

By: Creighton

S.B. No. 2504

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Magnolia Woods Municipal Utility District No. 1; 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 8257 to read as follows:

CHAPTER 8257. MAGNOLIA WOODS MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8257.0101. 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 Magnolia Woods Municipal Utility District No. 1.

Sec. 8257.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8257.0103. CONFIRMATION AND DIRECTOR 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. 8257.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 8257.0103 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. 8257.0105. 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. 8257.0106. 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. 8257.0201. GOVERNING BODY; TERMS. (a) The district
4 is governed by a board of five elected directors.

5 (b) Except as provided by Section 8257.0202, directors
6 serve staggered four-year terms.

7 Sec. 8257.0202. TEMPORARY DIRECTORS. (a) The temporary
8 board consists of:

9 (1) Paul West;

10 (2) Lisa Belus;

11 (3) Ashley Bird;

12 (4) Craig Lobel; and

13 (5) Ty Hunter Fox.

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

15 (1) the date permanent directors are elected under
16 Section 8257.0103; or

17 (2) the fourth anniversary of the effective date of
18 the Act enacting this chapter.

19 (c) If permanent directors have not been elected under
20 Section 8257.0103 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:

24 (1) the date permanent directors are elected under
25 Section 8257.0103; or

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

1 (d) If Subsection (c) applies, the owner or owners of a
2 majority of the assessed value of the real property in the district
3 may submit a petition to the commission requesting that the
4 commission appoint as successor temporary directors the five
5 persons named in the petition. The commission shall appoint as
6 successor temporary directors the five persons named in the
7 petition.

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 8257.0301. GENERAL POWERS AND DUTIES. The district
10 has the powers and duties necessary to accomplish the purposes for
11 which the district is created.

12 Sec. 8257.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
13 DUTIES. The district has the powers and duties provided by the
14 general law of this state, including Chapters 49 and 54, Water Code,
15 applicable to municipal utility districts created under Section 59,
16 Article XVI, Texas Constitution.

17 Sec. 8257.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
18 52, Article III, Texas Constitution, the district may design,
19 acquire, construct, finance, issue bonds for, improve, operate,
20 maintain, and convey to this state, a county, or a municipality for
21 operation and maintenance macadamized, graveled, or paved roads, or
22 improvements, including storm drainage, in aid of those roads.

23 Sec. 8257.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
24 road project must meet all applicable construction standards,
25 zoning and subdivision requirements, and regulations of each
26 municipality in whose corporate limits or extraterritorial
27 jurisdiction the road project is located.

1 (b) If a road project is not located in the corporate limits
2 or extraterritorial jurisdiction of a municipality, the road
3 project must meet all applicable construction standards,
4 subdivision requirements, and regulations of each county in which
5 the road project is located.

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

9 Sec. 8257.0305. COMPLIANCE WITH MUNICIPAL CONSENT
10 ORDINANCE OR RESOLUTION. The district shall comply with all
11 applicable requirements of any ordinance or resolution that is
12 adopted under Section 54.016 or 54.0165, Water Code, and that
13 consents to the creation of the district or to the inclusion of land
14 in the district.

15 Sec. 8257.0306. DIVISION OF DISTRICT. (a) The district
16 may be divided into two or more new districts only if the district:

- 17 (1) has never issued any bonds; and
18 (2) is not imposing ad valorem taxes.

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

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

26 (d) The board, on its own motion or on receipt of a petition
27 signed by the owner or owners of a majority of the assessed value of

1 the real property in the district, may adopt an order dividing the
2 district.

3 (e) The board may adopt an order dividing the district
4 before or after the date the board holds an election under Section
5 8257.0103 to confirm the district's creation.

6 (f) An order dividing the district shall:

7 (1) name each new district;

8 (2) include the metes and bounds description of the
9 territory 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 or among the new districts.

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 8257.0103.

21 (i) If the creation of the new district is confirmed, the
22 new district shall provide the election date and results to the
23 commission.

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

1 (k) Municipal consent to the creation of the district and to
2 the inclusion of land in the district granted under Section
3 8257.0104 acts as municipal consent to the creation of any new
4 district created by the division of the district and to the
5 inclusion of land in the new district.

6 SUBCHAPTER D. DEFINED AREAS

7 Sec. 8257.0401. AUTHORITY TO ESTABLISH DEFINED AREAS OR
8 DESIGNATED PROPERTY. The district may define areas or designate
9 certain property of the district to pay for improvements,
10 facilities, or services that primarily benefit that area or
11 property and do not generally and directly benefit the district as a
12 whole.

13 Sec. 8257.0402. PROCEDURE FOR ELECTION. (a) Before the
14 district may impose an ad valorem tax applicable only to the defined
15 area or designated property or issue bonds payable from ad valorem
16 taxes of the defined area or designated property, the board shall
17 hold an election in the defined area or designated property only.

18 (b) The board may submit the proposition to the voters on
19 the same ballot to be used in another election.

20 Sec. 8257.0403. DECLARING RESULT AND ISSUING ORDER.

21 (a) If a majority of the voters voting at the election held under
22 Section 8257.0402 approve the proposition or propositions, the
23 board shall declare the results and, by order, shall establish the
24 defined area or designated property and describe it by metes and
25 bounds or designate the specific area or property.

26 (b) A court may not review the board's order except on the
27 ground of fraud, palpable error, or arbitrary and confiscatory

1 abuse of discretion.

2 Sec. 8257.0404. TAXES FOR SERVICES, IMPROVEMENTS, AND
3 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter
4 approval and adoption of the order described by Section 8257.0403,
5 the district may apply separately, differently, equitably, and
6 specifically its taxing power and lien authority to the defined
7 area or designated property to provide money to construct,
8 administer, maintain, and operate services, improvements, and
9 facilities that primarily benefit the defined area or designated
10 property.

11 Sec. 8257.0405. ISSUANCE OF BONDS FOR DEFINED AREA OR
12 DESIGNATED PROPERTY. After the order under Section 8257.0403 is
13 adopted, the district may issue bonds to provide for any land,
14 improvements, facilities, plants, equipment, and appliances for
15 the defined area or designated property.

16 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

17 Sec. 8257.0501. ELECTIONS REGARDING TAXES OR BONDS.

18 (a) The district may issue, without an election, bonds and other
19 obligations secured by:

20 (1) revenue other than ad valorem taxes; or

21 (2) contract payments described by Section 8257.0503.

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

26 (c) The district may not issue bonds payable from ad valorem
27 taxes to finance a road project unless the issuance is approved by a

1 vote of a two-thirds majority of the district voters voting at an
2 election held for that purpose.

3 Sec. 8257.0502. OPERATION AND MAINTENANCE TAX. (a) If
4 authorized at an election held under Section 8257.0501, the
5 district may impose an operation and maintenance tax on taxable
6 property in the district in accordance with Section 49.107, Water
7 Code.

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

10 Sec. 8257.0503. CONTRACT TAXES. (a) In accordance with
11 Section 49.108, Water Code, the district may impose a tax other than
12 an operation and maintenance tax and use the revenue derived from
13 the tax to make payments under a contract after the provisions of
14 the contract have been approved by a majority of the district voters
15 voting at an election held for that purpose.

16 (b) A contract approved by the district voters may contain a
17 provision stating that the contract may be modified or amended by
18 the board without further voter approval.

19 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

20 Sec. 8257.0601. AUTHORITY TO ISSUE BONDS AND OTHER
21 OBLIGATIONS. The district may issue bonds or other obligations
22 payable wholly or partly from ad valorem taxes, impact fees,
23 revenue, contract payments, grants, or other district money, or any
24 combination of those sources, to pay for any authorized district
25 purpose.

26 Sec. 8257.0602. TAXES FOR BONDS. At the time the district
27 issues bonds payable wholly or partly from ad valorem taxes, the

1 board shall provide for the annual imposition of a continuing
2 direct ad valorem tax, without limit as to rate or amount, while all
3 or part of the bonds are outstanding as required and in the manner
4 provided by Sections 54.601 and 54.602, Water Code.

5 Sec. 8257.0603. BONDS FOR ROAD PROJECTS. At the time of
6 issuance, the total principal amount of bonds or other obligations
7 issued or incurred to finance road projects and payable from ad
8 valorem taxes may not exceed one-fourth of the assessed value of the
9 real property in the district.

10 SECTION 2. The Magnolia Woods Municipal Utility District
11 No. 1 initially includes all the territory contained in the
12 following area:

13 TRACT ONE:

14 Description of a 4,286.698 acre tract of land, Save and
15 Except a 0.057 acre tract described in Warranty Deed to
16 Lufkin-Conroe Telephone Exchange recorded under Montgomery County
17 Clerk's File Number 9556511, out of the called 4,300.288 acre tract
18 described in Special Warranty Deed from BST Timberlands of Texas to
19 Woodard Ranch West, LP, recorded under Montgomery County Clerk's
20 File Number 2005-064857 and also out of the tracts described in
21 Special Warranty Deed to Magnolia Timber Partners, LP recorded
22 under Volume 553, Page 001 of the Deed Records of Waller County
23 Texas, Volume 849, Page 205 of the Deed Records of Grimes County,
24 Texas, and Montgomery County Clerk's File Number 968009; and
25 located in the Joseph C. Ferguson Survey, Abstract 221, Montgomery
26 County, Alexander Robblis Survey, Abstract 464, Montgomery County
27 and Abstract 400, Grimes County, H. M. Bullock Survey, Abstract 96,

1 Grimes County, Robert Elgin Survey, Abstract 199, Montgomery
2 County, R. O. Lusk Survey, Abstract 312, Montgomery County, and
3 Abstract 299 Grimes County James M. Hamm Survey, Abstract 263,
4 Montgomery County, James Pierpont Survey, Abstract 426, Montgomery
5 County, Robert Watson Survey, Abstract 605, Montgomery County and
6 Abstract 271, Waller County, and also located in Grimes County,
7 Waller County, and Montgomery County, Texas and more particularly
8 described as follows:

9 BEGINNING at a 5/8 inch iron rod with cap marked "Carter &
10 Burgess" set in the west right-of-way of FM 1774 (100.0 feet wide
11 per Volume 219, Page 423, Volume 252, Page 343, Volume 252, Page
12 344, Volume 257, Page 71, Volume 254, Page 556, Volume 215, Page
13 512, and Volume 218, Page 2 of Montgomery County Deed Records) and
14 in the north line of said Woodard Ranch West, LP tract and the south
15 line of the called 1,995.300 acre tract described in Special
16 Warranty Deed to the Charles Eugene Campbell Marital Trust recorded
17 under Montgomery County Clerk's File Number 2004-058220;

18 THENCE South 02 Degrees 34 Minutes 58 Seconds East, with west
19 right-of-way line of FM 1486, a distance of 3459.57 feet to a set
20 5/8 inch iron rod with rap marked "Carter & Burgess";

21 THENCE South 03 Degrees 11 Minutes 11 Seconds East,
22 continuing with the west right-of-way line of FM 1486, a distance of
23 2100.08 feet to a 5/8 inch iron rod with cap marked "Carter &
24 Burgess" set for the northeast corner of a called 30.7877 acre tract
25 described in deed to Tim Halfin recorded under Montgomery County
26 Clerk's File Number 9868341;

27 THENCE South 02 Degrees 34 Minutes 20 Seconds East,

1 continuing with the west right-of-way line of FM 1486, a distance of
2 551.60 feet to a 5/8 inch iron rod with rap marked "Carter &
3 Burgess" set for corner;

4 THENCE South 87 Degrees 03 Minutes 39 Seconds West, with the
5 north line of said Tim Halfin tract and the south line of said
6 Woodard Ranch West, LP tract, at a distance of 4.17 feet passing a
7 rod in concrete, a total distance of 1433.74 feet to a 1 inch iron
8 pipe found for the northwest corner of said Rim Halfin tract and a
9 corner of said Woodard Ranch West, LP tract;

10 THENCE South 02 Degrees 57 Minutes 58 Seconds East, with the
11 west line of the said Jack Halfin tract, the west line of the called
12 7.50 acre tract described in deed to Robert Mautz recorded under
13 Montgomery County Clerk's File Number 9895592, the west line of the
14 called 5.00 acre tract described in deed to Fred Muzkya recorded
15 under Montgomery County Clerk's File Number 99074582, the west line
16 of the called 10 acre tract described in deed to Fred Muzkya
17 recorded under Montgomery County Clerk's File Number 99074581, the
18 west line of the called 10.00 acre tract described in deed to David
19 McDonald recorded under Montgomery County Clerk File Number
20 9812063, and the west line of the called 60.80 acre tract described
21 in deed to Brenda Smith recorded under Montgomery County Clerk's
22 File Number 8005582, and the east line of said Woodard Ranch West,
23 LP tract, a distance of 3750.82 feet to a bolt in concrete found for
24 the northwest corner of said Brenda Smith tract and a corner of said
25 Woodard Ranch West, LP tract;

26 THENCE North 87 Degrees 05 Minutes 09 Seconds East, with the
27 south line of said Brenda Smith tract and the north line of said

1 Woodard Ranch West, LP tract, at a distance of 1411.99 feet passing
2 a found concrete monument, a total distance of 1416.40 feet to a 5/8
3 inch iron rod with cap marked "Carter & Burgess" set for corner in
4 the west right-of-way line of FM 1486;

5 THENCE South 02 Degrees 44 Minutes 42 Seconds East, with the
6 west right-of-way line of FM 1486, a distance of 196.91 feet to a
7 5/8 inch iron rod with cap marked "Carter & Burgess" set for corner;

8 THENCE South 02 Degrees 56 Minutes 32 Seconds East, with the
9 west right-of-way line of FM 1486, a distance of 1741.20 feet to a
10 5/8 inch iron rod with cap masked "Carter & Burgess" set for the
11 northeast corner of the called 10.00 acre tract described in deed to
12 Magnolia Independent School District recorded under Montgomery
13 County Clerk's File Number 9350680;

14 THENCE South 87 Degrees 11 Minutes 27 Seconds West, with the
15 north line of said Magnolia Independent School District tract and
16 the south line of said Woodard Ranch West, LP tract, a distance of
17 661.95 feet to a 5/8 inch iron rod with cap found for the northwest
18 corner of said Magnolia Independent School District;

19 THENCE South 02 Degrees 48 Minutes 41 Seconds East, with the
20 west line of said Magnolia Independent School District tract and
21 the east line of said Woodard Ranch West, LP tract, a distance of
22 660.21, feet to a 5/8 inch iron rod with cap found for the southwest
23 corner of said Magnolia Independent School District tract;

24 THENCE North 87 Degrees 10 Minutes 30 Seconds East, with the
25 south line of said Magnolia Independent School District tract and
26 the north line of said Woodard Ranch West, LP tract, a distance of
27 663.46 feet to a 5/8 inch iron rod with cap marked "Carter &

1 Burgess" act in the west right-of-way line of FM 1486;
2 THENCE South 02 Degrees 56 Minutes 32 Seconds East, with the
3 west right-of-way line of FM 1486, a distance of 1510.35 feet to a
4 set 5/8 inch iron rod with cap marked "Carter& Burgess";
5 THENCE South 01 Degrees 35 Minutes 42 Seconds East,
6 continuing with the west right-of-way line of FM 1486, a distance of
7 755.41 feet to a point in the center of Mill Creek;
8 THENCE with the center of Mill Creek the following calls:
9 North 66 Degrees 29 Minutes 42 Seconds West, a distance of 153
10 feet;
11 North 47 Degrees 03 Minutes 46 Seconds West, a distance of
12 25.15 feet;
13 North 15 Degrees 23 Minutes 49 Seconds West, a distance of
14 34.41 feet;
15 North 50 Degrees 04 Minutes 47 Seconds West, a distance of
16 42.44 feet;
17 North 69 Degrees 33 Minutes 31 Seconds West a distance 53.78
18 feet;
19 North 51 Degrees 00 Minutes 58 Seconds West, a distance of
20 148.95 feet;
21 North 21 Degrees 18 Minutes 25 Seconds West, a distance of
22 69.98 feet;
23 South 74 Degrees 51 Minutes 13 Seconds West, a distance of
24 120.60 feet;
25 North 41 Degrees 09 Minutes 02 Seconds West, a distance of
26 46.98 feet;
27 North 21 Degrees 20 Minutes 56 Seconds West, a distance of

1 117.72 feet;
2 North 50 Degrees 52 Minutes 08 Seconds West, a distance of
3 74.60 feet;
4 North 24 Degrees 19 Minutes 33 Seconds West, a distance of
5 53.22 feet;
6 North 87 Degrees 17 Minutes 11 Seconds West, a distance 46.99
7 feet;
8 South 69 Degrees 05 Minutes 22 Seconds West, a distance of
9 180.84 feet;
10 South 43 Degrees 04 Minutes 37 Seconds West, a distance of
11 126.16 feet;
12 South 74 Degrees 00 Minutes 22 Seconds West, a distance of
13 56.30 feet;
14 South 83 Degrees 01 Minutes 41 Seconds West, a distance of
15 110.13 feet;
16 South 76 Degrees 38 Minutes 10 Seconds West, a distance of
17 52.88 feet,
18 North 50 Degrees 24 Minutes 09 Seconds West, a distance of
19 125.15 feet;
20 North 74 Degrees 07 Minutes 57 Seconds West, a distance of
21 104.06 feet,
22 North 48 Degrees 05 Minutes 58 Seconds West, a distance of
23 76.65 feet;
24 North 58 Degrees 18 Minutes 08 Seconds West, a distance of
25 111.05 feet;
26 North 86 Degrees 46 Minutes 10 Seconds West, a distance of
27 32.03 feet;

- 1 South 12 Degrees 23 Minutes 06 Seconds West, a distance of
- 2 95.06 feet;
- 3 South 54 Degrees 16 Minutes 54 Seconds West, a distance of
- 4 67.33 feet;
- 5 South 18 Degrees 21 Minutes 22 Seconds West; a distance of
- 6 72.49 feet;
- 7 North 84 Degrees 12 Minutes 58 Seconds West, a distance of
- 8 94.80 feet;
- 9 South 70 Degrees 02 Minutes 40 Seconds West, a distance of
- 10 148.00 feet;
- 11 North 19 Degrees 36 Minutes 03 Seconds West, a distance of
- 12 23.54 feet;
- 13 North 0 Degrees 13 Minutes 43 Seconds West, a distance of
- 14 60.16 feet;
- 15 North 55 Degrees 29 Minutes 43 Seconds West, a distance of
- 16 46.99 feet;
- 17 South 81 Degrees 09 Minutes 48 Seconds West, a distance of
- 18 55.26 feet;
- 19 South 54 Degrees 46 Minutes 58 Seconds West, a distance of
- 20 160.79 feet;
- 21 South 46 Degrees 36 Minutes 18 Seconds West, a distance of
- 22 71.94 feet;
- 23 North 88 Degrees 40 Minutes 16 Seconds West, a distance of
- 24 68.48 feet;
- 25 South 3 Degrees 03 Minutes 49 Seconds East a distance of
- 26 103.80 feet;
- 27 South 58 Degrees 10 Minutes 14 Seconds West, a distance of

- 1 99.77 feet;
- 2 North 69 Degrees 43 Minutes 47 Seconds West, a distance of
- 3 111.89 feet;
- 4 North 5 Degrees 02 Minutes 25 Seconds West; a distance of
- 5 142.38 feet;
- 6 North 39 Degrees 45 Minutes 16 Seconds West a distance of
- 7 17.27 feet;
- 8 North 38 Degrees 58 Minutes 20 Seconds West, a distance of
- 9 20.56 feet;
- 10 South 72 Degrees 58 Minutes 37 Seconds West, a distance of
- 11 107.26 feet,
- 12 North 35 Degrees 30 Minutes 48 Seconds West, a distance of
- 13 52.44 feet;
- 14 North 75 Degrees 00 Minutes 07 Seconds East; a distance of
- 15 44.76 feet;
- 16 North 49 Degrees 16 Minutes 57 Seconds West, a distance of
- 17 76.44 feet;
- 18 South 76 Degrees 18 Minutes 51 Seconds West, a distance of
- 19 124.20 feet;
- 20 North 79 Degrees 16 Minutes 32 Seconds West, a distance of
- 21 163.51 feet;
- 22 South 51 Degrees 38 Minutes 22 Seconds West, a distance of
- 23 65.74 feet,
- 24 South 59 Degrees 16 Minutes 59 Seconds East, a distance of
- 25 87.74 feet;
- 26 South 62 Degrees 51 Minutes 02 Seconds West, a distance of
- 27 105.40 feet;

- 1 South 86 Degrees 13 Minutes 08 Seconds West, a distance of
- 2 127.37 feet;
- 3 North 59 Degrees 15 Minutes 27 Seconds West, a distance of
- 4 20.51 feet;
- 5 North 12 Degrees 05 Minutes 23 Seconds East, a distance of
- 6 42.25 feet;
- 7 North 66 Degrees 09 Minutes 22 Seconds West, a distance of
- 8 45.72 feet;
- 9 South 75 Degrees 11 Minutes 42 Seconds West, a distance of
- 10 98.33 feet;
- 11 South 30 Degrees 35 Minutes 00 Seconds West, a distance of
- 12 152.59 feet;
- 13 South 6 Degrees 03 Minutes 19 Seconds East, a distance of
- 14 32.22 feet;
- 15 South 31 Degrees 53 Minutes 33 Seconds East, a distance of
- 16 101.56 feet;
- 17 South 55 Degrees 27 Minutes 10 Seconds East, a distance of
- 18 105.07 feet;
- 19 South 33 Degrees 52 Minutes 46 Seconds West, a distance of
- 20 68.75 feet;
- 21 South 78 Degrees 25 Minutes 54 Seconds West, a distance of
- 22 207.12 feet;
- 23 North 84 Degrees 39 Minutes 12 Seconds a distance of 159.86
- 24 feet;
- 25 North 18 Degrees 00 Minutes 22 Seconds West, a distance of
- 26 92.87 feet;
- 27 North 35 Degrees 15 Minutes 57 Seconds East, a distance of

- 1 85.03 feet;
- 2 North 33 Degrees 03 Minutes 10 Seconds West, a distance of
- 3 135.81 feet;
- 4 North 36 Degrees 04 Minutes 39 Seconds East, a distance of
- 5 78.18 feet;
- 6 North 33 Degrees 09 Minutes 02 Seconds West, a distance of
- 7 95.91 feet;
- 8 North 84 Degrees 40 Minutes 30 Seconds West, a distance of
- 9 210.32 feet;
- 10 South 51 Degrees 35 Minutes 52 Seconds West, a distance of
- 11 36.19 feet;
- 12 South 50 Degrees 27 Minutes 50 Seconds East, a distance of
- 13 33.36 feet;
- 14 North 63 Degrees 52 Minutes 38 Seconds East, a distance of 22.
- 15 30 feet;
- 16 South 15 Degrees 55 Minutes 37 Seconds East, a distance of
- 17 37.13 feet;
- 18 South 47 Degrees 10 Minutes 49 Seconds West, a distance of
- 19 48.72 feet;
- 20 South 86 Degrees 10 Minutes 28 Seconds West, a distance of
- 21 167.22 feet;
- 22 South 52 Degrees 25 Minutes 53 Seconds West, a distance of
- 23 246.19 feet;
- 24 South 40 Degrees 38 Minutes 57 Seconds West, a distance of
- 25 74.90 feet;
- 26 North 74 Degrees 19 Minutes 02 Seconds West, a distance of
- 27 92.79 feet;

- 1 South 69 Degrees 10 Minutes 55 Seconds West, a distance of
- 2 66.48 feet;
- 3 North 48 Degrees 06 Minutes 52 Seconds West, a distance of
- 4 60.65 feet;
- 5 South 72 Degrees 19 Minutes 16 Seconds West, a distance of
- 6 30.00 feet;
- 7 South 2 Degrees 12 Minutes 42 Seconds East, a distance of
- 8 54.18 feet;
- 9 South 30 Degrees 24 Minutes 19 Seconds West, a distance of
- 10 70.78 feet;
- 11 South 66 Degrees 36 Minutes 03 Seconds West, a distance of
- 12 147.99 feet;
- 13 North 59 Degrees 24 Minutes 18 Seconds West, a distance of
- 14 64.04 feet;
- 15 North 81 Degrees 46 Minutes 49 Seconds West, a distance of
- 16 149.37 feet;
- 17 North 52 Degrees 20 Minutes 57 Seconds West, a distance of
- 18 89.40 feet;
- 19 South 89 Degrees 42 Minutes 29 Seconds West, a distance of
- 20 53.97 feet;
- 21 South 29 Degrees 38 Minutes 45 Seconds West, a distance of
- 22 206.94 feet;
- 23 South 54 Degrees 20 Minutes 53 Seconds West, a distance of
- 24 99.96 feet;
- 25 South 37 Degrees 00 Minutes 20 Seconds West, a distance of
- 26 183.95 feet;
- 27 South 7 Degrees 16 Minutes 40 Seconds East, a distance of

- 1 66.68 feet;
- 2 South 18 Degrees 37 Minutes 13 Seconds West, a distance of
- 3 145.00 feet;
- 4 South 50 Degrees 55 Minutes 33 Seconds West a distance of
- 5 50.37 feet;
- 6 South 81 Degrees 25 Minutes 05 Seconds West, a distance of
- 7 117.81. feet;
- 8 South 43 Degrees 33 Minutes 33 Seconds West, a distance of
- 9 214.19 feet;
- 10 South 55 Degrees 56 Minutes 20 Seconds West, a distance of
- 11 199.82 feet;
- 12 North 86 Degrees 30 Minutes 30 Seconds West, a distance of
- 13 66.04 feet;
- 14 North 39 Degrees 31 Minutes 13 Seconds West, a distance of
- 15 73.41 feet,
- 16 North 24 Degrees 35 Minutes 20 Seconds West, a distance of
- 17 20.52 feet;
- 18 North 64 Degrees 12 Minutes 02 Seconds West, a distance of
- 19 197.24 feet;
- 20 North 42 Degrees 28 Minutes 22 Seconds West, a distance of
- 21 185.27 feet;
- 22 North 5 Degrees 07 Minutes 35 Seconds East, a distance of
- 23 75.65 feet;
- 24 North 19 Degrees 31 Minutes 28 Seconds West, a distance of
- 25 44.62 feet;
- 26 North 0 Degrees 27 Minutes 51 Seconds East, a distance of
- 27 239.11 feet;

- 1 North 27 Degrees 30 Minutes 15 Seconds East, a distance of
- 2 83.52 feet;
- 3 North 60 Degrees 50 Minutes 32 Seconds West, a distance of
- 4 69.65 feet;
- 5 South 79 Degrees 21 Minutes 19 Seconds West, a distance of
- 6 191.59 feet;
- 7 North 51 Degrees 02 Minutes 23 Seconds West, a distance of
- 8 107.06 feet;
- 9 North 13 Degrees 38 Minutes 34 Seconds West, a distance of
- 10 156.05 feet;
- 11 North 48 Degrees 55 Minutes 46 Seconds West, a distance of
- 12 390.43 feet;
- 13 North 36 Degrees 13 Minutes 39 Seconds West, a distance of
- 14 166.29 feet;
- 15 North 89 Degrees 35 Minutes 57 Seconds West, a distance of
- 16 45.71 feet,
- 17 South 61 Degrees 51 Minutes 40 Seconds West, a distance of
- 18 198.79 feet;
- 19 South 30 Degrees 04 Minutes 49 Seconds West, a distance of
- 20 36.09 feet;
- 21 South 20 Degrees 11 Minutes 29 Seconds East, a distance of
- 22 96.61 feet;
- 23 South 6 Degrees 08 Minutes 11 Seconds East, a distance of
- 24 174.03 feet;
- 25 South 7 Degrees 28 Minutes 44 Seconds West, a distance of
- 26 106.64 feet,
- 27 South 27 Degrees 41 Minutes 51 Seconds West, a distance of

- 1 131.32 feet;
- 2 South 4 Degrees 34 Minutes 07 Seconds West, a distance of
- 3 152.56 feet;
- 4 South 24 Degrees 50 Minutes 38 Seconds West, a distance of
- 5 324.10 feet;
- 6 North 62 Degrees 01 Minutes 07 Seconds West, a distance of
- 7 59.93 feet;
- 8 South 63 Degrees 06 Minutes 40 Seconds West, a distance of
- 9 55.18 feet;
- 10 South 11 Degrees 19 Minutes 06 Seconds West, a distance of
- 11 17.89 feet;
- 12 North 84 Degrees 39 Minutes 41 Seconds West, a distance of
- 13 15.53 feet;
- 14 South 27 Degrees 40 Minutes 44 Seconds West, a distance of
- 15 52.50 feet;
- 16 South 54 Degrees 48 Minutes 46 Seconds West, a distance of
- 17 163.39 feet;
- 18 South 1 degree 53 Minutes 56 Seconds East, a distance of 74.20
- 19 feet;
- 20 South 25 Degrees 46 Minutes 31 Seconds West; a distance of
- 21 41.01 feet;
- 22 South 43 Degrees 04 Minutes 41 Seconds West, a distance of
- 23 153.67 feet;
- 24 South 65 Degrees 24 Minutes 42 Seconds West, a distance of
- 25 152.12 feet;
- 26 South 85 Degrees 45 Minutes 56 Seconds West, a distance of
- 27 59.54 feet;

1 North 60 Degrees 55 Minutes 21 Seconds West, a distance of
2 68.90 feet;
3 North 14 Degrees 20 Minutes 24 Seconds West, a distance of
4 145.46 feet;
5 North 37 Degrees 47 Minutes 55 Seconds West, a distance of
6 91.94 feet;
7 North 17 Degrees 32 Minutes 20 Seconds West, a distance of
8 83.43 feet;
9 North 49 Degrees 24 Minutes 51 Seconds West; a distance of
10 71.33 feet;
11 North 15 Degrees 47 Minutes 09 Seconds West, a distance of
12 79.77 feet;
13 North 44 Degrees 54 Minutes 58 Seconds West, a distance of
14 149.26 feet;
15 South 78 Degrees 48 Minutes 22 Seconds West, a distance of
16 104.91 feet;
17 THENCE North 76 Degrees 24 Minutes 51 Seconds West; with the
18 center of Mill Creek, a distance of 90.78 feet to the northwest
19 corner of the called 73.594 acre tract described in deed to Ruel
20 Sanders recorded under Volume 679 Page 212 of the Deed Records of
21 Montgomery County;
22 THENCE South 3 Degrees 17 Minutes 07 Seconds East, with the
23 west line of said Ruel Sanders tract and the east line of the
24 Magnolia Timber Partners tract, a distance of 19.89 feet to a 5/8
25 inch iron rod with cap marked "Carter & Burgess" set for corner;
26 THENCE South 86 Degrees 42 Minutes 53 Seconds West, with the
27 north line of the called 103 acre tract described in deed to R. F.

1 Sanders recorded under Volume 280, Page 301 of the Deed Records of
2 Montgomery County and the south line of the Woodard Ranch West, LP
3 tract, a distance of 1194.54 feet to a 5/8 inch iron rod with cap
4 marked "Carter & Burgess" set for the northwest corner of said R. F.
5 Sanders tract;

6 THENCE South 3 Degrees 17 Minutes 07 Seconds East, with the
7 east line of the Woodard Ranch West, LP tract and the west line of
8 the said R. F. Sanders tract, a distance of 3635.69 feet to a 5/8
9 inch iron rod with cap marked "Carter & Burgess" set for comer;

10 THENCE South 2 Degrees 25 Minutes 09 Seconds East, continuing
11 with the east line of the Woodard Ranch West, LP tract and the west
12 line of the R. F. Sanders tract, a distance of 919.23 feet to a 5/8
13 inch iron rod with cap marked "Carter & Burgess" set previous in the
14 north right-of-way line of FM 1774 (60.0 feet wide per Volume 204,
15 Page 522 of Montgomery County Deed Records);

16 THENCE North 74 Degrees 43 Minutes 59 Seconds West, with the
17 north right-of-way of FM 1774, a distance of 479.95 feet to a 5/8
18 inch iron rod with cap marked "Carter & Burgess" set for the
19 beginning of a curve to the right;

20 THENCE in a northwesterly direction with the north
21 right-of-way of FM 1774 and said curve to the right, having a radius
22 of 1170.47 feet, a central angle of 30 Degrees 46 Minutes 39
23 Seconds, a chord bearing of North 59 Degrees 20 Minutes 40 Seconds
24 West, a chord distance of 621.21 feet, at an arc distance of 297
25 feet crossing the Montgomery County and Waller County Line, a total
26 arc distance of 628.74 feet to 5/8 inch iron rod with cap marked
27 "Carter & Burgess" set for the point of tangency;

1 THENCE North 43 Degrees 57 Minutes 20 Seconds West,
2 continuing with the north right-of-way line of FM 1774, a distance
3 of 574.51 feet to a 5/8 inch iron rod with cap marked "Carter &
4 Burgess" set for corner;

5 THENCE North 42 Degrees 58 Minutes 17 Seconds West,
6 continuing with the north right-of-way line of FM 1774, a distance
7 of 443.48 feet to a 5/8 inch iron rod with cap marked "Carter &
8 Burgess" set for corner of the herein described tract and the
9 southeast corner of a called 3.3907 acre tract described in deed to
10 Chaminade Capital Corporation recorded under Volume 554, Page 571
11 of the Waller County Deed Records, from which a found concrete
12 monument bears South 02 Degrees 36 Minutes 21 Seconds East, a
13 distance of 337.82 feet;

14 THENCE North 02 Degrees 36 Minutes 21 Seconds West, with the
15 east line of the Richard Prior Survey and the west line of the
16 Robert Watson Survey, Abstract 271 Waller County, also with the
17 west line of the Woodard Ranch West, LP tract, the east line of the
18 called 3.3907 acre tract described in deed to Chaminade Capital
19 Corp. recorded under Volume 554, Page 571, the east line of the call
20 3.3907 acre tract described in deed to Kevin Zabiegala recorded
21 under Volume 559, Page 882, the east line of the called 3.3907 acre
22 tract described in deed to Donna Hoyt recorded under Volume 414,
23 Page 582, the east line of the tract described in deed to Randolph
24 Hardee recorded under Volume 378, Page 911, the east line of the
25 call 7.458 acre tract described in deed to Eugene Mattern recorded
26 under Volume 531, Page 898, the east line of the called 56.0438 acre
27 tract described in deed to Brenda Tolleson recorded under Volume

1 474, Page 479, the east line of the called 19.755 acre tract
2 described in deed to Eugene Mattern recorded under Volume 571, Page
3 767, and the east line of the called 90.0 acre tract described in
4 deed to Wm. F. Jackson recorded under Volume 168, Page 540 all of
5 the Deed Records of Waller County, a distance of 6362 .56 feet to a
6 5/8 inch iron rod with cap marked "Carter & Burgess" set for corner;

7 THENCE North 02 Degrees 51 Minutes 14 Seconds West, with the
8 west line of the Woodard Ranch West, LP tract, and the east line of
9 Lake Hollyhill Acres subdivision recorded under Volume 275, Page
10 292 of Grimes County Deed Records, a distance of 3169.95 feet to a
11 square bolt in concrete found for corner;

12 THENCE South 86 Degrees 55 Minutes 20 Seconds West, with the
13 south line of the Woodard Ranch West, LP tract and the north line of
14 Lake Hollyhill, a distance of 3150.62 feet to a 1/2 inch iron rod
15 found for corner,

16 THENCE North 3 Degrees 05 Minutes 22 Seconds West, with the
17 west line of the Woodard Ranch West, LP tract and the east line of
18 the called 19.484 acre tract, a distance of 954.90 feet to a 1/2
19 inch iron rod found for corner;

20 THENCE North 87 Degrees 05 Minutes 46 Seconds East, with the
21 north line of the Woodard Ranch West, LP tract and with the south
22 line of the tracts described in deeds to Todd Mission Farm recorded
23 under Volume 427, Page 712 and Volume 450 Page 739 of the Deed
24 Records of Grimes County, a distance of 366.94 feet to a 1/2 inch
25 iron rod found for corner;

26 THENCE North 2 Degrees 47 Minutes 46 Seconds West, with the
27 west line of the Woodard Ranch West, LP tract and with the east line

1 of said Todd Mission Farm tract, a distance of 1565.13 feet to a 1/2
2 inch iron rod found for corner;

3 THENCE South 87 Degrees 10 Minutes 42 Seconds West. with the
4 south line of the Woodard Ranch West, LP tract and the north line of
5 said Todd Mission Farm tract, a distance of 499.97 feet to a 1 1/2
6 inch iron pipe found for corner;

7 THENCE North 3 Degrees 34 Minutes 54 Seconds West, with the
8 west line of the Woodard Ranch West, LP tract and the east line of
9 the Todd Mission Farm tract, a distance of 1112.04 feet to a 3/8
10 inch iron rod found for corner;

11 THENCE North 04 Degrees 11 Minutes 26 Seconds West,
12 continuing with the west line of the Woodard Ranch West, LP tract
13 and the east line of the Todd Mission Farm tract, a distance of
14 1123.78 feet to a 1/2 inch iron rod found for the northeast corner
15 of said Todd Mission Farm tract from which a 3/4 inch iron bolt
16 bears North 84 Degrees 42 Minutes 36 Seconds East a distance of
17 21.66 feet;

18 THENCE North 86 Degrees 07 Minutes 53 Seconds East, with the
19 north line of the Woodard Ranch West, LP tract, the south line of
20 the called 182.9495 acre tract described in deed to the Texas
21 Renaissance Festival, Inc. recorded under Volume 565, Page 23 of
22 the Deed Records of Grimes County, and with the south line of the
23 tract described in deed to Clifford Largent recorded under Volume
24 265, Page 369 of the Deed Records of Grimes County, a distance of
25 2146.80 feet to a 1 1/2 inch iron pipe found for corner;

26 THENCE North 06 Degrees 53 Minutes 24 Seconds West, with the
27 west line of the Woodard Ranch West, LP tract and the east line of

1 the Texas Renaissance Festival tract, a distance of 1856.50 feet to
2 a concrete monument found for corner;

3 THENCE North 3 Degrees 32 Minutes 02 Seconds West, with the
4 west line of the Woodard Ranch West, LP tract, the east line of the
5 Texas Renaissance Festival tract, the east line of the called
6 36.706 acre tract described in deed to Autry Maywald recorded under
7 Volume 696, Page 103, the east line of the called 16.0 acre tract
8 described in deed to Michael Cotie recorded under Volume 362, Page
9 558, and also with the east line of the H. M. Bullock Survey,
10 Abstract 96 Grimes County, and with the west line of the Alexander
11 Robblis Survey, Abstract 400 Grimes County, a distance of 2064.64
12 feet to a 5/8 inch iron rod with cap marked "Carter &. Burgess" set
13 for corner;

14 THENCE North 87 Degrees 31 Minutes 54 Seconds East, departing
15 the east line of the a H. M. Bullock Survey and with the west line of
16 the Alexander Robblis Survey, a distance of 12655.49 feet to the
17 POINT OF BEGINNING and containing 4,286.698 acres less the
18 following save and except 0.057 acre tract.

19 SAVE & EXCEPT

20 Description of a 0.057 acre tract of land, being that called
21 0.057 acre tract described in deed to Lufkin-Conroe Telephone
22 Exchange recorded under Montgomery County Clerk File Number
23 9556511, and located in the Joseph G. Ferguson Survey, Abstract
24 221, Montgomery County, Texas, and more particularly described as
25 follows:

26 COMMENCING at a 5/8 inch iron rod with cap marked "Carter &
27 Burgess" set in the west right-of-way of FM 1774 (100.0 feet wide

1 per Volume 219, Page 423, Volume 252, Page 343, Volume 252, Page
2 344, Volume 257, Page 71, Volume 254, Page 556, Volume 215, Page
3 512, and Volume 218, Page 2 of Montgomery County Deed Records) and
4 in the north line of said Woodard Ranch West, LP tract and the south
5 line of the called 1,995.300 acre tract described in Special
6 Warranty Deed to the Charles Eugene Campbell Marital Trust recorded
7 under Montgomery County Clerk's File Number 2004-058220;

8 THENCE South 02 Degrees 34 Minutes 58 Seconds East, with west
9 right-of-way line of FM 1486, a distance of 3459.37 feet to a set
10 5/8 inch iron rod with cap marked "Carter & Burgess";

11 THENCE South 03 Degrees 11 Minutes 11 Seconds East,
12 continuing with the west right-of-way of FM 1486, a distance 20.24
13 feet to a point for corner;

14 THENCE South 87 Degrees 45 Minutes 51 Seconds West, with the
15 south line of the 20 feet wide easement described in deed to
16 Lufkin-Conroe Telephone Exchange recorded under Montgomery County
17 Clerk's File Number 9556511, a distance of 99.52 feet to a 5/8 inch
18 iron rod with cap marked "Carter & Burgess" set for the southeast
19 corner of said Lufkin-Conroe Telephone Exchange called 0.057 acre
20 tract and POINT OF BEGINNING of the herein described tract;

21 THENCE South 87 Degrees 45 Minutes 51 Seconds West, with the
22 south line of said Lufkin-Conroe Telephone Exchange tract and a
23 north line of the tracts described in Special Warranty Deed to
24 Magnolia Timber Partners LP recorded under Volume 553, Page 001 of
25 the Deed Records of Waller County, Texas, Volume 849, Page 205 of
26 the Deed Records of Grimes County, Texas, and Montgomery County
27 Clerk's File Number 968009, a distance of 50.00 feet to a 1/2 inch

1 iron rod found for the southwest corner of said Lufkin-Conroe
2 Telephone Exchange tract;

3 THENCE 02 Degrees 14 Minutes 09 Seconds West, with the west
4 line of said Lufkin-Conroe Telephone Exchange tract and a east line
5 of said Woodard Ranch West, LP tract, a distance of 50.00 feet to a
6 1/2 inch iron rod found for the northwest corner of said
7 Lufkin-Conroe Telephone Exchange tract;

8 THENCE North 87 Degrees 45 Minutes 511 Seconds East, with the
9 north line of said Lufkin-Conroe Telephone Exchange tract and a
10 south line of said Woodard Ranch West; LP tract, a distance of 50.00
11 feet to a 1/2 inch iron rod found for the northeast corner of said
12 Lufkin-Conroe Telephone Exchange tract;

13 THENCE South 02 Degrees 14 Minutes 09 Seconds East, with the
14 east line of said Lufkin-Conroe Telephone Exchange tract and a west
15 line of said Woodard Ranch West, LP tract, a distance of 50.00 feet
16 to the POINT OF BEGINNING and containing 0.057 acre of land.

17 TRACT TWO:

18 Description of 1,445.197 acres of land out of the called
19 2,323.214 acre tract described in Special Warranty Deed from BST
20 Timberlands of Texas, L.P. to Woodard Ranch Partners, L P recorded
21 August 26, 2005 under Montgomery County Clerk File Number
22 2005-095962 of the real property records of Montgomery County,
23 Texas, and located in the William Stansbury Survey, Abstract 508
24 and the Thomas G. Allen Survey, Abstract 64, Montgomery County,
25 Texas and more particularly described as follows:

26 BEGINNING at a concrete monument found in the east
27 right-of-way line of FM 1486 (100 feet wide) recorded under Volume

1 219, Page 423, Volume 252, Page 343, Volume 252, Page 344, Volume
2 257, Page 71, Volume 254, Page 556, Volume 215, Page 512 and Volume
3 218, Page 2 of the Deed Records of Montgomery County, Texas in the
4 south line of said Woodard Ranch Partners, L.P. called 2,323 214
5 acre tract, and the northwest corner of the called 9.9999 acre tract
6 described in deed to Joanne Moore recorded under Montgomery County
7 Clerk's File Number 2003-042415;

8 THENCE North 02 degrees 53 minutes 38 seconds West, with the
9 east right-of-way line of FM 1486, a distance of 1,165.37 feet to a
10 concrete monument found for the southwest corner of the called
11 29.397 acre tract described in deed to M. L. Maciejewski recorded
12 under Volume 259, Page 791 of Montgomery County Deed Records and in
13 the north line of said Woodard Ranch Partners, L.P. tract;

14 THENCE North 87 degrees 12 minutes 36 seconds East, with the
15 north line of said Woodard Ranch Partners, L.P. called 2,323.214
16 acre tract and the south line of the called 29.397 acre tract, a
17 distance of 1,681.98 feet to a point in a creek from which a set 5/8
18 inch iron rod with cap marked "Carter & Burgess" bears South 87
19 degrees 12 minutes 36 seconds West, a distance of 100.00 feet;

20 THENCE North 16 degrees 26 minutes 24 seconds West, with the
21 creek, a distance of 233.50 feet to a point for corner;

22 THENCE North 40 degrees 41 minutes 24 seconds West,
23 continuing with the creek, a distance of 123.30 feet to a point for
24 corner;

25 THENCE North 04 degrees 56 minutes 24 seconds West,
26 continuing with the creek, a distance of 207.40 feet to a point for
27 corner;

1 THENCE North 22 degrees 34 minutes 08 seconds West continuing
2 with the creek, a distance of 71.00 feet to a point for corner;
3 THENCE North 41 degrees 35 minutes 52 seconds East,
4 continuing with the creek, a distance of 71.50 feet to a point for
5 corner;
6 THENCE North 40 degrees 39 minutes 49 seconds West,
7 continuing with the creek, a distance of 187.91 feet to a point for
8 corner;
9 THENCE North 29 degrees 57 minutes 45 seconds West,
10 continuing with the creek, a distance of 450.22 to a point for
11 corner;
12 THENCE North 66 degrees 31 minutes 40 seconds West,
13 continuing with the creek, a distance of 308.15 feet to a point for
14 corner;
15 THENCE North 45 degrees 01 minutes 38 seconds West,
16 continuing with the creek, a distance of 363.18 feet to a point for
17 corner;
18 THENCE North 19 degrees 20 minutes 00 seconds West,
19 continuing with the creek, a distance of 259.64 feet to a point for
20 corner;
21 THENCE North 17 degrees 39 minutes 04 seconds West,
22 continuing with the creek, a distance of 394.32 feet to a point for
23 corner;
24 THENCE North 63 degrees 20 minutes 45 seconds West,
25 continuing with the creek, a distance of 56.90 feet to a point for
26 corner;
27 THENCE North 22 degrees 21 minutes 29 seconds West,

1 continuing with the creek, a distance of 480.58 feet to a point for
2 corner;

3 THENCE North 23 degrees 41 minutes 20 seconds West,
4 continuing with the creek, a distance of 263.57 feet to a point for
5 corner;

6 THENCE North 38 degrees 22 minutes 48 seconds West,
7 continuing with the creek, a distance of 427.55 feet to a 3/4 inch
8 iron rod found in the east right-of-way line of FM 1486;

9 THENCE North 02 degrees 42 minutes 57 seconds West, with the
10 east right-of-way line of FM 1486, a distance of 400.73 feet to a
11 concrete monument found for the southwest corner of the Convenient
12 County Estates Subdivision, Phase II, recorded under Cabinet H,
13 Sheet 79 B of Montgomery County Map Records and in the north line of
14 the William Stansbury Survey, Abstract 508 and the south line of the
15 William Stansbury Survey, Abstract 531;

16 THENCE North 87 degrees 22 minutes 40 seconds East, with the
17 north line of said Woodard Ranch Partners, L.P. tract, the south
18 line of the Convenient County Estates Subdivision, the north line
19 of the William Stansbury Survey, Abstract 508, and the south line of
20 the William Stansbury Survey, Abstract 531, a distance of 6,641.21
21 feet to a 5/8 inch iron rod found for corner;

22 THENCE North 87 degrees 10 minutes 42 seconds East,
23 continuing with the north line of said Woodard Ranch Partners, L.P.
24 tract and the south line of said Convenient County Estates, a
25 distance of 5,747.50 feet to a 4 inch iron pipe found for the
26 southeast corner of the Convenient County Estates Subdivision, a
27 northern corner of said Woodard Ranch Partners, L.P. tract, the

1 northeast corner of William Stansbury Survey, Abstract 192;

2 THENCE South 02 degrees 44 minutes 34 seconds East, with the
3 east line of said William Stansbury Survey and the west line of said
4 Jacob Eyler Survey, a distance of 1,243.66 feet to 3/4 inch iron
5 pipe found for a southern corner of said Woodard Ranch Partners,
6 L.P. tract, the northwest corner of the John T. Rockwell Survey,
7 Abstract 451 and the northwest corner of the. called 320 acre tract
8 described in deed to Dan H. Madeley recorded under Volume 414, Page
9 291 of Montgomery County Deed Records;

10 THENCE South 02 degrees 35 minutes 52 seconds East, with the
11 east line of said William Stansbury Survey, the east line of said
12 Woodard Ranch Partners, L.P. tract, and the west line of said John
13 T. Rockwell Survey, a distance of 4,322.67 feet to a 2 inch iron
14 pipe found for a southern corner of said Woodard Ranch Partners,
15 L.P. tract;

16 THENCE South 87 degrees 02 minutes 33 seconds West, with the
17 south line of the Woodard Ranch Partners, L.P. tract, the south line
18 of said William Stansbury Survey, and the north line of the called
19 131.230 acre tract described in deed to Raymond C. Rickett, Jr.
20 recorded under Montgomery County Clerk File Number 9719186, a
21 distance of 3,324.80 feet to a 1 inch iron pipe found for a southern
22 corner of said Woodard Ranch Partners, L.P. tract and the northwest
23 corner of said Raymond C. Rickett, Jr. tract;

24 THENCE South 02 degrees 46 minutes 27 seconds East, with the
25 east line of said Woodard Ranch Partners, L.P. tract and the west
26 line of said Raymond C. Rickett, Jr. tract, a distance of 1,264.55
27 feet to a 1 inch iron pipe found for a southern corner of said

1 Woodard Ranch Partners, L.P. tract, the southwest corner of said
2 Raymond C. Rickett, Jr. tract and in the north line of the called
3 209.46 acre tract described in deed to Christopher Rhodes recorded
4 under Montgomery County Clerk's File Number 9526828;

5 THENCE South 86 degrees 51 minutes 47 seconds West, with the
6 south line of said Woodard Ranch Partners, L.P. tract and the north
7 line of the Christopher Rhodes tract, a distance of 1,617.63 feet to
8 a 5/8 inch iron rod set for a southern corner of said Woodard Ranch
9 Partners, L.P. tract and the northwest corner of said Christopher
10 Rhodes tract, and in the west line of the Thomas G. Allen Survey;

11 THENCE North 03 degrees 11 minutes 35 seconds West, with the
12 west line of said Woodard Ranch Partners, L.P. tract and the east
13 line of the Magnolia East Unrecorded Subdivision described in deeds
14 recorded under Montgomery County Clerk's File Numbers 9019503,
15 8917284, 9770914, 99006599, 9750729, and 8913130, a distance of
16 1,975.88 feet to a 4 inch iron pipe found for the northeast corner
17 of said Magnolia East Unrecorded Subdivision, a southern corner of
18 said Woodard Ranch Partners, L.P. tract, the northeast corner of
19 the John Niles Survey, Abstract 396, and in the south line of the
20 William Stansbury Survey, Abstract 508;

21 THENCE South 87 degrees 20 minutes 16 seconds West, with the
22 south line of said Woodard Ranch Partners, L.P. tract and the north
23 line of said Magnolia East Unrecorded Subdivision described in
24 deeds recorded under Montgomery County Clerk's File Numbers
25 8913130, 2001-115769, 2000-102053, 8807383, 8502145, 9808626,
26 9207949, 8844012, 8303341, Volume 1163, Page 759, 2004-112602,
27 8436226, 9250650, 2002-018876, 9842447, 8751939, and 2003-042415

1 of Montgomery County Deed Records, at a distance of 797.74 feet
2 passing a set 5/8 inch iron rod with cap marked "Carter & Burgess",
3 a total distance of 7,414.45 feet to the POINT OF BEGINNING and
4 containing 1,445.197 acres of land.

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

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

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

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

23 SECTION 4. (a) If this Act does not receive a two-thirds
24 vote of all the members elected to each house, Subchapter C, Chapter
25 8257, Special District Local Laws Code, as added by Section 1 of
26 this Act, is amended by adding Section 8257.0307 to read as follows:

27 Sec. 8257.0307. NO EMINENT DOMAIN POWER. The district may

1 not exercise the power of eminent domain.

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

5 SECTION 5. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2019.