

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 10, 2017

The Honorable Dan Patrick
Lieutenant Governor of Texas
Capitol Station
PO Box 12068
Austin, Texas 78711

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

Senate Bill (SB) 2275, as Filed by Senator Brandon Creighton - Relating to the creation of the Lakewood Municipal Utility District No. 2; granting limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Dear Governor Patrick:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Cari-Michel LaCaille".

Cari-Michel LaCaille, Director
Water Supply Division

cc: Honorable Eddie Lucio, Jr., Chairman, Senate Intergovernmental Relations Committee
Senator Brandon Creighton, Texas Senate

Enclosure

**SB 2275, as Filed by Senator Brandon Creighton
Texas Commission on Environmental Quality's Comments**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

This bill amends the Special District Local Laws Code by adding Chapter 8004 which creates the Lakewood Municipal Utility District No. 2 (District) with the powers and duties of a standard municipal utility district under Water Code Chapters 49 and 54.

Comments on Powers/Duties Different from Similar Types of Districts:

The bill requires the TCEQ to appoint the five initial temporary directors upon receipt of a petition from the owners of a majority of the assessed value of the real property in the District; this bill grants the District authority for road projects; the bill allows the District to divide; the bill specifies that at the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of real property in the District; and, if the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

Overlapping Services: TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

TCEQ's Supervision: As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

LETTER OF TRANSMITTAL
TEXAS SENATE
STATE OF TEXAS

SB 2275

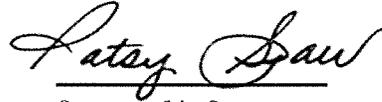
Bill Number

TO: The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

4/13/2017

Date transmitted to
Governor's Office



Secretary of the Senate

TO: Texas Commission on Environmental Quality
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

April 13, 2017

Date transmitted to
Texas Commission on Environmental Quality



Governor

TO: The Honorable President of the Senate
The Honorable Speaker of the House of Representatives
The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.



Texas Commission on Environmental Quality

By: Creighton

S.B. No. 2275

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of the Lakewood Municipal Utility District
3 No. 2; granting a limited power of eminent domain; providing
4 authority to issue bonds; providing authority to impose
5 assessments, fees, and taxes.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
7 SECTION 1. Subtitle F, Title 6, Special District Local Laws
8 Code, is amended by adding Chapter 8004 to read as follows:

9 CHAPTER 8004. LAKEWOOD MUNICIPAL UTILITY DISTRICT NO. 2

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 8004.001. DEFINITIONS. In this chapter:

12 (1) "Board" means the district's board of directors.
13 (2) "Commission" means the Texas Commission on
14 Environmental Quality.

15 (3) "Director" means a board member.

16 (4) "District" means the Lakewood Municipal Utility
17 District No. 2.

18 Sec. 8004.002. NATURE OF DISTRICT. The district is a
19 municipal utility district created under Section 39, Article XVI,
20 Texas Constitution.

21 Sec. 8004.003. CONFIRMATION AND DIRECTORS' ELECTION
22 REQUIRED. The temporary directors shall hold an election to
23 confirm the creation of the district and to elect five permanent
24 directors as provided by Section 19.102, Water Code.

1 Sec. 8004.004. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section 8004.003
3 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 Sec. 8004.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
8 The district is created to serve a public purpose and benefit.

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

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

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

16 Sec. 8004.006. INITIAL DISTRICT TERRITORY. (a) The
17 district is initially composed of the territory described by
18 Section 2 of the Act enacting this chapter.

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

23 (1) organization, existence, or validity;

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

27 (3) right to impose a tax; or

1 (4) legality or operation.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 8004.051. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five elected directors.

5 (b) Except as provided by Section 8004.052, directors serve
6 staggered four-year terms.

7 Sec. 8004.052. TEMPORARY DIRECTORS. (a) On or after
8 September 1, 2017, the owner or owners of a majority of the assessed
9 value of the real property in the district may submit a petition to
10 the commission requesting that the commission appoint as temporary
11 directors the five persons named in the petition. The commission
12 shall appoint as temporary directors the five persons named in the
13 petition.

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

15 (1) the date permanent directors are elected under
16 Section 8004.003; or

17 (2) September 1, 2021.

18 (c) If permanent directors have not been elected under
19 Section 8004.003 and the terms of the temporary directors have
20 expired, successor temporary directors shall be appointed or
21 reappointed as provided by Subsection (d) to serve terms that
22 expire on the earlier of:

23 (1) the date permanent directors are elected under
24 Section 8004.003; or

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

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

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

7 SUBCHAPTER C. POWERS AND DUTIES

8 Sec. 8004.101. GENERAL POWERS AND DUTIES. The district has
9 the powers and duties necessary to accomplish the purposes for
10 which the district is created.

11 Sec. 8004.102. MUNICIPAL UTILITY DISTRICT POWERS AND
12 DUTIES. The district has the powers and duties provided by the
13 general law of this state, including Chapters 49 and 54, Water Code,
14 applicable to municipal utility districts created under Section 59,
15 Article XVI, Texas Constitution.

16 Sec. 8004.103. AUTHORITY FOR ROAD PROJECTS. Under Section
17 52, Article III, Texas Constitution, the district may design,
18 acquire, construct, finance, issue bonds for, improve, operate,
19 maintain, and convey to this state, a county, or a municipality for
20 operation and maintenance macadamized, graveled, or paved roads, or
21 improvements, including storm drainage, in aid of those roads.

22 Sec. 8004.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
23 project must meet all applicable construction standards, zoning and
24 subdivision requirements, and regulations of each municipality in
25 whose corporate limits or extraterritorial jurisdiction the road
26 project is located.

27 (b) If a road project is not located in the corporate limits

1 or extraterritorial jurisdiction of a municipality, the road
2 project must meet all applicable construction standards,
3 subdivision requirements, and regulations of each county in which
4 the road project is located.

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

8 Sec. 8004.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
9 OR RESOLUTION. The district shall comply with all applicable
10 requirements of any ordinance or resolution that is adopted under
11 Section 54.016 or 54.0165, Water Code, and that consents to the
12 creation of the district or to the inclusion of land in the
13 district.

14 Sec. 8004.106. DIVISION OF DISTRICT. (a) The district may
15 be divided into two or more districts only if:

- 16 (1) the district has no outstanding bonded debt;
17 (2) the district is not imposing ad valorem taxes; and
18 (3) the requirements of Subsection (i), as applicable,
19 are satisfied.

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

23 (c) A new district created by the division of the district
24 may not, at the time the new district is created, contain any land
25 outside the area described by Section 2 of the Act enacting this
26 chapter.

27 (d) The board, on its own motion or on receipt of a petition

1 signed by the owner or owners of a majority of the assessed value of
2 the real property in the district, may adopt an order dividing the
3 district.

4 (e) The board may adopt an order dividing the district
5 before or after the date the board holds an election under Section
6 8004.003 to confirm the district's creation.

7 (f) An order dividing the district shall:

8 (1) name the new district;

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

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

11 and

12 (4) provide for the division of assets and liabilities
13 between the district and each new district.

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

18 (h) A new district created by the division of the district
19 shall hold a confirmation and directors' election as required by
20 Section 8004.003.

21 (i) If the district is located wholly or partly in the
22 corporate limits or the extraterritorial jurisdiction of a
23 municipality, the district may not divide under this section unless
24 the municipality by resolution or ordinance consents to the
25 division of the district. If the district is not located wholly or
26 partly in the corporate limits or extraterritorial jurisdiction of
27 a municipality, the district may not divide under this section

1 unless the commissioners court of each county in which the district
2 is wholly or partly located first adopts a resolution or order in
3 support of the division of the district.

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

8 Sec. 8004.107. LIMITATION ON USE OF EMINENT DOMAIN. The
9 district may not exercise the power of eminent domain outside the
10 district boundaries to acquire a site or easement for:

11 (1) a recreational facility, as defined by Section
12 49.462, Water Code; or

13 (2) a road project authorized by Section 8004.103.

14 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

15 Sec. 8004.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
16 district may issue, without an election, bonds and other
17 obligations secured by revenue other than ad valorem taxes.

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

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

26 Sec. 8004.152. OPERATION AND MAINTENANCE TAX. (a) If
27 authorized at an election held under Section 8004.151, the district

1 may impose an operation and maintenance tax on taxable property in
2 the district in accordance with Section 49.107, Water Code.

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

5 Sec. 8004.153. WATER AND SEWER RATES. Notwithstanding any
6 other law, the district shall establish the same rates for
7 residential and commercial classes of customers for the provision
8 of water and sewer services. For purposes of this section, the
9 commercial class may not include apartment complexes or other
10 multifamily dwellings.

11 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

12 Sec. 8004.201. AUTHORITY TO ISSUE BONDS AND OTHER
13 OBLIGATIONS. The district may issue bonds or other obligations
14 payable wholly or partly from ad valorem taxes, impact fees,
15 revenue, contract payments, grants, or other district money, or any
16 combination of those sources, to pay for any authorized district
17 purpose.

18 Sec. 8004.202. TAXES FOR BONDS. At the time the district
19 issues bonds payable wholly or partly from ad valorem taxes, the
20 board shall provide for the annual imposition of a continuing
21 direct ad valorem tax, without limit as to rate or amount, while all
22 or part of the bonds are outstanding as required and in the manner
23 provided by Sections 54.601 and 54.602, Water Code.

24 Sec. 8004.203. BONDS FOR ROAD PROJECTS. At the time of
25 issuance, the total principal amount of bonds or other obligations
26 issued or incurred to finance road projects and payable from ad
27 valorem taxes may not exceed one-fourth of the assessed value of the

S.B. No. 2275

1 real property in the district.

2 SECTION 2. The Lakewood Municipal Utility District No. 2
3 initially includes all the territory contained in the following
4 area:

5 All bearings, distance and acreages are grid and are
6 referenced to the State Plane Coordinate System, Texas South
7 Central Zone, NAD83, U. S. survey feet. Mapping angle is +01°54'04"
8 and the scale factor is 0.999915022.

9 TRACT I

10 BEGINNING at an iron rod with cap marked 'CENTERPOINT ENERGY' found
11 at the northeast corner of a called 102.152 acre tract recorded in
12 Document No. C683627, Deed Records of Harris County, Texas and in
13 the west line of the T.& N.O. Rail Road right of way (variable
14 width). Said iron rod has a State Plane coordinate value of N:
15 13895997.02 and E: 3210310.99.

16 THENCE S 47° 04' 28" W with the west line of said Rail Road right of
17 way a distance of 926.77 feet to a point for corner.

18 THENCE continuing with the west line of said Rail Road right of way
19 with the arc of a curve to the left having a chord direction of S 35°
20 23' 19" W, and a radius of 2451.30, a distance of 1101.40 feet to a
21 point for corner.

22 THENCE S 23° 06' 25" W with the west line of said Rail Road right of
23 way a distance of 47.01 feet to a 1/2 inch iron rod with cap marked
24 '5502' set from which a 26" pine marked 'X' bears North 6.5 feet.

25 THENCE S 88° 03' 39" W with the north line of a called 304.5696 acre
26 tract recorded in Document No. 20130230098 a distance of 2407.13
27 feet to an iron rod found with cap marked 'RPLS 4615.'

S.B. No. 2275

1 THENCE S 87° 58' 14" W with the north line of the said called
2 304.5696 acre tract and the south line of the herein described tract
3 a distance of 4489.98 feet to a 1/2 inch iron pipe found from which a
4 28" sweet gum marked 'X' bears N 58° W 3 feet.
5 THENCE S 88° 10' 16" W with the north line of the said 304.5696 acre
6 tract a distance of 3159.89 feet to the left bank of the San Jacinto
7 River on the line of mean higher high water.
8 THENCE up the river with its meanders on the line of mean higher
9 high water:
10 N 31° 25' 35" W 84.67 feet;
11 N 15° 33' 56" W 191.85 feet;
12 N 04° 38' 06" W 258.15 feet;
13 N 14° 00' 39" W 87.13 feet;
14 N 20° 54' 29" W 155.32 feet;
15 N 26° 38' 13" W 215.05 feet;
16 N 39° 38' 48" W 353.07 feet;
17 N 50° 07' 18" W 307.76 feet;
18 N 54° 25' 26" W a distance of 278.56 feet to a point for corner at the
19 southwest corner of said called 102.152 acre tract.
20 THENCE N 88° 23' 12" E with the south line of the said called 102.152
21 acre tract and the north line of the herein described tract 9551.32
22 feet to an iron rod found with blue cap.
23 THENCE N 87° 53' 38" E with the south line said called 102.152 acre
24 tract a distance of 2593.16 feet to 1/2 inch iron rod set with cap
25 marked '5502'.
26 THENCE S 85° 24' 11" E with the south line of the said called 102.152
27 acre tract and the north line of the herein described tract a

S.B. No. 2275

1 distance of 225.32 feet to the PLACE OF BEGINNING, containing
2 394.12 acres of land.

3 TRACT II

4 BEGINNING at a 1" iron pipe found at the most easterly corner of a
5 called 56.50 acre tract recorded in Volume 1458, Page 1, Deed
6 Records of Harris County, Texas, in the south line of the San
7 Jacinto River Authority East Canal right of way, recorded in Volume
8 1294, Page 256, Deed Records of Harris County, Texas, and at the
9 most northerly northwest corner of this tract, and having a Texas
10 State Plane coordinate value of N: 13902035.22 and E: 3197556.06.

11 THENCE S 58° 23' 02" E with the south line of said San Jacinto River
12 Authority East Canal right of way, and a north line of this tract, a
13 distance of 1,097.21 feet to a 1/2 inch iron rod set with cap marked
14 "SHINE 5502."

15 THENCE continuing with the south line of said San Jacinto River
16 Authority East Canal right of way, and a north line of this tract,
17 with the arc of a curve to the left having a chord direction of S 84°
18 10' 00" E, a radius of 317.72, a distance of 298.83 feet to a 1/2
19 inch iron rod set with cap marked "SHINE 5502."

20 THENCE N 68° 53' 20" E continuing with the south line of said San
21 Jacinto River Authority East Canal right of way, and a north line of
22 this tract a distance of 1,833.89 feet to a point.

23 THENCE N 72° 25' 46" E continuing with the south line of said San
24 Jacinto River Authority East Canal, and a north line of this tract a
25 distance of 567.07 feet to a 1/2 inch iron rod with cap marked
26 "SHINE 5502" set at the northwest corner of a called 2.866 acre
27 tract recorded in Harris County Clerk's File E018138.

S.B. No. 2275

1 THENCE S 01° 15' 13" E with the west line of said called 2.866 acre
2 tract a distance of 329.82' to a 1/2 inch iron rod with cap marked
3 "SHINE 5502" set at the southwest corner of said called 2.866 acre
4 tract.

5 THENCE N 88° 44' 57" E with the south line of said called 2.866 acre
6 tract, a distance of 330.05 feet to a 1/2 inch iron rod with cap
7 marked "SHINE 5502" set at the southeast corner of said called 2.866
8 acre tract.

9 THENCE N 01° 15' 14" W with the east line of said called 2.866 acre
10 tract a distance of 426.18 feet to a 1/2 inch iron rod with cap
11 marked "SHINE 5502" set at the northeast corner of said called 2.866
12 acre tract, in the south line of said San Jacinto River Authority
13 East Canal right of way.

14 THENCE N 72° 28' 26" E continuing with the south line of said San
15 Jacinto River Authority East Canal right of way, and a north line of
16 this tract a distance of 312.52 feet to a 1/2 inch iron rod with cap
17 marked "SHINE 5502" set at a northerly corner of this tract and the
18 northwest corner of Newport Subdivision, Section 4, a subdivision
19 recorded in Volume 206, Page 145, Map Records of Harris County,
20 Texas, from which an iron rod found with cap marked "RUSS AND PARK
21 SURVEYING" bears N 72° 29' 29" E a distance of 167.92 feet.

22 THENCE S 00° 36' 34" E with a west line of said Newport Subdivision,
23 Section 4, and a northerly east line of this tract a distance of
24 1,261.04 feet to a 1/2 inch iron rod found at the most westerly
25 southwest corner of said Newport Subdivision, Section 4.

26 THENCE N 89° 29' 03" E with a south line of said Newport Subdivision,
27 Section 4 and a north line of this tract a distance of 71.96 feet to

S.B. No. 2275

1 a 1/2 inch iron rod found at the most southerly northwest corner of
2 a called 9.29 acre tract (Called Tract 6), recorded in Harris County
3 Clerk's File Z432808.
4 THENCE S 18° 57' 14" W with the west line of said called 9.29 acre
5 tract, passing the southwest corner of said called 9.29 acre tract
6 and the northwest corner of a called 4.29 acre tract recorded in
7 File No. T528516, Deed Records of Harris County, Texas, and
8 continuing a total distance of 512.10 feet to 1/2 inch iron rod with
9 cap marked "SHINE 5502" set at the southwest corner of said called
10 4.29 acre tract.
11 THENCE S 48° 47' 48" E with the southwest line of said called 4.29
12 acre tract a distance of 660.77 feet to a 1/2 inch iron rod found at
13 the southeast corner of said called 4.29 acre tract in the west line
14 of Newport Subdivision, Section 2, a subdivision recorded in Volume
15 195, Page 35, Map Records of Harris County, Texas.
16 THENCE S 04° 57' 10" W with the west line of said Newport
17 Subdivision, Section 2, a distance of 1,073.79 feet to a 1/2 inch
18 iron rod with cap marked "SHINE 5502" set in the south right of way
19 line of Diamondhead Boulevard (100 feet wide right of way) and at an
20 interior corner of this tract.
21 THENCE with the south right of way line of said Diamondhead
22 Boulevard with the arc of a curve to the left having a chord
23 direction of N 89° 25' 20" E, a radius of 2,049.25, a distance of
24 560.15 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set
25 at the northwest corner of a called 175.61 acre tract recorded in
26 T528516, Deed Records of Harris County, Texas.
27 THENCE S 01° 23' 48" E with the west line of said called 175.61 acre

S.B. No. 2275

1 tract a distance of 2,298.34 feet to a 60D nail set at the southwest
2 corner of said called 175.61 acre tract and an interior corner of
3 this tract.
4 THENCE N 88° 30' 12" E with the south line of said called 175.61 acre
5 tract a distance of 2,983.90 feet to a 1/2 inch iron rod with cap
6 marked "SHINE 5502" set at the southeast corner of said called
7 175.61 acre tract.
8 THENCE with the east line of said called 175.61 acre tract with the
9 arc of a curve to the right having a chord direction of N 15° 16' 49"
10 E, a radius of 2,100.00 feet, a distance of 366.97 feet to a 1/2 inch
11 iron rod set with cap marked "SHINE 5502."
12 THENCE N 20° 17' 11" E continuing with the east line of said called
13 175.61 acre tract a distance of 509.92 feet to a 1/2 inch iron rod
14 set with cap marked "SHINE 5502."
15 THENCE continuing with the east line of said called 175.61 acre
16 tract with the arc of a curve to the right having a chord direction
17 of N 26° 19' 31" E, a radius of 2,100.00 feet, a distance of 440.98
18 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
19 THENCE N 32°20' 27" E continuing with the east line of said called
20 175.61 acre tract a distance of 140.56 feet to a 1/2 inch iron rod
21 set with cap marked "SHINE 5502."
22 THENCE continuing with the east line of said called 175.61 acre
23 tract with the arc of a curve to the left having a chord direction of
24 N 06° 59' 15" E, a radius of 1,200.04 feet, a distance of 949.49 feet
25 to a 1/2 inch iron rod with cap marked "SHINE 5502" set at the
26 northeast corner of said called 175.61 acre tract, in the south
27 right of way of said Diamondhead Boulevard.

S.B. No. 2275

1 THENCE N 75° 17' 09" E with the south right of way line of said
2 Diamondhead Boulevard, and a north line of this tract, a distance of
3 769.43 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
4 THENCE continuing with the south right of way line of said
5 Diamondhead Boulevard with the arc of a curve to the right having a
6 chord direction of N 77° 44' 32" E, a radius of 1,951.36 feet, a
7 distance of 167.12 feet to a 1/2 inch iron rod with cap marked
8 "SHINE 5502" set at the northwest corner of Newport Subdivision,
9 Section 8, a subdivision recorded in Volume 288, Page 21, Map
10 Records of Harris County, Texas, and a northeast corner of this
11 tract.
12 THENCE S 08° 03' 08" W with a west line of said Newport Subdivision,
13 Section 8, a distance of 515.74 feet to a 1/2 inch iron rod found.
14 THENCE S 62° 25' 36" E continuing with the west line of said Newport
15 Subdivision, Section 8, a distance of 177.89 feet to a 1/2 inch iron
16 rod found.
17 THENCE S 36° 39' 06" E continuing with the west line of said Newport
18 Subdivision, Section 8, a distance of 59.96 feet to a 1/2 inch iron
19 rod found.
20 THENCE S 58° 36' 12" E continuing with the west line of said Newport
21 Subdivision, Section 8, a distance of 96.09 feet to a 1/2 inch iron
22 rod found at a northerly southwest corner of said Newport
23 Subdivision, Section 8.
24 THENCE N 88° 23' 50" E with a northerly south line of said Newport
25 Subdivision, Section 8, a distance of 51.27 feet to a 1/2 inch iron
26 rod found at the northwest corner of a called 14.1645 acre tract
27 recorded in File No. S031457, Deed Records of Harris County, Texas.

S.B. No. 2275

1 THENCE S 02° 21' 10" E with the west line of said called 14.1645 acre
2 tract a distance of 1,333.31 feet to a 1/2 inch iron rod found at the
3 southwest corner of said called 14.1645 acre tract, from which a 42"
4 Sycamore bears N 44° E a distance of 36.60 feet, a 12" corner post
5 with old barbed wire bears N 04° W a distance of 12.50 feet, and the
6 north bank of Gum Gully bears South, 26.70 feet.

7 THENCE N 87° 37' 51" E with the south line of said called 14.1645
8 acre tract, passing the southeast corner of said called 14.1645
9 acre tract and the southwest corner of a called 15.1515 acre tract
10 recorded in File No. 20070632536, Deed Records of Harris County,
11 Texas, a total distance of 1,545.45 feet to a 60D Nail found in
12 fence post at the southeast corner of said called 15.1515 acre
13 tract.

14 THENCE N 02° 49' 23" W with the west line of said called 15.1515 acre
15 tract a distance of 326.36 feet to a 1/2 inch iron rod with cap
16 marked "SHINE 5502" set at a southwest corner of said Newport
17 Subdivision, Section 8.

18 THENCE N 88° 16' 59" E with a south line of said Newport Subdivision,
19 Section 8, and a north line of this tract a distance of 125.02 feet
20 to a 1/2 inch iron rod set with cap marked "SHINE 5502."

21 THENCE S 75° 51' 35" E continuing with a south line of said Newport
22 Subdivision, Section 8 and a north line of this tract a distance of
23 83.64 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."

24 THENCE with a west line of said Newport Subdivision, Section 8, and
25 an east line of this tract with the arc of a curve to the right
26 having a chord direction of S 10° 15' 26" W, a radius of 250.00 feet,
27 a distance of 162.32 feet to a 1/2 inch iron rod set with cap marked

S.B. No. 2275

1 "SHINE 5502."
2 THENCE continuing with a west line of said Newport Subdivision,
3 Section 8, and an east line of this tract with the arc of a curve to
4 the left having a chord direction of S 13° 34' 14" W, a radius of
5 150.00 feet, a distance of 80.05 feet to a 1/2 inch iron rod set with
6 cap marked "SHINE 5502."
7 THENCE S 01° 43' 01" E continuing with an east line of said Harris
8 County Flood Control District drainage easement, a west line of
9 said Newport Subdivision, Section 8, and an east line of this tract
10 a distance of 120.00 feet to a 1/2 inch iron rod set with cap marked
11 "SHINE 5502."
12 THENCE S 09° 20' 38" W continuing with a west line of said Newport
13 Subdivision, Section 8, and an east line of this tract a distance of
14 57.36 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
15 THENCE S 20° 21' 57" W continuing a west line of said Newport
16 Subdivision, Section 8, and an east line of this tract a distance of
17 165.00 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
18 THENCE S 20° 24' 23" E continuing with a west line of said Newport
19 Subdivision, Section 8, and an east line of this tract a distance of
20 381.48 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
21 THENCE S 32° 47' 17" E continuing with a west line of said Newport
22 Subdivision, Section 8, and an east line of this tract a distance of
23 244.44 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set
24 at a southwest corner of said Newport Subdivision, Section 8 and an
25 interior corner of this tract.
26 THENCE S 81° 16' 59" E with a south line of said Newport Subdivision,
27 Section 8 and a north line of this tract a distance of 195.69 feet to

S.B. No. 2275

1 a 1/2 inch iron rod set with cap marked "SHINE 5502."
2 THENCE S 04° 41' 04" W continuing with a south line of said Newport
3 Subdivision, Section 8 and a north line of this tract a distance of
4 30.71 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
5 THENCE S 85° 27' 13" E continuing with a south line of said Newport
6 Subdivision, Section 8 and a north line of this tract a distance of
7 27.39 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
8 THENCE N 04° 01' 49" E continuing with a south line of said Newport
9 Subdivision, Section 8 and a north line of this tract a distance of
10 30.29 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
11 THENCE N 08° 43' 00" E continuing with a south line of said Newport
12 Subdivision, Section 8 and a north line of this tract a distance of
13 207.55 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
14 THENCE S 81° 16' 59" E continuing with a south line of said Newport
15 Subdivision, Section 8 and a north line of this tract a distance of
16 100.00 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
17 THENCE S 08° 13' 08" W continuing with a south line of said Newport
18 Subdivision, Section 8 and a north line of this tract a distance of
19 282.01 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set
20 at a southerly corner of said Newport Subdivision, Section 8.
21 THENCE continuing with a south line of said Newport Subdivision,
22 Section 8, a north line of this tract, with the arc of a curve to the
23 left having a chord direction of N 60° 58' 25" E, a radius of 400.00
24 feet, a distance of 195.69 feet to a 1/2 inch iron rod set with cap
25 marked "SHINE 5502."
26 THENCE N 46° 57' 29" E continuing with a south line of said Newport
27 Subdivision, Section 8, and a north line of this tract a distance of

S.B. No. 2275

1 202.17 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
2 THENCE continuing with a south line of said Newport Subdivision,
3 Section 8 and a north line of this tract, with the arc of a curve to
4 the right having a chord direction of N 53° 03' 29" E, a radius of
5 450.00 feet, a distance of 95.82 feet to a point.
6 THENCE continuing with a south line of said Newport Subdivision,
7 Section 8 and a north line of this tract with the arc of a curve to
8 the left having a chord direction of N 45° 33' 29" E, a radius of
9 400.00 feet, a distance of 189.89 feet to a point.
10 THENCE N 31° 57' 29" E continuing with a south line of said Newport
11 Subdivision, Section 8 and a north line of this tract a distance of
12 228.06 feet to a point.
13 THENCE continuing with a south line of said Newport Subdivision,
14 Section 8 and a north line of this tract, with the arc of a curve to
15 the right having a chord direction of N 45° 27' 29" E, a radius of
16 500.00 feet, a distance of 235.62 feet to a 1/2 inch iron rod set
17 with cap marked "SHINE 5502."
18 THENCE continuing with a south line of said Newport Subdivision,
19 Section 8 and a north line of this tract, with the arc of a curve to
20 the left having a chord direction of N 32° 42' 29" E, a radius of
21 300.00 feet, a distance of 274.89 feet to a 1/2 inch iron rod set
22 with cap marked "SHINE 5502."
23 THENCE continuing with a south line of said Newport Subdivision,
24 Section 8 and a north line of this tract with the arc of a curve to
25 the right having a chord direction of N 14° 31' 50" E, a radius of
26 500.00 feet, a distance of 140.89 feet to a 1/2 inch iron rod set
27 with cap marked "SHINE 5502."

S.B. No. 2275

1 THENCE N 57° 42' 31" W continuing with a south line of said Newport
2 Subdivision, Section 8, and a north line of this tract a distance of
3 92.28 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
4 THENCE N 32° 17' 29" E continuing with a south line of said Newport
5 Subdivision, Section 8, and a north line of this tract a distance of
6 60.00 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
7 THENCE S 57° 42' 31" E continuing with a south line of said Newport
8 Subdivision, Section 8, and a north line of this tract a distance of
9 85.49 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set.
10 THENCE continuing with a south line of said Newport Subdivision,
11 Section 8 and a north line of this tract with the arc of a curve to
12 the right having a chord direction of N 36° 29' 38" E, a radius of
13 500.00 feet, a distance of 118.64 feet to a 1/2 inch iron rod set
14 with cap marked "SHINE 5502."
15 THENCE N 43° 17' 29" E continuing with a south line of said Newport
16 Subdivision, Section 8 and a north line of this tract a distance of
17 374.07 feet to a point.
18 THENCE continuing with a south line of said Newport Subdivision,
19 Section 8 and a north line of this tract with the arc of a curve to
20 the right having a chord direction of N 52° 47' 29" E, a radius of
21 600.00 feet, a distance of 198.97 feet to a 1/2 inch iron rod set
22 with cap marked "SHINE 5502."
23 THENCE N 62° 17' 29" E continuing with a south line of said Newport
24 Subdivision, Section 8 and a north line of this tract a distance of
25 68.45 feet to a point.
26 THENCE continuing with a south line of said Newport Subdivision,
27 Section 8 and a north line of this tract with the arc of a curve to

S.B. No. 2275

1 the left having a chord direction of N 33° 14' 01" E, a radius of
2 139.25 feet, a distance of 141.24 feet to a 1/2 inch iron rod set
3 with cap marked "SHINE 5502."

4 THENCE continuing with a south line of said Newport Subdivision,
5 Section 8 and a north line of this tract with the arc of a curve to
6 the left having a chord direction of N 00° 55' 12" E, a radius of
7 300.00 feet, a distance of 34.09 feet to a 1/2 inch iron rod with cap
8 marked "SHINE 5502" set at the southerly southeast corner of said
9 Newport Subdivision, Section 8 and in the west line of The City of
10 Crosby Town Site, recorded in Volume 7, Page 26, Deed Records of
11 Harris County, Texas, also being the west line of a tract of land
12 referenced as "Tract 1" and "Tract 2" recorded in File No. W314743,
13 Deed Records of Harris County, Texas.

14 THENCE S 02° 45' 41" E with a west line of said City of Crosby Town
15 Site, the west line of said called "Tract 1" and "Tract 2," and an
16 east line of this tract a distance of 229.20 feet to a point in the
17 centerline of Jackson Bayou.

18 THENCE with a south line of said City of Crosby Town Site, a south
19 line of said called "Tract 1" and "Tract 2," a north line of this
20 tract, along the centerline of said Jackson Bayou the following
21 bearings and distances:

22 N 65° 32' 07" E	30.32 feet
23 N 76° 12' 19" E	10.85 feet
24 N 19° 33' 49" E	41.24 feet
25 N 40° 05' 08" W	34.88 feet
26 N 09° 21' 28" W	46.05 feet
27 N 26° 11' 16" E	45.20 feet

S.B. No. 2275

1 N 60° 33' 12" E 80.04 feet
2 N 48° 22' 25" E 110.85 feet
3 N 50° 01' 28" E 64.58 feet
4 N 78° 38' 48" E 76.53 feet
5 N 62° 45' 53" E 42.10 feet
6 N 26° 13' 09" E 43.70 feet
7 S 17° 27' 48" E 44.35 feet

8 THENCE S 04° 37' 07" E continuing with a south line of said City of
9 Crosby Town Site, a south line of said called "Tract 1" and "Tract
10 2," a north line of this tract, along the centerline of said Jackson
11 Bayou, passing the southerly southeast corner of said called "Tract
12 1" and "Tract 2," and continuing a total distance of 90.52 feet to a
13 point.

14 THENCE continuing with a south line of said City of Crosby Town
15 Site, a north line of this tract, along the centerline of said
16 Jackson Bayou the following bearings and distances:

17 S 31° 33' 28" E 19.00 feet
18 S 89° 42' 03" E 32.70 feet
19 S 65° 08' 41" E 86.19 feet

20 THENCE S 82° 49' 14" E continuing with a south line of said City of
21 Crosby Town Site, a north line of this tract, along the centerline
22 of said Jackson Bayou a distance of 54.91 feet to a point at the most
23 easterly northeast corner of this tract and the northwest corner of
24 a called 7.6429 acre tract recorded in File No. E429933, Deed
25 Records of Harris County, Texas.

26 THENCE S 16° 01' 51" E with the west line of said called 7.6429 acre
27 tract and the most easterly east line of this tract, at a distance

S.B. No. 2275

1 of 56.24 feet pass a 1/2 inch iron rod with cap marked "SHINE 5502"
2 set for reference, from which an iron rod with cap marked "PRECISION
3 SURVEYORS" found at the northeast corner of Lot 1, Block 3, said
4 City of Crosby Town Site bears N 19° 38' 01" E a distance of 409.41
5 feet, an iron rod with cap marked "PRECISION SURVEYORS" found in the
6 east line of said Lot 1, Block 3, City of Crosby Town Site bears N
7 85° 43' 47" E a distance of 471.48 feet, and continuing a total
8 distance of 781.81 feet to a 1/2 inch iron rod with cap marked
9 "SHINE 5502" set at the southwest corner of said called 7.6429 acre
10 tract, in the north right of way of T. & N. O. Railroad, a variable
11 width right of way, and at the most easterly southeast corner of
12 this tract.

13 THENCE S 46° 52' 02" W with the most easterly east line of this tract
14 and the west right of way line of said T. & N. O. Railroad, a
15 distance of 1,876.95 feet to a 1" iron pipe found in the north line
16 of a called 102.152 acre tract (Tract 2), recorded in File
17 No. C683627, Deed Records of Harris County, Texas, and at the
18 southeast corner of this tract, from which an iron rod found with
19 cap marked "CENTERPOINT ENERGY" found at the northeast corner of
20 herein described Tract I bears S 46° 45' 17" W, a distance of 556.58
21 feet.

22 THENCE S 87° 53' 52" W with the north line of said called 102.152
23 acre tract and the south line of this tract a distance of 2,233.36
24 feet to a 1/4 inch iron rod found at the southeast corner of a called
25 21.234 acre tract recorded in File No. G553519, Deed Records of
26 Harris County, Texas, and a southwest corner of this tract from
27 which a found 1" iron pipe bears S 87° 53' 43" W, a distance of 999.06

S.B. No. 2275

1 feet.

2 THENCE N 01° 06' 07" W with the east line of said called 21.234 acre
3 tract and a west line of this tract, passing the southeast corner of
4 a called 0.116 acre tract recorded in File No. P220412, Deed
5 Records of Harris County, Texas, a total distance of 308.90 feet to
6 a 1/2 inch iron rod with cap marked "SHINE 5502" set at the
7 northeast corner of said called 0.116 acre tract recorded in File
8 No. P220412, and an interior corner of this tract.

9 THENCE N 81° 29' 07" W with the north line of said called 0.116 acre
10 tract recorded in File No. P220412, and a south line of this tract,
11 at a distance of 100.00 feet pass the northwest corner of said
12 called 0.116 acre tract and the northeast corner of a called 0.116
13 acre tract recorded in File No. R256220, Deed Records of Harris
14 County, Texas, at a distance of 200.00 feet pass the northwest
15 corner of said called 0.116 acre tract recorded in File No. R256220
16 and the northeast corner of a called 0.1164 acre tract recorded in
17 File No. S300312, Deed Records of Harris County, Texas, at a
18 distance of 300.00 feet pass the northwest corner of said called
19 0.1164 acre tract recorded in File No. S300312 and the northeast
20 corner of a called 0.116 acre tract recorded in File No. R304758,
21 Deed Records of Harris County, Texas, at a distance of 400.00 feet,
22 pass the northwest corner of said called 0.116 acre tract recorded
23 in File No. R304758 and the northeast corner of a called 0.116 acre
24 tract recorded in File No. P254365, Deed Records of Harris County,
25 Texas, at a distance of 500.00 feet pass the northwest corner of
26 said called 0.116 acre tract recorded in File No. P254365 and a
27 northeast corner of said called 21.234 acre tract, continuing along

S.B. No. 2275

1 a north line of said called 21.234 acre tract and a south line of
2 this tract a total distance of 529.21 feet to a 1/2 inch iron rod set
3 with cap marked "SHINE 5502."
4 THENCE N 51° 33' 28" W a distance of 799.95 feet to a 1/2 inch iron
5 rod with cap marked "SHINE 5502" set at the northwest corner of said
6 called 21.234 acre tract and at an interior corner of this tract.
7 THENCE S 25° 27' 04" W with the west line of said called 21.234 acre
8 tract and an east line of this tract, a distance of 528.15 feet to a
9 1/2 inch iron rod with cap marked "SHINE 5502" set at the northwest
10 corner of a called 2.1614 acre tract recorded in File No. K076581,
11 Deed Records of Harris County, Texas.
12 THENCE N 65° 59' 23" W with a north line of said called 2.1614 acre
13 tract and a northerly south line of this tract, a distance of 929.77
14 feet to a found iron rod with cap marked "RPLS 4615."
15 THENCE continuing with the north line of said called 2.1614 acre
16 tract and a northerly south line of this tract with the arc of a
17 curve to the left having a chord direction of N 85° 42' 42" W, a
18 radius of 509.50 feet, a distance of 238.49 feet to a found iron rod
19 with cap marked "RPLS 4615."
20 THENCE S 74° 30' 20" W continuing with the north line of said called
21 2.1614 acre tract and a northerly south line of this tract a
22 distance of 417.76 feet to a 1/2 inch iron rod with cap marked
23 "SHINE 5502" set at the northwest corner of said called 2.1614 acre
24 tract and an interior corner of this tract.
25 THENCE S 15° 29' 23" E with the west line of said called 2.1614 tract
26 and an east line of this tract a distance of 60.00 feet to an iron
27 rod with cap marked "RPLS 4615" found at the southwest corner of

S.B. No. 2275

1 said called 2.1614 acre tract.
2 THENCE N 74° 30' 26" E with the south line of said called 2.1614 acre
3 tract and a southerly north line of this tract a distance of 418.00
4 feet to a found iron rod with cap marked "RPLS 4615."
5 THENCE continuing with the south line of said called 2.1614 acre
6 tract and a southerly north line of this tract with the arc of a
7 curve to the right having a chord direction of S 83° 40' 53" E, a
8 radius of 595.34 feet, a distance of 196.44 feet to a 1/2 inch iron
9 rod set with cap marked "SHINE 5502."
10 THENCE S 65° 59' 23" E continuing with the south line of said called
11 2.164 acre tract and a southerly north line of this tract a distance
12 of 927.30 feet to a 1/2 inch iron rod with cap marked "SHINE 5502"
13 set at the southeast corner of said called 2.1614 acre tract in the
14 west line of said called 21.234 acre tract.
15 THENCE S 25° 16' 50" W with the west line of said called 21.234 acre
16 tract and an east line of this tract, a distance of 441.83 feet to an
17 iron rod with cap marked "RPLS 4615" found at the southwest corner
18 of said called 21.234 acre tract, in the north line of said called
19 102.152 acre tract and at a southeast corner of this tract, from
20 which a found 1" iron pipe bears N 88° 29' 40" E, a distance of 600.63
21 feet.
22 THENCE S 88° 21' 40" W with a south line of this tract and the north
23 line of said called 102.152 acre tract, at a distance of 7,048.87
24 feet, pass a found 3/4" iron rod and continue a total distance of
25 7,133.88 feet to a 1/2 inch iron rod with cap marked "SHINE 5502"
26 set at the southeast corner of a called 1 acre tract recorded in
27 File No. H076771, Deed Records of Harris County, Texas.

S.B. No. 2275

1 THENCE N 01° 38' 26" W with a west line of this tract and the east
2 line of said called 1 acre tract, a distance of 208.71 feet to a 1/2
3 inch iron rod with cap marked "SHINE 5502" set at the northeast
4 corner of said called 1 acre tract.
5 THENCE S 88° 21' 40" W with a south line of this tract and the north
6 line of said called 1 acre tract, a distance of 208.71 feet to a 1/2
7 inch iron rod with cap marked "SHINE 5502" set at the northwest
8 corner of said called 1 acre tract.
9 THENCE S 01° 38' 26" E with an east line of this tract and the west
10 line of said called 1 acre tract, a distance of 208.71 feet to a 1/2
11 inch iron rod with cap marked "SHINE 5502" set at the southwest
12 corner of said called 1 acre tract, in the north line of said called
13 102.152 acre tract.
14 THENCE S 88° 21' 40" W with a south line of this tract and the north
15 line of said called 102.152 acre tract, a distance of 2,021.97 feet
16 to the line of mean higher high water on the San Jacinto River.
17 THENCE meandering the line of mean higher high water along the left
18 bank of the San Jacinto River, the following bearings and
19 distances:
20 N 53° 39' 19" W 446.94 feet
21 N 59° 28' 06" W 369.78 feet
22 N 32° 15' 28" W 88.34 feet
23 N 50° 54' 05" W 129.34 feet
24 N 43° 04' 40" W 188.13 feet
25 N 45° 19' 17" W 78.88 feet
26 N 27° 03' 34" W 250.17 feet
27 N 13° 49' 11" W 192.54 feet

S.B. No. 2275

1	N 13° 56' 26" W	103.14 feet
2	N 00° 46' 29" E	503.45 feet
3	N 03° 28' 48" E	224.28 feet
4	N 03° 58' 09" E	246.51 feet
5	N 01° 50' 57" E	180.18 feet
6	N 04° 57' 15" E	202.55 feet
7	N 07° 14' 24" E	177.80 feet
8	N 12° 57' 35" E	166.40 feet
9	N 07° 38' 19" E	108.67 feet
10	N 08° 55' 16" E	130.31 feet
11	N 04° 27' 32" E	158.34 feet
12	N 20° 09' 17" E	102.98 feet
13	N 15° 38' 50" E	168.56 feet
14	N 08° 04' 25" W	320.01 feet
15	N 24° 35' 18" W	119.21 feet
16	N 25° 33' 04" W	239.12 feet
17	THENCE N 32° 33' 43" W continuing along the line of mean higher high	
18	water on the left bank of the San Jacinto River, a distance of	
19	117.10 feet to a point at the southwest corner of said called 56.50	
20	acre tract and a southerly northwest corner of this tract.	
21	THENCE N 59° 33' 11" E with the south line of said called 56.50 acre	
22	tract and a north line of this tract, a distance of 834.87 feet to a	
23	1" iron pipe found at the southeast corner of said called 56.50 acre	
24	tract and an interior corner of this tract.	
25	THENCE N 22° 44' 35" E with the southerly east line of said called	
26	56.50 acre tract and a northerly west line of this tract, a distance	
27	of 1,342.07 feet to the PLACE OF BEGINNING, containing 991.55	

S.B. No. 2275

1 acres.

2 TRACT III

3 BEGINNING at a 1" iron pipe found in the south line of the Absalom
4 Reeves Survey, Abstract 60, and the north line of said Abstract 838,
5 in the west line of a called 167.305 acre tract recorded in File
6 No. 2010010605, Deed Records of Harris County, Texas, at the
7 southeast corner of a called 60.0765 acre tract recorded in File
8 No. U922164, Deed Records of Harris County, Texas, and at the
9 northeast corner of this tract. Said 1" iron pipe has a Texas State
10 Plane coordinate value of N: 13910927.97 and E: 3206944.66.

11 THENCE S 02° 37' 23" E (Called S 02° 37' 21" E) with the west line of
12 said called 167.305 acre tract and the east line of this tract, a
13 distance of 1,434.17 feet to a 1/2 inch iron rod with cap marked
14 "SHINE 5502" set at the southwest corner of said 167.305 acre tract.
15 THENCE S 87° 47' 10" E with the south line of said called 167.305
16 acre tract and a north line of this tract, a distance of 51.63 feet
17 to a 1/2 inch iron rod with cap marked "SHINE 5502" set in the north
18 right of way of Diamondhead Boulevard North, (100 feet wide
19 R.O.W.), at the northwest corner of Newport Subdivision, Section
20 10, a subdivision recorded in Volume 220, Page 76, Map Records of
21 Harris County, Texas.

22 THENCE S 02° 12' 50" W with a west line of said Section 10 and an east
23 line of this tract, a distance of 100.00 feet to a 1/2 inch iron rod
24 with cap marked "SHINE 5502" set in the south right of way line of
25 said Diamondhead Boulevard North, at a northerly southwest corner
26 of said Section 10.

27 THENCE S 87° 47' 10" E with the south right of way line of said

S.B. No. 2275

1 Diamondhead Boulevard North, a northerly south line of said Section
2 10, and a north line of this tract, a distance of 37.06 feet to a 1/2
3 inch iron rod with cap marked "SHINE 5502" set at the intersection
4 of the south right of way line of said Diamondhead Boulevard North,
5 and the west right of way line of Golf Club Drive (100 feet wide
6 R.O.W.) in a west line of said Section 10.
7 THENCE S 42° 47' 10" E with the west right of way of said Golf Club
8 Drive, the west line of said Section 10 and the east line of this
9 tract, a distance of 14.14 feet to a 1/2 inch iron rod with cap set
10 marked "SHINE 5502."
11 THENCE S 01° 07' 10" E continuing with the west right of way of said
12 Golf Club Drive, the west line of said Section 10 and the east line
13 of this tract, a distance of 183.64 feet to a 1/2 inch iron rod with
14 cap set marked "SHINE 5502."
15 THENCE continuing with the west right of way of said Golf Club
16 Drive, the west line of said Section 10 and the east line of this
17 tract, with the arc of a curve to the right having a radius of
18 1,950.00 feet and a central angle of 20° 00' 00", a distance of
19 680.68 feet to a 1/2 inch iron rod with cap set marked "SHINE 5502."
20 THENCE S 22° 12' 50" W continuing with the west right of way of said
21 Golf Club Drive, the west line of said Section 10 and the east line
22 of this tract, a distance of 660.85 feet to a 1/2 inch iron rod with
23 cap set marked "SHINE 5502."
24 THENCE continuing with the west right of way of said Golf Club
25 Drive, the west line of said Section 10 and the east line of this
26 tract, with the arc of a curve to the left having a radius of
27 3,050.00 feet and a central angle of 45° 06' 00", a distance of

S.B. No. 2275

1 2,400.79 feet to a 1/2 inch iron rod with cap set marked "SHINE
2 5502."
3 THENCE S 22° 57' 10" E continuing with the west right of way of said
4 Golf Club Drive, the west line of said Section 10 and the east line
5 of this tract, a distance of 714.81 feet to a 1/2 inch iron rod with
6 cap marked "SHINE 5502" set at the northeast corner of a called
7 3.3685 acre tract recorded in File No. N409807, Deed Records of
8 Harris County, Texas, and the most easterly southeast corner of
9 this tract.
10 THENCE S 74° 57' 26" W with the north line of said called 3.3685 acre
11 tract and a south line of this tract, a distance of 170.16 feet to a
12 1/2 inch iron rod with cap set marked "SHINE 5502."
13 THENCE S 38° 21' 36" W continuing with the north line of said called
14 3.3685 acre tract and a south line of this tract, a distance of
15 375.28 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set
16 at the southerly northeast corner of a called 53.17 acre tract
17 recorded in File No. U652009, Deed Records of Harris County, Texas,
18 and a southeast corner of this tract, from which a 1/2 inch iron rod
19 found at the southeast corner of said called 53.17 acre tract and
20 the southwest corner of said called 3.3685 acre tract bears S 38° 21'
21 38" W, a distance of 10.86 feet.
22 THENCE N 75° 29' 31" W with a southerly north line of said called
23 53.17 acre tract and a south line of this tract, a distance of
24 577.95 feet to an iron rod with cap marked "TERRA SURVEYING" found
25 at a southerly northeast corner of said called 53.17 acre tract, and
26 an interior corner of this tract.
27 THENCE N 05° 37' 30" E with the east line of said called 53.17 acre

S.B. No. 2275

1 tract and a west line of this tract, a distance of 480.74 feet to an
2 iron rod found with cap marked "TERRA SURVEYING."
3 THENCE N 08° 08' 01" E continuing with the east line of said called
4 53.17 acre tract and a west line of this tract, a distance of 825.65
5 feet to an iron rod found with cap marked "TERRA SURVEYING."
6 THENCE continuing with the east line of said called 53.17 acre tract
7 and a west line of this tract, with the arc of a curve to the left
8 having a radius of 250.61 feet and a central angle of 98° 17' 48", a
9 distance of 429.95 feet to an iron rod with cap marked "TERRA
10 SURVEYING" found at the northeast corner of said called 53.17 acre
11 tract.
12 THENCE N 89° 04' 41" W with the north line of said called 53.17 acre
13 tract and a south line of this tract, a distance of 407.72 feet to an
14 iron rod found with cap marked "TERRA SURVEYING."
15 THENCE S 74° 12' 35" W continuing with the north line of said called
16 53.17 acre tract and a south line of this tract, a distance of
17 412.92 feet to an iron rod found with cap marked "TERRA SURVEYING."
18 THENCE S 71° 17' 47" W continuing with the north line of said called
19 53.17 acre tract and a south line of this tract, a distance of
20 313.23 feet to an iron rod found with cap marked "TERRA SURVEYING."
21 THENCE S 64° 30' 39" W continuing with the north line of said called
22 53.17 acre tract and a south line of this tract, a distance of
23 250.16 feet to an iron rod with cap marked "TERRA SURVEYING" found
24 at the northwest corner of said called 53.17 acre tract and an
25 interior corner of this tract.
26 THENCE S 30° 45' 58" W with the west line of said called 53.17 acre
27 tract and an east line of this tract, a distance of 938.35 feet to an

S.B. No. 2275

1 iron rod found with cap marked "TERRA SURVEYING" from which a 1 1/4
2 inch iron pipe found in the south line of said called 53.17 acre
3 tract and the north line of The San Jacinto River Authority East
4 Canal tract, recorded in Volume 1294, Page 256, Deed Records of
5 Harris County, Texas bears S 76°55' 49" E a distance of 700.71 feet.
6 THENCE S 38° 36' 07" E continuing with the west line of said called
7 53.17 acre tract and an east line of this tract, a distance of
8 330.48 feet to an iron rod found with cap marked "TERRA SURVEYING."
9 THENCE S 50° 28' 00" W continuing with the west line of said called
10 53.17 acre tract and an east line of this tract, a distance of
11 392.70 feet to an iron rod found with cap marked "TERRA SURVEYING."
12 THENCE S 34° 53' 53" E continuing with the west line of said called
13 53.17 acre tract and an east line of this tract, a distance of 54.47
14 feet to an iron rod with cap marked "TERRA SURVEYING" found at the
15 southwest corner of said called 53.17 acre tract, in a north line of
16 Horizon Drive, a dedicated public road in Newport Subdivision,
17 Section 4, a subdivision recorded in Volume 198, Page 53, Map
18 Records of Harris County, Texas, and at a southeast corner of this
19 tract, from which a 1 1/4 inch iron pipe found in the south line of
20 said called 53.17 acre tract and the north line of said East Canal
21 tract bears N 51° 21' 56" E a distance of 512.15'.
22 THENCE S 51° 21' 08" W along a north line of said Section 4, a north
23 line of said San Jacinto River Authority East Canal Tract, and a
24 south line of this tract, at a distance of 51.71 feet pass a
25 northwest corner of said Horizon Drive and Section 4 and continuing
26 a total distance of 605.52 feet to a 1" iron pipe found.
27 THENCE continuing along a north line of said San Jacinto River

S.B. No. 2275

1 Authority East Canal and a south line of this tract, with the arc of
2 a curve to the left having a radius of 415.36 feet and a central
3 angle of 17° 54' 23," a distance of 129.81 feet to a 1 1/2 inch iron
4 pipe found.
5 THENCE S 32° 37' 00 W continuing along a north line of said San
6 Jacinto River Authority East Canal and a south line of this tract a
7 distance of 1,291.52 feet to a 1 1/4 inch iron pipe found.
8 THENCE continuing along a north line of said San Jacinto River
9 Authority East Canal and a south line of this tract, with the arc of
10 a curve to the right having a radius of 174.95 feet and a central
11 angle of 39° 20' 42," a distance of 174.95 feet to a 1 inch iron pipe
12 found.
13 THENCE S 72° 28' 08" W continuing along a north line of said San
14 Jacinto River Authority East Canal and a south line of this tract, a
15 distance of 2,448.06 feet to a 1 1/4 inch iron pipe found.
16 THENCE continuing along a north line of said San Jacinto River
17 Authority East Canal and a south line of this tract, with the arc of
18 a curve to the left having a radius of 333.37 feet and a central
19 angle of 04° 24' 34," a distance of 25.66 feet to a 1 1/4 inch iron
20 pipe found.
21 THENCE S 68° 53' 17" W continuing along a north line of said San
22 Jacinto River Authority East Canal and a south line of this tract, a
23 distance of 1,832.09 feet to a 1 1/4 inch iron pipe found.
24 THENCE continuing along a north line of said San Jacinto River
25 Authority East Canal and a south line of this tract, with the arc of
26 a curve to the right having a radius of 144.47 feet and a central
27 angle of 53° 20' 45," a distance of 134.51 feet to a 1 1/4" iron pipe

S.B. No. 2275

1 found.
2 THENCE N 57° 13' 44" W continuing along a north line of said San
3 Jacinto River Authority East Canal and a south line of this tract, a
4 distance of 1,587.58' feet to a 1/2 inch iron rod set with cap
5 marked "SHINE 5502."
6 THENCE continuing along a north line of said San Jacinto River
7 Authority East Canal and a south line of this tract, with the arc of
8 a curve to the left having a radius of 402.67 feet and a central
9 angle of 30° 10' 09," a distance of 212.03 feet to a 1/2 inch iron rod
10 set with cap marked "SHINE 5502."
11 THENCE N 87° 29' 31" W continuing along a north line of said San
12 Jacinto River Authority East Canal and a south line of this tract, a
13 distance of 224.45 feet to a 1/2 inch iron rod found at an interior
14 corner of said San Jacinto River Authority East Canal and an
15 interior corner of this tract.
16 THENCE along an east line of said San Jacinto River Authority East
17 Canal and a west line of this tract, with the arc of a curve to the
18 right having a radius of 133.99 feet and a central angle of 63° 17'
19 53", a distance of 148.03 feet to a 1/2 inch iron rod found in the
20 north line of said Humphrey Jackson Survey, Abstract 37 and the
21 south line of said William Wilson Survey, Abstract 838.
22 THENCE N 88° 23' 54" E with the south line of said Abstract 838, and
23 the north line of said Abstract 37, a distance of 2000.00 feet to a
24 point for corner.
25 THENCE N 01° 36' 18" W across said 1942.08 acre tract, a distance of
26 7,695.76 feet to a point in the north line of said 1942.08 acre
27 tract and the south line of a called 447.0498 acre tract recorded in

S.B. No. 2275

1 File No. D759681, Deed Records of Harris County, Texas.
2 THENCE N 86° 43' 31" E with the south line of said called 447.0498
3 acre tract and a north line of this tract, a distance of 4223.36
4 feet to a 1/2 inch iron rod next to a 4"x6" fence post found at the
5 southeast corner of said called 447.0498 acre tract and an interior
6 corner of this tract.
7 THENCE N 02° 07' 50" W with the east line of said called 447.0498
8 acre tract and a northerly west line of this tract a distance of
9 26.79 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set at
10 the southwest corner of a called 0.1148 acre tract recorded in File
11 No. T653706, Deed Records of Harris County, Texas and a northwest
12 corner of this tract.
13 THENCE N 87° 22' 21" E with the south line of said called 0.1148 acre
14 tract and a north line of this tract, at a distance of 50.02 feet
15 pass the southeast corner of said called 0.1148 acre tract recorded
16 in File No. T653706 and the southwest corner of a called 0.1148 acre
17 tract recorded in File No. T702499, Deed Records of Harris County,
18 Texas, at a distance of 100.02 feet, pass the southeast corner of
19 said called 0.1148 acre tract recorded in File No. T702499 and the
20 southwest corner of a called 0.1148 acre tract recorded in File
21 No. T643967, at a distance of 150.02 feet pass the southeast corner
22 of said called 0.1148 acre tract recorded in File No. T643967 and
23 the southwest corner of a called 0.1148 acre tract recorded in File
24 No. T491404, Deed Records of Harris County, Texas, at a distance of
25 200.02 feet pass the southeast corner of said called 0.1148 acre
26 tract recorded in File No. T491404 and the southwest corner of a
27 called 0.1148 acre tract recorded in File No. T526225, Deed Records

S.B. No. 2275

1 of Harris County, Texas, and continuing a total distance of 250.02
2 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set at the
3 southeast corner of said called 0.1148 acre tract recorded in File
4 No. T526225 and an interior corner of this tract.
5 THENCE N 02° 37' 39" W with the east line of said called 0.1148 acre
6 tract recorded in File No. T526225 and a west line of this tract, a
7 distance of 100.00 feet to a 1/2 inch iron rod with cap marked
8 "SHINE 5502" set at the northeast corner of said called 0.1148 acre
9 tract recorded in File No. T526225, in the south line of a called
10 5.00 acre tract recorded in File No. T684273, Deed Records of
11 Harris County, Texas, in the South line of the Hannah Nash Survey,
12 Abstract 599, in the north line of said Abstract 838, and at a
13 northwest corner of this tract.
14 THENCE N 87° 02' 53" E with the south line of said Abstract 599, the
15 north line of said Abstract 838, the south line of said called 5.00
16 acre tract and the north line of this tract a distance of 316.67
17 feet to a 1/2 inch iron rod found at the southeast corner of said
18 Abstract 599, the southwest corner of said Abstract 60, the
19 southeast corner of said called 5.00 acre tract and the southwest
20 corner of a called 45 acre tract recorded in File No. 20080119197,
21 Deed Records of Harris County, Texas.
22 THENCE N 87° 24' 37" E with the south line of said called 45 acre
23 tract, the south line of said Abstract 60, the north line of said
24 Abstract 838 and the north line of this tract, a distance of 986.97
25 feet to a 1/2 inch iron rod found at the southeast corner of said
26 called 45 acre tract, the southwest corner of a called 8.39 acre
27 tract recorded in File No. 20070675831, Deed Records of Harris

S.B. No. 2275

1 County, Texas, and a northerly corner of this tract.
2 THENCE N 87° 48' 26" E with the south line of said 8.339 acre tract,
3 the south line of said Abstract 60, the north line of said Abstract
4 838 and the north line of this tract, at a distance of 150.00 feet
5 pass the southeast corner of said called 8.39 acre tract and the
6 southwest corner of a called 11.675 acre tract recorded in File
7 No. 20070675831, Deed Records of Harris County, Texas, and
8 continuing a total distance of 359.69 feet to a 1/2 inch iron rod
9 found at the southeast corner of said called 11.675 acre tract and
10 the southwest corner of a called 155.76 acre tract recorded in
11 Volume 438, Page 236, Deed Records of Harris County, Texas.
12 THENCE N 87° 20' 09" E with the south line of said Abstract 60, the
13 north line of said Abstract 838, the south line of said called
14 155.76 acre tract and the north line of this tract, a distance of
15 682.33 feet to a 1/2 inch iron rod found next to a 8"x8" square fence
16 post at the southeast corner of said called 155.76 acre tract and
17 the southwest corner of a called 29.15 acre tract recorded in File
18 No. R106573, Deed Records of Harris County, Texas.
19 THENCE N 87° 24' 00" E with the south line of said Abstract 60, the
20 north line of said Abstract 838, the south line of said called 29.15
21 acre tract and the north line of this tract, and at a distance of
22 525.51 feet pass the southeast corner of said called 29.15 acre
23 tract and the southwest corner of said called 60.0765 acre tract,
24 and continuing with the south line of said Abstract 60, the north
25 line of said Abstract 838, the south line of said called 60.0765
26 acre tract and the north line of this tract, a total distance of
27 1648.87 feet to the PLACE OF BEGINNING, containing 1,339.42 acres

1 of land.

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

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

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

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

20 SECTION 4. (a) Section 8004.107, Special District Local
21 Laws Code, as added by Section 1 of this Act, takes effect only if
22 this Act receives a two-thirds vote of all the members elected to
23 each house.

24 (b) If this Act does not receive a two-thirds vote of all the
25 members elected to each house, Subchapter C, Chapter 8004, Special
26 District Local Laws Code, as added by Section 1 of this Act, is
27 amended by adding Section 8004.107 to read as follows:

S.B. No. 2275

1 Sec. 8004.107. NO EMINENT DOMAIN POWER. The district may
2 not exercise the power of eminent domain.

3 (c) This section is not intended to be an expression of a
4 legislative interpretation of the requirements of Section 17(c),
5 Article I, Texas Constitution.

6 SECTION 5. This Act takes effect September 1, 2017.



AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, the Newspaper Representative at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and generally circulated in the Counties of: HARRIS, TRINITY, WALKER, GRIMES, POLK, SAN JACINTO, WASHINGTON, MONTGOMERY, LIBERTY, AUSTIN, WALLER, CHAMBERS, COLORADO, BRAZORIA, FORT BEND, GALVESTON, WHARTON, JACKSON, and MATAGORDA and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

GARDERE, WYNNE, SEWELL LLP	0000135024	HC099690323		
RAN A LEGAL NOTICE				
SIZE BEING: 2 x30 L				
Product	Date	Class	Page	
Houston Chronicle	Mar 01 2017	Legal Notices	B 6	

Victoria Bond AIR Clerk
NEWSPAPER REPRESENTATIVE

Sworn and subscribed to before me, this 1st Day of March A.D. 2017



Charles E. Walichowski
Notary Public in and for the State of Texas

PUBLIC NOTICE
NOTICE OF INTENT TO
INTRODUCE A BILL

Pursuant to the Constitution and laws of the State of Texas, notice is hereby given of the intent to apply to the 85th Legislature of the State of Texas at its regular session in Austin, Texas, for the introduction of a bill, the substance of the contemplated law being as follows:

An Act relating to the creation of the Lakewood Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

The Act proposes to create an Improvement District to be known as Lakewood Municipal Utility District No. 2 containing approximately 2,725 acres located east of Lake Houston and within the extraterritorial jurisdiction of the City of Houston.

All interested persons will, therefore, take notice of the matters and facts set out in the foregoing statement of the contemplated law as required by the Constitution and laws of the State of Texas.