

By: Creighton

S.B. No. 2277

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Lakewood Municipal Utility District No. 3; 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 8005 to read as follows:

CHAPTER 8005. LAKEWOOD MUNICIPAL UTILITY DISTRICT NO. 3

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8005.001. 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. 3.

Sec. 8005.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8005.003. 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. 8005.004. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section 8005.003
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. 8005.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
8 The district is created to serve a public purpose and benefit.

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

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

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

16 Sec. 8005.006. 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. 8005.051. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five elected directors.

5 (b) Except as provided by Section 8005.052, directors serve
6 staggered four-year terms.

7 Sec. 8005.052. 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 8005.003; or

17 (2) September 1, 2021.

18 (c) If permanent directors have not been elected under
19 Section 8005.003 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 8005.003; 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. 8005.101. 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. 8005.102. 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. 8005.103. 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. 8005.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
23 project must meet all applicable construction standards, zoning and
24 subdivision requirements, and regulations of each municipality in
25 whose corporate limits or extraterritorial jurisdiction the road
26 project is located.

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

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

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

8 Sec. 8005.105. 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. 8005.106. 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 8005.003 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 8005.003.

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

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

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

8 Sec. 8005.107. LIMITATION ON USE OF EMINENT DOMAIN. The
9 district may not exercise the power of eminent domain outside the
10 district boundaries to acquire a site or easement for:

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

13 (2) a road project authorized by Section 8005.103.

14 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

15 Sec. 8005.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
16 district may issue, without an election, bonds and other
17 obligations secured by revenue other than ad valorem taxes.

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

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

26 Sec. 8005.152. OPERATION AND MAINTENANCE TAX. (a) If
27 authorized at an election held under Section 8005.151, the district

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

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

5 Sec. 8005.153. WATER AND SEWER RATES. Notwithstanding any
6 other law, the district shall establish the same rates for
7 residential and commercial classes of customers for the provision
8 of water and sewer services. For purposes of this section, the
9 commercial class may not include apartment complexes or other
10 multifamily dwellings.

11 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

12 Sec. 8005.201. AUTHORITY TO ISSUE BONDS AND OTHER
13 OBLIGATIONS. The district may issue bonds or other obligations
14 payable wholly or partly from ad valorem taxes, impact fees,
15 revenue, contract payments, grants, or other district money, or any
16 combination of those sources, to pay for any authorized district
17 purpose.

18 Sec. 8005.202. TAXES FOR BONDS. At the time the district
19 issues bonds payable wholly or partly from ad valorem taxes, the
20 board shall provide for the annual imposition of a continuing
21 direct ad valorem tax, without limit as to rate or amount, while all
22 or part of the bonds are outstanding as required and in the manner
23 provided by Sections 54.601 and 54.602, Water Code.

24 Sec. 8005.203. BONDS FOR ROAD PROJECTS. At the time of
25 issuance, the total principal amount of bonds or other obligations
26 issued or incurred to finance road projects and payable from ad
27 valorem taxes may not exceed one-fourth of the assessed value of the

1 real property in the district.

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

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

9 TRACT I

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

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

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

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

26 THENCE S 88°03'39" W with the north line of a called 304.5696 acre
27 tract recorded in Document No. 20130230098 a distance of 2407.13

1 feet to an iron rod found with cap marked 'RPLS 4615'.
2 THENCE S 87°58'14" W with the north line of the said called 304.5696
3 acre tract and the south line of the herein described tract a
4 distance of 4489.98 feet to a 1/2 inch iron pipe found from which a
5 28" sweet gum marked 'X' bears N58°W 3 feet.
6 THENCE S 88°10'16" W with the north line of the said 304.5696 acre
7 tract a distance of 3159.89 feet to the left bank of the San Jacinto
8 River on the line of mean higher high water.
9 THENCE up the river with its meanders on the line of mean higher
10 high water:
11 N 31°25'35" W 84.67 feet;
12 N 15°33'56" W 191.85 feet;
13 N 04°38'06" W 258.15 feet;
14 N 14°00'39" W 87.13 feet;
15 N 20°54'29" W 155.32 feet;
16 N 26°38'13" W 215.05 feet;
17 N 39°38'48" W 353.07 feet;
18 N 50°07'18" W 307.76 feet;
19 N 54°25'26" W a distance of 278.56 feet to a point for corner at the
20 southwest corner of said called 102.152 acre tract.
21 THENCE N 88°23'12" E with the south line of the said called 102.152
22 acre tract and the north line of the herein described tract 9551.32
23 feet to an iron rod found with blue cap.
24 THENCE N87°53'38"E with the south line said called 102.152 acre
25 tract a distance of 2593.16 feet to 1/2 inch iron rod set with cap
26 marked '5502'.
27 THENCE S 85°24'11" E with the south line of the said called 102.152

1 acre tract and the north line of the herein described tract a
2 distance of 225.32 feet to the PLACE OF BEGINNING, containing
3 394.12 acres of land.

4 TRACT II

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

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

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

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

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

1 tract recorded in Harris County Clerk's File E018138.
2 THENCE S 01° 15' 13" E with the west line of said called 2.866 acre
3 tract a distance of 329.82' to a 1/2 inch iron rod with cap marked
4 "SHINE 5502" set at the southwest corner of said called 2.866 acre
5 tract.
6 THENCE N 88° 44' 57" E with the south line of said called 2.866 acre
7 tract, a distance of 330.05 feet to a 1/2 inch iron rod with cap
8 marked "SHINE 5502" set at the southeast corner of said called 2.866
9 acre tract.
10 THENCE N 01° 15' 14" W with the east line of said called 2.866 acre
11 tract a distance of 426.18 feet to a 1/2 inch iron rod with cap
12 marked "SHINE 5502" set at the northeast corner of said called 2.866
13 acre tract, in the south line of said San Jacinto River Authority
14 East Canal right of way.
15 THENCE N 72° 28' 26" E continuing with the south line of said San
16 Jacinto River Authority East Canal right of way, and a north line of
17 this tract a distance of 312.52 feet to a 1/2 inch iron rod with cap
18 marked "SHINE 5502" set at a northerly corner of this tract and the
19 northwest corner of Newport Subdivision, Section 4, a subdivision
20 recorded in Volume 206, Page 145, Map Records of Harris County,
21 Texas, from which an iron rod found with cap marked "RUSS AND PARK
22 SURVEYING" bears N 72° 29' 29" E a distance of 167.92 feet.
23 THENCE S 00° 36' 34" E with a west line of said Newport Subdivision,
24 Section 4, and a northerly east line of this tract a distance of
25 1,261.04 feet to a 1/2 inch iron rod found at the most westerly
26 southwest corner of said Newport Subdivision, Section 4.
27 THENCE N 89° 29' 03" E with a south line of said Newport Subdivision,

1 Section 4 and a north line of this tract a distance of 71.96 feet to
2 a 1/2 inch iron rod found at the most southerly northwest corner of
3 a called 9.29 acre tract (Called Tract 6), recorded in Harris County
4 Clerk's File 2432808.

5 THENCE S 18° 57' 14" W with the west line of said called 9.29 acre
6 tract, passing the southwest corner of said called 9.29 acre tract
7 and the northwest corner of a called 4.29 acre tract recorded in
8 File No. T528516, Deed Records of Harris County, Texas, and
9 continuing a total distance of 512.10 feet to 1/2 inch iron rod with
10 cap marked "SHINE 5502" set at the southwest corner of said called
11 4.29 acre tract.

12 THENCE S 48° 47' 48" E with the southwest line of said called 4.29
13 acre tract a distance of 660.77 feet to a 1/2 inch iron rod found at
14 the southeast corner of said called 4.29 acre tract in the west line
15 of Newport Subdivision, Section 2, a subdivision recorded in Volume
16 195, Page 35, Map Records of Harris County, Texas.

17 THENCE S 04° 57' 10" W with the west line of said Newport
18 Subdivision, Section 2, a distance of 1,073.79 feet to a 1/2 inch
19 iron rod with cap marked "SHINE 5502" set in the south right of way
20 line of Diamondhead Boulevard (100 feet wide right of way) and at an
21 interior corner of this tract.

22 THENCE with the south right of way line of said Diamondhead
23 Boulevard with the arc of a curve to the left having a chord
24 direction of N 89° 25' 20" E, a radius of 2,049.25, a distance of
25 560.15 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set
26 at the northwest corner of a called 175.61 acre tract recorded in
27 T528516, Deed Records of Harris County, Texas.

1 THENCE S 01° 23' 48" E with the west line of said called 175.61 acre
2 tract a distance of 2,298.34 feet to a 60D nail set at the southwest
3 corner of said called 175.61 acre tract and an interior corner of
4 this tract.

5 THENCE N 88° 30' 12" E with the south line of said called 175.61 acre
6 tract a distance of 2,983.90 feet to a 1/2 inch iron rod with cap
7 marked "SHINE 5502" set at the southeast corner of said called
8 175.61 acre tract.

9 THENCE with the east line of said called 175.61 acre tract with the
10 arc of a curve to the right having a chord direction of N 15° 16' 49"
11 E, a radius of 2,100.00 feet, a distance of 366.97 feet to a 1/2 inch
12 iron rod set with cap marked "SHINE 5502".

13 THENCE N 20° 17' 11" E continuing with the east line of said called
14 175.61 acre tract a distance of 509.92 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 right having a chord direction
18 of N 26° 19' 31" E, a radius of 2,100.00 feet, a distance of 440.98
19 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502".

20 THENCE N 32° 20' 27" E continuing with the east line of said called
21 175.61 acre tract a distance of 140.56 feet to a 1/2 inch iron rod
22 set with cap marked "SHINE 5502".

23 THENCE continuing with the east line of said called 175.61 acre
24 tract with the arc of a curve to the left having a chord direction of
25 N 06° 59' 15" E, a radius of 1,200.04 feet, a distance of 949.49 feet
26 to a 1/2 inch iron rod with cap marked "SHINE 5502" set at the
27 northeast corner of said called 175.61 acre tract, in the south

1 right of way of said Diamondhead Boulevard.
2 THENCE N 75° 17' 09" E with the south right of way line of said
3 Diamondhead Boulevard, and a north line of this tract, a distance of
4 769.43 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502".
5 THENCE continuing with the south right of way line of said
6 Diamondhead Boulevard with the arc of a curve to the right having a
7 chord direction of N 77° 44' 32" E, a radius of 1,951.36 feet, a
8 distance of 167.12 feet to a 1/2 inch iron rod with cap marked
9 "SHINE 5502" set at the northwest corner of Newport Subdivision,
10 Section 8, a subdivision recorded in Volume 288, Page 21, Map
11 Records of Harris County, Texas, and a northeast corner of this
12 tract.
13 THENCE S 08° 03' 08" W with a west line of said Newport Subdivision,
14 Section 8, a distance of 515.74 feet to a 1/2 inch iron rod found.
15 THENCE S 62° 25' 36" E continuing with the west line of said Newport
16 Subdivision, Section 8, a distance of 177.89 feet to a 1/2 inch iron
17 rod found.
18 THENCE S 36° 39' 06" E continuing with the west line of said Newport
19 Subdivision, Section 8, a distance of 59.96 feet to a 1/2 inch iron
20 rod found.
21 THENCE S 58° 36' 12" E continuing with the west line of said Newport
22 Subdivision, Section 8, a distance of 96.09 feet to a 1/2 inch iron
23 rod found at a northerly southwest corner of said Newport
24 Subdivision, Section 8.
25 THENCE N 88° 23' 50" E with a northerly south line of said Newport
26 Subdivision, Section 8, a distance of 51.27 feet to a 1/2 inch iron
27 rod found at the northwest corner of a called 14.1645 acre tract

S.B. No. 2277

1 recorded in File No. S031457, Deed Records of Harris County, Texas.
2 THENCE S 02° 21' 10" E with the west line of said called 14.1645 acre
3 tract a distance of 1,333.31 feet to a 1/2 inch iron rod found at the
4 southwest corner of said called 14.1645 acre tract, from which a 42"
5 Sycamore bears N 44° E a distance of 36.60 feet, a 12" corner post
6 with old barbed wire bears N 04° W a distance of 12.50 feet, and the
7 north bank of Gum Gully bears South, 26.70 feet.
8 THENCE N 87° 37' 51" E with the south line of said called 14.1645
9 acre tract, passing the
10 southeast corner of said called 14.1645 acre tract and the
11 southwest corner of a called 15.1515 acre tract recorded in File
12 No. 20070632536, Deed Records of Harris County, Texas, a total
13 distance of 1, 545.45 feet to a 60D Nail found in fence post at the
14 southeast corner of said called 15.1515 acre tract.
15 THENCE N 02° 49' 23" W with the west line of said called 15.1515 acre
16 tract a distance of 326.36 feet to a 1/2 inch iron rod with cap
17 marked "SHINE 5502" set at a southwest corner of said Newport
18 Subdivision, Section 8.
19 THENCE N 88° 16' 59" E with a south line of said Newport Subdivision,
20 Section 8, and a north line of this tract a distance of 125.02 feet
21 to a 1/2 inch iron rod set with cap marked "SHINE 5502".
22 THENCE S 75° 51' 35" E continuing with a south line of said Newport
23 Subdivision, Section 8 and a north line of this tract a distance of
24 83.64 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502".
25 THENCE with a west line of said Newport Subdivision, Section 8, and
26 an east line of this tract with the arc of a curve to the right
27 having a chord direction of S 10° 15' 26" W, a radius of 250.00 feet,

1 a distance of 162.32 feet to a 1/2 inch iron rod set with cap marked
2 "SHINE 5502".
3 THENCE continuing with a west line of said Newport Subdivision,
4 Section 8, and an east line of this tract with the arc of a curve to
5 the left having a chord direction of S 13° 34' 14" W, a radius of
6 150.00 feet, a distance of 80.05 feet to a 1/2 inch iron rod set with
7 cap marked "SHINE 5502".
8 THENCE S 01° 43' 01" E continuing with an east line of said Harris
9 County Flood Control District drainage easement, a west line of
10 said Newport Subdivision, Section 8, and an east line of this tract
11 a distance of 120.00 feet to a 1/2 inch iron rod set with cap marked
12 "SHINE 5502".
13 THENCE S 09° 20' 38" W continuing with a west line of said Newport
14 Subdivision, Section 8, and an east line of this tract a distance of
15 57.36 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502".
16 THENCE S 20° 21' 57" W continuing a west line of said Newport
17 Subdivision, Section 8, and an east line of this tract a distance of
18 165.00 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502".
19 THENCE S 20° 24' 23" E continuing with a west line of said Newport
20 Subdivision, Section 8, and an east line of this tract a distance of
21 381.48 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502".
22 THENCE S 32° 47' 17" E continuing with a west line of said Newport
23 Subdivision, Section 8, and an east line of this tract a distance of
24 244.44 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set
25 at a southwest corner of said Newport Subdivision, Section 8 and an
26 interior corner of this tract.
27 THENCE S 81° 16' 59" E with a south line of said Newport Subdivision,

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

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

1 with cap marked "SHINE 5502".
2 THENCE N 57° 42' 31" W continuing with a south line of said Newport
3 Subdivision, Section 8, and a north line of this tract a distance of
4 92.28 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502".
5 THENCE N 32° 17' 29" E continuing with a south line of said Newport
6 Subdivision, Section 8, and a north line of this tract a distance of
7 60.00 feet to a 1/2 inch iron rod set with cap marked "SHINE 5502".
8 THENCE S 57° 42' 31" E continuing with a south line of said Newport
9 Subdivision, Section 8, and a north line of this tract a distance of
10 85.49 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set.
11 THENCE continuing with a south line of said Newport Subdivision,
12 Section 8 and a north line of this tract with the arc of a curve to
13 the right having a chord direction of N 36° 29' 38" E, a radius of
14 500.00 feet, a distance of 118.64 feet to a 1/2 inch iron rod set
15 with cap marked "SHINE 5502".
16 THENCE N 43° 17' 29" E continuing with a south line of said Newport
17 Subdivision, Section 8 and a north line of this tract a distance of
18 374.07 feet to a point.
19 THENCE continuing with a south line of said Newport Subdivision,
20 Section 8 and a north line of this tract with the arc of a curve to
21 the right having a chord direction of N 52° 47' 29" E, a radius of
22 600.00 feet, a distance of 198.97 feet to a 1/2 inch iron rod set
23 with cap marked "SHINE 5502".
24 THENCE N 62° 17' 29" E continuing with a south line of said Newport
25 Subdivision, Section 8 and a north line of this tract a distance of
26 68.45 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 33° 14' 01" E, a radius of
3 139.25 feet, a distance of 141.24 feet to a 1/2 inch iron rod set
4 with cap marked "SHINE 5502".

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

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

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

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

1	N 26° 11' 16" E	45.20 feet
2	N 60° 33' 12" E	80.04 feet
3	N 48° 22' 25" E	110.85 feet
4	N 50° 01' 28" E	64.58 feet
5	N 78° 38' 48" E	76.53 feet
6	N 62° 45' 53" E	42.10 feet
7	N 26° 13' 09" E	43.70 feet
8	S 17° 27' 48" E	44.35 feet

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

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

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

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

27 THENCE S 16° 01' 51" E with the west line of said called 7.6429 acre

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

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

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

S.B. No. 2277

1 which a found 1" iron pipe bears S 87° 53' 43" W, a distance of 999.06
2 feet.
3 THENCE N 01° 06' 07" W with the east line of said called 21.234 acre
4 tract and a west line of this tract, passing the southeast corner of
5 a called 0.116 acre tract recorded in File No. P220412, Deed
6 Records of Harris County, Texas, a total distance of 308.90 feet to
7 a 1/2 inch iron rod with cap marked "SHINE 5502" set at the
8 northeast corner of said called 0.116 acre tract recorded in File
9 No. P220412, and an interior corner of this tract.
10 THENCE N 81° 29' 07" W with the north line of said called 0.116 acre
11 tract recorded in File No. P220412, and a south line of this tract,
12 at a distance of 100.00 feet pass the northwest corner of said
13 called 0.116 acre tract and the northeast corner of a called 0.116
14 acre tract recorded in File No. R256220, Deed Records of Harris
15 County, Texas, at a distance of 200.00 feet pass the northwest
16 corner of said called 0.116 acre tract recorded in File No. R256220
17 and the northeast corner of a called 0.1164 acre tract recorded in
18 File No. S300312, Deed Records of Harris County, Texas, at a
19 distance of 300.00 feet pass the northwest corner of said called
20 0.1164 acre tract recorded in File No. S300312 and the northeast
21 corner of a called 0.116 acre tract recorded in File No. R304758,
22 Deed Records of Harris County, Texas, at a distance of 400.00 feet,
23 pass the northwest corner of said called 0.116 acre tract recorded
24 in File No. R304758 and the northeast corner of a called 0.116 acre
25 tract recorded in File No. P254365, Deed Records of Harris County,
26 Texas, at a distance of 500.00 feet pass the northwest corner of
27 said called 0.116 acre tract recorded in File No. P254365 and a

1 northeast corner of said called 21.234 acre tract, continuing along
2 a north line of said called 21.234 acre tract and a south line of
3 this tract a total distance of 529.21 feet to a 1/2 inch iron rod set
4 with cap marked "SHINE 5502".

5 THENCE N 51° 33' 28" W a distance of 799.95 feet to a 1/2 inch iron
6 rod with cap marked "SHINE 5502" set at the northwest corner of said
7 called 21.234 acre tract and at an interior corner of this tract.

8 THENCE S 25° 27' 04" W with the west line of said called 21.234 acre
9 tract and an east line of this tract, a distance of 528.15 feet to a
10 1/2 inch iron rod with cap marked "SHINE 5502" set at the northwest
11 corner of a called 2.1614 acre tract recorded in File No. K076581,
12 Deed Records of Harris County, Texas.

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

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

21 THENCE S 74° 30' 20" W continuing with the north line of said called
22 2.1614 acre tract and a northerly south line of this tract a
23 distance of 417.76 feet to a 1/2 inch iron rod with cap marked
24 "SHINE 5502" set at the northwest corner of said called 2.1614 acre
25 tract and an interior corner of this tract.

26 THENCE S 15° 29' 23" E with the west line of said called 2.1614 tract
27 and an east line of this tract a distance of 60.00 feet to an iron

1 rod with cap marked "RPLS 4615" found at the southwest corner of
2 said called 2.1614 acre tract.
3 THENCE N 74° 30' 26" E with the south line of said called 2.1614 acre
4 tract and a southerly north line of this tract a distance of 418.00
5 feet to a found iron rod with cap marked "RPLS 4615".
6 THENCE continuing with the south line of said called 2.1614 acre
7 tract and a southerly north line of this tract with the arc of a
8 curve to the right having a chord direction of S 83° 40' 53" E, a
9 radius of 595.34 feet, a distance of 196.44 feet to a 1/2 inch iron
10 rod set with cap marked "SHINE 5502".
11 THENCE S 65° 59' 23" E continuing with the south line of said called
12 2.164 acre tract and a southerly north line of this tract a distance
13 of 927.30 feet to a 1/2 inch iron rod with cap marked "SHINE 5502"
14 set at the southeast corner of said called 2.1614 acre tract in the
15 west line of said called 21.234 acre tract.
16 THENCE S 25° 16' 50" W with the west line of said called 21.234 acre
17 tract and an east line of this tract, a distance of 441.83 feet to an
18 iron rod with cap marked "RPLS 4615" found at the southwest corner
19 of said called 21.234 acre tract, in the north line of said called
20 102.152 acre tract and at a southeast corner of this tract, from
21 which a found 1" iron pipe bears N 88° 29' 40" E, a distance of 600.63
22 feet.
23 THENCE S 88° 21' 40" W with a south line of this tract and the north
24 line of said called 102.152 acre tract, at a distance of 7,048.87
25 feet, pass a found 3/4" iron rod and continue a total distance of
26 7,133.88 feet to a 1/2 inch iron rod with cap marked "SHINE 5502"
27 set at the southeast corner of a called 1 acre tract recorded in

1 File No. H076771, Deed Records of Harris County, Texas.

2 THENCE N 01° 38' 26" W with a west line of this tract and the east
3 line of said called 1 acre tract, a distance of 208.71 feet to a 1/2
4 inch iron rod with cap marked "SHINE 5502" set at the northeast
5 corner of said called 1 acre tract.

6 THENCE S 88° 21' 40" W with a south line of this tract and the north
7 line of said called 1 acre tract, a distance of 208.71 feet to a 1/2
8 inch iron rod with cap marked "SHINE 5502" set at the northwest
9 corner of said called 1 acre tract.

10 THENCE S 01° 38' 26" E with an east line of this tract and the west
11 line of said called 1 acre tract, a distance of 208.71 feet to a 1/2
12 inch iron rod with cap marked "SHINE 5502" set at the southwest
13 corner of said called 1 acre tract, in the north line of said called
14 102.152 acre tract.

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

18 THENCE meandering the line of mean higher high water along the left
19 bank of the San Jacinto River, the following bearings and
20 distances:

21	N 53° 39' 19" W	446.94 feet
22	N 59° 28' 06" W	369.78 feet
23	N 32° 15' 28" W	88.34 feet
24	N 50° 54' 05" W	129.34 feet
25	N 43° 04' 40" W	188.13 feet
26	N 45° 19' 17" W	78.88 feet
27	N 27° 03' 34" W	250.17 feet

1	N 13° 49' 11" W	192.54 feet
2	N 13° 56' 26" W	103.14 feet
3	N 00° 46' 29" E	503.45 feet
4	N 03° 28' 48" E	224.28 feet
5	N 03° 58' 09" E	246.51 feet
6	N 01° 50' 57" E	180.18 feet
7	N 04° 57' 15" E	202.55 feet
8	N 07° 14' 24" E	177.80 feet
9	N 12° 57' 35" E	166.40 feet
10	N 07° 38' 19" E	108.67 feet
11	N 08° 55' 16" E	130.31 feet
12	N 04° 27' 32" E	158.34 feet
13	N 20° 09' 17" E	102.98 feet
14	N 15° 38' 50" E	168.56 feet
15	N 08° 04' 25" W	320.01 feet
16	N 24° 35' 18" W	119.21 feet
17	N 25° 33' 04" W	239.12 feet

18 THENCE N 32° 33' 43" W continuing along the line of mean higher high
19 water on the left bank of the San Jacinto River, a distance of
20 117.10 feet to a point at the southwest corner of said called 56.50
21 acre tract and a southerly northwest corner of this tract.

22 THENCE N 59° 33' 11" E with the south line of said called 56.50 acre
23 tract and a north line of this tract, a distance of 834.87 feet to a
24 1" iron pipe found at the southeast corner of said called 56.50 acre
25 tract and an interior corner of this tract.

26 THENCE N 22° 44' 35" E with the southerly east line of said called
27 56.50 acre tract and a northerly west line of this tract, a distance

1 of 1,342.07 feet to the PLACE OF BEGINNING, containing 991.55
2 acres.

3 TRACT III

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

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

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

1 THENCE S 87° 47' 10" E with the south right of way line of said
2 Diamondhead Boulevard North, a northerly south line of said Section
3 10, and a north line of this tract, a distance of 37.06 feet to a 1/2
4 inch iron rod with cap marked "SHINE 5502" set at the intersection
5 of the south right of way line of said Diamondhead Boulevard North,
6 and the west right of way line of Golf Club Drive (100 feet wide
7 R.O.W.) in a west line of said Section 10.

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

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

16 THENCE continuing with the west right of way of said Golf Club
17 Drive, the west line of said Section 10 and the east line of this
18 tract, with the arc of a curve to the right having a radius of
19 1,950.00 feet and a central angle of 20° 00' 00", a distance of
20 680.68 feet to a 1/2 inch iron rod with cap set marked "SHINE 5502".

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

25 THENCE continuing with the west right of way of said Golf Club
26 Drive, the west line of said Section 10 and the east line of this
27 tract, with the arc of a curve to the left having a radius of

1 3,050.00 feet and a central angle of 45° 06' 00", a distance of
2 2,400.79 feet to a 1/2 inch iron rod with cap set marked "SHINE
3 5502".

4 THENCE S 22° 57' 10" E continuing with the west right of way of said
5 Golf Club Drive, the west line of said Section 10 and the east line
6 of this tract, a distance of 714.81 feet to a 1/2 inch iron rod with
7 cap marked "SHINE 5502" set at the northeast corner of a called
8 3.3685 acre tract recorded in File No. N409807, Deed Records of
9 Harris County, Texas, and the most easterly southeast corner of
10 this tract.

11 THENCE S 74° 57' 26" W with the north line of said called 3.3685 acre
12 tract and a south line of this tract, a distance of 170.16 feet to a
13 1/2 inch iron rod with cap set marked "SHINE 5502".

14 THENCE S 38° 21' 36" W continuing with the north line of said called
15 3.3685 acre tract and a south line of this tract, a distance of
16 375.28 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set
17 at the southerly northeast corner of a called 53.17 acre tract
18 recorded in File No. U652009, Deed Records of Harris County, Texas,
19 and a southeast corner of this tract, from which a 1/2 inch iron rod
20 found at the southeast corner of said called 53.17 acre tract and
21 the southwest corner of said called 3.3685 acre tract bears S 38° 21'
22 38" W, a distance of 10.86 feet.

23 THENCE N 75° 29' 31" W with a southerly north line of said called
24 53.17 acre tract and a south line of this tract, a distance of
25 577.95 feet to an iron rod with cap marked "TERRA SURVEYING" found
26 at a southerly northeast corner of said called 53.17 acre tract, and
27 an interior corner of this tract.

1 THENCE N 05° 37' 30" E with the east line of said called 53.17 acre
2 tract and a west line of this tract, a distance of 480.74 feet to an
3 iron rod found with cap marked "TERRA SURVEYING".

4 THENCE N 08° 08' 01" E continuing with the east line of said called
5 53.17 acre tract and a west line of this tract, a distance of 825.65
6 feet to an iron rod found with cap marked "TERRA SURVEYING".

7 THENCE continuing with the east line of said called 53.17 acre tract
8 and a west line of this tract, with the arc of a curve to the left
9 having a radius of 250.61 feet and a central angle of 98° 17' 48", a
10 distance of 429.95 feet to an iron rod with cap marked "TERRA
11 SURVEYING" found at the northeast corner of said called 53.17 acre
12 tract.

13 THENCE N 89° 04' 41" W with the north line of said called 53.17 acre
14 tract and a south line of this tract, a distance of 407.72 feet to an
15 iron rod found with cap marked "TERRA SURVEYING".

16 THENCE S 74° 12' 35" W continuing with the north line of said called
17 53.17 acre tract and a south line of this tract, a distance of
18 412.92 feet to an iron rod found with cap marked "TERRA SURVEYING".

19 THENCE S 71° 17' 47" W continuing with the north line of said called
20 53.17 acre tract and a south line of this tract, a distance of
21 313.23 feet to an iron rod found with cap marked "TERRA SURVEYING".

22 THENCE S 64° 30' 39" W continuing with the north line of said called
23 53.17 acre tract and a south line of this tract, a distance of
24 250.16 feet to an iron rod with cap marked "TERRA SURVEYING" found
25 at the northwest corner of said called 53.17 acre tract and an
26 interior corner of this tract.

27 THENCE S 30° 45' 58" W with the west line of said called 53.17 acre

1 tract and an east line of this tract, a distance of 938.35 feet to an
2 iron rod found with cap marked "TERRA SURVEYING" from which a 1 1/4
3 inch iron pipe found in the south line of said called 53.17 acre
4 tract and the north line of The San Jacinto River Authority East
5 Canal tract, recorded in Volume 1294, Page 256, Deed Records of
6 Harris County, Texas bears S 76° 55' 49" E a distance of 700.71 feet.
7 THENCE S 38° 36' 07" E continuing with the west line of said called
8 53.17 acre tract and an east line of this tract, a distance of
9 330.48 feet to an iron rod found with cap marked "TERRA SURVEYING".
10 THENCE S 50° 28' 00" W continuing with the west line of said called
11 53.17 acre tract and an east line of this tract, a distance of
12 392.70 feet to an iron rod found with cap marked "TERRA SURVEYING".
13 THENCE S 34° 53' 53" E continuing with the west line of said called
14 53.17 acre tract and an east line of this tract, a distance of 54.47
15 feet to an iron rod with cap marked "TERRA SURVEYING" found at the
16 southwest corner of said called 53.17 acre tract, in a north line of
17 Horizon Drive, a dedicated public road in Newport Subdivision,
18 Section 4, a subdivision recorded in Volume 198, Page 53, Map
19 Records of Harris County, Texas, and at a southeast corner of this
20 tract, from which a 1 1/4 inch iron pipe found in the south line of
21 said called 53.17 acre tract and the north line of said East Canal
22 tract bears N 51° 21' 56" E a distance of 512.15'.
23 THENCE S 51° 21' 08" W along a north line of said Section 4, a north
24 line of said San Jacinto River Authority East Canal Tract, and a
25 south line of this tract, at a distance of 51.71 feet pass a
26 northwest corner of said Horizon Drive and Section 4 and continuing
27 a total distance of 605.52 feet to a 1" iron pipe found.

1 THENCE continuing along a north line of said San Jacinto River
2 Authority East Canal and a south line of this tract, with the arc of
3 a curve to the left having a radius of 415.36 feet and a central
4 angle of 17° 54' 23", a distance of 129.81 feet to a 1 1/2 inch iron
5 pipe found.

6 THENCE S 32° 37' 00 W continuing along a north line of said San
7 Jacinto River Authority East Canal and a south line of this tract a
8 distance of 1,291.52 feet to a 1 1/4 inch iron pipe found.

9 THENCE continuing along a north line of said San Jacinto River
10 Authority East Canal and a south line of this tract, with the arc of
11 a curve to the right having a radius of 174.95 feet and a central
12 angle of 39° 20' 42", a distance of 174.95 feet to a 1 inch iron pipe
13 found.

14 THENCE S 72° 28' 08" W continuing along a north line of said San
15 Jacinto River Authority East Canal and a south line of this tract, a
16 distance of 2,448.06 feet to a 1 1/4 inch iron pipe found.

17 THENCE continuing along a north line of said San Jacinto River
18 Authority East Canal and a south line of this tract, with the arc of
19 a curve to the left having a radius of 333.37 feet and a central
20 angle of 04° 24' 34", a distance of 25.66 feet to a 1 1/4 inch iron
21 pipe found.

22 THENCE S 68° 53' 17" W continuing along a north line of said San
23 Jacinto River Authority East Canal and a south line of this tract, a
24 distance of 1,832.09 feet to a 1 1/4 inch iron pipe found.

25 THENCE continuing along a north line of said San Jacinto River
26 Authority East Canal and a south line of this tract, with the arc of
27 a curve to the right having a radius of 144.47 feet and a central

1 angle of $53^{\circ} 20' 45''$, a distance of 134.51 feet to a 1 1/4" iron pipe
2 found.

3 THENCE N $57^{\circ} 13' 44''$ W continuing along a north line of said San
4 Jacinto River Authority East Canal and a south line of this tract, a
5 distance of 1,587.58 feet to a 1/2 inch iron rod set with cap marked
6 "SHINE 5502".

7 THENCE continuing along a north line of said San Jacinto River
8 Authority East Canal and a south line of this tract, with the arc of
9 a curve to the left having a radius of 402.67 feet and a central
10 angle of $30^{\circ} 10' 09''$, a distance of 212.03 feet to a 1/2 inch iron rod
11 set with cap marked "SHINE 5502".

12 THENCE N $87^{\circ} 29' 31''$ W continuing along a north line of said San
13 Jacinto River Authority East Canal and a south line of this tract, a
14 distance of 224.45 feet to a 1/2 inch iron rod found at an interior
15 corner of said San Jacinto River Authority East Canal and an
16 interior corner of this tract.

17 THENCE along an east line of said San Jacinto River Authority East
18 Canal and a west line of this tract, with the arc of a curve to the
19 right having a radius of 133.99 feet and a central angle of $63^{\circ} 17'$
20 $53''$, a distance of 148.03 feet to a 1/2 inch iron rod found in the
21 north line of said Humphrey Jackson Survey, Abstract 37 and the
22 south line of said William Wilson Survey, Abstract 838.

23 THENCE N $24^{\circ} 23' 35''$ W along an east line of said San Jacinto River
24 Authority East Canal and a west line of this tract, a distance of
25 375.95 feet to a 1" iron pipe found.

26 THENCE continuing along an east line of said San Jacinto River
27 Authority East Canal and a west line of this tract, with the arc of a

1 curve to the right having a radius of 174.87 feet and a central
2 angle of 37° 53' 54", a distance of 115.67 feet to a 1 "A" iron pipe
3 found.

4 THENCE N 14° 24' 42" E continuing along an east line of said San
5 Jacinto River Authority East Canal and a west line of this tract, a
6 distance of 74.82 feet to a 1 1/4" iron pipe found.

7 THENCE continuing along an east line of said San Jacinto River
8 Authority East Canal and a west line of this tract, with the arc of a
9 curve to the right having a radius of 661.43 feet and a central
10 angle of 07° 01' 58", a distance of 81.19 feet to a 1 1/4" iron pipe
11 found.

12 THENCE N 12°17' 19" E continuing along the east line of said San
13 Jacinto River Authority East Canal and a west line of this tract, a
14 distance of 436.82 feet to a 5/8" iron rod found at a northeast
15 corner of said San Jacinto River Authority East Canal, in the south
16 line of a called 39.88 acre tract recorded in File No. T525349, Deed
17 Records of Harris County, Texas and at an interior corner of this
18 tract, from which a 1 1/4" iron pipe found in a north line of said
19 San Jacinto River Authority East Canal tract and the south line of
20 said called 39.88 acre tract bears N 77° 36' 49" W, a distance of
21 621.39 feet.

22 THENCE S 77° 42' 29" E with the south line of said called 39.88 acre
23 tract and a north line of this tract, a distance of 294.05 feet to a
24 5/8" iron rod found at the southeast corner of said called 39.88
25 acre tract.

26 THENCE N 09° 46' 40" E with the east line of said called 39.88 acre
27 tract and a west line of this tract, a distance of 950.00 feet to a

1 1/2" iron rod found.

2 THENCE N 10° 53' 20" W continuing with the east line of said called
3 39.88 acre tract, and the west line of this tract, a distance of
4 394.97 feet to a 1/2" iron rod found at the northeast corner of said
5 called 39.88 acre tract.

6 THENCE N 80° 21' 03" W with the north line of said called 39.88 acre
7 tract and a south line of this tract, a distance of 1,359.57 feet to
8 a point in an east line of called 589.27 acre tract (Lake Houston)
9 recorded in Volume 1458, Page 1, and a west line of this tract.
10 Volume 1458, Page 1 describes this point as being the waterline of
11 the proposed reservoir when at normal pool level at elevation 44.5
12 feet above mean sea level.

13 THENCE with the west line of this tract and an east line of said
14 called 589.27 acre tract (Lake Houston), the following bearings and
15 distances:

16	N 30° 53' 29" E	376.74 feet
17	N 21° 32' 39" E	300.00 feet
18	N 06° 45' 39" E	864.00 feet
19	N 19° 56' 19" W	882.88 feet
20	N 07° 44' 21" W	184.00 feet

21 THENCE N 52° 28' 21" W continuing with the west line of this tract
22 and the east line of said called 589.27 acre tract (Lake Houston), a
23 distance of 508.00 feet to a point from which a 12"x12" concrete
24 monument found with Aluminum Disc marked "Corp of Engineers U.S.
25 Boundary Mark SL-1 Y1977" bears N 25° 14' 05" W a distance of 59.32
26 feet. Said concrete monument has a State Plane coordinate value of
27 N: 13907978.68 and E: 3195354.41

1 THENCE continuing with the west line of this tract and an east line
2 of said called 589.27 acre tract (Lake Houston), the following
3 bearings and distances:

4	N 65° 40' 21" W	422.00 feet
5	N 80° 22' 21" W	300.00 feet
6	N 62° 47' 53" W	641.05 feet
7	N 60° 37' 21" W	600.00 feet
8	N 88° 15' 21" W	540.00 feet
9	S 84 ° 47' 39" W	568.00 feet
10	S 69° 42' 54" W	633.02 feet
11	S 83° 28' 39" W	332.00 feet
12	N 77° 42' 21" W	270.00 feet
13	N 13° 14' 21" W	739.00 feet
14	N 28° 22' 21" W	402.00 feet

15 THENCE N 21° 29' 39" E continuing with the west line of this tract
16 and an east line of said called 589.27 acre tract (Lake Houston), a
17 distance of 394.76 feet to a point in the south line of Lake Shadows
18 Section Four, a subdivision recorded in File No. D620201, Map
19 Records of Harris County, Texas, and at the northwest corner of this
20 tract.

21 THENCE N 86° 32' 15" E with the south line of said Lake Shadows
22 Section Four and the north line of this tract, at a distance of
23 204.97 feet pass a 1/2" iron rod found, and continuing a total
24 distance of 689.12 feet to a point in a concrete slab at the
25 southeast corner of said Lake Shadows Section Four, the southwest
26 corner of a called 447.0498 acre tract recorded in File
27 No. D759681, Deed Records of Harris County, Texas, and an interior

1 corner of this tract from which a 1/2 " iron rod with cap marked
2 "SHINE 5502" set for reference bears S 04° 44' 22" W a distance of
3 1.88 feet, a 1" iron pipe found bears N 79° 27' 48" E a distance of
4 101.22 feet, and a 1/2" iron rod found in the east line of said Lake
5 Shadows Section Four bears N 33° 33' 38" E a distance of 254.84 feet.
6 THENCE N 86° 43' 31" E with the south line of said called 447.0498
7 acre tract and a north line of this tract, a distance of 10,942.13
8 feet to a 1/2 inch iron rod next to a 4"x6" fence post found at the
9 southeast corner of said called 447.0498 acre tract and an interior
10 corner of this tract.
11 THENCE N 02° 07' 50" W with the east line of said called 447.0498
12 acre tract and a northerly west line of this tract a distance of
13 26.79 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set at
14 the southwest corner of a called 0.1148 acre tract recorded in File
15 No. T653706, Deed Records of Harris County, Texas and a northwest
16 corner of this tract.
17 THENCE N 87° 22' 21" E with the south line of said called 0.1148 acre
18 tract and a north line of this tract, at a distance of 50.02 feet
19 pass the southeast corner of said called 0.1148 acre tract recorded
20 in File No. T653706 and the southwest corner of a called 0.1148 acre
21 tract recorded in File No. T702499, Deed Records of Harris County,
22 Texas, at a distance of 100.02 feet, pass the southeast corner of
23 said called 0.1148 acre tract recorded in File No. T702499 and the
24 southwest corner of a called 0.1148 acre tract recorded in File
25 No. T643967, at a distance of 150.02 feet pass the southeast corner
26 of said called 0.1148 acre tract recorded in File No. T643967 and
27 the southwest corner of a called 0.1148 acre tract recorded in File

S.B. No. 2277

1 No. T491404, Deed Records of Harris County, Texas, at a distance of
2 200.02 feet pass the southeast corner of said called 0.1148 acre
3 tract recorded in File No. T491404 and the southwest corner of a
4 called 0.1148 acre tract recorded in File No. T526225, Deed Records
5 of Harris County, Texas, and continuing a total distance of 250.02
6 feet to a 1/2 inch iron rod with cap marked "SHINE 5502" set at the
7 southeast corner of said called 0.1148 acre tract recorded in File
8 No. T526225 and an interior corner of this tract.

9 THENCE N 02° 37' 39" W with the east line of said called 0.1148 acre
10 tract recorded in File No. T526225 and a west line of this tract, a
11 distance of 100.00 feet to a 1/2 inch iron rod with cap marked
12 "SHINE 5502" set at the northeast corner of said called 0.1148 acre
13 tract recorded in File No. T526225, in the south line of a called
14 5.00 acre tract recorded in File No. T684273, Deed Records of
15 Harris County, Texas, in the South line of the Hannah Nash Survey,
16 Abstract 599, in the north line of said Abstract 838, and at a
17 northwest corner of this tract.

18 THENCE N 87° 02' 53" E with the south line of said Abstract 599, the
19 north line of said Abstract 838, the south line of said called 5.00
20 acre tract and the north line of this tract a distance of 316.67
21 feet to a 1/2 inch iron rod found at the southeast corner of said
22 Abstract 599, the southwest corner of said Abstract 60, the
23 southeast corner of said called 5.00 acre tract and the southwest
24 corner of a called 45 acre tract recorded in File No. 20080119197,
25 Deed Records of Harris County, Texas.

26 THENCE N 87° 24' 37" E with the south line of said called 45 acre
27 tract, the south line of said Abstract 60, the north line of said

S.B. No. 2277

1 Abstract 838 and the north line of this tract, a distance of 986.97
2 feet to a 1/2 inch iron rod found at the southeast corner of said
3 called 45 acre tract, the southwest corner of a called 8.39 acre
4 tract recorded in File No. 20070675831, Deed Records of Harris
5 County, Texas, and a northerly corner of this tract.

6 THENCE N 87° 48' 26" E with the south line of said 8.339 acre tract,
7 the south line of said Abstract 60, the north line of said Abstract
8 838 and the north line of this tract, at a distance of 150.00 feet
9 pass the southeast corner of said called 8.39 acre tract and the
10 southwest corner of a called 11.675 acre tract recorded in File
11 No. 20070675831, Deed Records of Harris County, Texas, and
12 continuing a total distance of 359.69 feet to a 1/2 inch iron rod
13 found at the southeast corner of said called 11.675 acre tract and
14 the southwest corner of a called 155.76 acre tract recorded in
15 Volume 438, Page 236, Deed Records of Harris County, Texas.

16 THENCE N 87° 20' 09" E with the south line of said Abstract 60, the
17 north line of said Abstract 838, the south line of said called
18 155.76 acre tract and the north line of this tract, a distance of
19 682.33 feet to a 1/2 inch iron rod found next to a 8"x8" square fence
20 post at the southeast corner of said called 155.76 acre tract and
21 the southwest corner of a called 29.15 acre tract recorded in File
22 No. R106573, Deed Records of Harris County, Texas.

23 THENCE N 87° 24' 00" E with the south line of said Abstract 60, the
24 north line of said Abstract 838, the south line of said called 29.15
25 acre tract and the north line of this tract, and at a distance of
26 525.51 feet pass the southeast corner of said called 29.15 acre
27 tract and the southwest corner of said called 60.0765 acre tract,

1 and continuing with the south line of said Abstract 60, the north
2 line of said Abstract 838, the south line of said called 60.0765
3 acre tract and the north line of this tract, a total distance of
4 1648.87 feet to the PLACE OF BEGINNING, containing 1,339.42 acres
5 of land.

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

13 (b) The governor, one of the required recipients, has
14 submitted the notice and Act to the Texas Commission on
15 Environmental Quality.

16 (c) The Texas Commission on Environmental Quality has filed
17 its recommendations relating to this Act with the governor, the
18 lieutenant governor, and the speaker of the house of
19 representatives within the required time.

20 (d) All requirements of the constitution and laws of this
21 state and the rules and procedures of the legislature with respect
22 to the notice, introduction, and passage of this Act are fulfilled
23 and accomplished.

24 SECTION 4. (a) Section 8005.107, Special District Local
25 Laws Code, as added by Section 1 of this Act, takes effect only if
26 this Act receives a two-thirds vote of all the members elected to
27 each house.

1 (b) If this Act does not receive a two-thirds vote of all the
2 members elected to each house, Subchapter C, Chapter 8005, Special
3 District Local Laws Code, as added by Section 1 of this Act, is
4 amended by adding Section 8005.107 to read as follows:

5 Sec. 8005.107. NO EMINENT DOMAIN POWER. The district may
6 not exercise the power of eminent domain.

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

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