.788 ACRE TRACT DESCRIBED IN
 18-58 DEED FROM BARCLAY-ANDERSON & COMPANY, INC. TO RANDAL ARLAN
 18-59 HENDRICKS, TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S FILE
 18-60 NUMBER 8258092 IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY,
 18-61 SAID CALLED 29.1602 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY
 18-62 METES AND BOUNDS AS FOLLOWS:

18-63 BEGINNING at a point in the southerly right-of-way line of F. M.
 18-64 Highway No. 1097 being the Northwest corner of a certain called
 18-65 18.33 acre tract described in deed from Randal Arlan Hendricks,
 18-66 Trustee to Smith Memorial Park being of record in County Clerk's
 18-67 File Number 2004-040916 in the Real Property Records of Montgomery
 18-68 County and being the Northeast corner of the herein described
 18-69 tract;

19-1 THENCE South 14 degrees, 30 minutes, 23 seconds West, along the West
 19-2 line of said called 18.33 acre tract, same being the East line of
 19-3 the tract herein described, a distance of 1,703.37 feet to the point
 19-4 intersection of said line with a non-tangent curve to the right,
 19-5 said point of intersection being also the Southeast corner of the
 19-6 herein described called 29.1602 acre tract;
 19-7 THENCE in a northwesterly direction along said curve to the right
 19-8 having a radius of 2,640.00 feet, a central angle of 09 degrees, 35
 19-9 minutes, 16 seconds and a chord bearing North 31 degrees, 42
 19-10 minutes, 27 seconds West 441.26 feet, a distance of 441.78 feet to
 19-11 the Point of Tangency of said curve;
 19-12 THENCE North 26 degrees, 54 minutes, 48 seconds West a distance of
 19-13 632.96 feet to the Point of Curvature of a curve to the right;
 19-14 THENCE in a northwesterly direction along said curve to the right
 19-15 having a radius of 2,640.00 feet, a central angle of 23 degrees, 23
 19-16 minutes, 23 seconds and a chord bearing North 15 degrees, 28
 19-17 minutes, 37 seconds West 1,070.26 feet, a distance of 1,077.73 feet
 19-18 to the point of intersection of said curve with the aforementioned
 19-19 southerly right-of-way line of F. M. Highway No. 1097 for the
 19-20 Northwest corner of the herein described tract;
 19-21 THENCE South 75 degrees, 19 minutes, 46 seconds East, along said
 19-22 right-of-way line, same being the North line of the aforementioned
 19-23 called 139.788 acre tract and the North line of the tract herein
 19-24 described, a distance of 1,272.17 feet to the PLACE OF BEGINNING and
 19-25 containing 29.1602 acres of land, more or less.
 19-26 TRACT NO. 2
 19-27 FIELD NOTES FOR A CALLED 216.2634 ACRE TRACT OF LAND IN THE F. K.
 19-28 HENDERSON SURVEY, ABSTRACT 248, MONTGOMERY COUNTY, TEXAS, BEING A
 19-29 PART AND OUT OF A CERTAIN CALLED 349.99 ACRE TRACT DESCRIBED IN DEED
 19-30 FROM RANDAL A. HENDRICKS, TRUSTEE, TO RANDAL ARLAN HENDRICKS,
 19-31 TRUSTEE DATED DECEMBER 17, 1974 AND BEING OF RECORD IN VOLUME 878,
 19-32 AT PAGE 240, OF THE DEED RECORDS OF MONTGOMERY COUNTY, TEXAS, SAID
 19-33 CALLED 216.2634 ARE TRACT BEING DESCRIBED MORE PARTICULARLY BY
 19-34 METES AND BOUNDS AS FOLLOWS:
 19-35 COMMENCING at a point in the westerly right-of-way line of
 19-36 Interstate Highway No. 45, said point being the Northeast corner of
 19-37 the aforementioned called 349.99 acre tract and the Northeast
 19-38 corner of a certain adjacent called 28.534 acre tract described in
 19-39 deed from Randal Arlan Hendricks, Trustee, to First Baptist Church
 19-40 of Willis being of record under County Clerk's File Number 9622769
 19-41 in the Real Property Records of Montgomery County;
 19-42 THENCE South 14 degrees, 28 minutes, 41 seconds East, along the
 19-43 westerly right-of-way line of Interstate Highway No. 45, same being
 19-44 the common easterly line of said called 349.99 acre and 28.534 acre
 19-45 tracts, a distance of 1,053.82 feet to a point in said line being
 19-46 the Southeast corner of said called 28.534 acre tract, for the PLACE
 19-47 OF BEGINNING of the herein described 216.2634 acre tract;
 19-48 THENCE, continuing South 14 degrees, 28 minutes, 41 seconds East,
 19-49 along the westerly right-of-way line of Interstate Highway No. 45,
 19-50 same being the easterly line of said called 349.99 acre tract and
 19-51 the easterly line of the tract herein described, a distance of
 19-52 214.44 feet to an angle point in said line;
 19-53 THENCE, continuing along the westerly right-of-way line of
 19-54 Interstate Highway No. 45, same being the easterly line of said
 19-55 called 349.99 acre tract and the easterly line of the tract herein
 19-56 described, with the following courses and distances:
 19-57 South 15 degrees, 05 minutes, 21 seconds East, 701.77 feet to an
 19-58 angle point;
 19-59 South 15 degrees, 17 minutes, 05 seconds East, 500.43 feet to an
 19-60 angle point;
 19-61 South 12 degrees, 03 minutes, 45 seconds East, 600.07 feet to an
 19-62 angle point;
 19-63 THENCE, continuing along the westerly right-of-way line of
 19-64 Interstate Highway No. 45, same being the easterly line of said
 19-65 called 349.99 acre tract and the easterly line of the tract herein
 19-66 described, South 16 degrees, 28 minutes, 29 seconds East, 624.32
 19-67 feet to a point in said line for the most easterly Southeast corner
 19-68 of the herein described tract;
 19-69 THENCE, departing from said westerly right-of-way line, South 75

20-1 degrees, 31 minutes, 19 seconds West a distance of 511.01 feet to
 20-2 the Point of Curvature of a curve to the right;
 20-3 THENCE in a westerly direction along said curve to the right having
 20-4 a radius of 2,640.00 feet, a central angle of 23 degrees, 22
 20-5 minutes, 54 seconds and a chord bearing South 87 degrees, 12
 20-6 minutes, 46 seconds West 1,069.89 feet, a distance of 1,077.35 feet
 20-7 to the point of intersection of said curve with a non-tangent curve
 20-8 to the right;
 20-9 THENCE in a westerly direction along said curve to the right having
 20-10 a radius of 2,640.00 feet, a central angle of 69 degrees, 50
 20-11 minutes, 46 seconds and a chord bearing North 65 degrees, 09
 20-12 minutes, 06 seconds West 3,022.67 feet, a distance of 3,218.28 feet
 20-13 to the point of intersection of said curve with the easterly
 20-14 right-of-way line of Willis-Montgomery Road (70' R-O-W) for the
 20-15 Southwest corner of the herein described tract;
 20-16 THENCE North 42 degrees, 06 minutes, 00 seconds East along said
 20-17 easterly right-of-way line of Willis-Montgomery Road, same being
 20-18 the Northwest line of the aforementioned called 349.99 acre tract
 20-19 and the Northwest line of the tract herein described, a distance of
 20-20 2,741.82 feet to a point in said line being the most westerly
 20-21 Northwest corner of a certain called 28.534 acre tract described in
 20-22 deed from Randal Arlan Hendricks, Trustee to First Baptist Church
 20-23 of Willis dated April 11, 1969 and being of record under County
 20-24 Clerk's File Number 9622769 in the Real Property Records of
 20-25 Montgomery County, Texas and being also the Southwest corner of a
 20-26 30-foot wide access easement described in Exhibit "B" to said deed;
 20-27 THENCE North 74 degrees, 45 minutes, 38 seconds East along the South
 20-28 line of said 30-foot wide access easement, and being parallel to and
 20-29 30.00 feet at right angles in a southerly direction from the North
 20-30 line of said called 349.99 acre tract, a distance of 252.47 feet to
 20-31 a reentrant corner of the aforementioned called 28.534 acre tract;
 20-32 THENCE South 14 degrees, 28 minutes, 41 seconds East, along the most
 20-33 westerly Southwest line of said called 28.534 acre tract, a
 20-34 distance of 796.93 feet to the most westerly southwest corner of
 20-35 said tract;
 20-36 THENCE North 75 degrees, 31 minutes, 19 seconds East, along the most
 20-37 westerly South line of said called 28.534 acre tract, a distance of
 20-38 845.00 feet to a point for corner;
 20-39 THENCE South 14 degrees, 28 minutes, 41 seconds East, along the most
 20-40 southerly southwest line of said called 28.534 acre tract, a
 20-41 distance of 209.00 feet to the most southerly corner of said called
 20-42 28.534 acre tract;
 20-43 THENCE North 75 degrees, 31 minutes, 09 seconds East, along the most
 20-44 easterly South line of said called 28.534 acre tract, a distance of
 20-45 500.01 feet (being called North 75 degrees, 31 minutes, 19 seconds
 20-46 East 500.00 feet in the aforementioned 28.534 acre deed) to the
 20-47 PLACE OF BEGINNING and containing 216.2634 acres of land, more or
 20-48 less.
 20-49 TRACT NO. 3
 20-50 FIELD NOTES FOR A CALLED 1.9381 ACRE TRACT OF LAND IN THE URIAH
 20-51 SPRINGER SURVEY, ABSTRACT 532, BEING A PART AND OUT OF A CERTAIN
 20-52 CALLED 52.94 ACRE TRACT DESCRIBED IN DEED FROM ARNOLD H. MIERS TO
 20-53 RANDAL A. HENDRICKS, TRUSTEE, BEING OF RECORD UNDER COUNTY CLERK'S
 20-54 FILE NUMBER 8523408 IN THE REAL PROPERTY RECORDS OF MONTGOMERY
 20-55 COUNTY, TEXAS, SAID CALLED 1.9381 ACRE TRACT BEING MORE
 20-56 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
 20-57 BEGINNING at the Northeast corner of the aforementioned called
 20-58 52.94 acre tract, same being the Southeast corner of Lot 26, Block
 20-59 2, Hilltop Village Subdivision, according to a map or plat of said
 20-60 subdivision being of record in Cabinet "E", Slide 110-B, in the Map
 20-61 Records of Montgomery County, Texas;
 20-62 THENCE South 15 degrees, 30 minutes, 05 seconds West, along the East
 20-63 line of said called 52.94 acre tract, same being the West line of
 20-64 the Margaret Ella Watson Subdivision according to a map or plat of
 20-65 said subdivision being of record in Volume 5, at Page 10, of the Map
 20-66 Records of Montgomery County, a distance of 125.00 feet to the point
 20-67 of intersection of said line with a non-tangent curve to the right;
 20-68 THENCE in a westerly direction along said curve to the right, having
 20-69 a radius of 2,640.00 feet, a central angle of 20 degrees, 27

minutes, 53 seconds and a chord bearing North 67 degrees, 02 minutes, 04 seconds West 937.94 feet, a distance of 942.95 feet to the point of intersection of said curve with the North line of the aforementioned called 52.94 acre tract;
 THENCE South 74 degrees, 41 minutes, 35 seconds East, along the North line of said called 52.94 acre tract (being called South 74 degrees, 41 minutes, 20 seconds East in the aforementioned 52.94 acre deed), a distance of 930.00 feet to the PLACE OF BEGINNING and containing 1.9381 acres of land, more or less.

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

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

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

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

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

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