

1-1 By: Bell (Senate Sponsor - Creighton) H.B. No. 3173  
1-2 (In the Senate - Received from the House May 10, 2017;  
1-3 May 10, 2017, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 22, 2017, reported adversely,  
1-5 with favorable Committee Substitute by the following vote: Yeas 5,  
1-6 Nays 2; May 22, 2017, sent to printer.)

1-7 COMMITTEE VOTE

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

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 3173 By: Garcia

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to the powers of the Harris County Improvement District  
1-20 No. 17 and to the creation of the East Lake Houston Management  
1-21 District; providing authority to issue bonds; providing authority  
1-22 to impose assessments, fees, or taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter D, Chapter 3891, Special District  
1-25 Local Laws Code, is amended by adding Section 3891.159 to read as  
1-26 follows:

1-27 Sec. 3891.159. POWERS OF MUNICIPAL UTILITY DISTRICT TO  
1-28 ESTABLISH DEFINED AREAS AND DESIGNATED PROPERTY; TAXES; BONDS. (a)  
1-29 The district has the powers of a municipal utility district under  
1-30 Subchapter J, Chapter 54, Water Code, including the power to:

1-31 (1) implement a plan;

1-32 (2) issue bonds; and

1-33 (3) impose a tax in a defined area established under  
1-34 that subchapter.

1-35 (b) The district may exercise the powers described by  
1-36 Subsection (a) regardless of whether the district is composed of  
1-37 the minimum number of acres provided by Section 54.801, Water Code.

1-38 SECTION 2. Subtitle C, Title 4, Special District Local Laws  
1-39 Code, is amended by adding Chapter 3936 to read as follows:

1-40 CHAPTER 3936. EAST LAKE HOUSTON MANAGEMENT DISTRICT

1-41 SUBCHAPTER A. GENERAL PROVISIONS

1-42 Sec. 3936.001. DEFINITIONS. In this chapter:

1-43 (1) "Board" means the district's board of directors.

1-44 (2) "City" means the City of Houston.

1-45 (3) "Director" means a board member.

1-46 (4) "District" means the East Lake Houston Management  
1-47 District.

1-48 Sec. 3936.002. CREATION AND NATURE OF DISTRICT. The  
1-49 district is a special district created under Section 59, Article  
1-50 XVI, Texas Constitution.

1-51 Sec. 3936.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The  
1-52 creation of the district is essential to accomplish the purposes of  
1-53 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
1-54 Texas Constitution, and other public purposes stated in this  
1-55 chapter. By creating the district and in authorizing the city and  
1-56 other political subdivisions to contract with the district, the  
1-57 legislature has established a program to accomplish the public  
1-58 purposes set out in Section 52-a, Article III, Texas Constitution.

1-59 (b) The creation of the district is necessary to promote,  
1-60 develop, encourage, and maintain employment, commerce,

transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district.

(c) The district is created to supplement and not to supplant city services provided in the district.

Sec. 3936.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

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

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

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

(2) eliminating unemployment and underemployment;

(3) developing or expanding transportation and commerce; and

(4) providing quality residential housing.

(d) The district will:

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

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

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping, removing graffiti from, and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty.

(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, vehicle parking, and street art objects are parts of and necessary components of a street and are considered to be an improvement project that includes a street or road improvement.

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

Sec. 3936.005. DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 3 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 3 of the Act enacting this chapter form a closure. A mistake in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

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

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

(4) legality or operation.

Sec. 3936.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

(a) All or any part of the area of the district is eligible to be included in:

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

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

(3) an enterprise zone created under Chapter 2303, Government Code; or

(4) an industrial district created under Chapter 42, Local Government Code.

(b) If the city creates a tax increment reinvestment zone described by Subsection (a), the city and the board of directors of the zone, by contract with the district, may grant money deposited in the tax increment fund to the district to be used by the district

for the purposes permitted for money granted to a corporation under Section 380.002(b), Local Government Code, including the right to pledge the money as security for any bonds issued by the district for an improvement project.

(c) A tax increment reinvestment zone created by the city in the district is not subject to the limitations provided by Section 311.006(b), Tax Code.

Sec. 3936.007. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3936.008. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

#### SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3936.051. GOVERNING BODY; TERMS. The district is governed by a board of five voting directors who serve staggered terms of four years with two or three directors' terms expiring June 1 of each odd-numbered year.

Sec. 3936.052. QUALIFICATIONS OF DIRECTORS APPOINTED BY CITY. To be qualified to serve as a director appointed by the governing body of the city, a person must be:

(1) a resident of the district who is also a registered voter of the district;

(2) an owner of property in the district;

(3) an owner of stock or a partnership or membership interest, whether beneficial or otherwise, of a corporate partnership, limited liability company, or other entity owner of a direct or indirect interest in property in the district;

(4) an owner of a beneficial interest in a trust, or a trustee in a trust, that directly or indirectly owns property in the district;

(5) an agent, employee, or tenant of a person described by Subdivision (2), (3), or (4); or

(6) an initial director.

Sec. 3936.053. APPOINTMENT OF DIRECTORS. The governing body of the city shall appoint directors from persons recommended by the board.

Sec. 3936.054. VACANCY. If a vacancy occurs on the board, the remaining directors shall appoint a director for the remainder of the unexpired term.

Sec. 3936.055. DIRECTOR'S OATH OR AFFIRMATION. (a) A director shall file the director's oath or affirmation of office with the district, and the district shall retain the oath or affirmation in the district records.

(b) A director shall file a copy of the director's oath or affirmation with the secretary of the city.

Sec. 3936.056. QUORUM. A vacant director position is not counted for purposes of establishing a quorum.

Sec. 3936.057. OFFICERS. The board shall elect from among the directors a chair, a vice chair, and a secretary. The offices of chair and secretary may not be held by the same person.

Sec. 3936.058. COMPENSATION; EXPENSES. (a) The district may compensate each director in an amount not to exceed \$50 for each board meeting. The total amount of compensation a director may receive each year may not exceed \$2,000.

(b) A director is entitled to reimbursement for necessary and reasonable expenses incurred in carrying out the duties and responsibilities of the board.

Sec. 3936.059. LIABILITY INSURANCE. The district may obtain and pay for comprehensive general liability insurance coverage from a commercial insurance company or other source that protects and insures a director against personal liability and from all claims relating to:

(1) actions taken by the director in the director's capacity as a member of the board;

(2) actions and activities taken by the district; or

(3) the actions of others acting on behalf of the district.

Sec. 3936.060. NO EXECUTIVE COMMITTEE. The board may not

create an executive committee to exercise the powers of the board.

Sec. 3936.061. BOARD MEETINGS. The board shall hold meetings at a place accessible to the public.

Sec. 3936.062. INITIAL DIRECTORS. (a) The initial board consists of:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>John Hauser</u>
<u>2</u>	<u>Sophia Filfil</u>
<u>3</u>	<u>John Speers</u>
<u>4</u>	<u>Debi Armstrong</u>
<u>5</u>	<u>Zach Dehghanpoo</u>

(b) The terms of the initial directors expire June 1, 2019.

(c) Of the directors who replace an initial director, the terms of directors serving in positions 1 through 3 expire June 1, 2021, and the terms of directors serving in positions 4 and 5 expire June 1, 2023.

(d) Section 3936.052 does not apply to initial directors under this section.

(e) This section expires September 1, 2023.

#### SUBCHAPTER C. POWERS AND DUTIES

Sec. 3936.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3936.102. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. 3936.103. LOCATION OF IMPROVEMENT PROJECT. An improvement project described by Section 3936.102 may be located:

(1) in the district; or  
 (2) in an area outside but adjacent to the district if the project is for the purpose of extending a public infrastructure improvement beyond the district's boundaries to a logical terminus.

Sec. 3936.104. DEVELOPMENT CORPORATION POWERS. The district, using money available to the district, may exercise the powers given to a development corporation under Chapter 505, Local Government Code, including the power to own, operate, acquire, construct, lease, improve, or maintain a project under that chapter.

Sec. 3936.105. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:  
 (1) has each power of and is considered to be a local government corporation created under Subchapter D, Chapter 431, Transportation Code; and

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

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

Sec. 3936.106. AGREEMENTS; GRANTS. (a) As provided by Chapter 375, Local Government Code, the district may make an agreement with or accept a gift, grant, or loan from any person.

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

Sec. 3936.107. LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including the city or a county, to provide law enforcement services in the district for a fee.



Sec. 3936.108. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec. 3936.109. ECONOMIC DEVELOPMENT. (a) The district may engage in activities that accomplish the economic development purposes of the district.

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

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

(2) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers that:

(1) Chapter 380, Local Government Code, provides to a municipality; and

(2) Subchapter A, Chapter 1509, Government Code, provides to a municipality.

Sec. 3936.110. CERTAIN MUNICIPAL UTILITY DISTRICT POWERS. The district does not have the powers granted to a municipal utility district by Subchapter D, Chapter 54, Water Code.

Sec. 3936.111. CONCURRENCE ON ADDITIONAL POWERS. If the legislature grants the district a power that is in addition to the powers approved by the initial resolution of the governing body of the city consenting to the creation of the district, the district may not exercise that power unless the governing body of the city consents to that change by resolution.

Sec. 3936.112. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

#### SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3936.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of signatures and the procedure required for a disbursement or transfer of the district's money.

Sec. 3936.152. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain an improvement project or service authorized under this chapter or Chapter 375, Local Government Code, using any money available to the district.

Sec. 3936.153. GENERAL POWERS REGARDING PAYMENT OF DISTRICT BONDS, OBLIGATIONS, OR OTHER COSTS. The district may provide or secure the payment or repayment of any bond, note, or other temporary or permanent obligation or reimbursement or other contract with any person and the costs and expenses of the establishment, administration, and operation of the district and the district's costs or share of the costs or revenue of an improvement project or district contractual obligation or indebtedness by:

(1) the imposition of an ad valorem tax or sales and use tax or an assessment, user fee, concession fee, or rental charge; or

(2) any other revenue or resources of the district, or other revenue authorized by the city, including revenues from a tax increment reinvestment zone created by the city under applicable law.

Sec. 3936.154. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) The petition must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

Sec. 3936.155. METHOD OF NOTICE FOR HEARING. The district may mail the notice required by Section 375.115(c), Local Government Code, by certified or first class United States mail. The board shall determine the method of notice.

Sec. 3936.156. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
The board by resolution may impose and collect an assessment for any  
purpose authorized by this chapter in all or any part of the  
district.

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

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

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

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

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

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

Sec. 3936.157. STORM WATER USER CHARGES. The district may  
establish user charges related to the operation of storm water  
facilities, including the regulation of storm water for the  
protection of water quality in the district.

Sec. 3936.158. NONPOTABLE WATER USER CHARGES. The district  
may establish user charges for the use of nonpotable water for  
irrigation purposes, subject to approval of the governing body of  
the city.

Sec. 3936.159. COSTS FOR IMPROVEMENT PROJECTS. The  
district may undertake separately or jointly with other persons,  
including the city or a county, all or part of the cost of an  
improvement project, including an improvement project:

(1) for improving, enhancing, and supporting public  
safety and security, fire protection and emergency medical  
services, and law enforcement in or adjacent to the district; or

(2) that confers a general benefit on the entire  
district or a special benefit on a definable part of the district.

Sec. 3936.160. TAX AND ASSESSMENT ABATEMENTS. The district  
may designate reinvestment zones and may grant abatements of a tax  
or assessment on property in the zones.

Sec. 3936.161. POWERS OF MUNICIPAL UTILITY DISTRICT TO  
ESTABLISH DEFINED AREAS AND DESIGNATED PROPERTY; TAXES; BONDS. The  
district has the powers of a municipal utility district under  
Subchapter J, Chapter 54, Water Code, including the power to:

(1) implement a plan;

(2) issue bonds; and

(3) impose a tax in a defined area established under  
that subchapter.

#### SUBCHAPTER E. TAXES AND BONDS

Sec. 3936.201. TAX ABATEMENT. The district may enter into a  
tax abatement agreement in accordance with the general laws of this  
state authorizing and applicable to a tax abatement agreement by a  
municipality.

Sec. 3936.202. PROPERTY TAX AUTHORIZED. (a) The district  
may impose an ad valorem tax on all taxable property in the district  
to:

(1) pay for an improvement project of the types  
authorized by Section 52(b), Article III, and Section 59, Article  
XVI, Texas Constitution, and Chapter 54, Water Code; or

(2) secure the payment of bonds issued for a purpose  
described by Subdivision (1).

(b) The district may not impose an ad valorem tax to pay for  
an improvement project under this chapter unless the imposition is  
approved by the voters of the district voting at an election held

for that purpose. The board may call an election to approve the imposition of an ad valorem tax to pay for an improvement project under this chapter only if the board receives a petition requesting the election signed by:

(1) more than 51 percent of the record owners of real property in the district subject to taxation; or

(2) owners representing more than 51 percent of the appraised value of real property in the district subject to taxation, as determined by the tax rolls of the appraisal district.

Sec. 3936.203. SALES AND USE TAX. (a) The district may impose a sales and use tax if authorized by a majority of the voters of the district voting at an election called for that purpose. Revenue from the tax may be used for any purpose for which ad valorem tax revenue of the district may be used.

(b) The district may not adopt a sales and use tax if as a result of the adoption of the tax the combined rate of all sales and use taxes imposed by the district and other political subdivisions of this state having territory in the district would exceed two percent at any location in the district.

(c) If the voters of the district approve the adoption of the tax at an election held on the same election date on which another political subdivision adopts a sales and use tax or approves an increase in the rate of its sales and use tax and as a result the combined rate of all sales and use taxes imposed by the district and other political subdivisions of this state having territory in the district would exceed two percent at any location in the district, the election to adopt a sales and use tax under this chapter has no effect.

Sec. 3936.204. BONDS AND OTHER OBLIGATIONS. (a) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, sales and use taxes, or assessments in the manner provided by Subchapter J, Chapter 375, Local Government Code.

(b) In exercising the district's borrowing power, the district may issue a bond or other obligation in the form of a bond, note, certificate of participation or other instrument evidencing a proportionate interest in payments to be made by the district, or other type of obligation.

(c) In addition to the sources of money described by Subchapter J, Chapter 375, Local Government Code, district bonds may be secured and made payable wholly or partly by a pledge of any part of the money the district receives from improvement revenue or from any other source.

Sec. 3936.205. BOND MATURITY. Bonds may mature not more than 40 years from their date of issue.

Sec. 3936.206. TAXES FOR BONDS AND OTHER OBLIGATIONS. At the time bonds or other obligations payable wholly or partly from ad valorem taxes are issued:

(1) the board shall impose a continuing direct annual ad valorem tax for each year that all or part of the bonds are outstanding; and

(2) the district annually shall impose an ad valorem tax on all taxable property in the district in an amount sufficient to:

(A) pay the interest on the bonds or other obligations as the interest becomes due; and

(B) create a sinking fund for the payment of the principal of the bonds or other obligations when due or the redemption price at any earlier required redemption date.

#### SUBCHAPTER F. DISSOLUTION

Sec. 3936.251. DISSOLUTION BY CITY ORDINANCE. (a) The city by ordinance may dissolve the district.

(b) The city may not dissolve the district until the district's outstanding debt or contractual obligations that are payable from ad valorem taxes have been repaid or discharged, or the city has affirmatively assumed the obligation to pay the outstanding debt from city revenue.

Sec. 3936.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE. (a) If the dissolved district has bonds or other obligations

8-1 outstanding secured by and payable from assessments or other  
 8-2 revenue, other than ad valorem taxes, the city shall succeed to the  
 8-3 rights and obligations of the district regarding enforcement and  
 8-4 collection of the assessments or other revenue.

8-5 (b) The city shall have and exercise all district powers to  
 8-6 enforce and collect the assessments or other revenue to pay:

8-7 (1) the bonds or other obligations when due and  
 8-8 payable according to their terms; or

8-9 (2) special revenue or assessment bonds or other  
 8-10 obligations issued by the city to refund the outstanding bonds or  
 8-11 obligations.

8-12 Sec. 3936.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)  
 8-13 After the city dissolves the district, the city assumes, subject to  
 8-14 the appropriation and availability of funds, the obligations of the  
 8-15 district, including any bonds or other debt payable from  
 8-16 assessments or other district revenue.

8-17 (b) If the city dissolves the district, the board shall  
 8-18 transfer ownership of all district property to the city.

8-19 SECTION 3. The East Lake Houston Management District  
 8-20 initially includes all the territory contained in the following  
 8-21 area:

8-22 Tract 1 or East Lake Houston Tract is +/- 137 acres, within the F.  
 8-23 Rankin Survey Abstract (No. 57) and situated southwest of  
 8-24 intersection Crosby Huffman Road (Farm-to-Market Road 2100) and Old  
 8-25 Atascocita Road in northeast Harris County with point of beginning  
 8-26 being southeast corner of +/- 137 acre tract (ABST 57 F H RANKIN TRS  
 8-27 8A & 8B) and west Right-Of-Way (ROW) of Crosby Huffman Road (FM  
 8-28 2100) and north boundary of Spanish Cove Subdivision Section 2;

8-29 Then generally west along south boundary of said 137 acre tract, and  
 8-30 north boundary of Spanish Cove Subdivision Sections 1-2 to east ROW  
 8-31 Union Pacific Railway (former BSL&W);

8-32 Then northeast along the east ROW of Union Pacific Railway (former  
 8-33 BSL&W) to a point southeast of northeast corner of 0.2914 acre  
 8-34 parcel (ABST 57 F H RANKIN TRS 8B-1 & 8B-2 (LIFT STATION) (PT NM));

8-35 Then northwest across ROW of Union Pacific Railway and along south  
 8-36 boundary of said +/- 137 acre tract to northeast corner of said  
 8-37 0.2914 acre parcel;

8-38 Then west along south boundary of said +/- 137 acre tract and north  
 8-39 boundary of said 0.2914 acre parcel to northwest corner of said  
 8-40 0.2914 acre parcel;

8-41 Then south along boundary line of said +/- 137 acre tract and west  
 8-42 boundary of said 0.2914 acre parcel to southwest corner of said  
 8-43 0.2914 parcel and north boundary of 0.455 acre parcel (SPANISH COVE  
 8-44 SEC 1 LT 44 BLK 1);

8-45 Then west along boundary line of said +/- 137 acre tract and north  
 8-46 boundary of said 0.455 acre parcel, and 0.499 acre parcel (SPANISH  
 8-47 COVE SEC 1 LT 43 BLK 1) to southwest corner of said +/- 137 acre  
 8-48 tract;

8-49 Then northeast and north along the west boundary of said +/- 137  
 8-50 acre tract to northwest corner of said tract and southwest corner of  
 8-51 0.73 acre tract (ABST 57 F H RANKIN TRS 1E 1F 1G & 1K);

8-52 Then east along north boundary of said +/- 137 acre tract, across  
 8-53 ROW of Union Pacific Railway to northeast corner of said tract and  
 8-54 west ROW of Crosby Huffman Road (FM 2100);

8-55 Then south along east boundary of said +/- 137 acre tract and west  
 8-56 ROW of Crosby Huffman Road (FM 2100) to southeast corner of said +/-  
 8-57 137 acre tract and point of beginning of +/-137 acre Tract 1;

8-58 Tract 2 or Red Wolf Tract is +/- 298 acres (called 296.28 acres), is  
 8-59 situated 1.3 miles northeast of intersection of Humble-Crosby Road  
 8-60 (Farm-to-Market Road 2100) and Luce Bayou (trib. to Lake Houston)  
 8-61 in northeast Harris County and being out of and a part of the JOHN R.  
 8-62 RHEA SURVEY, A-62, Harris County, Texas, and being composed of that  
 8-63 called 296.28 acre tract referred to as Exhibit A-2 in deed from  
 8-64 Donald T. Keller, Jr., and Sanford G. Cohen as Substitute Trustees  
 8-65 to LBP Properties, LLC as recorded in Harris County Clerk's File  
 8-66 (HCCF) 20100142110 and that called 0.1261 acre tract conveyed to PB  
 8-67 Advantage, LLC, a Texas limited liability company by LBP  
 8-68 Properties, LLC, as recorded in HCCF 20110468701 and being more  
 8-69 particularly described by metes and bounds as follows:



9-1 The bearings in this description are based on the Texas State Plane  
 9-2 Coordinate System, South Central Zone, NAD 83, as determined from  
 9-3 GPS observations.  
 9-4 BEGINNING at the northeast corner of a called 296.28 acre tract  
 9-5 described in Exhibit "A-2" of HCCF 201001412110, said point being a  
 9-6 brass disk in concrete, said point also being an interior corner of  
 9-7 a called 530.18 acre tract designated Tract 2 Parcel D in that  
 9-8 certain deed to Ned Holmes, recorded in HCCF F520006;  
 9-9 THENCE along the east line of the called 296.28 acre tract and a  
 9-10 westerly line of the said Holmes tract S 03°06'44" E a distance of  
 9-11 3,188.97 feet (called S 00°24'06" E 3,186.25 feet) to a 5/8" iron rod  
 9-12 found for corner in the southwest line of a Gulf States Utilities  
 9-13 150' easement, same being the northeast line of Fairway Crossing At  
 9-14 Lake Houston Sec Two, the map of which is recorded in HCCF# 420032;  
 9-15 THENCE N 65°09'42" W along the northeast line of said subdivision  
 9-16 and the southwest line of said easement a distance of 1,333.90 feet  
 9-17 (called N 62°58'31"W 1,333.99 feet) to a 1/2" iron rod found for  
 9-18 corner at the intersection of the northeast line of said Fairway  
 9-19 Crossing At Lake Houston Sec Two, and the easterly line of that  
 9-20 certain called 14.49712 acre tract referred to as Tract C, Exhibit  
 9-21 "2-C" as recorded in HCCF 20100142110;  
 9-22 THENCE along the easterly line of said called 14.49712 acre tract as  
 9-23 follows:  
 9-24 N 80°54'19" E 236.13 feet (called N 82°01'21" E 243.56 feet in the  
 9-25 called 296.28 acre description and N 83°50'49" E 235.81 feet in the  
 9-26 called 14.49712 acre description) to a 1/2" iron rod found for  
 9-27 corner;  
 9-28 N 14°01'16" W 928.56 feet (called N 11°17'34" W 926.79 feet in the  
 9-29 called 296.28 acre description and N 11°01'17" W 926.79 feet in the  
 9-30 called 14.49712 acre description) to a 16d nail found for corner;  
 9-31 N 25°46'00" E 391.76 feet (called N 28°05'34" E 381.49 feet in the  
 9-32 called 296.28 acre description and N 28°30'46" E 392.75 feet in the  
 9-33 called 14.49712 acre description) to a 1/2" iron rod found for  
 9-34 corner;  
 9-35 N 02°01'06" E 308.36 feet (called N 05°11'44" E 307.39 feet in the  
 9-36 called 296.28 acre description and N04°58'01"E 308.33 feet in the  
 9-37 called 14.49712 acre description) to a 1/2" iron rod found for  
 9-38 corner;  
 9-39 N 61°46'38" W 210.87 feet (called N 56°09'08" W 213.35 feet in the  
 9-40 called 296.28 acre description and N58°49'35" W 210.71 feet in the  
 9-41 called 14.49712 acre description) to a 1/2" iron rod found for  
 9-42 corner;  
 9-43 S 28°09'20" W 152.72 feet (called S 31°20'05" W 163.96 feet in the  
 9-44 called 296.28 acre description and S 31°10'25"W 152.63 feet in the  
 9-45 called 14.49712 acre description ) to a 1/2" iron rod found for  
 9-46 corner;  
 9-47 S 61°51'40" E 29.90 feet (called S 58°41'04" E 30.00 feet in the  
 9-48 called 296.28 acre description and S 58°49'35"E 30.00 feet in the  
 9-49 called 14.49712 acre description) to a bent 1/2" iron rod found for  
 9-50 corner;  
 9-51 S 19°54'48" W 732.14 feet (called S 22°57'53" W 729.79 feet in the  
 9-52 called 296.28 acre description and S 22°53'35" W 732.05 feet in the  
 9-53 called 14.49712 acre description) to a 1/2" iron rod found for  
 9-54 corner;  
 9-55 S 24°55'18" E 724.63 feet (called S 21°38'23" E 725.62 feet in the  
 9-56 called 296.28 acre description and S 21°57'23"E 724.64 feet in the  
 9-57 called 14.49712 acre description) to 1/2" iron rod found for  
 9-58 corner;  
 9-59 S 80°53'45" W 342.17 feet (called S 84°10'59" W 339.44 feet in the  
 9-60 called 296.28 acre description and S 83°50'49"W 342.64 feet in the  
 9-61 called 14.49712 acre description) to a 5/8" iron rod with plastic  
 9-62 cap set for corner;  
 9-63 S 51°55'05" W 75.08 feet (called S 55°24'45" W 77.82 feet in the  
 9-64 called 296.28 acre description and S 4°52'09"W 74.46 feet in the  
 9-65 called 14.49712 acre description) to a 1/2" iron rod found for  
 9-66 corner;  
 9-67 S 55°56'57" W 171.23 feet (called S 59°02'06" W 171.45 feet in the  
 9-68 called 296.28 acre description and S 58°53'35" W 171.45 feet in the  
 9-69 called 14.49712 acre description) to a 5/8" iron rod found for

10-1 corner;  
 10-2 S 35°29'07" W 491.18 feet (called S 38°34'34" W 490.92 feet in the  
 10-3 called 296.28 acre description and S 38°26'03" W 490.92 feet in the  
 10-4 called 14.49712 acre description) to a bent 1/2" iron rod found for  
 10-5 corner;  
 10-6 S 31°08'26" W 85.71 feet (called S 34°13'30" W 85.80 feet in the  
 10-7 called 296.28 acre description and S 34°05'04" W 85.80 feet in the  
 10-8 called 14.49712 acre description) to a 5/8" iron rod found for  
 10-9 corner at the northernmost corner of the above called 0.1261 acre  
 10-10 tract; same being the southwesterly corner of the called 14.49712  
 10-11 acre tract;  
 10-12 THENCE S 50°37'55" E 92.81 feet (called S 48°03'42" E 94.48 feet)  
 10-13 along the southerly line of the called 14.49712 acre tract and the  
 10-14 northerly line of the called 0.1261 acre tract to a 5/8" iron rod  
 10-15 found for corner at the westernmost corner of Lot 1, Block 4 of  
 10-16 Fairway Crossing At Lake Houston Sec Two, the map of which is  
 10-17 recorded in Film Code 420032, and being the northwest corner of  
 10-18 North Fairway Oaks Drive, a 60' wide right of way;  
 10-19 THENCE S 33°15'47" W 60.29 feet (plat call S 36°25'22" W 60.28  
 10-20 feet) along the west end of North Fairway Oaks Drive and the east  
 10-21 line of the called 0.1261 acre tract to a 1/2" iron rod found for  
 10-22 corner at the southwest corner of North Fairway Oaks Drive and the  
 10-23 northwest corner of Lot 2, Block 5, same being the northeasterly  
 10-24 corner of that certain called 12.68949 acre tract referred to as  
 10-25 Tract B, Exhibit "2 B" in the aforementioned HCCF 20100142110;  
 10-26 THENCE N 50°37'55" W 90.55 feet (called N 48°03'44" W 92.00 feet in  
 10-27 the called 12.68949 acre description) along the south line of the  
 10-28 called 0.1261 acre tract and the north line of the called 12.68949  
 10-29 acre tract to a bent 1/2" iron rod found at the westernmost corner  
 10-30 of the called 0.1261 acre tract and the northwest corner of the  
 10-31 called 12.68949 acre tract;  
 10-32 THENCE along the westerly line of the called 12.68949 acre tract as  
 10-33 follows:  
 10-34 S 69°35'25"W 128.56 feet (called S 72°46'05" W 128.85 feet in the  
 10-35 called 296.28 acre tract and S 72°37'34"W 128.85 feet in the called  
 10-36 12.68949 acre tract) to a 1/2" iron rod found for corner;  
 10-37 S 75°15'33"W 892.23 feet (called S 78°21'40" W 892.22 feet in the  
 10-38 called 296.28 acre tract and S 78°13'09"W 892.22 feet in the called  
 10-39 12.68949 acre tract) to a 1/2" iron rod found for corner;  
 10-40 S 45°02'53"W 488.53 feet (called S 48°07'53" W 488.36 feet in the  
 10-41 called 296.28 acre tract and S 47°59'22"W 488.36 feet in the called  
 10-42 12.68949 acre tract) to a 1/2" iron rod found for corner;  
 10-43 S 30°53'17"W 259.05 feet (called S 34°03'03" W 258.86 feet in the  
 10-44 called 296.28 acre tract and S 33°54'32"W 258.86 feet in the called  
 10-45 12.68949 acre tract) to a 1/2" iron rod found for corner;  
 10-46 S 14°22'04"W 125.12 feet (called S 16°58'32" W 125.63 feet in the  
 10-47 called 296.28 acre tract and S 16°50'01" W 125.63 feet in the called  
 10-48 12.68949 acre tract) to a 5/8" iron rod found for corner;  
 10-49 S 58°04'53"W 122.13 feet (called S 61°45'16" W 122.45 feet in the  
 10-50 called 296.28 acre tract and S 61°36'45" W 122.45 feet in the called  
 10-51 12.68949 acre tract) to a bent 1/2" iron rod found for corner;  
 10-52 S 20°15'20"W 79.05 feet (called S 23°00'26" W 79.80 feet in the  
 10-53 called 296.28 acre tract and S 22°51'55" W 79.81 feet in the called  
 10-54 12.68949 acre tract) to a 1/2" iron rod found for the westernmost  
 10-55 corner of the called 12.678949 acre tract and the southernmost  
 10-56 corner of the called 296.28 acre tract, said point falling in the  
 10-57 north line of Golf View Lane, based on a width of 60 feet; access to  
 10-58 Golf View Lane is denied based on a 1' buffer reserve per the  
 10-59 recorded plat HCFC 619004;  
 10-60 THENCE N 70°04'57"W a distance of 405.90 feet (called N 66°59'31" W  
 10-61 407.83 feet) along the north line of Golf View Lane to a 3/4" iron  
 10-62 rod found for corner at the intersection of the north line of Golf  
 10-63 View Lane and the east line of a certain called 45.88444 acre tract  
 10-64 referred to as Tract A, Exhibit 2-A, HCCF 20100142110;  
 10-65 THENCE along the east line of the called 45.88444 acre tract as  
 10-66 follows:  
 10-67 N 27°27'07" E 103.92 feet (called N 34°19'47"E 106.12 feet in the  
 10-68 called 296.28 acre tract) to a 1/2" iron rod found for corner;  
 10-69 N 00°48'38" E 775.41 feet (called N 04°03'47" E 775.14 feet in the

11-1 called 296.28 acre tract and N 03°55'16" E 775.14 feet in the called  
 11-2 45.88444 acre tract) to a 1/2" iron rod found for corner;  
 11-3 N 11°47'50" E 278.92 feet (called N 14°55'16" E 279.03 feet in the  
 11-4 called 296.28 acre tract and N 14°46'45" E 379.00 feet in the called  
 11-5 45.88444 acre tract) to a 1/2" iron rod found for corner;  
 11-6 N 15°01'22" E 125.05 feet (called N 18°07'02" E 125.00 feet in the  
 11-7 called 296.28 acre tract) to a 5/8" iron rod set for corner at the  
 11-8 southwest corner of a called 0.2006 acre tract referred to as Tract  
 11-9 H, Exhibit "2-H" in HCCF 20100142110;  
 11-10 THENCE leaving the east line of the called 45.88444 acre tract and  
 11-11 along the boundary of the called 0.2006 acre tract the following  
 11-12 courses and distances:  
 11-13 N 80°23'56" E 88.16 feet (called N 83°29'31" E 88.0 feet in the called  
 11-14 296.28 acre tract and called N 83°21'00" E 88.00 feet in the called  
 11-15 0.2006 acre tract) to a 5/8" iron rod found for corner;  
 11-16 N 08°02'56" E 104.00 feet (called N 11°08'31" E 104.00 feet in the  
 11-17 called 296.28 acre tract and called N 11°00'00" E 104.00 feet in the  
 11-18 called 0.2006 acre tract) to a 5/8" iron rod found for corner;  
 11-19 N 83°20'05" W 68.24 feet (called N 80°14'30" W 68.09 feet in the  
 11-20 called 296.28 acre tract and called N 80°23'01" W 68.09 feet in the  
 11-21 called 0.2006 acre tract) to a 5/8" iron rod found for corner in the  
 11-22 east line of the called 45.88444 acre tract at the northwest corner  
 11-23 of the called 0.2006 acre tract;  
 11-24 THENCE along the east line of the called 45.88444 acre tract as  
 11-25 follows:  
 11-26 N 15°01'22"E 374.10 feet (called N 18°07'02" E 374.33 feet) to a 1/2"  
 11-27 iron rod found for corner; N 04°42'24"W 268.97 feet (called  
 11-28 N01°36'25"W 269.04 feet in the called 296.28 acre tract and  
 11-29 N01°44'56"W 269.04 feet in the called 45.88444 acre tract) to a 5/8"  
 11-30 iron rod found for corner;  
 11-31 N 08°39'46"W 492.91 feet (called N 05°34'11" W 492.91 feet in the  
 11-32 called 296.28 acre tract and N05°42'42"W 492.91 feet in the called  
 11-33 45.88444 acre tract) to a 1/2" iron rod found for corner;  
 11-34 N 27°20'18"W 157.05 feet (called N 24°24'44" W 154.74 feet in the  
 11-35 called 296.28 acre tract and N24°33'15"W 154.74 feet in the called  
 11-36 45.88444 acre tract) to a 1/2" iron rod found for corner;  
 11-37 THENCE N 35°22'31"E 38.49 feet (called N 36°20'10" E 40.09 feet in  
 11-38 the called 296.28 acre tract and N36°12'07"E 40.09 feet in the  
 11-39 called 45.88444 acre tract) to a 1/2" iron rod found for the  
 11-40 northeast corner of the called 45.88444 acre tract;  
 11-41 THENCE N 86°36'57"E 126.94 feet (called N 89°43'13" E 126.82 feet in  
 11-42 the called 296.28 acre tract) to a 1/2" iron rod found for corner  
 11-43 same being the southeast corner of a called 17.75276 acre tract  
 11-44 referred to as Tract D, Exhibit "2-D" as recorded in HCCF  
 11-45 20100142110;  
 11-46 THENCE along the perimeter of the called 17.75276 acre tract as  
 11-47 follows:  
 11-48 N 43°50'37" E 581.47 feet (called N 46°57'34" E 581.37 feet in the  
 11-49 called 296.28 acre tract and N 46°49'03"E 581.37 feet in the called  
 11-50 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 11-51 N 49°55'28" E 351.83 feet (called N 53°01'09" E 351.94 feet in the  
 11-52 called 296.28 acre tract and N 52°52'38"E 351.94 feet in the called  
 11-53 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 11-54 N 81°25'46" E 316.32 feet (called N 84°30'32" E 315.99 feet in the  
 11-55 called 296.28 acre tract and N 84°22'01"E 315.99 feet in the called  
 11-56 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 11-57 S 28°09'17" E 207.98 feet (called S 24°59'15" E 208.09 feet in the  
 11-58 called 296.28 acre tract and S 25°07'54"E 208.29 feet in the called  
 11-59 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 11-60 S69°24'27" E 688.15 feet (called S 66°21'05" E 688.15 feet in the  
 11-61 called 296.28 acre tract and S 66°29'36"E 688.15 feet in the called  
 11-62 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 11-63 N79°02'26"E 754.79 feet (called N 82°10'03" E 754.71 feet in the  
 11-64 called 296.28 acre tract and N 82°01'32"E 754.71 feet in the called  
 11-65 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 11-66 S61°49'53"E 48.38 feet (called S 58°41'04" E 48.22 feet in the called  
 11-67 296.28 acre tract and S 58°49'35"E 48.22 in the called 17.75276 acre  
 11-68 tract) to a 5/8" iron rod found for corner;  
 11-69 N28°09'20"E 152.63 feet (called N 31°20'05" E 163.98 feet in the

12-1 called 296.28 acre tract and N 31°10'25"E 152.63 feet in the called  
 12-2 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 12-3 N61°47'48"W 110.97 feet (called N 59°05'52" W 110.91 feet in the  
 12-4 called 296.28 acre tract and N58°49'35"W 110.91 feet in the called  
 12-5 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 12-6 S85°38'08"W 703.20 feet (called S88°02'49" W 707.15 feet in the  
 12-7 called 296.28 acre tract and S88°35'31"W 703.22 feet in the called  
 12-8 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 12-9 N 66°18'11"W 578.25 feet (called N 63°08'04" W 576.35 feet in the  
 12-10 called 296.28 acre tract and N 63°20'34"W 578.20 feet in the called  
 12-11 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 12-12 N 07°07'29"E 119.96 feet (called N 09°48'52" E 120.00 feet in the  
 12-13 called 296.28 acre tract and N 10°05'09"E 120.00 feet in the called  
 12-14 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 12-15 N 72°30'45"W 254.23 feet (called N 69°30'15" W 254.67 feet in the  
 12-16 called 296.28 acre tract and N 69°29'18"W 254.20 feet in the called  
 12-17 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 12-18 S 77°07'40"W 613.42 feet (called S80°11'27" W 613.36 feet in the  
 12-19 called 296.28 acre tract and S 80°02'56"W 613.36 feet in the called  
 12-20 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 12-21 S 66°31'16"W 74.51 feet (called S 69°48'19" W 74.55 feet in the  
 12-22 called 296.28 acre tract and S 69°39'48"W 74.55 feet in the called  
 12-23 17.75276 acre tract) to a 1/2" iron rod found for corner;  
 12-24 S 41°44'01"W 900.90 feet (called S 44°50'16" W 901.02 feet in the  
 12-25 called 296.28 acre tract and S 44°41'45"W 901.02 feet in the called  
 12-26 17.75276 acre tract) to a 1/2" iron rod found for corner at the  
 12-27 southwest corner of the called 17.75276 acre tract;  
 12-28 THENCE S 13°30'17"E 76.76 feet (called S 10°19'13"E 76.41 feet in the  
 12-29 called 296.28 acre tract) to a 1/2" iron rod found at the northwest  
 12-30 corner of the previously mentioned called 45.88444 acre tract;  
 12-31 THENCE continuing along the west line of the called 45.88444 acre  
 12-32 tract as follows:  
 12-33 S 55°35'24" W 145.50 feet (called S 58°34'17" W 145.44 feet in the  
 12-34 called 296.28 acre tract and S 58°25'45"W 145.44 feet in the called  
 12-35 45.88444 acre tract) to a 1/2" iron rod found for corner;  
 12-36 S 00°34'21" W 338.38 feet (called S 03°41'22" W 338.21 feet in the  
 12-37 called 296.28 acre tract and S 03°32'51"W 338.21 feet in the called  
 12-38 45.88444 acre tract) to a 1/2" iron rod found for corner;  
 12-39 S 12°53'23" E 563.12 feet (called S 09°47'24" E 563.17 feet in the  
 12-40 called 296.28 acre tract and S 09°55'55"E 563.17 feet in the called  
 12-41 45.88444 acre tract) to a 1/2" iron rod found for corner;  
 12-42 S 23°05'47" W 500.11 feet (called S 26°11'56" W 518.43 feet in the  
 12-43 called 296.28 acre tract) to the center of Mexican Gully and the  
 12-44 northernmost corner of Lot 4, Block 1 of Fairway Crossing At Lake  
 12-45 Houston Sec 6, the map of which is recorded in HCCF 619004;  
 12-46 THENCE along the centerline of Mexican Gully and the north line of  
 12-47 Fairway Crossing At Lake Houston Sec 6 the following courses and  
 12-48 distances:  
 12-49 S 78°19'25" W 159.62 feet;  
 12-50 S 58°33'36" E 50.18 feet;  
 12-51 S 56°10'34" W 88.29 feet;  
 12-52 S 69°58'30" W 134.39 feet;  
 12-53 N 48°59'41" W 200.44 feet;  
 12-54 S 68°19'46" W 248.22 feet;  
 12-55 S 01°06'53" E 150.83 feet;  
 12-56 S 67°24'23" W 245.65 feet;  
 12-57 S 47°42'48" W 139.43 feet;  
 12-58 S 12°08'51" E 74.49 feet;  
 12-59 S 15°19'27" E 121.44 feet to the center of Luce Bayou;  
 12-60 THENCE along the center of Luce Bayou as follows:  
 12-61 N 86°30'53" W 39.56 feet;  
 12-62 S 89°52'33" W 129.23 feet;  
 12-63 N 70°38'13" W 178.22 feet;  
 12-64 N 58°56'28" W 146.63 feet;  
 12-65 N 34°52'28" W 137.27 feet;  
 12-66 N 12°26'05" W 211.68 feet;  
 12-67 N 23°10'46" E 87.01 feet;  
 12-68 N 54°16'47" E 83.54 feet;  
 12-69 N 25°54'48" E 133.66 feet;



13-1 N 55°01'33" E55.56 feet;  
 13-2 N 21°22'10" E106.67 feet;  
 13-3 N 53°49'00" E86.13 feet;  
 13-4 S 65°31'41" E93.18 feet;  
 13-5 S 59°07'21" E87.78 feet;  
 13-6 S 36°39'52" E78.63 feet;  
 13-7 N 54°27'19" E255.38 feet;  
 13-8 N 04°28'28" E236.87 feet;  
 13-9 S 88°02'08" E373.40 feet;  
 13-10 N 21°24'47" E130.93 feet;  
 13-11 N 28°58'59" W310.88 feet;  
 13-12 N 55°56'15" W276.86 feet;  
 13-13 N 16°17'33" W180.44 feet;  
 13-14 N 28°42'30" W175.44 feet;  
 13-15 N 45°33'12" E324.30 feet;  
 13-16 N 19°10'00" E200.32 feet;  
 13-17 S 85°37'21" E129.05 feet;  
 13-18 S 12°10'03" W162.50 feet;  
 13-19 S 66°28'37" E214.05 feet;  
 13-20 N 71°24'50" E176.10 feet;  
 13-21 N 32°58'25" W471.75 feet;  
 13-22 N 23°27'47" E147.60 feet;  
 13-23 S 59°20'36" E281.49 feet;  
 13-24 N 04°07'09" E75.17 feet;  
 13-25 N 20°56'02" W293.88 feet;  
 13-26 N 31°07'23" E133.76 feet;  
 13-27 N 40°22'47" E236.30 feet;  
 13-28 S 52°04'44" E175.06 feet;  
 13-29 S 85°46'53" E217.37 feet;  
 13-30 N 72°02'52" E142.62 feet;  
 13-31 S 64°19'26" E130.86 feet;  
 13-32 N 47°10'33" E249.93 feet;  
 13-33 N 47°32'27" E 40.03 feet to a point in the north line of the called  
 13-34 296.28 acre tract and the south line of the Ned Holmes Tract 2  
 13-35 Parcel D Called 530.18 acre tract described in HCCF# F52006;  
 13-36 THENCE along the north line of the called 296.28 acre tract and the  
 13-37 south line of the Holmes tract N 87°14'06" E (called S 89°55'11" E) at  
 13-38 603.11 pass a concrete monument with brass disk, and continuing for  
 13-39 a total distance of 3,252.43 feet (called 3,240.28 feet) to the  
 13-40 place of BEGINNING of Tract 2, containing 12,983,894 square feet,  
 13-41 or 298.069 acres of land, more or less (called 296.28 acres).  
 13-42 The meanders along Luce Bayou were determined from aerial  
 13-43 photography for the purposes of calculating acreage. The actual  
 13-44 boundary along this line is the center of the creek.  
 13-45 SECTION 4. (a) The legal notice of the intention to  
 13-46 introduce this Act, setting forth the general substance of this  
 13-47 Act, has been published as provided by law, and the notice and a  
 13-48 copy of this Act have been furnished to all persons, agencies,  
 13-49 officials, or entities to which they are required to be furnished  
 13-50 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
 13-51 Government Code.  
 13-52 (b) The governor, one of the required recipients, has  
 13-53 submitted the notice and Act to the Texas Commission on  
 13-54 Environmental Quality.  
 13-55 (c) The Texas Commission on Environmental Quality has filed  
 13-56 its recommendations relating to this Act with the governor,  
 13-57 lieutenant governor, and speaker of the house of representatives  
 13-58 within the required time.  
 13-59 (d) The general law relating to consent by political  
 13-60 subdivisions to the creation of districts with conservation,  
 13-61 reclamation, and road powers and the inclusion of land in those  
 13-62 districts has been complied with.  
 13-63 (e) All requirements of the constitution and laws of this  
 13-64 state and the rules and procedures of the legislature with respect  
 13-65 to the notice, introduction, and passage of this Act have been  
 13-66 fulfilled and accomplished.  
 13-67 SECTION 5. This Act takes effect immediately if it receives  
 13-68 a vote of two-thirds of all the members elected to each house, as  
 13-69 provided by Section 39, Article III, Texas Constitution. If this

14-1 Act does not receive the vote necessary for immediate effect, this  
14-2 Act takes effect September 1, 2017.

14-3 \* \* \* \* \*