

By: Creighton
(Perez)

S.B. No. 2275

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8004 to read as follows:

CHAPTER 8004. LAKEWOOD MUNICIPAL UTILITY DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8004.001. DEFINITIONS. In this chapter:

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

(2) "Commission" means the Texas Commission on Environmental Quality.

(3) "Director" means a board member.

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

Sec. 8004.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8004.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

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

7 Sec. 8004.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

8 (a) The district is created to serve a public purpose and benefit.

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

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

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

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

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

23 (1) organization, existence, or validity;

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

27 (3) right to impose a tax; or

1 (4) legality or operation.

2 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

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

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

17 (2) September 1, 2021.

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

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

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

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

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

7 SUBCHAPTER C. POWERS AND DUTIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (f) An order dividing the district shall:

8 (1) name the new district;

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

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

11 and

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

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

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

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

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

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

8 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

9 Sec. 8004.151. ELECTIONS REGARDING TAXES OR BONDS.

10 (a) The district may issue, without an election, bonds and other
11 obligations secured by revenue other than ad valorem taxes.

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

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

20 Sec. 8004.152. OPERATION AND MAINTENANCE TAX. (a) If
21 authorized at an election held under Section 8004.151, the district
22 may impose an operation and maintenance tax on taxable property in
23 the district in accordance with Section 49.107, Water Code.

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

26 Sec. 8004.153. WATER AND SEWER RATES. Notwithstanding any
27 other law, the district shall establish the same rates for

1 residential and commercial classes of customers for the provision
2 of water and sewer services. For purposes of this section, the
3 commercial class may not include apartment complexes or other
4 multifamily dwellings.

5 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

6 Sec. 8004.201. AUTHORITY TO ISSUE BONDS AND OTHER
7 OBLIGATIONS. The district may issue bonds or other obligations
8 payable wholly or partly from ad valorem taxes, impact fees,
9 revenue, contract payments, grants, or other district money, or any
10 combination of those sources, to pay for any authorized district
11 purpose.

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

18 Sec. 8004.203. BONDS FOR ROAD PROJECTS. At the time of
19 issuance, the total principal amount of bonds or other obligations
20 issued or incurred to finance road projects and payable from ad
21 valorem taxes may not exceed one-fourth of the assessed value of the
22 real property in the district.

23 SECTION 2. The Lakewood Municipal Utility District No. 2
24 initially includes all the territory contained in the following
25 area:

26 All bearings, distance and acreages are grid and are
27 referenced to the State Plane Coordinate System, Texas South

1 Central Zone, NAD83, U. S. survey feet. Mapping angle is +01°54'04"
2 and the scale factor is 0.999915022.

3 TRACT I

4 BEGINNING at an iron rod with cap marked 'CENTERPOINT ENERGY' found
5 at the northeast corner of a called 102.152 acre tract recorded in
6 Document No. C683627, Deed Records of Harris County, Texas and in
7 the west line of the T.& N.O. Rail Road right of way (variable
8 width). Said iron rod has a State Plane coordinate value of N:
9 13895997.02 and E: 3210310.99.

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

12 THENCE continuing with the west line of said Rail Road right of way
13 with the arc of a curve to the left having a chord direction of S 35°
14 23' 19 W, and a radius of 2451.30, a distance of 1101.40 feet to a
15 point for corner.

16 THENCE S 23° 06' 25" W with the west line of said Rail Road right of
17 way a distance of 47.01 feet to a 1/2 inch iron rod with cap marked
18 '5502' set from which a 26" pine marked 'X' bears North 6.5 feet.

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

22 THENCE S 87° 58' 14" W with the north line of the said called
23 304.5696 acre tract and the south line of the herein described tract
24 a distance of 4489.98 feet to a 1/2 inch iron pipe found from which a
25 28" sweet gum marked 'X' bears N 58° W 3 feet.

26 THENCE S 88° 10' 16" W with the north line of the said 304.5696 acre
27 tract a distance of 3159.89 feet to the left bank of the San Jacinto

1 River on the line of mean higher high water.
2 THENCE up the river with its meanders on the line of mean higher
3 high water:
4 N 31° 25' 35" W 84.67 feet;
5 N 15° 33' 56" W 191.85 feet;
6 N 04° 38' 06" W 258.15 feet;
7 N 14° 00' 39" W 87.13 feet;
8 N 20° 54' 29" W 155.32 feet;
9 N 26° 38' 13" W 215.05 feet;
10 N 39° 38' 48" W 353.07 feet;
11 N 50° 07' 18" W 307.76 feet;
12 N 54° 25' 26" W a distance of 278.56 feet to a point for corner at the
13 southwest corner of said called 102.152 acre tract.
14 THENCE N 88° 23' 12" E with the south line of the said called 102.152
15 acre tract and the north line of the herein described tract 9551.32
16 feet to an iron rod found with blue cap.
17 THENCE N 87° 53' 38" E with the south line said called 102.152 acre
18 tract a distance of 2593.16 feet to 1/2 inch iron rod set with cap
19 marked '5502'.
20 THENCE S 85° 24' 11" E with the south line of the said called 102.152
21 acre tract and the north line of the herein described tract a
22 distance of 225.32 feet to the PLACE OF BEGINNING, containing
23 394.12 acres of land.

24 TRACT II

25 BEGINNING at a 1" iron pipe found at the most easterly corner of a
26 called 56.50 acre tract recorded in Volume 1458, Page 1, Deed
27 Records of Harris County, Texas, in the south line of the San

1 Jacinto River Authority East Canal right of way, recorded in Volume
2 1294, Page 256, Deed Records of Harris County, Texas, and at the
3 most northerly northwest corner of this tract, and having a Texas
4 State Plane coordinate value of N: 13902035.22 and E: 3197556.06.
5 THENCE S 58° 23' 02" E with the south line of said San Jacinto River
6 Authority East Canal right of way, and a north line of this tract, a
7 distance of 1,097.21 feet to a 1/2 inch iron rod set with cap marked
8 "SHINE 5502."
9 THENCE continuing with the south line of said San Jacinto River
10 Authority East Canal right of way, and a north line of this tract,
11 with the arc of a curve to the left having a chord direction of S 84°
12 10' 00" E, a radius of 317.72, a distance of 298.83 feet to a 1/2
13 inch iron rod set with cap marked "SHINE 5502."
14 THENCE N 68° 53' 20" E continuing with the south line of said San
15 Jacinto River Authority East Canal right of way, and a north line of
16 this tract a distance of 1,833.89 feet to a point.
17 THENCE N 72° 25' 46" E continuing with the south line of said San
18 Jacinto River Authority East Canal, and a north line of this tract a
19 distance of 567.07 feet to a 1/2 inch iron rod with cap marked
20 "SHINE 5502" set at the northwest corner of a called 2.866 acre
21 tract recorded in Harris County Clerk's File E018138.
22 THENCE S 01° 15' 13" E with the west line of said called 2.866 acre
23 tract a distance of 329.82' to a 1/2 inch iron rod with cap marked
24 "SHINE 5502" set at the southwest corner of said called 2.866 acre
25 tract.
26 THENCE N 88° 44' 57" E with the south line of said called 2.866 acre
27 tract, a distance of 330.05 feet to a 1/2 inch iron rod with cap

1 marked "SHINE 5502" set at the southeast corner of said called 2.866
2 acre tract.
3 THENCE N 01° 15' 14" W with the east line of said called 2.866 acre
4 tract a distance of 426.18 feet to a 1/2 inch iron rod with cap
5 marked "SHINE 5502" set at the northeast corner of said called 2.866
6 acre tract, in the south line of said San Jacinto River Authority
7 East Canal right of way.
8 THENCE N 72° 28' 26" E continuing with the south line of said San
9 Jacinto River Authority East Canal right of way, and a north line of
10 this tract a distance of 312.52 feet to a 1/2 inch iron rod with cap
11 marked "SHINE 5502" set at a northerly corner of this tract and the
12 northwest corner of Newport Subdivision, Section 4, a subdivision
13 recorded in Volume 206, Page 145, Map Records of Harris County,
14 Texas, from which an iron rod found with cap marked "RUSS AND PARK
15 SURVEYING" bears N 72° 29' 29" E a distance of 167.92 feet.
16 THENCE S 00° 36' 34" E with a west line of said Newport Subdivision,
17 Section 4, and a northerly east line of this tract a distance of
18 1,261.04 feet to a 1/2 inch iron rod found at the most westerly
19 southwest corner of said Newport Subdivision, Section 4.
20 THENCE N 89° 29' 03" E with a south line of said Newport Subdivision,
21 Section 4 and a north line of this tract a distance of 71.96 feet to
22 a 1/2 inch iron rod found at the most southerly northwest corner of
23 a called 9.29 acre tract (Called Tract 6), recorded in Harris County
24 Clerk's File 7432808.
25 THENCE S 18° 57' 14" W with the west line of said called 9.29 acre
26 tract, passing the southwest corner of said called 9.29 acre tract
27 and the northwest corner of a called 4.29 acre tract recorded in

1 File No. T528516, Deed Records of Harris County, Texas, and
2 continuing a total distance of 512.10 feet to 1/2 inch iron rod with
3 cap marked "SHINE 5502" set at the southwest corner of said called
4 4.29 acre tract.
5 THENCE S 48° 47' 48" E with the southwest line of said called 4.29
6 acre tract a distance of 660.77 feet to a 1/2 inch iron rod found at
7 the southeast corner of said called 4.29 acre tract in the west line
8 of Newport Subdivision, Section 2, a subdivision recorded in Volume
9 195, Page 35, Map Records of Harris County, Texas.
10 THENCE S 04° 57' 10" W with the west line of said Newport
11 Subdivision, Section 2, a distance of 1,073.79 feet to a 1/2 inch
12 iron rod with cap marked "SHINE 5502" set in the south right of way
13 line of Diamondhead Boulevard (100 feet wide right of way) and at an
14 interior corner of this tract.
15 THENCE with the south right of way line of said Diamondhead
16 Boulevard with the arc of a curve to the left having a chord
17 direction of N 89° 25' 20" E, a radius of 2,049.25, a distance of
18 560.15 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set
19 at the northwest corner of a called 175.61 acre tract recorded in
20 T528516, Deed Records of Harris County, Texas.
21 THENCE S 01° 23' 48" E with the west line of said called 175.61 acre
22 tract a distance of 2,298.34 feet to a 60D nail set at the southwest
23 corner of said called 175.61 acre tract and an interior corner of
24 this tract.
25 THENCE N 88° 30' 12" E with the south line of said called 175.61 acre
26 tract a distance of 2,983.90 feet to a 1/2 inch iron rod with cap
27 marked "SHINE 5502" set at the southeast corner of said called

1 175.61 acre tract.
2 THENCE with the east line of said called 175.61 acre tract with the
3 arc of a curve to the right having a chord direction of N 15° 16' 49"
4 E, a radius of 2,100.00 feet, a distance of 366.97 feet to a 1/2 inch
5 iron rod set with cap marked "SHINE 5502."
6 THENCE N 20° 17' 11" E continuing with the east line of said called
7 175.61 acre tract a distance of 509.92 feet to a 1/2 inch iron rod
8 set with cap marked "SHINE 5502."
9 THENCE continuing with the east line of said called 175.61 acre
10 tract with the arc of a curve to the right having a chord direction
11 of N 26° 19' 31" E, a radius of 2,100.00 feet, a distance of 440.98
12 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
13 THENCE N 32°20' 27" E continuing with the east line of said called
14 175.61 acre tract a distance of 140.56 feet to a 1/2 inch iron rod
15 set with cap marked "SHINE 5502."
16 THENCE continuing with the east line of said called 175.61 acre
17 tract with the arc of a curve to the left having a chord direction of
18 N 06° 59' 15" E, a radius of 1,200.04 feet, a distance of 949.49 feet
19 to a 1/2 inch iron rod with cap marked "SHINE 5502" set at the
20 northeast corner of said called 175.61 acre tract, in the south
21 right of way of said Diamondhead Boulevard.
22 THENCE N 75° 17' 09" E with the south right of way line of said
23 Diamondhead Boulevard, and a north line of this tract, a distance of
24 769.43 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
25 THENCE continuing with the south right of way line of said
26 Diamondhead Boulevard with the arc of a curve to the right having a
27 chord direction of N 77° 44' 32" E, a radius of 1,951.36 feet, a

1 distance of 167.12 feet to a 1/2 inch iron rod with cap marked
2 "SHINE 5502" set at the northwest corner of Newport Subdivision,
3 Section 8, a subdivision recorded in Volume 288, Page 21, Map
4 Records of Harris County, Texas, and a northeast corner of this
5 tract.
6 THENCE S 08° 03' 08" W with a west line of said Newport Subdivision,
7 Section 8, a distance of 515.74 feet to a 1/2 inch iron rod found.
8 THENCE S 62° 25' 36" E continuing with the west line of said Newport
9 Subdivision, Section 8, a distance of 177.89 feet to a 1/2 inch iron
10 rod found.
11 THENCE S 36° 39' 06" E continuing with the west line of said Newport
12 Subdivision, Section 8, a distance of 59.96 feet to a 1/2 inch iron
13 rod found.
14 THENCE S 58° 36' 12" E continuing with the west line of said Newport
15 Subdivision, Section 8, a distance of 96.09 feet to a 1/2 inch iron
16 rod found at a northerly southwest corner of said Newport
17 Subdivision, Section 8.
18 THENCE N 88° 23' 50" E with a northerly south line of said Newport
19 Subdivision, Section 8, a distance of 51.27 feet to a 1/2 inch iron
20 rod found at the northwest corner of a called 14.1645 acre tract
21 recorded in File No. S031457, Deed Records of Harris County, Texas.
22 THENCE S 02° 21' 10" E with the west line of said called 14.1645 acre
23 tract a distance of 1,333.31 feet to a 1/2 inch iron rod found at the
24 southwest corner of said called 14.1645 acre tract, from which a 42"
25 Sycamore bears N 44° E a distance of 36.60 feet, a 12" corner post
26 with old barbed wire bears N 04° W a distance of 12.50 feet, and the
27 north bank of Gum Gully bears South, 26.70 feet.

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

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

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

15 THENCE S 75° 51' 35" E continuing with a south line of said Newport
16 Subdivision, Section 8 and a north line of this tract a distance of
17 83.64 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."

18 THENCE with a west line of said Newport Subdivision, Section 8, and
19 an east line of this tract with the arc of a curve to the right
20 having a chord direction of S 10° 15' 26" W, a radius of 250.00 feet,
21 a distance of 162.32 feet to a 1/2 inch iron rod set with cap marked
22 "SHINE 5502."

23 THENCE continuing with a west line of said Newport Subdivision,
24 Section 8, and an east line of this tract with the arc of a curve to
25 the left having a chord direction of S 13° 34' 14" W, a radius of
26 150.00 feet, a distance of 80.05 feet to a 1/2 inch iron rod set with
27 cap marked "SHINE 5502."

1 THENCE S 01° 43' 01" E continuing with an east line of said Harris
2 County Flood Control District drainage easement, a west line of
3 said Newport Subdivision, Section 8, and an east line of this tract
4 a distance of 120.00 feet to a 1/2 inch iron rod set with cap marked
5 "SHINE 5502."
6 THENCE S 09° 20' 38" W continuing with a west line of said Newport
7 Subdivision, Section 8, and an east line of this tract a distance of
8 57.36 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
9 THENCE S 20° 21' 57" W continuing a west line of said Newport
10 Subdivision, Section 8, and an east line of this tract a distance of
11 165.00 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
12 THENCE S 20° 24' 23" E continuing with a west line of said Newport
13 Subdivision, Section 8, and an east line of this tract a distance of
14 381.48 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
15 THENCE S 32° 47' 17" E continuing with a west line of said Newport
16 Subdivision, Section 8, and an east line of this tract a distance of
17 244.44 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set
18 at a southwest corner of said Newport Subdivision, Section 8 and an
19 interior corner of this tract.
20 THENCE S 81° 16' 59" E with a south line of said Newport Subdivision,
21 Section 8 and a north line of this tract a distance of 195.69 feet to
22 a 1/2 inch iron rod set with cap marked "SHINE 5502."
23 THENCE S 04° 41' 04" W continuing with a south line of said Newport
24 Subdivision, Section 8 and a north line of this tract a distance of
25 30.71 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
26 THENCE S 85° 27' 13" E continuing with a south line of said Newport
27 Subdivision, Section 8 and a north line of this tract a distance of

1 27.39 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
2 THENCE N 04° 01' 49" E continuing with a south line of said Newport
3 Subdivision, Section 8 and a north line of this tract a distance of
4 30.29 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
5 THENCE N 08° 43' 00" E continuing with a south line of said Newport
6 Subdivision, Section 8 and a north line of this tract a distance of
7 207.55 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
8 THENCE S 81° 16' 59" E continuing with a south line of said Newport
9 Subdivision, Section 8 and a north line of this tract a distance of
10 100.00 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
11 THENCE S 08° 13' 08" W continuing with a south line of said Newport
12 Subdivision, Section 8 and a north line of this tract a distance of
13 282.01 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set
14 at a southerly corner of said Newport Subdivision, Section 8.
15 THENCE continuing with a south line of said Newport Subdivision,
16 Section 8, a north line of this tract, with the arc of a curve to the
17 left having a chord direction of N 60° 58' 25" E, a radius of 400.00
18 feet, a distance of 195.69 feet to a 1/2 inch iron rod set with cap
19 marked "SHINE 5502."
20 THENCE N 46° 57' 29" E continuing with a south line of said Newport
21 Subdivision, Section 8, and a north line of this tract a distance of
22 202.17 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
23 THENCE continuing with a south line of said Newport Subdivision,
24 Section 8 and a north line of this tract, with the arc of a curve to
25 the right having a chord direction of N 53° 03' 29" E, a radius of
26 450.00 feet, a distance of 95.82 feet to a point.
27 THENCE continuing with a south line of said Newport Subdivision,

1 Section 8 and a north line of this tract with the arc of a curve to
2 the left having a chord direction of N 45° 33' 29" E, a radius of
3 400.00 feet, a distance of 189.89 feet to a point.
4 THENCE N 31° 57' 29" E continuing with a south line of said Newport
5 Subdivision, Section 8 and a north line of this tract a distance of
6 228.06 feet to a point.
7 THENCE continuing with a south line of said Newport Subdivision,
8 Section 8 and a north line of this tract, with the arc of a curve to
9 the right having a chord direction of N 45° 27' 29" E, a radius of
10 500.00 feet, a distance of 235.62 feet to a 1/2 inch iron rod set
11 with cap marked "SHINE 5502."
12 THENCE continuing with a south line of said Newport Subdivision,
13 Section 8 and a north line of this tract, with the arc of a curve to
14 the left having a chord direction of N 32° 42' 29" E, a radius of
15 300.00 feet, a distance of 274.89 feet to a 1/2 inch iron rod set
16 with cap marked "SHINE 5502."
17 THENCE continuing with a south line of said Newport Subdivision,
18 Section 8 and a north line of this tract with the arc of a curve to
19 the right having a chord direction of N 14° 31' 50" E, a radius of
20 500.00 feet, a distance of 140.89 feet to a 1/2 inch iron rod set
21 with cap marked "SHINE 5502."
22 THENCE N 57° 42' 31" W continuing with a south line of said Newport
23 Subdivision, Section 8, and a north line of this tract a distance of
24 92.28 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."
25 THENCE N 32° 17' 29" E continuing with a south line of said Newport
26 Subdivision, Section 8, and a north line of this tract a distance of
27 60.00 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502."

1 THENCE S 57° 42' 31" E continuing with a south line of said Newport
2 Subdivision, Section 8, and a north line of this tract a distance of
3 85.49 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set.
4 THENCE continuing with a south line of said Newport Subdivision,
5 Section 8 and a north line of this tract with the arc of a curve to
6 the right having a chord direction of N 36° 29' 38" E, a radius of
7 500.00 feet, a distance of 118.64 feet to a 1/2 inch iron rod set
8 with cap marked "SHINE 5502."
9 THENCE N 43° 17' 29" E continuing with a south line of said Newport
10 Subdivision, Section 8 and a north line of this tract a distance of
11 374.07 feet to a point.
12 THENCE continuing with a south line of said Newport Subdivision,
13 Section 8 and a north line of this tract with the arc of a curve to
14 the right having a chord direction of N 52° 47' 29" E, a radius of
15 600.00 feet, a distance of 198.97 feet to a 1/2 inch iron rod set
16 with cap marked "SHINE 5502."
17 THENCE N 62° 17' 29" E continuing with a south line of said Newport
18 Subdivision, Section 8 and a north line of this tract a distance of
19 68.45 feet to a point.
20 THENCE continuing with a south line of said Newport Subdivision,
21 Section 8 and a north line of this tract with the arc of a curve to
22 the left having a chord direction of N 33° 14' 01" E, a radius of
23 139.25 feet, a distance of 141.24 feet to a 1/2 inch iron rod set
24 with cap marked "SHINE 5502."
25 THENCE continuing with a south line of said Newport Subdivision,
26 Section 8 and a north line of this tract with the arc of a curve to
27 the left having a chord direction of N 00° 55' 12" E, a radius of

1 300.00 feet, a distance of 34.09 feet to a 1/2 inch iron rod with cap
2 marked "SHINE 5502" set at the southerly southeast corner of said
3 Newport Subdivision, Section 8 and in the west line of The City of
4 Crosby Town Site, recorded in Volume 7, Page 26, Deed Records of
5 Harris County, Texas, also being the west line of a tract of land
6 referenced as "Tract 1" and "Tract 2" recorded in File No. W314743,
7 Deed Records of Harris County, Texas.

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

12 THENCE with a south line of said City of Crosby Town Site, a south
13 line of said called "Tract 1" and "Tract 2," a north line of this
14 tract, along the centerline of said Jackson Bayou the following
15 bearings and distances:

- | | | |
|----|-----------------|-------------|
| 16 | N 65° 32' 07" E | 30.32 feet |
| 17 | N 76° 12' 19" E | 10.85 feet |
| 18 | N 19° 33' 49" E | 41.24 feet |
| 19 | N 40° 05' 08" W | 34.88 feet |
| 20 | N 09° 21' 28" W | 46.05 feet |
| 21 | N 26° 11' 16" E | 45.20 feet |
| 22 | N 60° 33' 12" E | 80.04 feet |
| 23 | N 48° 22' 25" E | 110.85 feet |
| 24 | N 50° 01' 28" E | 64.58 feet |
| 25 | N 78° 38' 48" E | 76.53 feet |
| 26 | N 62° 45' 53" E | 42.10 feet |
| 27 | N 26° 13' 09" E | 43.70 feet |

1 S 17° 27 '48" E 44.35 feet
2 THENCE S 04° 37' 07" E continuing with a south line of said City of
3 Crosby Town Site, a south line of said called "Tract 1" and "Tract
4 2," a north line of this tract, along the centerline of said Jackson
5 Bayou, passing the southerly southeast corner of said called "Tract
6 1" and "Tract 2," and continuing a total distance of 90.52 feet to a
7 point.
8 THENCE continuing with a south line of said City of Crosby Town
9 Site, a north line of this tract, along the centerline of said
10 Jackson Bayou the following bearings and distances:
11 S 31° 33' 28" E 19.00 feet
12 S 89° 42' 03" E 32.70 feet
13 S 65° 08' 41" E 86.19 feet
14 THENCE S 82° 49' 14" E continuing with a south line of said City of
15 Crosby Town Site, a north line of this tract, along the centerline
16 of said Jackson Bayou a distance of 54.91 feet to a point at the most
17 easterly northeast corner of this tract and the northwest corner of
18 a called 7.6429 acre tract recorded in File No. E429933, Deed
19 Records of Harris County, Texas.
20 THENCE S 16° 01' 51" E with the west line of said called 7.6429 acre
21 tract and the most easterly east line of this tract, at a distance
22 of 56.24 feet pass a 1/2 inch iron rod with cap marked "SHINE 5502"
23 set for reference, from which an iron rod with cap marked "PRECISION
24 SURVEYORS" found at the northeast corner of Lot 1, Block 3, said
25 City of Crosby Town Site bears N 19° 38' 01" E a distance of 409.41
26 feet, an iron rod with cap marked "PRECISION SURVEYORS" found in the
27 east line of said Lot 1, Block 3, City of Crosby Town Site bears N

1 85° 43' 47" E a distance of 471.48 feet, and continuing a total
2 distance of 781.81 feet to a 1/2 inch iron rod with cap marked
3 "SHINE 5502" set at the southwest corner of said called 7.6429 acre
4 tract, in the north right of way of T. & N. O. Railroad, a variable
5 width right of way, and at the most easterly southeast corner of
6 this tract.

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

16 THENCE S 87° 53' 52" W with the north line of said called 102.152
17 acre tract and the south line of this tract a distance of 2,233.36
18 feet to a 1/4 inch iron rod found at the southeast corner of a called
19 21.234 acre tract recorded in File No. G553519, Deed Records of
20 Harris County, Texas, and a southwest corner of this tract from
21 which a found 1" iron pipe bears S 87° 53' 43" W, a distance of 999.06
22 feet.

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

1 northeast corner of said called 0.116 acre tract recorded in File
2 No. P220412, and an interior corner of this tract.
3 THENCE N 81° 29' 07" W with the north line of said called 0.116 acre
4 tract recorded in File No. P220412, and a south line of this tract,
5 at a distance of 100.00 feet pass the northwest corner of said
6 called 0.116 acre tract and the northeast corner of a called 0.116
7 acre tract recorded in File No. R256220, Deed Records of Harris
8 County, Texas, at a distance of 200.00 feet pass the northwest
9 corner of said called 0.116 acre tract recorded in File No. R256220
10 and the northeast corner of a called 0.1164 acre tract recorded in
11 File No. S300312, Deed Records of Harris County, Texas, at a
12 distance of 300.00 feet pass the northwest corner of said called
13 0.1164 acre tract recorded in File No. S300312 and the northeast
14 corner of a called 0.116 acre tract recorded in File No. R304758,
15 Deed Records of Harris County, Texas, at a distance of 400.00 feet,
16 pass the northwest corner of said called 0.116 acre tract recorded
17 in File No. R304758 and the northeast corner of a called 0.116 acre
18 tract recorded in File No. P254365, Deed Records of Harris County,
19 Texas, at a distance of 500.00 feet pass the northwest corner of
20 said called 0.116 acre tract recorded in File No. P254365 and a
21 northeast corner of said called 21.234 acre tract, continuing along
22 a north line of said called 21.234 acre tract and a south line of
23 this tract a total distance of 529.21 feet to a 1/2 inch iron rod set
24 with cap marked "SHINE 5502."
25 THENCE N 51° 33' 28" W a distance of 799.95 feet to a 1/2 inch iron
26 rod with cap marked "SHINE 5502" set at the northwest corner of said
27 called 21.234 acre tract and at an interior corner of this tract.

1 THENCE S 25° 27' 04" W with the west line of said called 21.234 acre
2 tract and an east line of this tract, a distance of 528.15 feet to a
3 1/2 inch iron rod with cap marked "SHINE 5502" set at the northwest
4 corner of a called 2.1614 acre tract recorded in File No. K076581,
5 Deed Records of Harris County, Texas.

6 THENCE N 65° 59' 23" W with a north line of said called 2.1614 acre
7 tract and a northerly south line of this tract, a distance of 929.77
8 feet to a found iron rod with cap marked "RPLS 4615."

9 THENCE continuing with the north line of said called 2.1614 acre
10 tract and a northerly south line of this tract with the arc of a
11 curve to the left having a chord direction of N 85° 42' 42" W, a
12 radius of 509.50 feet, a distance of 238.49 feet to a found iron rod
13 with cap marked "RPLS 4615."

14 THENCE S 74° 30' 20" W continuing with the north line of said called
15 2.1614 acre tract and a northerly south line of this tract a
16 distance of 417.76 feet to a 1/2 inch iron rod with cap marked
17 "SHINE 5502" set at the northwest corner of said called 2.1614 acre
18 tract and an interior corner of this tract.

19 THENCE S 15° 29' 23" E with the west line of said called 2.1614 tract
20 and an east line of this tract a distance of 60.00 feet to an iron
21 rod with cap marked "RPLS 4615" found at the southwest corner of
22 said called 2.1614 acre tract.

23 THENCE N 74° 30' 26" E with the south line of said called 2.1614 acre
24 tract and a southerly north line of this tract a distance of 418.00
25 feet to a found iron rod with cap marked "RPLS 4615."

26 THENCE continuing with the south line of said called 2.1614 acre
27 tract and a southerly north line of this tract with the arc of a

1 curve to the right having a chord direction of S 83° 40' 53" E, a
2 radius of 595.34 feet, a distance of 196.44 feet to a 1/2 inch iron
3 rod set with cap marked "SHINE 5502."
4 THENCE S 65° 59' 23" E continuing with the south line of said called
5 2.164 acre tract and a southerly north line of this tract a distance
6 of 927.30 feet to a 1/2 inch iron rod with cap marked "SHINE 5502"
7 set at the southeast corner of said called 2.1614 acre tract in the
8 west line of said called 21.234 acre tract.
9 THENCE S 25° 16' 50" W with the west line of said called 21.234 acre
10 tract and an east line of this tract, a distance of 441.83 feet to an
11 iron rod with cap marked "RPLS 4615" found at the southwest corner
12 of said called 21.234 acre tract, in the north line of said called
13 102.152 acre tract and at a southeast corner of this tract, from
14 which a found 1" iron pipe bears N 88° 29' 40" E, a distance of 600.63
15 feet.
16 THENCE S 88° 21' 40" W with a south line of this tract and the north
17 line of said called 102.152 acre tract, at a distance of 7,048.87
18 feet, pass a found 3/4" iron rod and continue a total distance of
19 7,133.88 feet to a 1/2 inch iron rod with cap marked "SHINE 5502"
20 set at the southeast corner of a called 1 acre tract recorded in
21 File No. H076771, Deed Records of Harris County, Texas.
22 THENCE N 01° 38' 26" W with a west line of this tract and the east
23 line of said called 1 acre tract, a distance of 208.71 feet to a 1/2
24 inch iron rod with cap marked "SHINE 5502" set at the northeast
25 corner of said called 1 acre tract.
26 THENCE S 88° 21' 40" W with a south line of this tract and the north
27 line of said called 1 acre tract, a distance of 208.71 feet to a 1/2

1 inch iron rod with cap marked "SHINE 5502" set at the northwest
2 corner of said called 1 acre tract.

3 THENCE S 01° 38' 26" E with an east line of this tract and the west
4 line of said called 1 acre tract, a distance of 208.71 feet to a 1/2
5 inch iron rod with cap marked "SHINE 5502" set at the southwest
6 corner of said called 1 acre tract, in the north line of said called
7 102.152 acre tract.

8 THENCE S 88° 21' 40" W with a south line of this tract and the north
9 line of said called 102.152 acre tract, a distance of 2,021.97 feet
10 to the line of mean higher high water on the San Jacinto River.

11 THENCE meandering the line of mean higher high water along the left
12 bank of the San Jacinto River, the following bearings and
13 distances:

14	N 53° 39' 19" W	446.94 feet
15	N 59° 28' 06" W	369.78 feet
16	N 32° 15' 28" W	88.34 feet
17	N 50° 54' 05" W	129.34 feet
18	N 43° 04' 40" W	188.13 feet
19	N 45° 19' 17" W	78.88 feet
20	N 27° 03' 34" W	250.17 feet
21	N 13° 49' 11" W	192.54 feet
22	N 13° 56' 26" W	103.14 feet
23	N 00° 46' 29" E	503.45 feet
24	N 03° 28' 48" E	224.28 feet
25	N 03° 58' 09" E	246.51 feet
26	N 01° 50' 57" E	180.18 feet
27	N 04° 57' 15" E	202.55 feet

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

23 TRACT III

24 BEGINNING at a 1" iron pipe found in the south line of the Absalom
25 Reeves Survey, Abstract 60, and the north line of said Abstract 838,
26 in the west line of a called 167.305 acre tract recorded in File
27 No. 2010010605, Deed Records of Harris County, Texas, at the

1 southeast corner of a called 60.0765 acre tract recorded in File
2 No. U922164, Deed Records of Harris County, Texas, and at the
3 northeast corner of this tract. Said 1" iron pipe has a Texas State
4 Plane coordinate value of N: 13910927.97 and E: 3206944.66.
5 THENCE S 02° 37' 23" E (Called S 02° 37' 21" E) with the west line of
6 said called 167.305 acre tract and the east line of this tract, a
7 distance of 1,434.17 feet to a 1/2 inch iron rod with cap marked
8 "SHINE 5502" set at the southwest corner of said 167.305 acre tract.
9 THENCE S 87° 47' 10" E with the south line of said called 167.305
10 acre tract and a north line of this tract, a distance of 51.63 feet
11 to a 1/2 inch iron rod with cap marked "SHINE 5502" set in the north
12 right of way of Diamondhead Boulevard North, (100 feet wide
13 R.O.W.), at the northwest corner of Newport Subdivision, Section
14 10, a subdivision recorded in Volume 220, Page 76, Map Records of
15 Harris County, Texas.
16 THENCE S 02° 12' 50" W with a west line of said Section 10 and an east
17 line of this tract, a distance of 100.00 feet to a 1/2 inch iron rod
18 with cap marked "SHINE 5502" set in the south right of way line of
19 said Diamondhead Boulevard North, at a northerly southwest corner
20 of said Section 10.
21 THENCE S 87° 47' 10" E with the south right of way line of said
22 Diamondhead Boulevard North, a northerly south line of said Section
23 10, and a north line of this tract, a distance of 37.06 feet to a 1/2
24 inch iron rod with cap marked "SHINE 5502" set at the intersection
25 of the south right of way line of said Diamondhead Boulevard North,
26 and the west right of way line of Golf Club Drive (100 feet wide
27 R.O.W.) in a west line of said Section 10.

1 THENCE S 42° 47' 10" E with the west right of way of said Golf Club
2 Drive, the west line of said Section 10 and the east line of this
3 tract, a distance of 14.14 feet to a 1/2 inch iron rod with cap set
4 marked "SHINE 5502."

5 THENCE S 01° 07' 10" E continuing with the west right of way of said
6 Golf Club Drive, the west line of said Section 10 and the east line
7 of this tract, a distance of 183.64 feet to a 1/2 inch iron rod with
8 cap set marked "SHINE 5502."

9 THENCE continuing with the west right of way of said Golf Club
10 Drive, the west line of said Section 10 and the east line of this
11 tract, with the arc of a curve to the right having a radius of
12 1,950.00 feet and a central angle of 20° 00' 00", a distance of
13 680.68 feet to a 1/2 inch iron rod with cap set marked "SHINE 5502."

14 THENCE S 22° 12' 50" W continuing with the west right of way of said
15 Golf Club Drive, the west line of said Section 10 and the east line
16 of this tract, a distance of 660.85 feet to a 1/2 inch iron rod with
17 cap set marked "SHINE 5502."

18 THENCE continuing with the west right of way of said Golf Club
19 Drive, the west line of said Section 10 and the east line of this
20 tract, with the arc of a curve to the left having a radius of
21 3,050.00 feet and a central angle of 45° 06' 00", a distance of
22 2,400.79 feet to a 1/2 inch iron rod with cap set marked "SHINE
23 5502."

24 THENCE S 22° 57' 10" E continuing with the west right of way of said
25 Golf Club Drive, the west line of said Section 10 and the east line
26 of this tract, a distance of 714.81 feet to a 1/2 inch iron rod with
27 cap marked "SHINE 5502" set at the northeast corner of a called

1 3.3685 acre tract recorded in File No. N409807, Deed Records of
2 Harris County, Texas, and the most easterly southeast corner of
3 this tract.
4 THENCE S 74° 57' 26" W with the north line of said called 3.3685 acre
5 tract and a south line of this tract, a distance of 170.16 feet to a
6 1/2 inch iron rod with cap set marked "SHINE 5502."
7 THENCE S 38° 21' 36" W continuing with the north line of said called
8 3.3685 acre tract and a south line of this tract, a distance of
9 375.28 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set
10 at the southerly northeast corner of a called 53.17 acre tract
11 recorded in File No. U652009, Deed Records of Harris County, Texas,
12 and a southeast corner of this tract, from which a 1/2 inch iron rod
13 found at the southeast corner of said called 53.17 acre tract and
14 the southwest corner of said called 3.3685 acre tract bears S 38° 21'
15 38" W, a distance of 10.86 feet.
16 THENCE N 75° 29' 31" W with a southerly north line of said called
17 53.17 acre tract and a south line of this tract, a distance of
18 577.95 feet to an iron rod with cap marked "TERRA SURVEYING" found
19 at a southerly northeast corner of said called 53.17 acre tract, and
20 an interior corner of this tract.
21 THENCE N 05° 37' 30" E with the east line of said called 53.17 acre
22 tract and a west line of this tract, a distance of 480.74 feet to an
23 iron rod found with cap marked "TERRA SURVEYING."
24 THENCE N 08° 08' 01" E continuing with the east line of said called
25 53.17 acre tract and a west line of this tract, a distance of 825.65
26 feet to an iron rod found with cap marked "TERRA SURVEYING."
27 THENCE continuing with the east line of said called 53.17 acre tract

1 and a west line of this tract, with the arc of a curve to the left
2 having a radius of 250.61 feet and a central angle of $98^{\circ} 17' 48''$, a
3 distance of 429.95 feet to an iron rod with cap marked "TERRA
4 SURVEYING" found at the northeast corner of said called 53.17 acre
5 tract.
6 THENCE N $89^{\circ} 04' 41''$ W with the north line of said called 53.17 acre
7 tract and a south line of this tract, a distance of 407.72 feet to an
8 iron rod found with cap marked "TERRA SURVEYING."
9 THENCE S $74^{\circ} 12' 35''$ W continuing with the north line of said called
10 53.17 acre tract and a south line of this tract, a distance of
11 412.92 feet to an iron rod found with cap marked "TERRA SURVEYING."
12 THENCE S $71^{\circ} 17' 47''$ W continuing with the north line of said called
13 53.17 acre tract and a south line of this tract, a distance of
14 313.23 feet to an iron rod found with cap marked "TERRA SURVEYING."
15 THENCE S $64^{\circ} 30' 39''$ W continuing with the north line of said called
16 53.17 acre tract and a south line of this tract, a distance of
17 250.16 feet to an iron rod with cap marked "TERRA SURVEYING" found
18 at the northwest corner of said called 53.17 acre tract and an
19 interior corner of this tract.
20 THENCE S $30^{\circ} 45' 58''$ W with the west line of said called 53.17 acre
21 tract and an east line of this tract, a distance of 938.35 feet to an
22 iron rod found with cap marked "TERRA SURVEYING" from which a $1 \frac{1}{4}$
23 inch iron pipe found in the south line of said called 53.17 acre
24 tract and the north line of The San Jacinto River Authority East
25 Canal tract, recorded in Volume 1294, Page 256, Deed Records of
26 Harris County, Texas bears S $76^{\circ} 55' 49''$ E a distance of 700.71 feet.
27 THENCE S $38^{\circ} 36' 07''$ E continuing with the west line of said called

1 53.17 acre tract and an east line of this tract, a distance of
2 330.48 feet to an iron rod found with cap marked "TERRA SURVEYING."
3 THENCE S 50° 28' 00" W continuing with the west line of said called
4 53.17 acre tract and an east line of this tract, a distance of
5 392.70 feet to an iron rod found with cap marked "TERRA SURVEYING."
6 THENCE S 34° 53' 53" E continuing with the west line of said called
7 53.17 acre tract and an east line of this tract, a distance of 54.47
8 feet to an iron rod with cap marked "TERRA SURVEYING" found at the
9 southwest corner of said called 53.17 acre tract, in a north line of
10 Horizon Drive, a dedicated public road in Newport Subdivision,
11 Section 4, a subdivision recorded in Volume 198, Page 53, Map
12 Records of Harris County, Texas, and at a southeast corner of this
13 tract, from which a 1 1/4 inch iron pipe found in the south line of
14 said called 53.17 acre tract and the north line of said East Canal
15 tract bears N 51° 21' 56" E a distance of 512.15'.
16 THENCE S 51° 21' 08" W along a north line of said Section 4, a north
17 line of said San Jacinto River Authority East Canal Tract, and a
18 south line of this tract, at a distance of 51.71 feet pass a
19 northwest corner of said Horizon Drive and Section 4 and continuing
20 a total distance of 605.52 feet to a 1" iron pipe found.
21 THENCE continuing along a north line of said San Jacinto River
22 Authority East Canal and a south line of this tract, with the arc of
23 a curve to the left having a radius of 415.36 feet and a central
24 angle of 17° 54' 23," a distance of 129.81 feet to a 1 1/2 inch iron
25 pipe found.
26 THENCE S 32° 37' 00 W continuing along a north line of said San
27 Jacinto River Authority East Canal and a south line of this tract a

1 distance of 1,291.52 feet to a 1 1/4 inch iron pipe found.
2 THENCE continuing along a north line of said San Jacinto River
3 Authority East Canal and a south line of this tract, with the arc of
4 a curve to the right having a radius of 174.95 feet and a central
5 angle of 39° 20' 42," a distance of 174.95 feet to a 1 inch iron pipe
6 found.
7 THENCE S 72° 28' 08" W continuing along a north line of said San
8 Jacinto River Authority East Canal and a south line of this tract, a
9 distance of 2,448.06 feet to a 1 1/4 inch iron pipe found.
10 THENCE continuing along a north line of said San Jacinto River
11 Authority East Canal and a south line of this tract, with the arc of
12 a curve to the left having a radius of 333.37 feet and a central
13 angle of 04° 24' 34," a distance of 25.66 feet to a 1 1/4 inch iron
14 pipe found.
15 THENCE S 68° 53' 17" W continuing along a north line of said San
16 Jacinto River Authority East Canal and a south line of this tract, a
17 distance of 1,832.09 feet to a 1 1/4 inch iron pipe found.
18 THENCE continuing along a north line of said San Jacinto River
19 Authority East Canal and a south line of this tract, with the arc of
20 a curve to the right having a radius of 144.47 feet and a central
21 angle of 53° 20' 45," a distance of 134.51 feet to a 1 1/4" iron pipe
22 found.
23 THENCE N 57° 13' 44" W continuing along a north line of said San
24 Jacinto River Authority East Canal and a south line of this tract, a
25 distance of 1,587.58' feet to a 1/2 inch iron rod set with cap
26 marked "SHINE 5502."
27 THENCE continuing along a north line of said San Jacinto River

1 Authority East Canal and a south line of this tract, with the arc of
2 a curve to the left having a radius of 402.67 feet and a central
3 angle of 30° 10' 09," a distance of 212.03 feet to a 1/2 inch iron rod
4 set with cap marked "SHINE 5502."

5 THENCE N 87° 29' 31" W continuing along a north line of said San
6 Jacinto River Authority East Canal and a south line of this tract, a
7 distance of 224.45 feet to a 1/2 inch iron rod found at an interior
8 corner of said San Jacinto River Authority East Canal and an
9 interior corner of this tract.

10 THENCE along an east line of said San Jacinto River Authority East
11 Canal and a west line of this tract, with the arc of a curve to the
12 right having a radius of 133.99 feet and a central angle of 63° 17'
13 53", a distance of 148.03 feet to a 1/2 inch iron rod found in the
14 north line of said Humphrey Jackson Survey, Abstract 37 and the
15 south line of said William Wilson Survey, Abstract 838.

16 THENCE N 88° 23' 54" E with the south line of said Abstract 838, and
17 the north line of said Abstract 37, a distance of 2000.00 feet to a
18 point for corner.

19 THENCE N 01° 36' 18" W across said 1942.08 acre tract, a distance of
20 7,695.76 feet to a point in the north line of said 1942.08 acre
21 tract and the south line of a called 447.0498 acre tract recorded in
22 File No. D759681, Deed Records of Harris County, Texas.

23 THENCE N 86° 43' 31" E with the south line of said called 447.0498
24 acre tract and a north line of this tract, a distance of 4223.36
25 feet to a 1/2 inch iron rod next to a 4"x6" fence post found at the
26 southeast corner of said called 447.0498 acre tract and an interior
27 corner of this tract.

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1 THENCE N 02° 07' 50" W with the east line of said called 447.0498
2 acre tract and a northerly west line of this tract a distance of
3 26.79 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set at
4 the southwest corner of a called 0.1148 acre tract recorded in File
5 No. T653706, Deed Records of Harris County, Texas and a northwest
6 corner of this tract.

7 THENCE N 87° 22' 21" E with the south line of said called 0.1148 acre
8 tract and a north line of this tract, at a distance of 50.02 feet
9 pass the southeast corner of said called 0.1148 acre tract recorded
10 in File No. T653706 and the southwest corner of a called 0.1148 acre
11 tract recorded in File No. T702499, Deed Records of Harris County,
12 Texas, at a distance of 100.02 feet, pass the southeast corner of
13 said called 0.1148 acre tract recorded in File No. T702499 and the
14 southwest corner of a called 0.1148 acre tract recorded in File
15 No. T643967, at a distance of 150.02 feet pass the southeast corner
16 of said called 0.1148 acre tract recorded in File No. T643967 and
17 the southwest corner of a called 0.1148 acre tract recorded in File
18 No. T491404, Deed Records of Harris County, Texas, at a distance of
19 200.02 feet pass the southeast corner of said called 0.1148 acre
20 tract recorded in File No. T491404 and the southwest corner of a
21 called 0.1148 acre tract recorded in File No. T526225, Deed Records
22 of Harris County, Texas, and continuing a total distance of 250.02
23 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set at the
24 southeast corner of said called 0.1148 acre tract recorded in File
25 No. T526225 and an interior corner of this tract.

26 THENCE N 02° 37' 39" W with the east line of said called 0.1148 acre
27 tract recorded in File No. T526225 and a west line of this tract, a

1 distance of 100.00 feet to a 1/2 inch iron rod with cap marked
2 "SHINE 5502" set at the northeast corner of said called 0.1148 acre
3 tract recorded in File No. T526225, in the south line of a called
4 5.00 acre tract recorded in File No. T684273, Deed Records of
5 Harris County, Texas, in the South line of the Hannah Nash Survey,
6 Abstract 599, in the north line of said Abstract 838, and at a
7 northwest corner of this tract.

8 THENCE N 87° 02' 53" E with the south line of said Abstract 599, the
9 north line of said Abstract 838, the south line of said called 5.00
10 acre tract and the north line of this tract a distance of 316.67
11 feet to a 1/2 inch iron rod found at the southeast corner of said
12 Abstract 599, the southwest corner of said Abstract 60, the
13 southeast corner of said called 5.00 acre tract and the southwest
14 corner of a called 45 acre tract recorded in File No. 20080119197,
15 Deed Records of Harris County, Texas.

16 THENCE N 87° 24' 37" E with the south line of said called 45 acre
17 tract, the south line of said Abstract 60, the north line of said
18 Abstract 838 and the north line of this tract, a distance of 986.97
19 feet to a 1/2 inch iron rod found at the southeast corner of said
20 called 45 acre tract, the southwest corner of a called 8.39 acre
21 tract recorded in File No. 20070675831, Deed Records of Harris
22 County, Texas, and a northerly corner of this tract.

23 THENCE N 87° 48' 26" E with the south line of said 8.339 acre tract,
24 the south line of said Abstract 60, the north line of said Abstract
25 838 and the north line of this tract, at a distance of 150.00 feet
26 pass the southeast corner of said called 8.39 acre tract and the
27 southwest corner of a called 11.675 acre tract recorded in File

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1 No. 20070675831, Deed Records of Harris County, Texas, and
2 continuing a total distance of 359.69 feet to a 1/2 inch iron rod
3 found at the southeast corner of said called 11.675 acre tract and
4 the southwest corner of a called 155.76 acre tract recorded in
5 Volume 438, Page 236, Deed Records of Harris County, Texas.

6 THENCE N 87° 20' 09" E with the south line of said Abstract 60, the
7 north line of said Abstract 838, the south line of said called
8 155.76 acre tract and the north line of this tract, a distance of
9 682.33 feet to a 1/2 inch iron rod found next to a 8"x8" square fence
10 post at the southeast corner of said called 155.76 acre tract and
11 the southwest corner of a called 29.15 acre tract recorded in File
12 No. R106573, Deed Records of Harris County, Texas.

13 THENCE N 87° 24' 00" E with the south line of said Abstract 60, the
14 north line of said Abstract 838, the south line of said called 29.15
15 acre tract and the north line of this tract, and at a distance of
16 525.51 feet pass the southeast corner of said called 29.15 acre
17 tract and the southwest corner of said called 60.0765 acre tract,
18 and continuing with the south line of said Abstract 60, the north
19 line of said Abstract 838, the south line of said called 60.0765
20 acre tract and the north line of this tract, a total distance of
21 1648.87 feet to the PLACE OF BEGINNING, containing 1,339.42 acres
22 of land.

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

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

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

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

10 (d) All requirements of the constitution and laws of this
11 state and the rules and procedures of the legislature with respect
12 to the notice, introduction, and passage of this Act are fulfilled
13 and accomplished.

14 SECTION 4. (a) If this Act does not receive a two-thirds
15 vote of all the members elected to each house, Subchapter C, Chapter
16 8004, Special District Local Laws Code, as added by Section 1 of
17 this Act, is amended by adding Section 8004.107 to read as follows:

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

20 (b) This section is not intended to be an expression of a
21 legislative interpretation of the requirements of Section 17(c),
22 Article I, Texas Constitution.

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