

1-1 By: Patrick S.B. No. 2510
1-2 (In the Senate - Filed April 7, 2009; April 8, 2009, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; May 1, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;
1-6 May 1, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 2510 By: Patrick

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the creation of the Harris County Improvement District
1-11 No. 18; providing authority to impose an assessment, impose a tax,
1-12 and issue bonds.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-14 SECTION 1. Subtitle C, Title 4, Special District Local Laws
1-15 Code, is amended by adding Chapter 3879 to read as follows:

1-16 CHAPTER 3879. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 18

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 3879.001. DEFINITIONS. In this chapter:

1-19 (1) "Board" means the district's board of directors.

1-20 (2) "Director" means a board member.

1-21 (3) "District" means the Harris County Improvement
1-22 District No. 18.

1-23 Sec. 3879.002. NATURE OF DISTRICT. The Harris County
1-24 Improvement District No. 18 is a special district created under
1-25 Section 59, Article XVI, Texas Constitution.

1-26 Sec. 3879.003. PURPOSE; DECLARATION OF INTENT. (a) The
1-27 creation of the district is essential to accomplish the purposes of
1-28 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-29 Texas Constitution, and other public purposes stated in this
1-30 chapter. By creating the district and in authorizing the City of
1-31 Houston, Harris County, and other political subdivisions to
1-32 contract with the district, the legislature has established a
1-33 program to accomplish the public purposes set out in Section 52-a,
1-34 Article III, Texas Constitution.

1-35 (b) The creation of the district is necessary to promote,
1-36 develop, encourage, and maintain employment, commerce,
1-37 transportation, housing, tourism, recreation, the arts,
1-38 entertainment, economic development, safety, and the public
1-39 welfare in the district.

1-40 (c) This chapter and the creation of the district may not be
1-41 interpreted to relieve Harris County from providing the level of
1-42 services provided, as of the effective date of the Act creating this
1-43 chapter, to the area in the district. The district is created to
1-44 supplement and not to supplant the county services provided in the
1-45 area in the district.

1-46 Sec. 3879.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-47 (a) The district is created to serve a public use and benefit.

1-48 (b) All land and other property included in the district
1-49 will benefit from the improvements and services to be provided by
1-50 the district under powers conferred by Sections 52 and 52-a,
1-51 Article III, and Section 59, Article XVI, Texas Constitution, and
1-52 other powers granted under this chapter.

1-53 (c) The creation of the district is in the public interest
1-54 and is essential to:

1-55 (1) further the public purposes of developing and
1-56 diversifying the economy of the state;

1-57 (2) eliminate unemployment and underemployment; and

1-58 (3) develop or expand transportation and commerce.

1-59 (d) The district will:

1-60 (1) promote the health, safety, and general welfare of
1-61 residents, employers, employees, potential employees, visitors,
1-62 and consumers in the district, and of the public;

1-63 (2) provide needed funding for the district to

2-1 preserve, maintain, and enhance the economic health and vitality of
2-2 the district territory as a community and business center;

2-3 (3) promote the health, safety, welfare, and enjoyment
2-4 of the public by providing pedestrian ways and by landscaping and
2-5 developing certain areas in the district, which are necessary for
2-6 the restoration, preservation, and enhancement of scenic beauty;
2-7 and

2-8 (4) provide for water, wastewater, drainage, road, and
2-9 recreational facilities for the district.

2-10 (e) Pedestrian ways along or across a street, whether at
2-11 grade or above or below the surface, and street lighting, street
2-12 landscaping, parking, and street art objects are parts of and
2-13 necessary components of a street and are considered to be a street
2-14 or road improvement.

2-15 (f) The district will not act as the agent or
2-16 instrumentality of any private interest even though the district
2-17 will benefit many private interests as well as the public.

2-18 Sec. 3879.005. INITIAL DISTRICT TERRITORY. (a) The
2-19 district is initially composed of the territory described by
2-20 Section 2 of the Act creating this chapter.

2-21 (b) The boundaries and field notes contained in Section 2 of
2-22 the Act creating this chapter form a closure. A mistake in the
2-23 field notes or in copying the field notes in the legislative process
2-24 does not affect the district's:

2-25 (1) organization, existence, or validity;

2-26 (2) right to issue any type of bond for the purposes
2-27 for which the district is created or to pay the principal of and
2-28 interest on the bond;

2-29 (3) right to impose or collect an assessment or tax; or

2-30 (4) legality or operation.

2-31 Sec. 3879.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
2-32 All or any part of the area of the district is eligible to be
2-33 included in:

2-34 (1) a tax increment reinvestment zone created under
2-35 Chapter 311, Tax Code;

2-36 (2) a tax abatement reinvestment zone created under
2-37 Chapter 312, Tax Code; or

2-38 (3) an enterprise zone created under Chapter 2303,
2-39 Government Code.

2-40 Sec. 3879.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
2-41 DISTRICTS LAW. Except as otherwise provided by this chapter,
2-42 Chapter 375, Local Government Code, applies to the district.

2-43 Sec. 3879.008. LIBERAL CONSTRUCTION OF CHAPTER. This
2-44 chapter shall be liberally construed in conformity with the
2-45 findings and purposes stated in this chapter.

2-46 [Sections 3879.009-3879.050 reserved for expansion]

2-47 SUBCHAPTER B. BOARD OF DIRECTORS

2-48 Sec. 3879.051. GOVERNING BODY; TERMS. (a) The district is
2-49 governed by a board of five voting directors who serve staggered
2-50 terms of four years, with two or three directors' terms expiring
2-51 June 1 of each odd-numbered year.

2-52 (b) The board by resolution may change the number of voting
2-53 directors on the board, but only if the board determines that the
2-54 change is in the best interest of the district. The board may not
2-55 consist of fewer than five or more than 15 voting directors.

2-56 Sec. 3879.052. APPOINTMENT OF DIRECTORS. The Texas
2-57 Commission on Environmental Quality shall appoint voting directors
2-58 from persons recommended by the board.

2-59 Sec. 3879.053. INITIAL VOTING DIRECTORS. (a) The initial
2-60 board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Robert DeForest</u>
<u>2</u>	<u>Burdette Keeland</u>
<u>3</u>	<u>Bobby Deden</u>
<u>4</u>	<u>Dwayne Mason</u>
<u>5</u>	<u>John Murphy</u>

2-67 (b) Of the initial directors, the terms of directors
2-68 appointed for positions 1 through 3 expire June 1, 2011, and the
2-69 terms of directors appointed for positions 4 and 5 expire June 1,

3-1 2013.
3-2 (c) Section 3879.052 does not apply to this section.
3-3 (d) This section expires September 1, 2014.
3-4 Sec. 3879.054. NONVOTING DIRECTORS. The board may appoint
3-5 nonvoting directors to serve at the pleasure of the voting
3-6 directors.
3-7 Sec. 3879.055. QUORUM. For purposes of determining the
3-8 requirements for a quorum of the board, the following are not
3-9 counted:
3-10 (1) a board position vacant for any reason, including
3-11 death, resignation, or disqualification;
3-12 (2) a director who is abstaining from participation in
3-13 a vote because of a conflict of interest; or
3-14 (3) a nonvoting director.
3-15 Sec. 3879.056. COMPENSATION. A director is entitled to
3-16 receive fees of office and reimbursement for actual expenses as
3-17 provided by Section 49.060, Water Code. Sections 375.069 and
3-18 375.070, Local Government Code, do not apply to the board.
3-19 [Sections 3879.057-3879.100 reserved for expansion]
3-20 SUBCHAPTER C. POWERS AND DUTIES
3-21 Sec. 3879.101. DEVELOPMENT CORPORATION POWERS. The
3-22 district may exercise the powers given to a development corporation
3-23 under Chapter 505, Local Government Code, including the power to
3-24 own, operate, acquire, construct, lease, improve, or maintain a
3-25 project described by that chapter.
3-26 Sec. 3879.102. NONPROFIT CORPORATION. (a) The board by
3-27 resolution may authorize the creation of a nonprofit corporation to
3-28 assist and act for the district in implementing a project or
3-29 providing a service authorized by this chapter.
3-30 (b) The nonprofit corporation:
3-31 (1) has each power of and is considered for purposes of
3-32 this chapter to be a local government corporation created under
3-33 Chapter 431, Transportation Code; and
3-34 (2) may implement any project and provide any service
3-35 authorized by this chapter.
3-36 (c) The board shall appoint the board of directors of the
3-37 nonprofit corporation. The board of directors of the nonprofit
3-38 corporation shall serve in the same manner as the board of directors
3-39 of a local government corporation created under Chapter 431,
3-40 Transportation Code, except that a board member is not required to
3-41 reside in the district.
3-42 Sec. 3879.103. AGREEMENTS; GRANTS. (a) The district may
3-43 make an agreement with or accept a gift, grant, or loan from any
3-44 person.
3-45 (b) The implementation of a project is a governmental
3-46 function or service for the purposes of Chapter 791, Government
3-47 Code.
3-48 Sec. 3879.104. AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT
3-49 SERVICES. To protect the public interest, the district may
3-50 contract with a qualified person, including Harris County or the
3-51 City of Houston, for the provision of law enforcement services in
3-52 the district for a fee.
3-53 Sec. 3879.105. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
3-54 district may join and pay dues to a charitable or nonprofit
3-55 organization that performs a service or provides an activity
3-56 consistent with the furtherance of a district purpose.
3-57 Sec. 3879.106. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
3-58 district may establish and provide for the administration of one or
3-59 more programs to promote state or local economic development and to
3-60 stimulate business and commercial activity in the district,
3-61 including programs to:
3-62 (1) make loans and grants of public money; and
3-63 (2) provide district personnel and services.
3-64 (b) The district has all of the powers of a municipality
3-65 under Chapter 380, Local Government Code.
3-66 Sec. 3879.107. STRATEGIC PARTNERSHIP AGREEMENT. The
3-67 district may negotiate and enter into a written strategic
3-68 partnership with the City of Houston as provided by Section
3-69 43.0751, Local Government Code.

4-1 Sec. 3879.108. NO EMINENT DOMAIN. The district may not
4-2 exercise the power of eminent domain.

4-3 Sec. 3879.109. USE OF CONDUITS. (a) The district may
4-4 finance, acquire, construct, improve, operate, maintain, or charge
4-5 a fee for the use of district conduits for:

- 4-6 (1) fiber-optic cable;
- 4-7 (2) electronic transmission lines; or
- 4-8 (3) other types of transmission lines and supporting
4-9 facilities.

4-10 (b) The district may not require a person to use a district
4-11 conduit.

4-12 Sec. 3879.110. ANNEXATION OR EXCLUSION OF LAND. (a) The
4-13 district may annex land as provided by Subchapter J, Chapter 49,
4-14 Water Code.

4-15 (b) The district may exclude land as provided by Subchapter
4-16 J, Chapter 49, Water Code. Section 375.044(b), Local Government
4-17 Code, does not apply to the district.

4-18 [Sections 3879.111-3879.150 reserved for expansion]

4-19 SUBCHAPTER D. PUBLIC PARKING FACILITIES

4-20 Sec. 3879.151. PARKING FACILITIES AUTHORIZED; OPERATION BY
4-21 PRIVATE ENTITY. (a) The district may acquire, lease as lessor or
4-22 lessee, construct, develop, own, operate, and maintain parking
4-23 facilities or a system of parking facilities, including:

- 4-24 (1) lots, garages, parking terminals, or other
4-25 structures or accommodations for parking motor vehicles off the
4-26 streets; and
- 4-27 (2) equipment, entrances, exits, fencing, and other
4-28 accessories necessary for safety and convenience in parking
4-29 vehicles.

4-30 (b) A parking facility of the district may be leased to or
4-31 operated on behalf of the district by an entity other than the
4-32 district.

4-33 (c) The district's parking facilities are a program
4-34 authorized by the legislature under Section 52-a, Article III,
4-35 Texas Constitution.

4-36 (d) The district's parking facilities serve the public
4-37 purposes of the district and are owned, used, and held for a public
4-38 purpose even if leased or operated by a private entity for a term of
4-39 years.

4-40 Sec. 3879.152. RULES. The district may adopt rules
4-41 governing the district's public parking facilities.

4-42 Sec. 3879.153. FINANCING OF PUBLIC PARKING FACILITIES.

4-43 (a) The district may use any of its resources, including revenue,
4-44 assessments, taxes, or grant or contract proceeds, to pay the cost
4-45 of acquiring or operating public parking facilities.

4-46 (b) The district may:

- 4-47 (1) set, charge, impose, and collect fees, charges, or
4-48 tolls for the use of the district's public parking facilities; and
- 4-49 (2) issue bonds or notes to finance the cost of the
4-50 district's public parking facilities.

4-51 [Sections 3879.154-3879.200 reserved for expansion]

4-52 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

4-53 Sec. 3879.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The
4-54 board by resolution shall establish the number of directors'
4-55 signatures and the procedure required for a disbursement or
4-56 transfer of the district's money.

4-57 Sec. 3879.202. MONEY USED FOR IMPROVEMENTS OR SERVICES.
4-58 The district may acquire, construct, finance, operate, or maintain
4-59 any improvement or service authorized under this chapter or Chapter
4-60 375, Local Government Code, using any money available to the
4-61 district.

4-62 Sec. 3879.203. PETITION REQUIRED FOR FINANCING SERVICES AND
4-63 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
4-64 service or improvement project with assessments under this chapter
4-65 unless a written petition requesting that service or improvement
4-66 has been filed with the board.

4-67 (b) A petition filed under Subsection (a) must be signed by
4-68 the owners of a majority of the assessed value of real property in
4-69 the district subject to assessment according to the most recent

5-1 certified tax appraisal roll for Harris County.
 5-2 Sec. 3879.204. METHOD OF NOTICE FOR HEARING. The district
 5-3 may mail the notice required by Section 375.115(c), Local
 5-4 Government Code, by certified or first class United States mail.
 5-5 The board shall determine the method of notice.
 5-6 Sec. 3879.205. ASSESSMENTS; LIENS FOR ASSESSMENTS.
 5-7 (a) The board by resolution may impose and collect an assessment
 5-8 for any purpose authorized by this chapter in all or any part of the
 5-9 district.
 5-10 (b) An assessment, a reassessment, or an assessment
 5-11 resulting from an addition to or correction of the assessment roll
 5-12 by the district, penalties and interest on an assessment or
 5-13 reassessment, an expense of collection, and reasonable attorney's
 5-14 fees incurred by the district:
 5-15 (1) are a first and prior lien against the property
 5-16 assessed;
 5-17 (2) are superior to any other lien or claim other than
 5-18 a lien or claim for county, school district, or municipal ad valorem
 5-19 taxes; and
 5-20 (3) are the personal liability of and a charge against
 5-21 the owners of the property even if the owners are not named in the
 5-22 assessment proceedings.
 5-23 (c) The lien is effective from the date of the board's
 5-24 resolution imposing the assessment until the date the assessment is
 5-25 paid. The board may enforce the lien in the same manner that the
 5-26 board may enforce an ad valorem tax lien against real property.
 5-27 (d) The board may make a correction to or deletion from the
 5-28 assessment roll that does not increase the amount of assessment of
 5-29 any parcel of land without providing notice and holding a hearing in
 5-30 the manner required for additional assessments.
 5-31 Sec. 3879.206. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
 5-32 ASSESSMENTS. The district may not impose an impact fee or
 5-33 assessment on the property, including the equipment,
 5-34 rights-of-way, facilities, or improvements, of:
 5-35 (1) an electric utility or a power generation company
 5-36 as defined by Section 31.002, Utilities Code;
 5-37 (2) a gas utility as defined by Section 101.003 or
 5-38 121.001, Utilities Code;
 5-39 (3) a telecommunications provider as defined by
 5-40 Section 51.002, Utilities Code; or
 5-41 (4) a person who provides to the public cable
 5-42 television or advanced telecommunications services.
 5-43 Sec. 3879.207. RESIDENTIAL PROPERTY. Section 375.161,
 5-44 Local Government Code, does not apply to a tax imposed by the
 5-45 district or a required payment for a service provided by the
 5-46 district, including water and sewer service.
 5-47 Sec. 3879.208. OPERATION AND MAINTENANCE TAX. (a) If
 5-48 authorized at an election held in accordance with Section 3879.212,
 5-49 the district may impose an annual operation and maintenance tax on
 5-50 taxable property in the district in accordance with Section 49.107,
 5-51 Water Code, for any district purpose, including to:
 5-52 (1) maintain and operate the district;
 5-53 (2) construct or acquire improvements; or
 5-54 (3) provide a service.
 5-55 (b) The board shall determine the tax rate. The rate may not
 5-56 exceed the rate approved at the election.
 5-57 (c) Section 49.107(h), Water Code, does not apply to the
 5-58 district.
 5-59 Sec. 3879.209. CONTRACT TAXES. (a) In accordance with
 5-60 Section 49.108, Water Code, the district may impose a tax other than
 5-61 an operation and maintenance tax and use the revenue derived from
 5-62 the tax to make payments under a contract after the provisions of
 5-63 the contract have been approved by a majority of the district voters
 5-64 voting at an election held for that purpose.
 5-65 (b) A contract approved by the district voters may contain a
 5-66 provision stating that the contract may be modified or amended by
 5-67 the board without further voter approval.
 5-68 Sec. 3879.210. AUTHORITY TO BORROW MONEY AND TO ISSUE
 5-69 BONDS. (a) The district may borrow money on terms and conditions

6-1 as determined by the board. Section 375.205, Local Government
6-2 Code, does not apply to a loan, line of credit, or other borrowing
6-3 from a bank or financial institution secured by revenue other than
6-4 ad valorem taxes.

6-5 (b) The district may issue bonds, notes, or other
6-6 obligations payable wholly or partly from ad valorem taxes, sales
6-7 and use taxes, assessments, impact fees, revenue, contract
6-8 payments, grants, or other district money, or any combination of
6-9 those sources of money, to pay for any authorized district purpose.

6-10 (c) The limitation on the outstanding principal amount of
6-11 bonds, notes, and other obligations provided by Section 49.4645,
6-12 Water Code, does not apply to the district.

6-13 Sec. 3879.211. TAXES FOR BONDS. At the time the district
6-14 issues bonds payable wholly or partly from ad valorem taxes, the
6-15 board shall provide for the annual imposition of a continuing
6-16 direct ad valorem tax, without limit as to rate or amount, while all
6-17 or part of the bonds are outstanding as required and in the manner
6-18 provided by Sections 54.601 and 54.602, Water Code.

6-19 Sec. 3879.212. ELECTIONS REGARDING TAXES AND BONDS.

6-20 (a) The district may issue, without an election, bonds, notes, and
6-21 other obligations secured by:

- 6-22 (1) revenue other than ad valorem taxes; or
- 6-23 (2) contract payments described by Section 3879.209.

6-24 (b) The district must hold an election in the manner
6-25 provided by Subchapter L, Chapter 375, Local Government Code, to
6-26 obtain voter approval before the district may impose an ad valorem
6-27 tax or sales and use tax or issue bonds payable from ad valorem
6-28 taxes.

6-29 (c) Section 375.243, Local Government Code, does not apply
6-30 to the district.

6-31 (d) All or any part of any facilities or improvements that
6-32 may be acquired by a district by the issuance of district bonds may
6-33 be included in one single proposition to be voted on at the election
6-34 or the bonds may be submitted in several propositions.

6-35 Sec. 3879.213. COMPETITIVE BIDDING. Subchapter I, Chapter
6-36 49, Water Code, applies to the district. Sections 375.221 and
6-37 375.223, Local Government Code, do not apply to the district.

6-38 Sec. 3879.214. TAX AND ASSESSMENT ABATEMENTS. The district
6-39 may grant in the manner authorized by Chapter 312, Tax Code, an
6-40 abatement for a tax or assessment owed to the district.

6-41 [Sections 3879.215-3879.250 reserved for expansion]

6-42 SUBCHAPTER F. TAXES FOR CERTAIN DEFINED AREAS AND DESIGNATED
6-43 PROPERTY

6-44 Sec. 3879.251. AUTHORITY TO ESTABLISH DEFINED AREAS OR
6-45 DESIGNATED PROPERTY. The district may define areas or designate
6-46 certain property of the district to pay for improvements,
6-47 facilities, or services that primarily benefit that area or
6-48 property and do not generally and directly benefit the district as a
6-49 whole.

6-50 Sec. 3879.252. PROCEDURE FOR ELECTION. (a) Before the
6-51 district may impose an ad valorem tax or issue bonds payable from ad
6-52 valorem taxes of the area defined or property designated under
6-53 Section 3879.251, the board must call and hold an election as
6-54 provided by Section 3879.212 only in the defined area or in the
6-55 boundaries of the designated property.

6-56 (b) The board may submit the proposition to the voters on
6-57 the same ballot to be used in another election.

6-58 Sec. 3879.253. DECLARING RESULT AND ISSUING ORDER. (a) If
6-59 a majority of the voters voting at the election approve the
6-60 proposition or propositions, the board shall declare the results
6-61 and by order shall establish the defined area and describe it by
6-62 metes and bounds or designate the specific property.

6-63 (b) A court may not review the board's order except on the
6-64 ground of fraud, palpable error, or arbitrary and confiscatory
6-65 abuse of discretion.

6-66 Sec. 3879.254. TAXES FOR SERVICES, IMPROVEMENTS, AND
6-67 FACILITIES IN DEFINED AREA OR DESIGNATED PROPERTY. On voter
6-68 approval and adoption of the order described in Section 3879.253,
6-69 the district may apply separately, differently, equitably, and

7-1 specifically its taxing power and lien authority to the defined
7-2 area or designated property to provide money to construct,
7-3 administer, maintain, and operate services, improvements, and
7-4 facilities that primarily benefit the defined area or designated
7-5 property.

7-6 Sec. 3879.255. ISSUANCE OF BONDS AND IMPOSITION OF TAXES
7-7 FOR DEFINED AREA OR DESIGNATED PROPERTY. After the order under
7-8 Section 3879.253 is adopted, the district may issue bonds to
7-9 provide for any land, improvements, facilities, plants, equipment,
7-10 and appliances for the defined area or designated property.

7-11 [Sections 3879.256-3879.300 reserved for expansion]

7-12 SUBCHAPTER G. SALES AND USE TAX

7-13 Sec. 3879.301. MEANINGS OF WORDS AND PHRASES. Words and
7-14 phrases used in this subchapter that are defined by Chapters 151 and
7-15 321, Tax Code, have the meanings assigned by Chapters 151 and 321,
7-16 Tax Code.

7-17 Sec. 3879.302. APPLICABILITY OF CERTAIN TAX CODE
7-18 PROVISIONS. (a) Except as otherwise provided by this subchapter,
7-19 Subtitles A and B, Title 2, Tax Code, and Chapter 151, Tax Code,
7-20 apply to taxes imposed under this subchapter and to the
7-21 administration and enforcement of those taxes in the same manner
7-22 that those laws apply to state taxes.

7-23 (b) Chapter 321, Tax Code, relating to municipal sales and
7-24 use taxes, applies to the application, collection, change, and
7-25 administration of a sales and use tax imposed under this subchapter
7-26 to the extent consistent with this chapter, as if references in
7-27 Chapter 321, Tax Code, to a municipality referred to the district
7-28 and references to a governing body referred to the board.

7-29 (c) Sections 321.106, 321.401, 321.402, 321.403, 321.404,
7-30 321.406, 321.409, 321.506, 321.507, and 321.508, Tax Code, do not
7-31 apply to a tax imposed under this subchapter.

7-32 Sec. 3879.303. AUTHORIZATION; ELECTION. (a) The district
7-33 may adopt a sales and use tax to serve the purposes of the district
7-34 after an election in which a majority of the voters of the district
7-35 voting in the election authorize the adoption of the tax.

7-36 (b) The board by order may call an election to authorize a
7-37 sales and use tax. The election may be held with any other district
7-38 election.

7-39 (c) The district shall provide notice of the election and
7-40 shall hold the election in the manner prescribed by Section
7-41 3879.212.

7-42 (d) The ballots shall be printed to provide for voting for
7-43 or against the proposition: "Authorization of a sales and use tax
7-44 in the Harris County Improvement District No. 18 at a rate not to
7-45 exceed _____ percent."

7-46 Sec. 3879.304. ABOLISHING SALES AND USE TAX. (a) Except
7-47 as provided by Subsection (b), the board may abolish the sales and
7-48 use tax without an election.

7-49 (b) The board may not abolish the sales and use tax if the
7-50 district has outstanding debt secured by the tax.

7-51 Sec. 3879.305. SALES AND USE TAX RATE. (a) On adoption of
7-52 the tax authorized by this subchapter, there is imposed a tax on the
7-53 receipts from the sale at retail of taxable items within the
7-54 district, and an excise tax on the use, storage, or other
7-55 consumption within the district of taxable items purchased, leased,
7-56 or rented from a retailer within the district during the period that
7-57 the tax is in effect.

7-58 (b) The board shall determine the rate of the tax, which may
7-59 be in one-eighth of one percent increments not to exceed the maximum
7-60 rate authorized by the district voters at the election. The board
7-61 may lower the tax rate to the extent it does not impair any
7-62 outstanding debt or obligations payable from the tax.

7-63 (c) The rate of the excise tax is the same as the rate of the
7-64 sales tax portion of the tax and is applied to the sales price of the
7-65 taxable item.

7-66 [Sections 3879.306-3879.350 reserved for expansion]

7-67 SUBCHAPTER H. HOTEL OCCUPANCY TAXES

7-68 Sec. 3879.351. HOTEL OCCUPANCY TAX. (a) In this section,
7-69 "hotel" has the meaning assigned by Section 156.001, Tax Code.

8-1 (b) For purposes of this section, a reference in Chapter
8-2 351, Tax Code, to a municipality is a reference to the district and
8-3 a reference in Chapter 351, Tax Code, to the municipality's
8-4 officers or governing body is a reference to the board.

8-5 (c) Except as otherwise provided by this section,
8-6 Subchapter A, Chapter 351, Tax Code, governs a hotel occupancy tax
8-7 authorized by this section, including the collection of the tax.

8-8 (d) The district may impose a hotel occupancy tax and may
8-9 use revenue from the tax for any district purpose that is an
8-10 authorized use of hotel occupancy tax revenue under Chapter 351,
8-11 Tax Code.

8-12 (e) The board by order may impose, repeal, increase, or
8-13 decrease the rate of a tax on a person who, under a lease,
8-14 concession, permit, right of access, license, contract, or
8-15 agreement, pays for the use or possession or for the right to the
8-16 use or possession of a room that:

8-17 (1) is in a hotel located in the district's boundaries;

8-18 (2) costs \$2 or more each day; and

8-19 (3) is ordinarily used for sleeping.

8-20 (f) The amount of the tax may not exceed seven percent of the
8-21 price paid for a room in a hotel.

8-22 (g) The district may examine and receive information
8-23 related to the imposition of hotel occupancy taxes to the same
8-24 extent as if the district were a municipality.

8-25 [Sections 3879.352-3879.400 reserved for expansion]

8-26 SUBCHAPTER I. MUNICIPAL ANNEXATION AND DISSOLUTION

8-27 Sec. 3879.401. MUNICIPAL ANNEXATION; DISSOLUTION.

8-28 (a) Section 43.071, Local Government Code, applies to the
8-29 district, and the district is a "water or sewer district" for
8-30 purposes of that section.

8-31 (b) Section 43.075, Local Government Code, applies to the
8-32 district.

8-33 (c) Section 375.264, Local Government Code, does not apply
8-34 to the dissolution of the district by a municipality.

8-35 SECTION 2. The Harris County Improvement District No. 18
8-36 initially includes all territory contained in the following area:

8-37 TRACT 1 of 3:

8-38 Being a tract or parcel containing 69.9705 acres of land
8-39 situated in the F. Limsky Survey, Abstract Number 512, Harris
8-40 County, Texas, and being all of the called 69.9297 acre tract as
8-41 described in the deed to Chrymirene Properties Company, Inc., and
8-42 Springwoods Realty Company recorded under Harris County Clerk's
8-43 File Number T146401; said 69.9705 acre tract being more
8-44 particularly described by metes and bounds as follows (all bearings
8-45 stated herein are based on the Texas State Plane Coordinate System,
8-46 South Central Zone, NAD 29 (19683 adjustment) as depicted on the
8-47 Texas Department of Transportation Right-of-Way map for Interstate
8-48 Highway 45, Account Number 9012-7-30, CSJ 0110-05-068):

8-49 BEGINNING at a 3/4-inch iron rod found in the south
8-50 right-of-way line of the Missouri Pacific Railroad (100 feet wide),
8-51 as described in the deed recorded in Volume 139, Page 452, of the
8-52 Harris County Deed Records, marking the northwest corner of said
8-53 called 69.9297 acre tract common with the northeast corner of the
8-54 called 15.00 acre tract as described in the deed recorded under
8-55 Harris County Clerk's File Number D798332;

8-56 THENCE, South 80°57'24" East, along said south right-of-way
8-57 line, a distance of 1,762.44 feet to a 5/8-inch iron rod found
8-58 marking the northwest corner of the called 10.445 acre tract as
8-59 described in the deed recorded under Harris County Clerk's File
8-60 Number F394301;

8-61 THENCE, South 02°49'28" East, along the west line of said
8-62 called 10.445 acre tract, a distance of 1,630.01 feet to a 5/8-inch
8-63 iron rod with plastic cap stamped "TERRA SURVEYING" set in the north
8-64 right-of-way line of Spring Stuebner Road (60 feet wide);

8-65 THENCE, South 86°54'21" West, along said north right-of-way
8-66 line, a distance of 1,498.48 feet to a 5/8-inch iron rod found
8-67 marking the southeast corner aforesaid called 15.00 acre tract;

8-68 THENCE, North 02°53'31" West, along the east line of said
8-69 called 15.00 acre tract, a distance of 360.27 feet to a 5/8-inch

9-1 iron rod found marking an angle corner of said called 15.00 acre
 9-2 tract;
 9-3 THENCE, South 86°54'45" West, along the east line of said
 9-4 called 15.00 acre tract, a distance of 223.95 feet to a 5/8-inch
 9-5 iron rod found marking an angle corner of said called 15.00 acre
 9-6 tract;
 9-7 THENCE, North 2°53'31" West, along the east line of said
 9-8 called 15.00 acre tract, a distance of 1,640.27 feet to the POINT OF
 9-9 BEGINNING 69.9705 acres of land. This description is based on the
 9-10 plat of the ALTA/ACSM Land Title Survey prepared by Terra Surveying
 9-11 Company, Inc., dated July 19, 2006, TSC Project Number
 9-12 0106-0301-A01.

9-13 TRACT 2 of 3:

9-14 Being a tract or parcel containing 83.0841 acres of land
 9-15 situated in the F. Limsy Survey, Abstract Number 512, Harris
 9-16 County, Texas, and being all of the called 82.8694 acre tract as
 9-17 described in the deed to Chrymirene Properties Company, Inc., and
 9-18 Springwoods Realty Company recorded under Harris County Clerk's
 9-19 File Number T146401; said 83.0841 acre tract being more
 9-20 particularly described by metes and bounds as follows (all bearings
 9-21 stated herein are based on the Texas State Plane Coordinate System,
 9-22 South Central Zone, NAD 29 (19683 adjustment) as depicted on the
 9-23 Texas Department of Transportation Right-of-Way map for Interstate
 9-24 Highway 45, Account Number 9012-7-30, CSJ 0110-05-068):

9-25 BEGINNING at a 5/8-inch iron rod found in the south
 9-26 right-of-way line of the Missouri Pacific Railroad (100 feet wide),
 9-27 as described in the deed recorded in Volume 139, Page 452, of the
 9-28 Harris County Deed Records, marking the northeast corner of said
 9-29 called 82.8694 acre tract common with the northwest corner of the
 9-30 called 4.1807 acre tract as described in the deed recorded under
 9-31 Harris County Clerk's File Number H058736;

9-32 THENCE, South 02°15'54" East, along the west line of said
 9-33 called 4.1807 acre tract, a distance of 507.13 feet to a 5/8-inch
 9-34 iron rod with plastic cap stamped "TERRA SURVEYING" set in the north
 9-35 right-of-way line of Spring Stuebner Road (60 feet wide) marking
 9-36 the southeast corner of the herein described tract;

9-37 THENCE, South 86°54'21" West, along said north right-of-way
 9-38 line, a distance of 3,901.63 feet to a 5/8-inch iron rod found
 9-39 marking the southeast corner of the called 9.4671 acre tract as
 9-40 described in the deed recorded under Harris County Clerk's File
 9-41 Number F773219;

9-42 THENCE, North 02°49'28" West, along the east line of said
 9-43 called 9.4671 acre tract, a distance of 1,346.43 feet to a 5/8-inch
 9-44 iron rod with plastic cap stamped "TERRA SURVEYING" set in the
 9-45 aforesaid south right-of-way line of the Missouri Pacific Railroad
 9-46 marking the north west corner of the herein described tract;

9-47 THENCE, South 80°57'24" East, along said south right-of-way
 9-48 line a distance of 3,991.87 feet to the POINT OF BEGINNING 83.0841
 9-49 acres of land. This description is based on the plat of the
 9-50 ALTA/ACSM Land Title Survey prepared by Terra Surveying Company,
 9-51 Inc., dated July 19, 2006, TSC Project Number 0106-0301-A01.

9-52 TRACT 3 of 3:

9-53 Being a tract or parcel containing 1,421.1124 acres of land
 9-54 situated in the F. Limsy Survey, Abstract Number 512, Richard
 9-55 Beach Survey, Abstract Number 137, and the James Moore Survey,
 9-56 Abstract Number 583, all in Harris County, Texas, and being all of
 9-57 the called 1,408.0939 acre tract as described in the deed to
 9-58 Chrymirene Properties Company, Inc., and Springwoods Realty
 9-59 Company recorded under Harris County Clerk's File Number T146401,
 9-60 and all of the called 1.4856 acre tract as described in the deed to
 9-61 Springwoods Realty Corporation recorded under Harris County
 9-62 Clerk's File Number T785884; said 1,421.1124 acre tract being more
 9-63 particularly described by metes and bounds as follows (all bearings
 9-64 stated herein are based on the Texas State Plane Coordinate System,
 9-65 South Central Zone, NAD 29 (19683 adjustment) as depicted on the
 9-66 Texas Department of Transportation Right-of-Way map for Interstate
 9-67 Highway 45, Account Number 9012-7-30, CSJ 0110-05-068):

9-68 BEGINNING at an axle found in the north right-of-way line of
 9-69 the Missouri Pacific Railroad (100 feet wide), as described in the

10-1 deed recorded in Volume 139, Page 452, of the Harris County Deed
10-2 Records, marking the southeast corner of said called 1,408.0939
10-3 acre tract common with the southwest corner of the called 6.00 acre
10-4 tract as described in the deed recorded under Harris County Clerk's
10-5 File Number U173578;

10-6 THENCE, North 80°57'24" West, along said north right-of-way
10-7 line, a distance of 7,926.68 feet to a 5/8-inch iron rod found
10-8 marking the southeast corner of the called 140.1685 acre tract as
10-9 described in the deed recorded under Harris County Clerk's File
10-10 Number R984278 common with the southwest corner of the herein
10-11 described tract;

10-12 THENCE, North 02°26'47" West, along the east line of said
10-13 called 140.1685 acre tract, a distance of 5,748.58 feet to the
10-14 northwest corner of the herein described tract in the centerline of
10-15 Spring Creek;

10-16 THENCE, along the centerline of Spring Creek as meandered in
10-17 July of 2006 the following Forty-Eight (48) courses and distances;

- 10-18 North 31°22'36" East, a distance of 142.45 feet;
- 10-19 North 49°35'22" East, a distance of 116.57 feet;
- 10-20 South 89°00'36" East, a distance of 292.35 feet;
- 10-21 South 58°27'00" East, a distance of 85.79 feet;
- 10-22 North 80°56'30" East, a distance of 164.19 feet;
- 10-23 North 61°57'17" East, a distance of 269.77 feet;
- 10-24 South 63°15'16" East, a distance of 349.48 feet;
- 10-25 South 80°26'06" East, a distance of 208.37 feet;
- 10-26 South 40°36'00" East, a distance of 274.54 feet;
- 10-27 South 84°38'53" East, a distance of 113.03 feet;
- 10-28 North 50°47'47" East, a distance of 543.35 feet;
- 10-29 South 80°14'02" East, a distance of 212.53 feet;
- 10-30 South 45°39'14" East, a distance of 195.16 feet;
- 10-31 South 24°16'46" East, a distance of 186.29 feet;
- 10-32 North 87°16'43" East, a distance of 92.63 feet;
- 10-33 North 67°47'36" East, a distance of 416.14 feet;
- 10-34 North 26°29'19" East, a distance of 95.14 feet;
- 10-35 North 9°45'41" West, a distance of 542.50 feet;
- 10-36 North 52°46'48" East, a distance of 192.95 feet;
- 10-37 South 84°36'09" East, a distance of 200.78 feet;
- 10-38 North 39°09'55" East, a distance of 131.98 feet;
- 10-39 North 13°59'12" East, a distance of 488.80 feet;
- 10-40 North 55°54'31" East, a distance of 252.47 feet;
- 10-41 North 71°50'16" East, a distance of 496.79 feet;
- 10-42 North 45°34'12" East, a distance of 107.58 feet;
- 10-43 North 81°30'41" East, a distance of 83.70 feet;
- 10-44 South 75°38'22" East, a distance of 94.27 feet;
- 10-45 South 58°03'06" East, a distance of 147.30 feet;
- 10-46 South 76°45'02" East, a distance of 382.50 feet;
- 10-47 North 48°06'00" East, a distance of 238.60 feet;
- 10-48 North 22°25'42" East, a distance of 198.43 feet;
- 10-49 North 59°54'16" East, a distance of 84.46 feet;
- 10-50 North 72°24'48" East, a distance of 208.16 feet;
- 10-51 South 84°43'33" East, a distance of 357.51 feet;
- 10-52 North 72°30'04" East, a distance of 117.17 feet;
- 10-53 South 87°26'11" East, a distance of 212.90 feet;
- 10-54 South 69°13'23" East, a distance of 345.53 feet;
- 10-55 South 29°06'11" East, a distance of 101.86 feet;
- 10-56 North 89°54'32" East, a distance of 176.49 feet;
- 10-57 North 59°26'57" East, a distance of 423.79 feet;
- 10-58 North 66°31'27" East, a distance of 168.10 feet;
- 10-59 South 83°32'01" East, a distance of 222.63 feet;
- 10-60 North 84°20'46" East, a distance of 74.88 feet;
- 10-61 North 54°40'19" East, a distance of 77.43 feet;
- 10-62 North 41°03'04" East, a distance of 231.87 feet;
- 10-63 North 71°35'52" East, a distance of 144.34 feet;
- 10-64 South 81°33'16" East, a distance of 91.64 feet;
- 10-65 South 66°42'36" East, a distance of 117.37 feet to the

10-66 intersection of said centerline and the west right-of-way
10-67 line of Interstate Highway 45 (width varies);

10-68 THENCE, along said west right-of-way line the following
10-69 Sixteen (16) courses and distances

11-1 South 03°11'31" East (called South 04°11'25" East), a
 11-2 distance of 366.12 feet to a 5/8-inch iron rod with plastic
 11-3 cap stamped "TERRA SURVEYING" set;
 11-4 South 03°25'46" East (called South 04°11'25" East), a
 11-5 distance of 154.92 feet to a found Texas Department of
 11-6 Transportation monument;
 11-7 South 03°01'28" East (called South 04°11'25" East), a
 11-8 distance of 40.53 feet to a found Texas Department of
 11-9 Transportation from which a found 2-inch iron pipe bears
 11-10 North 47°09' East, 0.92 feet;
 11-11 North 86°37'31" East (called North 86°45'55" East), a
 11-12 distance of 150.29 feet to a found Texas Department of
 11-13 Transportation monument from which a found 5/8-inch iron rod
 11-14 bears North 43°10' East, 1.35 feet;
 11-15 South 10°15'13" East (called South 10°22'11" East), a
 11-16 distance of 647.19 feet (called 649.81 feet) to a 5/8-inch
 11-17 iron rod with plastic cap stamped "TERRA SURVEYING" set from
 11-18 which a 5/8-inch iron rod found disturbed bears South
 11-19 07°57'24" East, 3.67 feet;
 11-20 South 04°53'28" East (called South 04°51'18" East), a
 11-21 distance of 303.83 feet (called 300.13 feet) to a found
 11-22 5/8-inch iron rod;
 11-23 South 07°28'17" East, a distance of 99.95 feet to a found
 11-24 5/8-inch iron rod;
 11-25 South 39°41'01" West, a distance of 57.06 feet to a set
 11-26 5/8-inch iron rod with plastic cap stamped "TERRA SURVEYING";
 11-27 South 87°20'13" West, a distance of 10.00 feet to a found
 11-28 Texas Department of Transportation monument;
 11-29 South 02°39'47" East, a distance of 80.00 feet to a set
 11-30 5/8-inch iron rod with plastic cap stamped "TERRA SURVEYING";
 11-31 North 87°20'13" East, a distance of 10.00 feet to a set
 11-32 5/8-inch iron rod with plastic cap stamped "TERRA SURVEYING";
 11-33 South 46°26'42" East, a distance of 77.96 feet to a set
 11-34 5/8-inch iron rod with plastic cap stamped "TERRA SURVEYING";
 11-35 South 04°58'48" East, a distance of 208.76 to a found
 11-36 Texas Department of Transportation monument;
 11-37 South 07°10'22" East, a distance of 485.85 feet to a set
 11-38 5/8-inch iron rod with plastic cap stamped "TERRA SURVEYING";
 11-39 South 05°23'54" East, a distance of 206.08 feet set
 11-40 5/8-inch iron rod with plastic cap stamped "TERRA SURVEYING";
 11-41 South 03°02'04" East, a distance of 377.43 feet to a
 11-42 5/8-inch iron rod found marking the northeast corner of the
 11-43 called 10 acre tract as described in the deed recorded in
 11-44 Volume 1048, Page 67, of the Harris County Deed Records;
 11-45 THENCE, South 88°19'48" West, along the north line of said
 11-46 called 10 acre tract, a distance of 764.64 feet (called 763.69 feet)
 11-47 to a 1/2-inch iron pipe found marking the northwest corner of said
 11-48 called 10.0 acre tract;
 11-49 THENCE, South 02°14'16" East, along the west line of said
 11-50 called 10 acre tract, a distance of 426.96 feet to a 5/8-inch iron
 11-51 rod with plastic cap stamped "TERRA SURVEYING" set marking an
 11-52 interior corner of the herein described tract;
 11-53 THENCE, North 87°52'57" East, along the south line of said
 11-54 called 10 acre tract, a distance of 770.46 feet (called 771.28 feet)
 11-55 to a 5/8-inch iron rod found in the aforesaid west right-of-way line
 11-56 of Interstate Highway 45 marking the southeast corner of said
 11-57 called 10 acre tract;
 11-58 THENCE, South 03°02'04" East, along said west right-of-way
 11-59 line, a distance of 739.59 feet to a 5/8-inch iron rod with plastic
 11-60 cap stamped "TERRA SURVEYING" set marking the Point of Curvature of
 11-61 a curve to the left;
 11-62 THENCE, continuing along said west right-of-way line, along
 11-63 said curve to the left having a central angle of 00°02'17", an arc
 11-64 distance of 15.34 feet, a radius of 23,099.81 feet, and a chord
 11-65 which bears South 03°03'11" East, a distance of 15.34 feet to a
 11-66 5/8-inch iron rod found marking the northeast corner of the called
 11-67 6.64 acre tract as described in the deed recorded in Volume 2247,
 11-68 Page 590, of the Harris County Deed Records;
 11-69 THENCE, South 87°50'13" West (called South 87°45'44" West),

12-1 along the north line of said called 6.64 acre tract, a distance of
12-2 779.22 feet (called 779.49 feet) to a 5/8-inch iron rod found
12-3 marking the northwest corner of said called 6.64 acre tract;
12-4 THENCE, South 02°12'23" East (called South 02°34'59" East),
12-5 along the east line of said called 6.64 acre tract, a distance of
12-6 299.10 feet (called 299.26 feet) to a 1/2-inch iron pipe found
12-7 marking the northeast corner of the called 1.701 acre tract as
12-8 described in the deed recorded under Harris County Clerk's File
12-9 Number T934409;
12-10 THENCE, South 02°16'10" East (called South 02°14'48" East),
12-11 along the west line of said called 1.701 acre tract and then along
12-12 the west line the called 1.701 acre tract as described in the deed
12-13 recorded under Harris County Clerk's File Number T934408, a
12-14 distance of 550.83 feet to a 5/8-inch iron rod found marking the
12-15 southwest corner of said called 1.701 acre tract;
12-16 THENCE, North 86°17'22" East, along the south line of said
12-17 called 1.701 acre tract, a distance of 601.99 feet to a 5/8-inch
12-18 iron rod found marking the southeast corner of said called 1.701
12-19 acre tract;
12-20 THENCE, North 03°22'36" West, along the east line of said
12-21 called 1.701 acre tract, a distance of 550.67 feet (called 550.47
12-22 feet) to a 1/2-inch iron rod found in the south line of the
12-23 aforesaid called 6.64 acre tract;
12-24 THENCE, North 86°11'48" East (called North 86°15'38" East),
12-25 along said south line, a distance of 194.02 feet (called 155.50
12-26 feet) to a Texas Department of Transportation monument found
12-27 marking a point on a curve to the left in the aforesaid west
12-28 right-of-way line of Interstate Highway 45;
12-29 THENCE, along said west right-of-way line and said curve to
12-30 the left having a central angle of 00°02'13", an arc distance of
12-31 14.88 feet, a radius of 23,099.81 feet, and a chord which bears
12-32 South 03°46'46" East, a distance of 14.88 feet to a 5/8-inch iron rod
12-33 with plastic cap stamped "TERRA SURVEYING" set marking the end of
12-34 said curve;
12-35 THENCE, South 00°07'56" West, continuing along said west
12-36 right-of-way line, a distance of 53.41 feet to a 5/8-inch iron rod
12-37 with plastic cap stamped "TERRA SURVEYING" set marking an angle
12-38 corner of the herein described tract;
12-39 THENCE, South 00°20'00" West (called South 03°27'08" East),
12-40 along the west line of the called 1.590 acre tract as described in
12-41 the deed recorded in Volume 3274, Page 338, of the Harris County
12-42 Deed Records, a distance of 642.96 feet to a 5/8-inch iron rod with
12-43 plastic cap stamped "TERRA SURVEYING" set marking an angle corner
12-44 of the herein described tract;
12-45 THENCE, South 03°18'44" East (called South 03°27'08" East),
12-46 along the west lines of those certain tracts recorded under Harris
12-47 County Clerk's File Numbers F754657, T406580, U406352, and J617466,
12-48 a distance of 469.29 feet to a 5/8-inch iron rod with plastic cap
12-49 stamped "TERRA SURVEYING" set marking an angle corner of the herein
12-50 described tract;
12-51 THENCE, South 02°56'18" East (called South 03°27'08" East),
12-52 along the west line of the called 0.325 acre tract as described in
12-53 the deed recorded under Harris County Clerk's File Number R872066
12-54 and then along the west line of the called 0.729 acre tract as
12-55 described in the deed recorded under Harris County Clerk's File
12-56 Number M665530, a distance of 234.23 feet to a 1/2-inch iron pipe
12-57 found marking the southeast corner of said called 0.729 acre tract;
12-58 THENCE, North 86°45'29" East, along the south line of said
12-59 called 0.729 acre tract, a distance of 82.21 feet to a 5/8-inch iron
12-60 rod with plastic cap stamped "TERRA SURVEYING" set in the aforesaid
12-61 west right-of-way line of Interstate Highway 45;
12-62 THENCE, South 05°01'46" East, along said west right-of-way
12-63 line, a distance of 705.37 feet to a Texas Department of
12-64 Transportation monument found in the north line of the called
12-65 1.6920 acre tract as described in the deed recorded under Harris
12-66 County Clerk's File Number F261338;
12-67 THENCE, South 87°29'17" West, along said north line, distance
12-68 of 102.64 feet to a 5/8-inch iron rod with plastic cap stamped
12-69 "TERRA SURVEYING" set marking an angle corner of the herein

