

1-1 By: Bell (Senate Sponsor - Creighton) H.B. No. 1440
 1-2 (In the Senate - Received from the House April 24, 2017;
 1-3 May 1, 2017, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 2, 2017, rereferred to Committee
 1-5 on Administration; May 2, 2017, reported favorably by the
 1-6 following vote: Yeas 6, Nays 0; May 2, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the creation of the Montgomery County Municipal Utility
 1-19 District No. 154; granting a limited power of eminent domain;
 1-20 providing authority to issue bonds; providing authority to impose
 1-21 assessments, fees, and taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-24 Code, is amended by adding Chapter 7974 to read as follows:

1-25 CHAPTER 7974. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 154

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 7974.001. DEFINITIONS. In this chapter:

1-28 (1) "Board" means the district's board of directors.

1-29 (2) "Commission" means the Texas Commission on
 1-30 Environmental Quality.

1-31 (3) "Director" means a board member.

1-32 (4) "District" means the Montgomery County Municipal
 1-33 Utility District No. 154.

1-34 Sec. 7974.002. NATURE OF DISTRICT. The district is a
 1-35 municipal utility district created under Section 59, Article XVI,
 1-36 Texas Constitution.

1-37 Sec. 7974.003. CONFIRMATION AND DIRECTORS' ELECTION
 1-38 REQUIRED. The temporary directors shall hold an election to
 1-39 confirm the creation of the district and to elect five permanent
 1-40 directors as provided by Section 49.102, Water Code.

1-41 Sec. 7974.004. CONSENT OF MUNICIPALITY REQUIRED. The
 1-42 temporary directors may not hold an election under Section 7974.003
 1-43 until each municipality in whose corporate limits or
 1-44 extraterritorial jurisdiction the district is located has
 1-45 consented by ordinance or resolution to the creation of the
 1-46 district and to the inclusion of land in the district.

1-47 Sec. 7974.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
 1-48 The district is created to serve a public purpose and benefit.

1-49 (b) The district is created to accomplish the purposes of:

1-50 (1) a municipal utility district as provided by
 1-51 general law and Section 59, Article XVI, Texas Constitution; and

1-52 (2) Section 52, Article III, Texas Constitution, that
 1-53 relate to the construction, acquisition, improvement, operation,
 1-54 or maintenance of macadamized, graveled, or paved roads, or
 1-55 improvements, including storm drainage, in aid of those roads.

1-56 Sec. 7974.006. INITIAL DISTRICT TERRITORY. (a) The
 1-57 district is initially composed of the territory described by
 1-58 Section 2 of the Act enacting this chapter.

1-59 (b) The boundaries and field notes contained in Section 2 of
 1-60 the Act enacting this chapter form a closure. A mistake made in the
 1-61 field notes or in copying the field notes in the legislative process

2-1 does not affect the district's:

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

2-3 (2) right to issue any type of bond for the purposes
2-4 for which the district is created or to pay the principal of and
2-5 interest on a bond;

2-6 (3) right to impose a tax; or

2-7 (4) legality or operation.

2-8 SUBCHAPTER B. BOARD OF DIRECTORS

2-9 Sec. 7974.051. GOVERNING BODY; TERMS. (a) The district is
2-10 governed by a board of five elected directors.

2-11 (b) Except as provided by Section 7974.052, directors serve
2-12 staggered four-year terms.

2-13 Sec. 7974.052. TEMPORARY DIRECTORS. (a) On or after the
2-14 effective date of the Act enacting this chapter, the owner or owners
2-15 of a majority of the assessed value of the real property in the
2-16 district may submit a petition to the commission requesting that
2-17 the commission appoint as temporary directors the five persons
2-18 named in the petition. The commission shall appoint as temporary
2-19 directors the five persons named in the petition.

2-20 (b) Temporary directors serve until the earlier of:

2-21 (1) the date permanent directors are elected under
2-22 Section 7974.003; or

2-23 (2) the fourth anniversary of the effective date of
2-24 the Act enacting this chapter.

2-25 (c) If permanent directors have not been elected under
2-26 Section 7974.003 and the terms of the temporary directors have
2-27 expired, successor temporary directors shall be appointed or
2-28 reappointed as provided by Subsection (d) to serve terms that
2-29 expire on the earlier of:

2-30 (1) the date permanent directors are elected under
2-31 Section 7974.003; or

2-32 (2) the fourth anniversary of the date of the
2-33 appointment or reappointment.

2-34 (d) If Subsection (c) applies, the owner or owners of a
2-35 majority of the assessed value of the real property in the district
2-36 may submit a petition to the commission requesting that the
2-37 commission appoint as successor temporary directors the five
2-38 persons named in the petition. The commission shall appoint as
2-39 successor temporary directors the five persons named in the
2-40 petition.

2-41 SUBCHAPTER C. POWERS AND DUTIES

2-42 Sec. 7974.101. GENERAL POWERS AND DUTIES. The district has
2-43 the powers and duties necessary to accomplish the purposes for
2-44 which the district is created.

2-45 Sec. 7974.102. MUNICIPAL UTILITY DISTRICT POWERS AND
2-46 DUTIES. The district has the powers and duties provided by the
2-47 general law of this state, including Chapters 49 and 54, Water Code,
2-48 applicable to municipal utility districts created under Section 59,
2-49 Article XVI, Texas Constitution.

2-50 Sec. 7974.103. AUTHORITY FOR ROAD PROJECTS. Under Section
2-51 52, Article III, Texas Constitution, the district may design,
2-52 acquire, construct, finance, issue bonds for, improve, operate,
2-53 maintain, and convey to this state, a county, or a municipality for
2-54 operation and maintenance macadamized, graveled, or paved roads, or
2-55 improvements, including storm drainage, in aid of those roads.

2-56 Sec. 7974.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
2-57 project must meet all applicable construction standards, zoning and
2-58 subdivision requirements, and regulations of each municipality in
2-59 whose corporate limits or extraterritorial jurisdiction the road
2-60 project is located.

2-61 (b) If a road project is not located in the corporate limits
2-62 or extraterritorial jurisdiction of a municipality, the road
2-63 project must meet all applicable construction standards,
2-64 subdivision requirements, and regulations of each county in which
2-65 the road project is located.

2-66 (c) If the state will maintain and operate the road, the
2-67 Texas Transportation Commission must approve the plans and
2-68 specifications of the road project.

2-69 Sec. 7974.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE

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

3-6 Sec. 7974.106. DIVISION OF DISTRICT. (a) The district may
3-7 be divided into two or more new districts only if the district:

3-8 (1) has no outstanding bonded debt; and

3-9 (2) is not imposing ad valorem taxes.

3-10 (b) This chapter applies to any new district created by the
3-11 division of the district, and a new district has all the powers and
3-12 duties of the district.

3-13 (c) Any new district created by the division of the district
3-14 may not, at the time the new district is created, contain any land
3-15 outside the area described by Section 2 of the Act enacting this
3-16 chapter.

3-17 (d) The board, on its own motion or on receipt of a petition
3-18 signed by the owner or owners of a majority of the assessed value of
3-19 the real property in the district, may adopt an order dividing the
3-20 district.

3-21 (e) The board may adopt an order dividing the district
3-22 before or after the date the board holds an election under Section
3-23 7974.003 to confirm the district's creation.

3-24 (f) An order dividing the district must:

3-25 (1) name each new district;

3-26 (2) include the metes and bounds description of the
3-27 territory of each new district;

3-28 (3) appoint temporary directors for each new district;

3-29 and

3-30 (4) provide for the division of assets and liabilities
3-31 between or among the new districts.

3-32 (g) On or before the 30th day after the date of adoption of
3-33 an order dividing the district, the district shall file the order
3-34 with the commission and record the order in the real property
3-35 records of each county in which the district is located.

3-36 (h) Any new district created by the division of the district
3-37 shall hold a confirmation and directors' election as required by
3-38 Section 7974.003.

3-39 (i) Municipal consent to the creation of the district and to
3-40 the inclusion of land in the district granted under Section
3-41 7974.004 acts as municipal consent to the creation of any new
3-42 district created by the division of the district and to the
3-43 inclusion of land in the new district.

3-44 (j) Any new district created by the division of the district
3-45 must hold an election as required by this chapter to obtain voter
3-46 approval before the district may impose a maintenance tax or issue
3-47 bonds payable wholly or partly from ad valorem taxes.

3-48 (k) If the creation of the new district is confirmed, the
3-49 new district shall provide the election date and results to the
3-50 commission.

3-51 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-52 Sec. 7974.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
3-53 district may issue, without an election, bonds and other
3-54 obligations secured by:

3-55 (1) revenue other than ad valorem taxes; or

3-56 (2) contract payments described by Section 7974.153.

3-57 (b) The district must hold an election in the manner
3-58 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-59 before the district may impose an ad valorem tax or issue bonds
3-60 payable from ad valorem taxes.

3-61 (c) The district may not issue bonds payable from ad valorem
3-62 taxes to finance a road project unless the issuance is approved by a
3-63 vote of a two-thirds majority of the district voters voting at an
3-64 election held for that purpose.

3-65 Sec. 7974.152. OPERATION AND MAINTENANCE TAX. (a) If
3-66 authorized at an election held under Section 7974.151, the district
3-67 may impose an operation and maintenance tax on taxable property in
3-68 the district in accordance with Section 49.107, Water Code.

3-69 (b) The board shall determine the tax rate. The rate may not

4-1 exceed the rate approved at the election.

4-2 Sec. 7974.153. CONTRACT TAXES. (a) In accordance with
 4-3 Section 49.108, Water Code, the district may impose a tax other than
 4-4 an operation and maintenance tax and use the revenue derived from
 4-5 the tax to make payments under a contract after the provisions of
 4-6 the contract have been approved by a majority of the district voters
 4-7 voting at an election held for that purpose.

4-8 (b) A contract approved by the district voters may contain a
 4-9 provision stating that the contract may be modified or amended by
 4-10 the board without further voter approval.

4-11 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-12 Sec. 7974.201. AUTHORITY TO ISSUE BONDS AND OTHER
 4-13 OBLIGATIONS. The district may issue bonds or other obligations
 4-14 payable wholly or partly from ad valorem taxes, impact fees,
 4-15 revenue, contract payments, grants, or other district money, or any
 4-16 combination of those sources, to pay for any authorized district
 4-17 purpose.

4-18 Sec. 7974.202. TAXES FOR BONDS. At the time the district
 4-19 issues bonds payable wholly or partly from ad valorem taxes, the
 4-20 board shall provide for the annual imposition of a continuing
 4-21 direct ad valorem tax, without limit as to rate or amount, while all
 4-22 or part of the bonds are outstanding as required and in the manner
 4-23 provided by Sections 54.601 and 54.602, Water Code.

4-24 Sec. 7974.203. BONDS FOR ROAD PROJECTS. At the time of
 4-25 issuance, the total principal amount of bonds or other obligations
 4-26 issued or incurred to finance road projects and payable from ad
 4-27 valorem taxes may not exceed one-fourth of the assessed value of the
 4-28 real property in the district.

4-29 SECTION 2. The Montgomery County Municipal Utility District
 4-30 No. 154 initially includes all the territory contained in the
 4-31 following area:

4-32 TRACT 1

4-33 A METES AND BOUNDS description of a 279.07 acre tract of land
 4-34 situated in the Edward Taylor Survey, Abstract Number 554,
 4-35 Montgomery County, Texas; being all of a called 279.65 acre tract
 4-36 conveyed to Mitchell Energy Corporation by Surface Deed and
 4-37 Subsurface Easement dated January 1, 1995 and filed for record
 4-38 under Clerk's File No. 9509774 of the Montgomery County Official
 4-39 Public Records of Real Property; said 279.07 acres being more
 4-40 particularly described as follows with all bearing based on the
 4-41 Texas Coordinate System of 1983, Central Zone:

4-42 BEGINNING at a found 1/2-inch iron rod in the apparent west
 4-43 right-of-way of Cripple Creek Drive North, for an angle corner in
 4-44 the north line of Lot 1 of Galleria Oaks Estates as shown on a plat
 4-45 filed for record in Cabinet B, Sheet 79 of the Montgomery County Map
 4-46 Records and the southeast corner of said 279.65 acres, same being
 4-47 the southeast corner of the herein described tract, from which a
 4-48 found 1/2-inch iron rod bears North 77°23'58" East, 38.23 feet;

4-49 THENCE, South 86°25'45" West, along the north line of Lots 1-
 4-50 7 of said Galleria Oaks Estates and the south line of said 279.65
 4-51 acres, passing a found 1-inch iron pipe at 244.84 feet, a found axle
 4-52 at 544.26 feet, 5.56 feet right, a found 8-inch by 8-inch concrete
 4-53 monument at 544.89 feet, 4.90 feet right, and a found 1-inch iron
 4-54 pipe at 1170.28 feet, continuing for a total distance of 1988.05
 4-55 feet (called 1997.31) to a set 3/4-inch iron rod (with cap stamped
 4-56 "Jones|Carter Property Corner") in the northeast right-of-way of
 4-57 the Union Pacific Railroad (formerly I & G.N. Railroad Company)
 4-58 (width varies) filed for record under Volume 26, Page 351 of the
 4-59 Montgomery County Deed Records, for the south corner of the herein
 4-60 described tract, from which a found 8-inch by 8-inch concrete
 4-61 monument bears South 86°25'45" West, 9.14 feet;

4-62 THENCE, along the northeast right-of-way of the said Union
 4-63 Pacific Railroad and the southwest line of the herein described
 4-64 tract the following five (5) courses and distances:

4-65 1. North 59°15'02" West, 1127.60 feet, departing the
 4-66 north line of said Lot 7, to a set 3/4-inch iron rod (with cap
 4-67 stamped "Jones|Carter Property Corner");

4-68 2. North 30°44'58" East, 25.00 feet to a set 3/4-inch
 4-69 iron rod (with cap stamped "Jones|Carter Property Corner");

5-1 3. North 59°15'02" West, 600.00 feet to a set 3/4-inch
5-2 iron rod (with cap stamped "Jones|Carter Property Corner");
5-3 4. South 30°44'58" West, 25.00 feet to a set 3/4-inch
5-4 iron rod (with cap stamped "Jones|Carter Property Corner");
5-5 5. North 59°15'02" West, 1371.85 feet to a set 3/4-inch
5-6 iron rod (with cap stamped "Jones|Carter Property Corner") in the
5-7 south line of a called 139.384 acre tract conveyed to Norma Helen
5-8 Schoessow by Special Warranty Deed dated October 23, 1995 and filed
5-9 for record under Clerk's File No. 9559657 of the Montgomery County
5-10 Official Public Records of Real Property, for the west corner of the
5-11 herein described tract, from which a found 8-inch by 8-inch
5-12 concrete monument bears South 87°11'00" East, 8.79 feet;
5-13 THENCE, North 87°11'00" East, 2105.63 feet (called 2114.59
5-14 feet), departing the northeast right-of-way of the said Union
5-15 Pacific Railroad, along the south line of said 139.384 acres, a
5-16 north line of said 279.65 acres, and a north line of the herein
5-17 described tract to a found 8-inch by 8-inch concrete monument, for
5-18 an angle corner for said 139.384 acres, said 279.65 acres, and the
5-19 herein described tract;
5-20 THENCE, North 32°44'24" East, along the southeast line of said
5-21 139.384 acres, the northwest line of said 279.65 acres, and the
5-22 northwest line of the herein described tract, passing a found
5-23 1/2-inch iron rod (bent) at 2037.03 feet, 4.74 feet right,
5-24 continuing for a total distance of 2056.48 feet to a found 1-inch
5-25 pinched top pipe, for an angle corner for said 139.384 acres, said
5-26 279.65 acres, and the herein described tract;
5-27 THENCE, North 02°29'44" West, 2678.96 feet (called 2681.84
5-28 feet) along the east line of said 139.384 acres, the west line of
5-29 said 279.65 acres, and the west line of the herein described tract
5-30 to a found 8-inch by 8-inch concrete monument in the south line of a
5-31 called 77.051 acre tract conveyed to Susan Halstead, Vincent S.
5-32 Halstead, Steven B. Schoessow, Clarice J. Fore, Curtis F.
5-33 Schoessow, Douglas P. Schoessow, Jana B. McNeil and Adrienne Leigh
5-34 Fore by Gift Deed dated October 10, 2014 and filed for record under
5-35 Clerk's File No. 2014100067 of the Montgomery County Official
5-36 Public Records of Real Property, for the northeast corner of said
5-37 139.384 acres and the northwest corner of said 279.65 acres, same
5-38 being the northwest corner of the herein described tract, from
5-39 which a found 1/2-inch iron pipe bears North 01°41'45" East, 0.61
5-40 feet;
5-41 THENCE, North 86°56'34" East, along the south line of said
5-42 77.051 acres, the north line of said 279.65 acres, and the north
5-43 line of the herein described tract, passing a found 1-inch pinched
5-44 top pipe at 298.14 feet, continuing along the north line of said
5-45 279.65 acres and the north line of the herein described tract for a
5-46 total distance of 715.80 feet to a set 3/4-inch iron rod (with cap
5-47 stamped "Jones|Carter Property Corner") for an angle corner;
5-48 THENCE, North 86°38'34" East, 561.72 feet (called 561.50
5-49 feet), continuing along the north line of said 279.65 acres and the
5-50 north line of the herein described tract to a found 1/2-inch iron
5-51 pipe in the apparent east line of the Edward Taylor Survey, Abstract
5-52 Number 554 and the apparent west line of the Leander Wescott Survey,
5-53 Abstract Number 616, for the southeast corner of a called 10 acre
5-54 tract conveyed to Axe Em Investments, L.P. by Special Warranty Deed
5-55 dated October 1, 2003 and filed for record under Clerk's File
5-56 No. 2003-134286 of the Montgomery County Official Public Records of
5-57 Real Property and the northeast corner of said 279.65 acres, same
5-58 being the northeast corner of the herein described tract, from
5-59 which a found 1/2-inch iron rod bears North 03°18'03" West, 941.08
5-60 feet;
5-61 THENCE, South 02°35'38" East, along the apparent east line of
5-62 the Edward Taylor Survey, Abstract Number 554, the apparent west
5-63 line of the Leander Wescott Survey, Abstract Number 616, the east
5-64 line of said 279.65 acres and the east line of the herein described
5-65 tract, passing a found 1/2-inch iron pipe at a distance of 2090.96
5-66 feet, 12.71 feet right, a found 5/8-inch iron rod at a distance of
5-67 2094.87 feet, 12.74 feet right and a found 3/4-inch iron rod (with
5-68 cap stamped "Jones|Carter Property Corner") (previously set for
5-69 survey of adjoining acreage) at a distance of 2107.96 feet,

6-1 continuing along apparent east line of the Edward Taylor Survey,
 6-2 Abstract Number 554, the apparent west line of the Robin George
 6-3 Survey, Abstract Number 470, the apparent west line of the Leander
 6-4 Wescott Survey, Abstract Number 615, the west line of Block 4 of
 6-5 Cripple Creek Farms North Section Three (an unrecorded
 6-6 subdivision), the east line of said 279.65 acres and the east line
 6-7 of the herein described tract, same being the common line of a
 6-8 Boundary Agreement dated August 11, 1958 filed for record in Volume
 6-9 458, Page 386 of the Montgomery County Deed Records, passing a found
 6-10 1/2-inch iron pipe at a distance of 2978.61 feet, 4.46 feet right, a
 6-11 found 1/2-inch iron pipe at a distance of 3178.70 feet, 4.50 feet
 6-12 right, a found 5/8-inch iron rod at a distance of 3408.76 feet, 4.96
 6-13 feet right, a found 1/2-inch iron pipe at a distance of 3638.37
 6-14 feet, 5.76 feet right, a found 1/2-inch iron pipe at a distance of
 6-15 3846.97 feet, 5.42 feet right, a found 1/2-inch iron pipe at a
 6-16 distance of 4046.44 feet, 4.77 feet right, a found 3/4-inch iron rod
 6-17 at a distance of 4246.56 feet, 4.32 feet right, a found 1/2-inch
 6-18 iron pipe at a distance of 4446.96 feet, 5.22 feet right, a found
 6-19 1/2-inch iron pipe at a distance of 4646.61 feet, 6.40 feet right, a
 6-20 found 5/8-inch iron rod at a distance of 4845.95 feet, 6.30 feet
 6-21 right, a found 1/2-inch iron pipe at a distance of 5044.96 feet,
 6-22 6.79 feet right, a found 1/2-inch iron pipe at a distance of 5644.64
 6-23 feet, 6.54 feet right, a found 1/4-inch iron pipe at a distance of
 6-24 5665.25 feet, 7.16 feet right, a found 5/8-inch iron rod at a
 6-25 distance of 5665.30 feet, 6.86 feet right, continuing for a total
 6-26 distance of 6047.81 feet (called 6051.88 feet) to the POINT OF
 6-27 BEGINNING, CONTAINING 279.07 acres of land in Montgomery County,
 6-28 Texas, as shown on drawing number 9629-A.

6-29 TRACT 2

6-30 A METES AND BOUNDS description of a 842.23 acre tract of land
 6-31 situated in the Charles Frazier Survey, Abstract Number 206, the
 6-32 Andrew J. Hensley Survey, Abstract Number 255, the Azariah Prather
 6-33 Survey, Abstract Number 427 and the Leander Wescott Survey,
 6-34 Abstract Number 616, Montgomery County, Texas; being out of and a
 6-35 part of a called 881.183 acre tract (Tract 1) conveyed to Mitchell
 6-36 Energy Corporation by Special Warranty Deed dated July 31, 1997 and
 6-37 filed for record under Clerk's File No. 9746155 of the Montgomery
 6-38 County Official Public Records of Real Property; said 842.23 acres
 6-39 being more particularly described as follows with all bearings
 6-40 based on the Texas Coordinate System of 1983, Central Zone:

6-41 BEGINNING at a found 3-inch iron pipe for the north corner
 6-42 Greentree Forest Estates (an Unrecorded Subdivision), same being an
 6-43 interior corner of the herein described tract;

6-44 THENCE, South 42°47'48" West, along the northwest line of said
 6-45 Greentree Forest Estates and a southeast line of said 881.183
 6-46 acres, passing a found 5/8-inch iron rod at 256.52 feet, a found
 6-47 1/2-inch iron rod at 374.49 feet, 0.17 feet left, a found 5/8-inch
 6-48 iron rod at 847.40 feet, a found 5/8-inch iron rod at 965.59 feet,
 6-49 0.38 feet right, a found 1/2-inch iron rod at 1202.01 feet, a found
 6-50 1/2-inch iron rod at 1442.52 feet, 1.05 feet right, a found 5/8-inch
 6-51 iron rod at 1686.50 feet and a found 1/2-inch iron rod at 1921.45
 6-52 feet, continuing for a total distance of 2155.95 feet (called
 6-53 2155.95 feet) to a set 3/4-inch iron rod (with cap stamped
 6-54 "Jones|Carter Property Corner") in the northeast line of called
 6-55 4.615 acre tract, known as Tract 17, Block 4 of Cripple Creek Farms
 6-56 North Section Three (an unrecorded subdivision), conveyed to Larry
 6-57 Dan McQuerry and wife, Mary Margaret McQuerry by General Warranty
 6-58 Deed dated April 2, 1980 and filed for record under Clerk's File
 6-59 No. 8011618 of the Montgomery County Official Public Records of
 6-60 Real Property, for a southwest corner of the herein described
 6-61 tract, from which a found 1/2-inch iron rod bears South 47°45'18"
 6-62 East, 171.07 feet;

6-63 THENCE, North 47°25'32" West, 433.31 feet (called 1246.42
 6-64 feet), departing the northwest line of said Greentree Forest
 6-65 Estates, along the northeast line of said 4.615 acres and a
 6-66 southwest line of said 881.183 acres to a set 3/4-inch iron rod
 6-67 (with cap stamped "Jones|Carter Property Corner") in the east line
 6-68 of a called 279.65 acre tract conveyed to Mitchell Energy
 6-69 Corporation by Surface Deed and Subsurface Easement dated January

7-1 1, 1995 and file for record under Clerk's File No. 9509774 of the
 7-2 Montgomery County Official Public Records of Real Property, same
 7-3 being the apparent east line of the Edward Taylor Survey, Abstract
 7-4 Number 554 and the apparent west line of the Leander Wescott Survey,
 7-5 Abstract Number 616, from which found 3-1/2" iron pipe bears North
 7-6 47°25'32" West, 812.94 feet, and a found 1/2-inch iron rod bears
 7-7 South 02°35'38" East, 3939.85 feet;

7-8 THENCE, North 02°35'38" West, departing the northeast line of
 7-9 said 4.615 acres, along the east line of said 279.65 acres, the
 7-10 apparent east line of the Edward Taylor Survey, Abstract Number 554
 7-11 and the apparent west line of the Leander Wescott Survey, Abstract
 7-12 Number 616, passing a 5/8-inch iron rod at 13.09 feet, 12.74 feet
 7-13 left and a found 1/2-inch iron pipe at 17.01 feet, 12.71 feet left,
 7-14 continuing for a total distance of 2107.96 feet to a found 1/2-inch
 7-15 iron pipe for the southeast corner of a called 10 acre tract
 7-16 conveyed to Axe Em Investments, L.P. by Special Warranty Deed dated
 7-17 October 1, 2003 and filed for record under Clerk's File
 7-18 No. 2003-134286 of the Montgomery County Official Public Records of
 7-19 Real Property, the northeast corner of said 279.65 acres and an
 7-20 angle point in the west line of the herein described tract, from
 7-21 which a found 3/4-inch iron rod (with cap stamped "Jones|Carter
 7-22 Property Corner") bears South 86°38'34" West, 561.72 feet;

7-23 THENCE, North 03°18'03" West, continuing along the apparent
 7-24 east line of the Edward Taylor Survey, Abstract Number 554, the
 7-25 apparent west line of the Leander Wescott Survey, Abstract Number
 7-26 616, and the east line of said 10 acres, passing a 1/2-inch iron rod
 7-27 at 220.99 feet, continuing along the east line of said 10 acres, the
 7-28 east line of a called 5 acre tract and another called 10 acre tract
 7-29 (hereinafter referred to as "northern 10 acres"), both conveyed to
 7-30 Axe Em Investments, L.P. by Special Warranty Deed dated October 1,
 7-31 2003 and filed for record under Clerk's File No. 2003-134286 of the
 7-32 Montgomery County Official Public Records of Real Property for a
 7-33 total distance of 941.08 feet to a found 1/2-inch iron rod in the
 7-34 north line of said 881.183 acres for an angle point in the south
 7-35 line of a called 757.02 acre tract ("Tract III") conveyed to 1488
 7-36 Corp. by Special Warranty Deed dated December 29, 2015 and filed for
 7-37 record under Clerk's File No. 2016002467 of the Montgomery County
 7-38 Official Public Records of Real Property, same being the northwest
 7-39 corner of the herein described tract, from which a found axle bears
 7-40 North 48°48'43" West, 728.19 feet and a found 3/4-inch pinched top
 7-41 pipe bears North 03°04'57" West, 1286.89 feet;

7-42 THENCE, departing the east line of said northern 10 acres,
 7-43 the apparent east line of the Edward Taylor Survey, Abstract Number
 7-44 554 and the apparent west line of the Leander Wescott Survey,
 7-45 Abstract Number 616, along the south line of said 757.02 acres and
 7-46 the north line of said 881.183 acres the following six (6) courses
 7-47 and distances:

7-48 1. South 48°52'00" East, 593.66 feet (called 1321.86
 7-49 feet) to a found 3-inch iron pipe for an angle point;

7-50 2. North 42°00'28" East, 807.36 feet (called 807.98
 7-51 feet) to a found 3-inch iron pipe;

7-52 3. North 43°20'46" East, 781.14 feet (called 779.36
 7-53 feet) to a found 3/4-inch iron pipe;

7-54 4. North 41°41'25" East, 1538.43 feet (called 1540.14
 7-55 feet) to a found 3-inch iron pipe;

7-56 5. North 42°24'04" East, 777.81 feet (called 778.99
 7-57 feet) to a found 1/2-inch iron rod;

7-58 6. North 42°15'57" East, 706.71 feet (called 710.25
 7-59 feet) to a point in the centerline of Mill Creek, for the west
 7-60 corner of a called 6.11186 acre tract, known as Tract 12 of Wildwood
 7-61 Estates (an unrecorded subdivision), conveyed to John M. Burdick
 7-62 and wife, Sandra A. Burdick by Warranty Deed dated October 14, 1991
 7-63 and file for record under Clerk's File No. 9148107 of the
 7-64 Montgomery County Official Public Records of Real Property, same
 7-65 being the north corner of said 881.183 acres and the herein
 7-66 described tract, from which a found 1-inch iron pipe bears North
 7-67 42°15'57" East, 1881.50 feet;

7-68 THENCE, departing the south line of said 757.02 acres, along
 7-69 the centerline meanders of said Mill Creek, same being the east line

- 8-1 of said 881.183 acres, the following two-hundred and forty-six
 8-2 (246) courses and distances:
- 8-3 1. South 12°18'18" East, 20.94 feet to a point;
 - 8-4 2. South 22°23'59" East, 74.66 feet to a point;
 - 8-5 3. South 42°53'52" West, 46.44 feet to a point;
 - 8-6 4. South 36°58'56" West, 46.01 feet to a point;
 - 8-7 5. South 09°52'55" East, 37.33 feet to a point;
 - 8-8 6. North 87°56'29" East, 80.12 feet to a point;
 - 8-9 7. South 45°12'31" East, 17.10 feet to a point;
 - 8-10 8. South 10°52'22" East, 26.87 feet to a point;
 - 8-11 9. South 02°05'39" East, 26.13 feet to a point;
 - 8-12 10. South 12°44'29" East, 19.29 feet to a point;
 - 8-13 11. South 04°45'43" West, 43.16 feet to a point;
 - 8-14 12. South 35°59'36" East, 36.12 feet to a point;
 - 8-15 13. South 09°16'25" West, 32.54 feet to a point;
 - 8-16 14. South 12°40'55" West, 171.14 feet to a point;
 - 8-17 15. South 06°14'53" East, 70.78 feet to a point;
 - 8-18 16. South 41°23'52" East, 61.54 feet to a point;
 - 8-19 17. South 14°42'38" East, 130.27 feet to a point;
 - 8-20 18. South 23°55'53" East, 126.21 feet to a point;
 - 8-21 19. South 10°03'51" East, 50.67 feet to a point;
 - 8-22 20. South 36°50'20" East, 107.39 feet to a point;
 - 8-23 21. South 10°43'38" East, 60.21 feet to a point;
 - 8-24 22. South 21°14'15" West, 153.28 feet to a point;
 - 8-25 23. South 22°33'14" West, 58.07 feet to a point;
 - 8-26 24. South 05°35'01" West, 20.25 feet to a point;
 - 8-27 25. South 61°22'44" East, 38.41 feet to a point;
 - 8-28 26. South 69°02'33" East, 58.99 feet to a point;
 - 8-29 27. South 12°12'50" East, 124.16 feet to a point;
 - 8-30 28. South 32°31'48" East, 44.10 feet to a point;
 - 8-31 29. South 57°36'47" East, 61.05 feet to a point;
 - 8-32 30. South 53°27'39" East, 56.94 feet to a point;
 - 8-33 31. South 33°14'19" East, 97.80 feet to a point;
 - 8-34 32. South 21°00'11" East, 47.88 feet to a point;
 - 8-35 33. South 00°14'08" West, 9.48 feet to a point;
 - 8-36 34. South 35°38'34" West, 15.42 feet to a point;
 - 8-37 35. South 05°09'49" West, 35.23 feet to a point;
 - 8-38 36. South 41°24'16" East, 29.71 feet to a point;
 - 8-39 37. South 59°26'29" East, 22.32 feet to a point;
 - 8-40 38. South 69°02'33" East, 324.70 feet to a point;
 - 8-41 39. South 85°20'52" East, 48.71 feet to a point;
 - 8-42 40. North 78°12'44" East, 26.46 feet to a point;
 - 8-43 41. North 42°26'02" East, 37.26 feet to a point;
 - 8-44 42. North 09°57'57" East, 21.44 feet to a point;
 - 8-45 43. North 71°11'45" West, 44.32 feet to a point;
 - 8-46 44. North 43°20'43" West, 8.72 feet to a point;
 - 8-47 45. North 01°04'41" West, 22.38 feet to a point;
 - 8-48 46. North 21°27'17" East, 14.55 feet to a point;
 - 8-49 47. North 35°12'16" East, 57.34 feet to a point;
 - 8-50 48. South 40°49'24" East, 26.21 feet to a point;
 - 8-51 49. South 26°33'49" East, 19.14 feet to a point;
 - 8-52 50. South 78°44'47" East, 39.61 feet to a point;
 - 8-53 51. South 42°37'50" East, 117.76 feet to a point;
 - 8-54 52. South 63°31'02" East, 54.42 feet to a point;
 - 8-55 53. North 86°22'35" East, 14.48 feet to a point;
 - 8-56 54. South 83°23'38" East, 50.81 feet to a point;
 - 8-57 55. South 41°53'26" East, 37.41 feet to a point;
 - 8-58 56. South 10°42'29" East, 156.83 feet to a point;
 - 8-59 57. South 50°37'37" East, 26.55 feet to a point;
 - 8-60 58. South 35°05'48" East, 74.85 feet to a point;
 - 8-61 59. South 34°45'59" East, 50.28 feet to a point;
 - 8-62 60. South 63°14'51" East, 163.53 feet to a point;
 - 8-63 61. South 87°53'24" East, 20.12 feet to a point;
 - 8-64 62. North 48°15'22" East, 95.09 feet to a point;
 - 8-65 63. South 57°40'49" East, 12.18 feet to a point;
 - 8-66 64. South 55°52'46" East, 39.03 feet to a point;
 - 8-67 65. South 30°38'19" East, 13.33 feet to a point;
 - 8-68 66. South 17°12'36" East, 20.13 feet to a point;
 - 8-69 67. South 54°53'29" East, 145.28 feet to a point;

9-1 68. South 66°39'02" East, 56.87 feet to a point;
 9-2 69. South 75°44'05" East, 87.52 feet to a point;
 9-3 70. South 58°53'21" East, 90.35 feet to a point;
 9-4 71. North 88°28'59" East, 42.27 feet to a point;
 9-5 72. South 56°16'37" East, 181.99 feet to a point;
 9-6 73. South 40°53'21" East, 125.58 feet to a point;
 9-7 74. South 31°26'40" West, 50.99 feet to a point;
 9-8 75. South 28°10'18" West, 24.21 feet to a point;
 9-9 76. South 77°29'22" East, 19.73 feet to a point;
 9-10 77. South 50°09'42" East, 96.47 feet to a point;
 9-11 78. South 56°32'41" East, 38.23 feet to a point;
 9-12 79. South 54°49'44" East, 31.98 feet to a point;
 9-13 80. North 77°40'42" East, 30.26 feet to a point;
 9-14 81. North 80°05'57" East, 64.03 feet to a point;
 9-15 82. South 66°03'01" East, 290.35 feet to a point;
 9-16 83. South 63°25'23" East, 170.62 feet to a point;
 9-17 84. South 62°41'27" East, 181.12 feet to a point;
 9-18 85. South 49°53'40" East, 59.94 feet to a point;
 9-19 86. South 39°07'27" East, 46.28 feet to a point;
 9-20 87. South 05°14'20" West, 92.52 feet to a point;
 9-21 88. South 63°37'44" West, 38.32 feet to a point;
 9-22 89. South 46°52'08" West, 17.69 feet to a point;
 9-23 90. South 30°30'24" West, 32.48 feet to a point;
 9-24 91. South 52°08'30" West, 30.87 feet to a point;
 9-25 92. North 88°59'43" West, 56.63 feet to a point;
 9-26 93. South 40°10'42" West, 137.98 feet to a point;
 9-27 94. South 17°29'36" West, 77.42 feet to a point;
 9-28 95. South 00°37'28" East, 30.27 feet to a point;
 9-29 96. South 83°36'36" East, 64.24 feet to a point;
 9-30 97. South 86°39'20" East, 105.45 feet to a point;
 9-31 98. South 46°06'16" East, 176.19 feet to a point;
 9-32 99. South 56°22'42" East, 61.38 feet to a point;
 9-33 100. South 53°51'41" East, 64.61 feet to a point;
 9-34 101. North 46°16'54" East, 19.60 feet to a point;
 9-35 102. North 42°53'51" East, 33.81 feet to a point;
 9-36 103. North 81°54'47" East, 105.65 feet to a point;
 9-37 104. South 78°49'30" East, 53.59 feet to a point;
 9-38 105. South 39°53'14" East, 18.21 feet to a point;
 9-39 106. South 27°02'07" East, 57.44 feet to a point;
 9-40 107. South 40°36'08" East, 83.23 feet to a point;
 9-41 108. South 36°14'03" East, 104.79 feet to a point;
 9-42 109. South 21°55'33" West, 120.32 feet to a point;
 9-43 110. South 45°28'18" West, 24.82 feet to a point;
 9-44 111. North 87°16'18" West, 60.19 feet to a point;
 9-45 112. South 04°03'57" West, 40.49 feet to a point;
 9-46 113. South 19°30'55" West, 113.56 feet to a point;
 9-47 114. South 17°09'33" West, 26.63 feet to a point;
 9-48 115. South 06°32'51" West, 52.58 feet to a point;
 9-49 116. South 48°03'00" East, 198.07 feet to a point;
 9-50 117. South 78°07'22" East, 39.83 feet to a point;
 9-51 118. South 45°15'38" East, 108.53 feet to a point;
 9-52 119. South 15°27'32" East, 74.05 feet to a point;
 9-53 120. South 29°42'12" East, 187.05 feet to a point;
 9-54 121. South 10°51'23" East, 98.64 feet to a point;
 9-55 122. South 13°57'22" West, 16.81 feet to a point;
 9-56 123. South 05°41'13" East, 152.49 feet to a point;
 9-57 124. South 04°31'17" East, 117.06 feet to a point;
 9-58 125. South 04°48'51" West, 67.94 feet to a point;
 9-59 126. South 20°51'03" West, 86.27 feet to a point;
 9-60 127. South 48°35'35" West, 63.11 feet to a point;
 9-61 128. South 48°58'11" West, 27.31 feet to a point;
 9-62 129. South 41°19'59" West, 147.94 feet to a point;
 9-63 130. South 16°43'24" West, 51.25 feet to a point;
 9-64 131. South 38°48'25" West, 129.88 feet to a point;
 9-65 132. South 48°43'18" West, 33.26 feet to a point;
 9-66 133. South 49°33'27" West, 63.28 feet to a point;
 9-67 134. South 34°02'23" West, 138.93 feet to a point;
 9-68 135. South 43°19'50" West, 77.02 feet to a point;
 9-69 136. South 21°42'27" East, 21.32 feet to a point;

10-1	137.	South 19°31'50" East,	69.55 feet to a point;
10-2	138.	South 10°43'23" East,	164.23 feet to a point;
10-3	139.	South 50°46'56" East,	96.05 feet to a point;
10-4	140.	South 38°12'17" East,	124.95 feet to a point;
10-5	141.	South 14°25'39" East,	40.20 feet to a point;
10-6	142.	South 04°53'50" East,	123.95 feet to a point;
10-7	143.	South 32°39'47" East,	115.61 feet to a point;
10-8	144.	South 15°59'49" East,	145.05 feet to a point;
10-9	145.	South 44°34'59" East,	144.65 feet to a point;
10-10	146.	South 62°03'10" East,	95.40 feet to a point;
10-11	147.	South 79°38'44" East,	72.91 feet to a point;
10-12	148.	South 10°24'52" East,	229.66 feet to a point;
10-13	149.	North 68°22'11" West,	80.47 feet to a point;
10-14	150.	South 07°25'05" East,	48.42 feet to a point;
10-15	151.	South 02°41'47" West,	198.27 feet to a point;
10-16	152.	South 43°12'25" West,	88.27 feet to a point;
10-17	153.	South 51°53'13" West,	53.80 feet to a point;
10-18	154.	South 46°45'22" East,	42.20 feet to a point;
10-19	155.	South 61°43'29" East,	161.36 feet to a point;
10-20	156.	South 28°19'40" East,	101.12 feet to a point;
10-21	157.	South 32°48'06" East,	144.76 feet to a point;
10-22	158.	South 50°37'24" East,	51.47 feet to a point;
10-23	159.	South 28°01'42" East,	126.58 feet to a point;
10-24	160.	South 38°57'45" East,	107.31 feet to a point;
10-25	161.	South 50°24'34" East,	71.71 feet to a point;
10-26	162.	South 09°29'22" East,	212.34 feet to a point;
10-27	163.	South 00°20'59" West,	132.90 feet to a point;
10-28	164.	South 19°40'54" East,	86.34 feet to a point;
10-29	165.	South 14°58'26" West,	140.70 feet to a point;
10-30	166.	South 10°08'09" West,	74.76 feet to a point;
10-31	167.	South 53°21'21" West,	115.04 feet to a point;
10-32	168.	South 27°54'49" West,	62.71 feet to a point;
10-33	169.	South 34°48'30" East,	61.40 feet to a point;
10-34	170.	South 66°20'22" East,	141.85 feet to a point;
10-35	171.	South 72°53'56" East,	64.16 feet to a point;
10-36	172.	South 80°40'10" East,	93.92 feet to a point;
10-37	173.	North 88°21'42" East,	215.53 feet to a point;
10-38	174.	North 72°22'13" East,	72.02 feet to a point;
10-39	175.	North 30°33'22" East,	51.13 feet to a point;
10-40	176.	North 53°06'11" East,	67.65 feet to a point;
10-41	177.	South 89°23'41" East,	60.02 feet to a point;
10-42	178.	North 69°42'48" East,	89.16 feet to a point;
10-43	179.	North 84°21'21" East,	28.12 feet to a point;
10-44	180.	South 65°03'29" East,	63.15 feet to a point;
10-45	181.	South 24°31'20" East,	153.15 feet to a point;
10-46	182.	South 79°55'10" East,	74.23 feet to a point;
10-47	183.	South 30°19'44" East,	69.41 feet to a point;
10-48	184.	South 26°36'17" West,	67.33 feet to a point;
10-49	185.	South 51°53'55" East,	28.30 feet to a point;
10-50	186.	South 48°09'02" East,	20.98 feet to a point;
10-51	187.	South 69°54'32" East,	42.71 feet to a point;
10-52	188.	South 49°35'02" East,	114.15 feet to a point;
10-53	189.	South 61°51'29" East,	70.82 feet to a point;
10-54	190.	North 56°45'53" East,	81.24 feet to a point;
10-55	191.	North 10°22'42" West,	27.52 feet to a point;
10-56	192.	North 44°20'07" West,	46.76 feet to a point;
10-57	193.	North 14°23'02" West,	40.60 feet to a point;
10-58	194.	North 81°26'55" East,	88.16 feet to a point;
10-59	195.	South 81°27'52" East,	225.26 feet to a point;
10-60	196.	North 50°13'30" East,	52.21 feet to a point;
10-61	197.	South 83°42'53" East,	38.65 feet to a point;
10-62	198.	South 53°20'17" East,	54.33 feet to a point;
10-63	199.	South 34°41'44" East,	78.36 feet to a point;
10-64	200.	South 04°59'36" West,	17.83 feet to a point;
10-65	201.	South 75°56'24" West,	26.48 feet to a point;
10-66	202.	North 80°06'10" West,	22.44 feet to a point;
10-67	203.	South 15°30'22" West,	102.03 feet to a point;
10-68	204.	South 77°49'42" West,	77.55 feet to a point;
10-69	205.	South 05°43'31" West,	17.16 feet to a point;

- 11-1 206. South 36°38'48" East, 52.50 feet to a point;
- 11-2 207. South 22°17'18" West, 18.42 feet to a point;
- 11-3 208. South 46°04'19" West, 106.13 feet to a point;
- 11-4 209. South 00°20'40" East, 46.25 feet to a point;
- 11-5 210. North 86°03'23" East, 65.78 feet to a point;
- 11-6 211. South 88°15'33" East, 59.39 feet to a point;
- 11-7 212. South 72°52'21" East, 84.16 feet to a point;
- 11-8 213. South 22°30'03" East, 31.04 feet to a point;
- 11-9 214. South 07°37'19" West, 34.13 feet to a point;
- 11-10 215. South 13°51'28" East, 32.68 feet to a point;
- 11-11 216. South 42°01'46" East, 82.75 feet to a point;
- 11-12 217. South 32°57'14" East, 31.07 feet to a point;
- 11-13 218. South 26°42'20" West, 36.83 feet to a point;
- 11-14 219. South 51°10'47" West, 104.44 feet to a point;
- 11-15 220. South 78°09'38" West, 133.44 feet to a point;
- 11-16 221. North 65°18'54" West, 40.51 feet to a point;
- 11-17 222. North 20°57'04" West, 19.22 feet to a point;
- 11-18 223. North 20°58'16" East, 21.54 feet to a point;
- 11-19 224. North 31°10'24" West, 21.19 feet to a point;
- 11-20 225. South 86°54'36" West, 98.56 feet to a point;
- 11-21 226. South 62°17'52" West, 61.48 feet to a point;
- 11-22 227. South 10°48'36" West, 14.13 feet to a point;
- 11-23 228. South 68°28'09" West, 146.02 feet to a point;
- 11-24 229. South 66°50'57" West, 13.98 feet to a point;
- 11-25 230. South 54°14'31" West, 9.13 feet to a point;
- 11-26 231. South 28°53'35" West, 47.36 feet to a point;
- 11-27 232. South 14°53'51" East, 38.67 feet to a point;
- 11-28 233. South 33°16'15" West, 110.49 feet to a point;
- 11-29 234. South 25°51'57" West, 87.36 feet to a point;
- 11-30 235. South 24°40'48" West, 168.46 feet to a point;
- 11-31 236. South 18°07'49" West, 119.57 feet to a point;
- 11-32 237. South 07°55'38" West, 73.03 feet to a point;
- 11-33 238. South 30°22'38" East, 68.89 feet to a point;
- 11-34 239. South 08°41'13" West, 43.89 feet to a point;
- 11-35 240. South 20°25'31" West, 64.73 feet to a point;
- 11-36 241. South 06°48'07" West, 63.29 feet to a point;
- 11-37 242. South 07°37'07" West, 39.79 feet to a point;
- 11-38 243. South 28°55'17" West, 36.09 feet to a point;
- 11-39 244. South 66°13'24" West, 56.17 feet to a point;
- 11-40 245. South 43°02'27" West, 59.63 feet to a point;
- 11-41 246. South 13°44'31" West, 6.84 feet to a point in the
- 11-42 northeast line of Mill Creek Forest as shown on a plat filed for
- 11-43 record in Volume 5, Page 491 of the Montgomery County Deed Records
- 11-44 for the most southerly corner of said 881.183 acres and the herein
- 11-45 described tract;
- 11-46 THENCE, North 46°43'05" West, departing the centerline
- 11-47 meanders of said Mill Creek, along the northeast line of said Mill
- 11-48 Creek Forest, and the southwest line of said 881.183 acres, passing
- 11-49 a found 1/2-inch iron rod (with cap stamped "Reinke 3971") at 61.41
- 11-50 feet, continuing for a total distance of 397.79 feet (called
- 11-51 414.06) to a found 1/2-inch iron rod (with cap stamped "Geomatics
- 11-52 Inc.") for the north corner of said Mill Creek Forest, and an
- 11-53 interior corner of said 881.183 acres and the herein described
- 11-54 tract;
- 11-55 THENCE, South 43°03'45" West, along the northwest line of said
- 11-56 Mill Creek Forest and a southeast line of said 881.183 acres,
- 11-57 passing a found 3/4-inch iron pipe at 104.79 feet, 0.97 feet right,
- 11-58 continuing for a total distance of 198.18 feet (called 192.78 feet)
- 11-59 to a set 3/4-inch iron rod (with cap stamped "Jones|Carter Property
- 11-60 Corner") for the east corner of Lot 14, Block 44 of Hazy Hollow East
- 11-61 Estates Section 7 (an unrecorded subdivision) conveyed to Malcom
- 11-62 James Johnson by Warranty Deed dated April 5, 1991 and filed for
- 11-63 record under Clerk's File No. 9230908 of the Montgomery County
- 11-64 Official Public Records of Real Property, a south corner of said
- 11-65 881.183 acres and the herein described tract;
- 11-66 THENCE, departing the northwest line of said Mill Creek
- 11-67 Forest along the southwest line of said 881.183 acres and the herein
- 11-68 described tract the following seven (7) courses and distances:
- 11-69 1. North 47°15'15" West, along the northeast line said

12-1 Hazy Hollow East Estates Section 7, passing a found 3/8-inch iron
 12-2 rod at 1321.03 feet, 1.17 feet left, passing a found 1/2-inch iron
 12-3 rod at 1429.95 feet, 1.21 feet left, continuing for a total distance
 12-4 of 1755.51 feet to an angle point, from which a found 1/2-inch iron
 12-5 rod bears North 21°27'43" West 4.22 feet;

12-6 2. North 47°29'30" West, along the northeast line of
 12-7 said Hazy Hollow East Estates Section 7 and the northeast line of
 12-8 Hazy Hollow East Estates Section 4 (an unrecorded subdivision),
 12-9 passing a found 3/8-inch iron rod at 393.30 feet, 1.24 feet right,
 12-10 continuing for a total distance of 711.72 feet to a point;

12-11 3. North 47°20'39" West, along the northeast line of
 12-12 Hazy Hollow East Estates Section 10 (an unrecorded subdivision),
 12-13 passing a found 3/8-inch iron rod at 126.64 feet, 2.16 feet right,
 12-14 passing a found 3/8-inch iron rod at 375.33 feet, 1.09 feet right,
 12-15 passing a found 3/8-inch iron rod at 499.77 feet, 0.63 feet right,
 12-16 continuing for a total distance of 527.41 feet to a point;

12-17 4. North 47°17'20" West, along the northeast line of
 12-18 said Hazy Hollow East Estates Section 10, passing a found 5/8-inch
 12-19 iron rod at 96.90 feet, 0.38 feet right, a found 1/2-inch iron rod
 12-20 (bent) at 289.53 feet, a found 3/8-inch iron rod at 422.16 feet,
 12-21 0.24 feet right, a found 1/2-inch iron rod at 554.92 feet, a found
 12-22 5/8-inch iron rod at 687.54 feet, a found 3/8-inch iron rod at
 12-23 1116.06 feet, 0.31 feet left, a found 3/8-inch iron rod at 1239.11
 12-24 feet, 0.41 feet left, a found 3/8-inch iron rod at 1484.87 feet,
 12-25 0.98 feet left, a found 3/8-inch iron rod at 1608.04 feet, 1.32 feet
 12-26 left, a found 3/8-inch iron rod at 1731.04 feet, 1.21 feet left, a
 12-27 found 3/8-inch iron rod at 1854.08 feet, 0.55 feet left, a found
 12-28 5/8-inch square iron bar at 1977.47 feet, 0.11 feet right, a found
 12-29 5/8-inch square iron bar at 2037.11 feet, 0.36 feet right, a found
 12-30 3/8-inch iron rod at 2159.55 feet, 1.03 feet right, a found 1/2-inch
 12-31 iron rod (with cap stamped "C&C Surveying") at 2282.80 feet, 0.18
 12-32 feet right, a found 1/2-inch iron rod (with cap stamped "C&C
 12-33 Surveying") at 2405.70 feet, and a found 3/8-inch iron rod at
 12-34 2897.75 feet, 0.13 feet right, continuing for a total distance of
 12-35 3015.29 feet to a point;

12-36 5. North 47°22'30" West, along the northeast line of
 12-37 Hazy Hollow East Estates Section 11 (an unrecorded subdivision),
 12-38 passing a found 3/8-inch iron rod at 5.37 feet, 2.20 feet left, a
 12-39 found 3/8-inch iron rod at 128.11 feet, 3.14 feet left, a found
 12-40 3/8-inch iron rod at 251.00 feet, 3.59 feet left, a found 3/8-inch
 12-41 iron rod at 373.97 feet, 3.79 feet left, a found 3/8-inch iron rod
 12-42 at 496.74 feet, 3.70 feet left, a found 3/8-inch iron rod at 619.44
 12-43 feet, 3.76 feet left, a found 3/8-inch iron rod at 743.26 feet,
 12-44 1.81 feet left, and a found 3/8-inch iron rod at 988.51 feet, 0.13
 12-45 feet left, continuing for a total distance of 1784.65 feet to a
 12-46 found 1/2-inch iron rod for the north corner of said Hazy Hollow
 12-47 East Estates Section 11 and the east corner of Greentree Forest
 12-48 Estates (an unrecorded subdivision);

12-49 6. North 47°01'59" West, along the northeast line of
 12-50 said Greentree Forest Estates, passing a found 1/2-inch iron rod at
 12-51 354.40 feet, passing a found 5/8-inch iron rod at 414.22 feet,
 12-52 continuing for a total distance of 498.04 feet to a found 3-1/2-inch
 12-53 iron pipe;

12-54 7. North 47°36'37" West, 270.64 feet (called 270.76
 12-55 feet) to the POINT OF BEGINNING, CONTAINING 842.23 acres of land in
 12-56 Montgomery County, Texas, as shown on drawing number 9630-A.

12-57 SECTION 3. (a) The legal notice of the intention to
 12-58 introduce this Act, setting forth the general substance of this
 12-59 Act, has been published as provided by law, and the notice and a
 12-60 copy of this Act have been furnished to all persons, agencies,
 12-61 officials, or entities to which they are required to be furnished
 12-62 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 12-63 Government Code.

12-64 (b) The governor, one of the required recipients, has
 12-65 submitted the notice and Act to the Texas Commission on
 12-66 Environmental Quality.

12-67 (c) The Texas Commission on Environmental Quality has filed
 12-68 its recommendations relating to this Act with the governor, the
 12-69 lieutenant governor, and the speaker of the house of

13-1 representatives within the required time.

13-2 (d) All requirements of the constitution and laws of this
13-3 state and the rules and procedures of the legislature with respect
13-4 to the notice, introduction, and passage of this Act are fulfilled
13-5 and accomplished.

13-6 SECTION 4. (a) If this Act does not receive a two-thirds
13-7 vote of all the members elected to each house, Subchapter C, Chapter
13-8 7974, Special District Local Laws Code, as added by Section 1 of
13-9 this Act, is amended by adding Section 7974.107 to read as follows:

13-10 Sec. 7974.107. NO EMINENT DOMAIN POWER. The district may
13-11 not exercise the power of eminent domain.

13-12 (b) This section is not intended to be an expression of a
13-13 legislative interpretation of the requirements of Section 17(c),
13-14 Article I, Texas Constitution.

13-15 SECTION 5. This Act takes effect immediately if it receives
13-16 a vote of two-thirds of all the members elected to each house, as
13-17 provided by Section 39, Article III, Texas Constitution. If this
13-18 Act does not receive the vote necessary for immediate effect, this
13-19 Act takes effect September 1, 2017.

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