

By: Zerwas

H.B. No. 3909

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Fulshear Parkway Improvement District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3921 to read as follows:

CHAPTER 3921. FULSHEAR PARKWAY IMPROVEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3921.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Fulshear Parkway Improvement District.

Sec. 3921.002. NATURE OF DISTRICT. The Fulshear Parkway Improvement District is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3921.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing a municipality, county, or other political subdivision to contract with the district, the legislature has established a program to

1 accomplish the public purposes set out in Section 52-a, Article
2 III, Texas Constitution.

3 (b) The creation of the district is necessary to promote,
4 develop, encourage, and maintain employment, commerce,
5 transportation, housing, tourism, recreation, the arts,
6 entertainment, economic development, safety, and the public
7 welfare in the district.

8 (c) This chapter and the creation of the district may not be
9 interpreted to relieve a municipality or county from providing the
10 level of services provided as of the effective date of the Act
11 enacting this chapter to the area in the district. The district is
12 created to supplement and not to supplant municipal or county
13 services provided in the district.

14 Sec. 3921.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
15 The district is created to serve a public use and benefit.

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

21 (c) The creation of the district is in the public interest
22 and is essential to further the public purposes of:

23 (1) developing and diversifying the economy of the
24 state;

25 (2) eliminating unemployment and underemployment; and

26 (3) developing or expanding transportation and
27 commerce.

1 (d) The district will:

2 (1) promote the health, safety, and general welfare of
3 residents, employers, potential employees, employees, visitors,
4 and consumers in the district, and of the public;

5 (2) provide needed funding for the district to
6 preserve, maintain, and enhance the economic health and vitality of
7 the district territory as a community and business center;

8 (3) promote the health, safety, welfare, and enjoyment
9 of the public by providing pedestrian ways and by landscaping and
10 developing certain areas in the district, which are necessary for
11 the restoration, preservation, and enhancement of scenic beauty;
12 and

13 (4) provide for drainage, road, and recreational
14 facilities for the district.

15 (e) Pedestrian ways along or across a street, whether at
16 grade or above or below the surface, and street lighting, street
17 landscaping, parking, and street art objects are parts of and
18 necessary components of a street and are considered to be a street
19 or road improvement.

20 (f) The district will not act as the agent or
21 instrumentality of any private interest even though the district
22 will benefit many private interests as well as the public.

23 Sec. 3921.005. INITIAL DISTRICT TERRITORY. (a) The
24 district is initially composed of the territory described by
25 Section 2 of the Act enacting this chapter.

26 (b) The boundaries and field notes contained in Section 2 of
27 the Act enacting this chapter form a closure. A mistake in the

1 field notes or in copying the field notes in the legislative process
2 does not affect the district's:

- 3 (1) organization, existence, or validity;
- 4 (2) right to issue any type of bonds for the purposes
5 for which the district is created or to pay the principal of and
6 interest on the bonds;
- 7 (3) right to impose or collect an assessment or tax; or
- 8 (4) legality or operation.

9 Sec. 3921.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

10 All or any part of the area of the district is eligible to be
11 included in:

- 12 (1) a tax increment reinvestment zone created under
13 Chapter 311, Tax Code;
- 14 (2) a tax abatement reinvestment zone created under
15 Chapter 312, Tax Code;
- 16 (3) an enterprise zone created under Chapter 2303,
17 Government Code; or
- 18 (4) an industrial district created under Chapter 42,
19 Local Government Code.

20 Sec. 3921.007. APPLICABILITY OF MUNICIPAL MANAGEMENT

21 DISTRICTS LAW. Except as otherwise provided by this chapter,
22 Chapter 375, Local Government Code, applies to the district.

23 Sec. 3921.008. CONSTRUCTION OF CHAPTER. This chapter shall

24 be liberally construed in conformity with the findings and purposes
25 stated in this chapter.

26 SUBCHAPTER B. BOARD OF DIRECTORS

27 Sec. 3921.051. GOVERNING BODY; TERMS. (a) The district is

1 governed by a board of five voting directors who serve staggered
2 terms of four years, with two or three directors' terms expiring
3 June 1 of each odd-numbered year.

4 (b) The board by resolution may change the number of voting
5 directors on the board if the board determines that the change is in
6 the best interest of the district. The board may not consist of
7 fewer than five or more than nine voting directors.

8 Sec. 3921.052. APPOINTMENT OF VOTING DIRECTORS. The
9 governing body of Fort Bend County shall appoint voting directors
10 from persons recommended by the board.

11 Sec. 3921.053. NONVOTING DIRECTORS. The board may appoint
12 nonvoting directors to serve at the pleasure of the voting
13 directors.

14 Sec. 3921.054. QUORUM. For purposes of determining the
15 requirements for a quorum of the board, the following are not
16 counted:

17 (1) a board position vacant for any reason, including
18 death, resignation, or disqualification;

19 (2) a director who is abstaining from participation in
20 a vote because of a conflict of interest; or

21 (3) a nonvoting director.

22 Sec. 3921.055. COMPENSATION. A director is entitled to
23 receive fees of office and reimbursement for actual expenses as
24 provided by Section 49.060, Water Code. Sections 375.069 and
25 375.070, Local Government Code, do not apply to the board.

26 Sec. 3921.056. INITIAL VOTING DIRECTORS. (a) On or after
27 the effective date of the Act creating this chapter, the owner or

1 owners of a majority of the assessed value of the real property in
2 the district according to the most recent certified tax appraisal
3 roll for the county in which the district is located may submit a
4 petition to the governing body of Fort Bend County requesting that
5 the governing body appoint as initial voting directors the five
6 persons named in the petition. The governing body shall appoint the
7 five persons named in the petition as initial directors by
8 position.

9 (b) Of the initial directors, the terms of directors
10 appointed for positions one through three expire June 1, 2015, and
11 the terms of directors appointed for positions four and five expire
12 June 1, 2017.

13 (c) Section 3921.052 does not apply to this section.

14 (d) This section expires September 1, 2017.

15 SUBCHAPTER C. POWERS AND DUTIES

16 Sec. 3921.101. GENERAL POWERS AND DUTIES. The district has
17 the powers and duties necessary to accomplish the purposes for
18 which the district is created.

19 Sec. 3921.102. IMPROVEMENT PROJECTS AND SERVICES. The
20 district may provide, design, construct, acquire, improve,
21 relocate, operate, maintain, or finance an improvement project or
22 service using any money available to the district, or contract with
23 a governmental or private entity to provide, design, construct,
24 acquire, improve, relocate, operate, maintain, or finance an
25 improvement project or service authorized under this chapter or
26 Chapter 375, Local Government Code.

27 Sec. 3921.103. DEVELOPMENT CORPORATION POWERS. The

1 district, using money available to the district, may exercise the
2 powers given to a development corporation under Chapter 505, Local
3 Government Code, including the power to own, operate, acquire,
4 construct, lease, improve, or maintain a project under that
5 chapter.

6 Sec. 3921.104. NONPROFIT CORPORATION. (a) The board by
7 resolution may authorize the creation of a nonprofit corporation to
8 assist and act for the district in implementing a project or
9 providing a service authorized by this chapter.

10 (b) The nonprofit corporation:

11 (1) has each power of and is considered to be a local
12 government corporation created under Subchapter D, Chapter 431,
13 Transportation Code; and

14 (2) may implement any project and provide any service
15 authorized by this chapter.

16 (c) The board shall appoint the board of directors of the
17 nonprofit corporation. The board of directors of the nonprofit
18 corporation shall serve in the same manner as the board of directors
19 of a local government corporation created under Subchapter D,
20 Chapter 431, Transportation Code, except that a board member is not
21 required to reside in the district.

22 Sec. 3921.105. AGREEMENTS; GRANTS. (a) As provided by
23 Chapter 375, Local Government Code, the district may make an
24 agreement with or accept a gift, grant, or loan from any person.

25 (b) The implementation of a project is a governmental
26 function or service for the purposes of Chapter 791, Government
27 Code.

1 Sec. 3921.106. LAW ENFORCEMENT SERVICES. To protect the
2 public interest, the district may contract with a qualified party,
3 including a municipality or county, to provide law enforcement
4 services in the district for a fee.

5 Sec. 3921.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
6 district may join and pay dues to a charitable or nonprofit
7 organization that performs a service or provides an activity
8 consistent with the furtherance of a district purpose.

9 Sec. 3921.108. ECONOMIC DEVELOPMENT. (a) The district may
10 engage in activities that accomplish the economic development
11 purposes of the district.

12 (b) The district may establish and provide for the
13 administration of one or more programs to promote state or local
14 economic development and to stimulate business and commercial
15 activity in the district, including programs to:

16 (1) make loans and grants of public money; and

17 (2) provide district personnel and services.

18 (c) The district may create economic development programs
19 and exercise the economic development powers provided to
20 municipalities by:

21 (1) Chapter 380, Local Government Code; and

22 (2) Subchapter A, Chapter 1509, Government Code.

23 Sec. 3921.109. PARKING FACILITIES. (a) The district may
24 acquire, lease as lessor or lessee, construct, develop, own,
25 operate, and maintain parking facilities or a system of parking
26 facilities, including lots, garages, parking terminals, or other
27 structures or accommodations for parking motor vehicles off the

1 streets and related appurtenances.

2 (b) The district's parking facilities serve the public
3 purposes of the district and are owned, used, and held for a public
4 purpose even if leased or operated by a private entity for a term of
5 years.

6 (c) The district's parking facilities are parts of and
7 necessary components of a street and are considered to be a street
8 or road improvement.

9 (d) The development and operation of the district's parking
10 facilities may be considered an economic development program.

11 Sec. 3921.110. ANNEXATION OF LAND. The district may annex
12 land as provided by Subchapter J, Chapter 49, Water Code.

13 Sec. 3921.111. ACCESS TO ROAD FACILITIES. The district may
14 control, restrict, and determine the type and extent of access to or
15 from a road facility, including designating and approving the
16 locations of access to the road facility from a street, road, alley,
17 highway, or other public or private road intersecting the road
18 facility.

19 Sec. 3921.112. NO EMINENT DOMAIN POWER. The district may
20 not exercise the power of eminent domain.

21 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

22 Sec. 3921.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
23 board by resolution shall establish the number of directors'
24 signatures and the procedure required for a disbursement or
25 transfer of district money.

26 Sec. 3921.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
27 The district may acquire, construct, finance, operate, or maintain

1 any improvement or service authorized under this chapter or Chapter
2 375, Local Government Code, using any money available to the
3 district.

4 Sec. 3921.153. PETITION REQUIRED FOR FINANCING SERVICES AND
5 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
6 service or improvement project with assessments under this chapter
7 unless a written petition requesting that service or improvement
8 has been filed with the board.

9 (b) A petition filed under Subsection (a) must be signed by
10 the owners of a majority of the assessed value of real property in
11 the district subject to assessment according to the most recent
12 certified tax appraisal roll for the county in which the
13 assessments are to be imposed.

14 Sec. 3921.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
15 The board by resolution may impose and collect an assessment for any
16 purpose authorized by this chapter in all or any part of the
17 district.

18 (b) An assessment, a reassessment, or an assessment
19 resulting from an addition to or correction of the assessment roll
20 by the district, penalties and interest on an assessment or
21 reassessment, an expense of collection, and reasonable attorney's
22 fees incurred by the district:

23 (1) are a first and prior lien against the property
24 assessed;

25 (2) are superior to any other lien or claim other than
26 a lien or claim for county, school district, or municipal ad valorem
27 taxes; and

1 (3) are the personal liability of and a charge against
2 the owners of the property even if the owners are not named in the
3 assessment proceedings.

4 (c) The lien is effective from the date of the board's
5 resolution imposing the assessment until the date the assessment is
6 paid. The board may enforce the lien in the same manner that the
7 board may enforce an ad valorem tax lien against real property.

8 (d) The board may make a correction to or deletion from the
9 assessment roll that does not increase the amount of assessment of
10 any parcel of land without providing notice and holding a hearing in
11 the manner required for additional assessments.

12 Sec. 3921.155. RESIDENTIAL PROPERTY NOT EXEMPT. Section
13 375.161, Local Government Code, does not apply to a tax authorized
14 or approved by the district voters or a required payment for service
15 provided by the district.

16 Sec. 3921.156. TAX AND ASSESSMENT ABATEMENTS. The district
17 may designate reinvestment zones and may grant abatements of a tax
18 or assessment on property in the zones.

19 SUBCHAPTER E. TAXES AND BONDS

20 Sec. 3921.201. ELECTIONS REGARDING TAXES AND BONDS. (a)
21 The district may issue, without an election, bonds, notes, and
22 other obligations secured by:

23 (1) revenue other than ad valorem taxes; or

24 (2) contract payments described by Section 3921.203.

25 (b) The district must hold an election in the manner
26 provided by Subchapter L, Chapter 375, Local Government Code, to
27 obtain voter approval before the district may impose an ad valorem

1 tax or issue bonds payable from ad valorem taxes.

2 (c) Section 375.243, Local Government Code, does not apply
3 to the district.

4 (d) All or any part of any facilities or improvements that
5 may be acquired by a district by the issuance of its bonds may be
6 submitted as a single proposition or as several propositions to be
7 voted on at the election.

8 Sec. 3921.202. OPERATION AND MAINTENANCE TAX. (a) If
9 authorized by a majority of the district voters voting at an
10 election held in accordance with Section 3921.201, the district may
11 impose an operation and maintenance tax on taxable property in the
12 district in accordance with Section 49.107, Water Code, for any
13 district purpose, including to:

- 14 (1) maintain and operate the district;
15 (2) construct or acquire improvements; or
16 (3) provide a service.

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

19 (c) Section 49.107(h), Water Code, does not apply to the
20 district.

21 Sec. 3921.203. CONTRACT TAXES. (a) In accordance with
22 Section 49.108, Water Code, the district may impose a tax other than
23 an operation and maintenance tax and use the revenue derived from
24 the tax to make payments under a contract after the provisions of
25 the contract have been approved by a majority of the district voters
26 voting at an election held for that purpose.

27 (b) A contract approved by the district voters may contain a

1 provision stating that the contract may be modified or amended by
2 the board without further voter approval.

3 Sec. 3921.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
4 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
5 determined by the board. Section 375.205, Local Government Code,
6 does not apply to a loan, line of credit, or other borrowing from a
7 bank or financial institution secured by revenue other than ad
8 valorem taxes.

9 (b) The district may issue bonds, notes, or other
10 obligations payable wholly or partly from ad valorem taxes,
11 assessments, impact fees, revenue, contract payments, grants, or
12 other district money, or any combination of those sources of money,
13 to pay for any authorized district purpose.

14 (c) The limitation on the outstanding principal amount of
15 bonds, notes, and other obligations provided by Section 49.4645,
16 Water Code, does not apply to the district.

17 Sec. 3921.205. TAXES FOR BONDS. At the time the district
18 issues bonds payable wholly or partly from ad valorem taxes, the
19 board shall provide for the annual imposition of a continuing
20 direct annual ad valorem tax, without limit as to rate or amount,
21 for each year that all or part of the bonds are outstanding as
22 required and in the manner provided by Sections 54.601 and 54.602,
23 Water Code.

24 SECTION 2. The Fulshear Parkway Improvement District
25 initially includes all territory contained in the following area:

26 BEING 4,237.7141 acres of land situated in the H. & T. C. R.R.
27 Co. Survey Section 105, Abstract No. 416, Jesse Thompson Survey,

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1 Abstract No. 414, R.T. Van Slyke Survey, Abstract No. 407 of Waller
2 County, Texas and the H. & T. C. R.R. Co. Survey Section 105,
3 Abstract No. 261, Jesse Thompson Survey, Abstract No. 394, R.T. Van
4 Slyke Survey, Abstract No. 395, J.G. Bennett Survey Abstract No.611
5 (H. & T. C. R.R. Co. Survey Section 106), J.D. Vermillion Survey,
6 Abstract No. 339, A.G. Sharpless Survey, Abstract No. 322, Micajah
7 Autry Survey, Abstract No. 100, Rufus Wright Survey, Abstract No.
8 344, Daniel R. Perry Survey, Abstract No. 301, Enoch Latham Survey,
9 Abstract No. 50, Morris & Cummings Survey, Abstract No. 294, J.C.
10 McDonald Survey, Abstract No. 290, Randon & Pennington Survey,
11 Abstract No. 75 and the John Foster Survey, Abstract No. 26 of Fort
12 Bend County, Texas, said 4,237.7141 acre tract being comprised of
13 the following described tracts: all of a called 316 acre and 88 acre
14 tract (called 404 acres) of land described in an instrument to R&Y
15 Interests, Ltd., filed for record under Vol. 553, Page 91 of the
16 Official Public Records of Waller County, Texas and under Clerk's
17 File Number (C.F. No.) 2011051593 of the Official Public Records of
18 Fort Bend County, Texas (O.P.R.F.B.C.T.), SAVE AND EXCEPT those
19 portions of said 88 acre tract of land and said 316 acre tract of
20 land lying within the limits of Waller County, Texas; all of a
21 called 200 acre tract described in an instrument to Silco Inc. filed
22 for record under C.F. No. 2006095116, all of a called 474.671 acre
23 tract described in an instrument to Silco Inc. filed for record
24 under C.F. No. 2007009962 O.P.R.F.B.C.T. SAVE AND EXCEPT that
25 portion of said 474.671 acre tract lying within the limits of Waller
26 County, Texas; all of a called 235.146 acre tract described in an
27 instrument to Silvestri Investments of Florida, Inc. filed for

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1 record under C.F. No. 2007009964 O.P.R.F.B.C.T., all of a called
2 12.024 acre tract described in an instrument to Blossom Inc. filed
3 for record under C.F. No. 2007009966 O.P.R.F.B.C.T., all of a
4 called 473.246 acre tract described in an instrument to Dan J.
5 Harrison, Jr. filed for record under Vol. 528, Pg. 132 of the Fort
6 Bend County Deed Records (F.B.C.D.R.), all of a called 686.0183
7 acre tract, a called 29.4470 acre and a called 631.26 acres, SAVE
8 AND EXCEPT a called 26.35 acre tract, last said four (4) tracts
9 being described in an instrument to D.R. Horton-Texas Ltd. filed
10 for record under C.F. No. 2013000056, O.P.R.F.B.C.T, SAVE AND
11 EXCEPT all of a 0.5740 acre (total) tract of land out of said
12 686.0183 acre tract, said 0.5740 acre (total) tract described in
13 instruments filed for record under C.F. Nos. 2006069698,
14 2006069701, 2006069704, 2006069707 and 2006069710 O.P.R.F.B.C.T.,
15 SAVE AND EXCEPT all of a 0.5740 acre (total) tract of land out of
16 said 631.26 acre tract, said 0.5740 acre (total) tract being
17 described in instruments filed for record under C.F. Nos.
18 2009030903, 2009023900, 2012070615, 2009023906 and 2009023909,
19 O.P.R.F.B.C.T., all of a called 579.0 acre tract, a called 2.1742
20 acre tract, a called 1.500 acre tract and a called 1.166 acre tract
21 described in an instrument to Ronald W. Henriksen "B" Trust filed
22 for record under C.F. No. 2008132362 O.P.R.F.B.C.T. and all of a
23 called 137.294 acre tract of land described in an instrument to G.M.
24 Equity Group, LLC filed for record under C.F. No. 2008000068
25 O.P.R.F.B.C.T., all of a called 189.29 acre tract (Tract 1) and a
26 portion of a called 1,005.19 acre tract (Tract 2) described in an
27 instrument to Dan J. Harrison Jr. filed for record under Vol. 302,

1 Pg. 126, F.B.C.D.R., all of a called 48.787 acre tract and 23.675
2 acre tract described in an instrument to Dan J. Harrison filed for
3 record under Vol. 405, Pg. 239, F.B.C.D.R., portion of a called
4 64.675 acre tract described in an instrument to Dan. J. Harrison Jr.
5 filed for record under Vol. 422, Pg. 467, F.B.C.D.R., and all of the
6 area of McKinnon Road (Old Richmond-Fulshear Road, width varies)
7 lying South of said 186.29 acre tract and North of said 48.787 acre
8 tract and said 1,005.19 acre tract said 4,237.7141 acres being more
9 particularly described in four (4) Parcels by metes and bounds as
10 follows:

11 PARCEL "A" - 3,721.0586 ACRES:

12 BEGINNING at the Northwest corner of said 316 acre tract,
13 same being the Northwest corner of the Jesse Thompson Survey,
14 Abstract No. 414 Waller County, Texas and Abstract 394, Fort Bend
15 County, Texas;

16 THENCE, N 87° 51' 52" E, a distance of 5,738.88 feet (CALLED
17 EAST - 2,066 varas) along and with the North line of said 316 acre
18 tract and the North line of said 88 acre tract to a point for the
19 Northeast corner of said 88 acre tract and being in the North line
20 of said R.T. Van Slyke Survey, Abstract No. 407 (Waller) Abstract
21 No. 395 (Fort Bend);

22 THENCE, S 02° 08' 08" E, a distance of 1,450.00 feet (CALLED
23 SOUTH - 522 varas) along and with the East line of said 88 acre tract
24 to a point for the Southeast corner of said 88 acre tract in the
25 North line of said 316 acre tract, same being in the lower North
26 line of said Jesse Thompson Survey and a South line of said R.T. Van
27 Slyke Survey;

1 THENCE, N 87° 51' 52" E, a distance of 683.34 feet (CALLED
2 EAST) along and with the North line of said 316 acre tract to a point
3 for the most Easterly Northeast corner of said 316 acre tract;

4 THENCE, S 02° 08' 08" E, a distance of 1,448.65 feet (CALLED
5 SOUTH - 522 varas) along and with the East line of said 316 acre
6 tract to a point for the Southeast corner of said 316 acre tract and
7 being in the South line of said Jesse Thompson Survey and the North
8 line of the said J.D. Vermillion Survey;

9 THENCE, S 87° 51' 52" W, a distance of 4,533.05 feet (CALLED
10 WEST) along and with the South line of said 316 acre tract to a point
11 for the Northeast corner of said 235.146 acre tract;

12 THENCE, S 02° 10' 37" E, a distance of 2,024.61 feet (CALLED S
13 02° 10' 37" E, 2024.61 feet) along and with the East line of said
14 235.146 acre tract to a point for the most Easterly Southeast corner
15 of said 235.146 acre tract and being in the North line of said 200
16 acre tract;

17 THENCE, N 87° 53' 34" E, a distance of 894.09 feet (CALLED N
18 87° 53' 34" E, 894.07 feet) along and with the North line of said 200
19 acre tract to a point for the Northeast corner of said 200 acre
20 tract;

21 THENCE, S 01° 56' 47" E, a distance of 3,118.90 feet (CALLED S
22 01° 56' 47" E, 3,119.21 feet) along and with the East line of said
23 200 acre tract to a point for the Southeast corner of said 200 acre
24 tract and being in the North line of said 686.0183 acre tract;

25 THENCE, N 87° 51' 29" E, a distance of 3,285.45 feet (CALLED N
26 87° 51' 29" E) along and with the North line of said 686.0183 acre
27 tract to a point for the Northeast corner of said 686.0183 acre

1 tract;

2 THENCE, S 01° 49' 40" E, a distance of 4,541.83 feet (CALLED S
3 01° 49' 40" E, 4,541.70 feet) along and with the East line of said
4 686.0183 acre tract to a point for corner being the Northwest corner
5 of said 29.4470 acre tract;

6 THENCE, N 87° 55' 35" E, a distance of 3,942.71 feet (CALLED N
7 87° 55' 35" E, 3,942.81 feet) along and with the North line of said
8 29.4470 acre tract to a point for corner in the West right-of-way
9 line of Farm-to-Market Road (F.M) 1463, same being the Northeast
10 corner of said 29.4470 acre tract;

11 THENCE, S 01° 55' 36" E, a distance of 544.57 feet (CALLED S
12 02° 01' 04" E, 325.35 feet - C.F. No. 2013000056) and CALLED S 01° 55'
13 27" E 219.91 feet - C.F. No. 2013000056) along and with the West
14 right-of-way line of said F.M. 1463, the East line of said 29.4470
15 acre tract and the East line of said 631.26 acre tract to a point for
16 corner in the Northwesterly line of Fulshear-Katy Road (as
17 occupied);

18 THENCE, S 55° 42' 01" W, a distance of 81.22 feet (CALLED S 55°
19 42' 10" W, 81.22 feet) along and with a Southeast line of said
20 631.26 acre tract to a point for corner in the Northwesterly line of
21 said Fulshear-Katy Road and being in a South line of said 631.26
22 acre tract;

23 THENCE, S 87° 54' 00" W, a distance of 5,221.13 feet (CALLED S
24 87° 54' 09" W, 5221.09 feet) along and with a South line of said
25 631.26 acre tract to a point for a reentrant corner of said 631.26
26 acre tract;

27 THENCE, S 01° 57' 48" E, a distance of 3,292.33 feet (CALLED S

1 01° 57' 22" E, 3,292.63 feet) along and with an East line of said
2 631.26 acre tract, the East line of said Micajah Autry Survey and
3 the West line of said A.G. Sharpless Survey to a point for corner in
4 the Northwesterly line of said Fulshear-Katy Road (as occupied);

5 THENCE, S 55° 30' 12" W, a distance of 29.83 feet (CALLED S 55°
6 45' 17" W, 29.48 feet) along and with a Southeast line of said
7 631.26 acre tract and the Northwesterly line of said Fulshear-Katy
8 Road to a point for the most Southerly Southeast corner of said
9 631.26 acre tract;

10 THENCE, S 87° 28' 52" W, a distance of 3,695.51 feet (CALLED S
11 87° 29' 01" W, 3,695.51 feet) along and with the South line of said
12 631.26 acre tract to a point for corner, same being the Northeast
13 corner of said called 579 acre tract;

14 THENCE, S 01° 50' 55" E, a distance of 2,731.43 feet (CALLED S
15 01° 50' 13" E, 2731.32 feet) along and with an East line of said 579
16 acre tract to a point for corner;

17 THENCE, N 89° 14' 57" E, a distance of 21.71 feet (CALLED N 89°
18 56' 16" E, 21.74 feet) along and with a North line of said 579.0 acre
19 tract to a point for corner;

20 THENCE, S 01° 26' 01" E, a distance of 1,338.51 feet (CALLED S
21 01° 25' 53" E, 1,338.13 feet) along and with an East line of said
22 579.0 acre tract to a point for corner;

23 THENCE, S 51° 53' 12" E, a distance of 223.27 feet (CALLED S
24 51° 56' 45" E, 223.23 feet) along and with a Northeasterly line of
25 said 579.0 acre tract to a point for corner in the Northwesterly
26 line of said Fulshear-Katy Road (as occupied);

27 THENCE, S 37° 55' 51" W, a distance of 527.83 feet (CALLED S

1 37° 56' 10" W, 527.86 feet) along and with a Southeasterly line of
2 said 579.0 acre tract and the Northwesterly line of said
3 Fulshear-Katy Road to a point for the most Southerly Southeast
4 corner of said 579.0 acre tract;

5 THENCE, S 86° 40' 52" W, a distance of 3,077.04 feet (CALLED S
6 86° 41' 25" W, 3,076.67 feet) along and with the South line of said
7 579.0 acre tract to a point for the most Southerly Southwest corner
8 of said 579.0 acre tract and being in a West line of said Micajah
9 Autry Survey and the East line of said Daniel R. Perry Survey;

10 THENCE, N 01° 56' 26" W, a distance of 1,670.00 feet (CALLED N
11 01° 55' 53" E, 1,669.99 feet) along and with a West line of said
12 579.0 acre tract, the East line of said Daniel R. Perry Survey and a
13 West line of said Micajah Autry Survey to a point for corner;

14 THENCE, S 88° 09' 13" W, a distance of 853.23 feet (CALLED S
15 88° 09' 46" W, 853.60 feet) along and with a South line of said 579.0
16 acre tract to a point for corner;

17 THENCE, N 02° 27' 24" W, a distance of 156.95 feet (CALLED N
18 02° 26' 51" W, 156.95 feet) along and with a West line of said 579.0
19 acre tract to a point for corner in a South line of said 579.0 acre
20 tract, same being the most Easterly Southeast corner of said Rufus
21 Wright Survey, same also being in a West line of said Micajah Autry
22 Survey and the North line of said Daniel R. Perry Survey;

23 THENCE, S 87° 29' 44" W, a distance of 2,541.06 feet (CALLED S
24 87° 30' 17" W, 2,541.06) along and with a South line of said 579.0
25 acre tract, the North line of said Daniel R. Perry Survey and a
26 South line of said Rufus Wright Survey to an angle point being the
27 Southeast corner of said 1.166 acre tract and the most Westerly

1 Southwest corner of said 579.0 acre tract;

2 THENCE, S 87° 30' 17" W, a distance of 540.98 feet (CALLED S
3 89° 09' 06" W) along and with the South line of said 1.166 acre tract
4 to a point for corner being the Northeast corner of said 2.1742 acre
5 tract;

6 THENCE, S 00° 22' 22" E, a distance of 465.81 feet (CALLED S
7 01° 11' 24" W, 465.79 feet) along and with the East line of said
8 2.1742 acre tract and the East line of said 1.500 acre tract to a
9 point for the Southeast corner of said 1.500 acre tract;

10 THENCE, S 88° 28' 05" W, a distance of 358.18 feet (CALLED N
11 89° 58' 09" W, 358.18 feet) along and with the South line of said
12 1.500 acre tract to a point for corner;

13 THENCE, S 42° 09' 02" W, a distance of 230.96 feet (CALLED S
14 43° 42' 45" W, 230.96 feet) along and with a Southeasterly line of
15 said 1.500 acre tract to a point in the North right-of-way line of
16 Sprigg Road for the beginning of a non-tangent curve to the left
17 having a center which bears N 50° 07' 14" W, 60.00 feet;

18 In a Northeasterly direction, along and with said curve to
19 the left and the North right-of-way of Sprigg Road, a distance of
20 0.99 feet, having a radius of 60.00 feet, a central angle of 00°
21 56' 43" (CALLED 00° 56' 30") and a chord which bears N 39° 24' 24" E,
22 0.99 feet (CALLED N 40° 58' 11" E, 0.99) to a point for the beginning
23 of a non-tangent curve to the left having a center which bears N 50°
24 07' 14" W, 60.00 feet;

25 In a Northerly direction, along and with said curve to the
26 left and the North right-of-way of Sprigg Road, a distance of 91.88
27 feet, having a radius of 60.00 feet, a central angle of 87° 44' 10"

1 (CALLED 87° 43' 37") and a chord which bears N 03° 59' 16" W, 83.16
2 feet (CALLED N 02° 25' 23" W, 83.15 feet) to a point for corner;

3 THENCE, N 42° 09' 02" E, a distance of 323.81 feet (CALLED N
4 43° 42' 48" E, 323.81 feet) along and with a Northwesterly line of
5 said 1.500 acre tract to a point for the Northwest corner of said
6 1.500 acre tract and the Southwest corner of said 2.1742 acre tract;

7 THENCE, N 01° 31' 55" W, a distance of 369.59 feet (CALLED N
8 00° 01' 51" E, 370.03 feet) along and with the West line of said
9 2.1742 acre tract and the West line of said 1.166 acre tract to a
10 point for the Northwest corner of said 1.166 acre tract;

11 THENCE, N 87° 30' 17" E, a distance of 846.44 feet (CALLED 89°
12 09' 06" E, 846.21 feet) along and with the North line of said 1.166
13 acre tract to a point for the Northeast corner of said 1.166 acre
14 tract and being in the West line of said 579.0 acre tract;

15 THENCE, N 02° 27' 34" W, a distance of 2,925.01 feet (CALLED N
16 02° 27' 01" W, 2,925.01 feet) along and with the West line of said
17 579.0 acre tract to a point for the Northwest corner of said 579.0
18 acre tract;

19 THENCE, N 87° 32' 26" E, a distance of 2,541.20 feet (CALLED N
20 87° 32' 59" E, 2,541.20) along and with a North line of said 579.0
21 acre tract to a point for corner in the West line of said 631.26 acre
22 tract;

23 THENCE, N 02° 27' 24" W, a distance of 2,881.26 feet (CALLED N
24 02° 28' 24" W) along and with the West line of said 631.26 acre tract
25 to a point for the Northwest corner of said 631.26 acre tract;

26 THENCE, N 87° 50' 00" E, a distance of 492.48 feet (CALLED N
27 87° 51' 29" E) along and with the North line of said 631.26 acre

1 tract to a point for the Southwest corner of said 473.246 acre
2 tract;

3 THENCE, N 00° 17' 23" W, a distance of 2,905.55 feet (CALLED N
4 01° 07' E, 2,899.50 feet) along and with the West line of said
5 473.246 acre tract to a point for the Southeast corner of said
6 474.671 acre tract;

7 THENCE, N 86° 18' 38" W, a distance of 2,736.49 feet (CALLED)
8 along and with the South line of said 474.671 acre tract;

9 THENCE the following three (3) courses and distances along
10 and with the West line of said 474.671 acre tract:

11 N 01° 59' 02" W, a distance of 2,434.00 feet (CALLED) to an
12 angle point;

13 N 02° 07' 25" W, a distance of 3,428.59 feet (CALLED) to an
14 angle point;

15 N 01° 54' 20" W, a distance of 1,520.90 feet (CALLED) to a
16 point for the Northwest corner of said 474.671 acre tract;

17 THENCE, N 87° 37' 00" E, a distance of 2,705.78 feet (CALLED)
18 along and with the North line of said 474.671 acre tract to a point
19 for the Northeast corner of said 474.671 acre tract and the
20 Northwest corner of said 235.146 acre tract;

21 THENCE, N 87° 31' 40" E, a distance of 2,596.91 feet (CALLED N
22 87° 31'40" E, 2597.32 feet) along and with the North line of said
23 235.146 acre tract to a point for the Southwest corner of said 316
24 acre tract;

25 THENCE, N 02° 08' 08" W, a distance of 2,900.00 feet (CALLED
26 NORTH - 1,044 varas) along the West line of said 316 acre tract to
27 the POINT OF BEGINNING and containing 3,721.0586 acres of land.

1 PARCEL "B" - 137.2966 ACRES:

2 BEGINNING at the Southeast corner of said 137.294 acre tract
3 and being in the North right-of-way line of F.M 359 & 1093 (120-foot
4 width), same also being the Southwest corner of a called 3.662 acre
5 tract of land described in an instrument filed for record under Vol.
6 281, Pg. 399, Fort Bend County Deed Records;

7 THENCE, S 82° 58' 56" W, a distance of 722.86 feet (CALLED S
8 85° 16' 18" W, 723.02 feet) along and with the North right-of-way
9 line of said F.M. 359 & 1093 to a point for the present Southeast
10 corner of a called 3.0 acre tract described in an instrument filed
11 for record under C.F. No. 2001068335, O.P.R.F.B.C.T.;

12 THENCE, N 02° 40' 36" W, a distance of 608.67 feet (CALLED N
13 00° 23' 25" W, 608.67 feet) along and with the East line of said 3.0
14 acre tract to a point for the Northeast corner of said 3.0 acre
15 tract;

16 THENCE, S 82° 55' 11" W, a distance of 209.00 feet (CALLED S
17 85° 12' 22" W, 209.00 feet) along and with the East line of said 3.0
18 acre tract to a point for the Northwest corner of said 3.0 acre
19 tract;

20 THENCE, S 02° 21' 20" E, a distance of 608.71 feet (CALLED S
21 00° 04' 09" E, 608.71 feet) along and with the West line of said 3.0
22 acre tract to a point for the present Southwest corner of said 3.0
23 acre tract and being in the North line of said F.M. 359 & 1093
24 (120-foot width);

25 THENCE, S 82° 58' 56" W, a distance of 699.09 feet (CALLED S
26 85° 14' 42" W 699.12 feet) along and with the North line of said F.M.
27 359 & 1093 to a point for the most Southerly Southwest corner of

1 said 137.294 acre tract;

2 THENCE, N 02° 42' 36" W, a distance of 399.31 feet (CALLED N
3 00° 23' 27" W, 399.17 feet) along and with a West line of said
4 137.294 acre tract;

5 THENCE, S 82° 59' 32" W, a distance of 127.36 feet (CALLED S
6 85° 18' 03" W, 127.50 feet) along and with a South line of said
7 137.294 acre tract;

8 THENCE, N 02° 42' 36" W, a distance of 3,184.32 feet (CALLED N
9 00° 25' 32" W, 3,184.46 feet) along and with the West line of said
10 137.294 acre tract to a point for the Northwest corner of said
11 137.294 acre tract and being in the South line of the said Micajah
12 Autry Survey and the North line of the Enoch Latham Survey;

13 THENCE, N 88° 20' 49" E, a distance of 1,761.94 feet (CALLED S
14 89° 21' 53" E, 1762.00 feet) along and with the North line of said
15 137.294 acre tract, the North line of the Enoch Latham Survey and
16 the South line of the Micajah Autry Survey to a point for the
17 Northeast corner of said 137.294 acre tract;

18 THENCE, S 02° 37' 40" E, a distance of 3,418.82 feet (CALLED S
19 00° 20' 37" E 3,418.54 feet) along the East line of said 137.294
20 acre tract to the POINT OF BEGINNING; and containing 137.2966 acres
21 of land.

22 PARCEL "C" - 474.4183 ACRES:

23 Beginning at a point for the Northwest corner of said 186.29
24 acre tract, same being in the South line of a 100-foot wide
25 Metropolitan Transit Authority of Harris County, Texas
26 right-of-way, same also being the Northwest corner of a called 3.01
27 acre tract of land described in an instrument to Prototype Machine

1 Co. Inc. filed for record under C.F. No. 2008112545,
2 O.P.R.F.B.C.T.;

3 THENCE, N 82° 58' 56" E, a distance of 2,424.31 feet (CALLED N
4 85° 26' E, 4310.5 feet) along and with the North line of said 186.29
5 acre tract and the South line of said Metropolitan Transit
6 Authority right-of-way to an angle point;

7 THENCE, N 83° 00' 02" E, a distance of 1,886.40 feet (CALLED N
8 85° 26' E, 4310.5 feet) along and with the North line of said 186.29
9 acre tract and the South line of said Metropolitan Transit
10 Authority right-of-way to a point for the Northeast corner of said
11 186.29 acre tract;

12 THENCE, S 02° 29' 41" E, a distance of 2,168.70 feet (CALLED S
13 00° 03' E, 2,168.70 feet) along and with the East line of said 186.29
14 acre tract to a point for the Southeast corner of said 186.29 acre
15 tract and being in the North line of said McKinnon Road;

16 THENCE, S 87° 40' 19" W, a distance of 66.52 feet (CALLED N 89°
17 53' W, 65.00 feet) along and with the South line of said 186.29 acre
18 tract and the North line of said McKinnon Road to a point for corner
19 being the intersection of a Northerly projection of an East line of
20 said 1,005.19 acre tract with the South line of said 186.29 acre
21 tract;

22 THENCE, S 02° 29' 41" E, a distance of 639.72 feet (CALLED S
23 00° 03' E, 639.60 feet) over and across said McKinnon Road, along and
24 with an East line of said 1,005.19 acre tract to a reentrant corner
25 of said 1,005.19 acre tract;

26 THENCE, N 88° 04' 19" E, a distance of 158.00 feet (CALLED S
27 89° 29' E, 158.00 feet) along and with a North line of said 1,005.19

1 acre tract to a point for corner;

2 THENCE, S 02° 14' 41" E, a distance of 2,210.40 feet (CALLED S
3 00° 12' W) along and with an East line of said 1,005.19 acre tract to
4 a point for corner;

5 THENCE, S 87° 14' 33" W, a distance of 4,037.52 feet over and
6 across said 1,005.19 acre tract, said 64.675 acre tract and along
7 and with the South line of said 23.675 acre tract (South line called
8 WEST, 964.5 feet) to a point for the Southwest corner of said 23.675
9 acre tract;

10 THENCE, N 02° 28' 27" W, a distance of 1,082.24 feet (CALLED N
11 00° 17' E, 1076.22 feet) along and with the West line of said 23.675
12 acre tract to a point for the Northwest corner of said 23.675 acre
13 tract and being in the South line of said 48.787 acre tract;

14 THENCE, S 87° 36' 19" W, a distance of 341.03 feet (CALLED
15 WEST) along and with the South line of said 48.787 acre tract to a
16 point for the Southwest corner of said 48.787 acre tract;

17 THENCE, N 02° 30' 41" W, a distance of 3,616.51 feet (CALLED N
18 00° 04' W - Vol. 302, Pg. 126; N01° 23' 50" E, - Vol. 405, Pg. 239)
19 along and with the West line of said 48.787 acre tract, over and
20 across said McKinnon Road and continuing along and with the West
21 line of said 186.29 acre tract to the POINT OF BEGINNING and
22 containing 474.4183 acres of land.

23 PARCEL "D" SAVE AND EXCEPT - 26.3474 ACRES:

24 BEING 26.3474 acres of land situated in the Micajah Autry
25 Survey, Abstract No. 100, Fort Bend County Texas and being all of a
26 called 26.35 acres out of a called 631.26 acre tract described in an
27 instrument to BFH Mining, Ltd. filed for record under C.F. No.

H.B. No. 3909

1 2010109527, said 26.35 acre tract being further described in an
2 instrument filed for record under C.F. No. 2013000056 as retained
3 by BFH Mining, Ltd, said 26.3474 acre tract being more particularly
4 described by metes and bounds as follows:

5 COMMENCING at the most Southerly Southeast corner of said
6 631.26 acre tract and being in the Northwest line of Fulshear-Katy
7 Road (as occupied), same also being in a North line of called
8 1,913.31 acre tract of land described in an instrument to CCR Texas
9 Holdings LP filed for record under C.F. No. 2012038964
10 O.P.R.F.B.C.T.,

11 THENCE S 87° 28' 52" W, a distance of 3,695.51 feet (CALLED S
12 87° 29' 01" W, 3695.51 feet) along and with the South line of said
13 631.26 acre tract to an angle point being a Northwest corner of said
14 1913.31 acre tract and the Northeast corner of a called 579.0 acre
15 tract described in an instrument to Ronald W. Henriksen "B" Trust
16 filed for record under C.F. No. 2008132362;

17 THENCE S 87° 31' 56" W, a distance of 83.50 feet (CALLED S 87°
18 32' 05" W, 83.50 feet) along and with the South line of said 631.26
19 acre tract and the North line of said 579.0 acre tract to the POINT
20 OF BEGINNING of the herein described 26.3474 acre tract;

21 THENCE, S 87° 31' 56" W, a distance of 1,439.42 feet (CALLED S
22 87° 32' 05" W, 1439.42 feet) along and with the South line of said
23 631.26 acre tract and the North line of said 579.0 acre tract to a
24 point for corner;

25 THENCE over and across said 631.26 acre tract the following
26 courses and distances:

27 N 02° 28' 04" W, a distance of 797.33 feet (CALLED N 02° 27'

1 55"W, 797.33 feet) to a point for corner;
2 N 87° 31' 56" E, a distance of 1,439.42 feet (CALLED N 87° 32'
3 05" E, 1439.42 feet) to a point for corner;
4 S 02° 28' 04" E, a distance of 797.33 feet (CALLED S 02° 27' 55"
5 E, 797.33 feet) to the POINT OF BEGINNING and containing 26.3474
6 acres of land.

7 PARCEL "E" SAVE AND EXCEPT - 58.6042 ACRES:

8 BEING 58.6042 acres of land situated in the Jesse Thompson
9 Survey, Abstract No. 414 and the R.T. Van Slyke Survey, Abstract No.
10 407 of Waller County, Texas, said 58.6042 acres being a portion of a
11 called 316 acre and 88 acre tract (called 404 acres) of land
12 described in an instrument to R&Y Interests, Ltd., filed for record
13 under Vol. 553, Page 91 of the Official Public Records of Waller
14 County, Texas, said 58.6042 acres being all of the area of said 404
15 acre tract lying within the limits of Waller County, Texas, said
16 58.6042 acre tract being more particularly described by metes and
17 bounds as follows:

18 BEGINNING at the Northwest corner of said 316 acre tract,
19 same being the Northwest corner of the Jesse Thompson Survey,
20 Abstract No. 414 Waller County, Texas and Abstract 394, Fort Bend
21 County, Texas;

22 THENCE, N 87° 51' 52" E, (CALLED - EAST) a distance of
23 3,328.20 feet along and with the North line of said 316 acre tract
24 and said 88 acre tract to a point for corner on the Waller County
25 Line;

26 THENCE, S 65° 00' 15" W, a distance of 3,611.89 feet along and
27 with the Waller County Line to a point for corner in the West line of

1 said 316 acre tract;

2 THENCE, N 02° 08' 08" W, a distance of 1,403.16 feet along and
3 with the West line of said 316 acre tract to the POINT OF BEGINNING
4 and containing 53.6042 acres of land.

5 PARCEL "F" SAVE AND EXCEPT - 13.9598 ACRES:

6 BEING 13.9598 acres of land situated in the H. & T. C. R.R.
7 Co. Survey Section 105, Abstract No. 416, Waller County, Texas and
8 being that portion of a called 474.671 acre tract described in an
9 instrument to Silco Inc. filed for record under C.F. No. 2007009962
10 O.P.R.F.B.C.T lying within the limits of Waller County, Texas, said
11 13.9598 acre tract being more particularly described by metes and
12 bounds as follows:

13 BEGINNING at the Northwest corner of said 474.671 acre tract;
14 THENCE, N 87° 37' 00" E, a distance of 1,705.80 feet along and
15 with the North line of said 474.671 acre tract to a point for corner
16 on the Waller County Line;

17 THENCE, S 65° 00' 15" W, a distance of 1,854.29 feet along and
18 with the Waller County Line to a point for corner in the West line of
19 said 474.671 acre tract

20 THENCE, N 01° 54' 20" W, a distance of 712.99 feet along and
21 with the West line of said 474.671 acre tract to the POINT OF
22 BEGINNING and containing 13.9598 acres of land.

23 PARCEL "G" SAVE AND EXCEPT - 0.5740 ACRES

24 BEING 0.5740 of one acre of land situated in the J.D. Vermillion
25 Survey, Abstract No. 339, Fort Bend County, Texas and being out of a
26 called 686.0183 acre tract of land described in an instrument to
27 D.R. Horton-Texas Ltd. filed for record under C.F. No. 2013000056

1 O.P.R.F.B.C.T., same also being all of five (5) 0.1148 acre tracts
2 of land described in instruments filed for record under C.F. No.
3 2006069698, 2006069701, 2006069704, 2006069707 and 2006069710
4 O.P.R.F.B.C.T., said 0.5740 acre tract being more particularly
5 described by metes and bounds as follows:

6 COMMENCING at the Northwest corner of said 686.0183 acre
7 tract, same being the Southwest corner of a called 200 acre tract
8 described in an instrument to Silco, Inc. filed for record under
9 C.F. No. 2006095116, O.P.R.F.B.C.T.;

10 THENCE S 11° 00' 31" E, a distance of 1,618.57 feet over and
11 across said 686.0183 acre tract to the POINT OF BEGINNING of the
12 herein described 0.5740 acre tract;

13 THENCE S 01° 55' 43" E, a distance of 250.00 feet to a point
14 for corner;

15 THENCE S 88° 04' 17" W, a distance of 100.00 feet to a point
16 for corner;

17 THENCE N 01° 55' 43" W, a distance of 250.00 feet to a point
18 for corner;

19 THENCE N 88° 04' 17" E, a distance of 100.00 feet to the POINT
20 OF BEGINNING and containing 0.5740 acres of land.

21 PARCEL "H" SAVE AND EXCEPT - 0.5740 ACRES

22 BEING 0.5740 of one acre of land situated in the Micajah Autry
23 Survey, A-100, Fort Bend County, Texas and being out of a called
24 631.26 acre tract of land described in an instrument to D.R.
25 Horton-Texas Ltd. filed for record under C.F. No. 2013000056
26 O.P.R.F.B.C.T, same also being all of five (5) 0.1148 acre tracts of
27 land described in instruments filed for record under C.F. No.

1 2009030903, 2009023900, 2012070615, 2009023906 and 2009023909,
2 O.P.R.F.B.C.T, said 0.5740 acre tract being more particularly
3 described by metes and bounds as follows:

4 BEGINNING at the most Westerly Northwest corner of said
5 631.26 acre tract, same being the Northwest corner of said 0.1148
6 acre tract described in C.F. No. 2009030903;

7 THENCE N 87° 50' 00" E, a distance of 250.00 feet along a North
8 line of said 631.26 acre tract to a point for corner;

9 THENCE S 02° 27' 24" E, a distance of 100.00 feet to a point
10 for corner;

11 THENCE S 87° 50' 00" W, a distance of 250.00 feet to a point
12 for corner in the West line of said 631.26 acre tract;

13 THENCE N 02° 27' 24" W, a distance of 100.00 feet along the
14 West line of said 631.26 acre tract to the POINT OF BEGINNING and
15 containing 0.5740 acres of land.

16 In conclusion, the herein described 3,721.0586 acre tract,
17 the 137.2966 acre tract and the 474.4183 acre tract SAVE AND EXCEPT
18 the herein described 26.3474 acre tract, the herein described
19 53.6042 acre tract and the herein described 13.9598 acre tract and
20 the herein described two (2) 0.5740 acre tracts comprise a total
21 acreage of 4,237.7141 acres of land for the boundary of the Fulshear
22 Parkway Improvement District.

23 SECTION 3. (a) The legal notice of the intention to
24 introduce this Act, setting forth the general substance of this
25 Act, has been published as provided by law, and the notice and a
26 copy of this Act have been furnished to all persons, agencies,
27 officials, or entities to which they are required to be furnished

1 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2 Government Code.

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

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

10 (d) The general law relating to consent by political
11 subdivisions to the creation of districts with conservation,
12 reclamation, and road powers and the inclusion of land in those
13 districts has been complied with.

14 (e) All requirements of the constitution and laws of this
15 state and the rules and procedures of the legislature with respect
16 to the notice, introduction, and passage of this Act have been
17 fulfilled and accomplished.

18 SECTION 4. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2013.