

By: Metcalf

H.B. No. 5337

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 204; 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 8061 to read as follows:

CHAPTER 8061. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 204

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8061.0101. 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 Montgomery County Municipal Utility District No. 204.

Sec. 8061.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8061.0103. 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. 8061.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 8061.0103 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 as required by
7 applicable law.

8 Sec. 8061.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

17 Sec. 8061.0106. INITIAL DISTRICT TERRITORY. (a) The
18 district is initially composed of the territory described by
19 Section 2 of the Act enacting this chapter.

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

24 (1) organization, existence, or validity;

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

1 (3) right to impose a tax; or

2 (4) legality or operation.

3 SUBCHAPTER B. BOARD OF DIRECTORS

4 Sec. 8061.0201. GOVERNING BODY; TERMS. (a) The district is
5 governed by a board of five elected directors.

6 (b) Except as provided by Section 8061.0202, directors
7 serve staggered four-year terms.

8 Sec. 8061.0202. TEMPORARY DIRECTORS. (a) The temporary
9 board consists of:

10 (1) Rusty Campbell;

11 (2) Gordon Richardson;

12 (3) Greg Eknoyan;

13 (4) Clint Pendleton; and

14 (5) Mark Butler.

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

16 (1) the date permanent directors are elected under
17 Section 8061.0103; or

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

20 (c) If permanent directors have not been elected under
21 Section 8061.0103 and the terms of the temporary directors have
22 expired, successor temporary directors shall be appointed or
23 reappointed as provided by Subsection (d) to serve terms that
24 expire on the earlier of:

25 (1) the date permanent directors are elected under
26 Section 8061.0103; or

27 (2) the fourth anniversary of the date of the

1 appointment or reappointment.

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

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 8061.0301. GENERAL POWERS AND DUTIES. The district
11 has the powers and duties necessary to accomplish the purposes for
12 which the district is created.

13 Sec. 8061.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
14 DUTIES. The district has the powers and duties provided by the
15 general law of this state, including Chapters 49 and 54, Water Code,
16 applicable to municipal utility districts created under Section 59,
17 Article XVI, Texas Constitution.

18 Sec. 8061.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
19 52, Article III, Texas Constitution, the district may design,
20 acquire, construct, finance, issue bonds for, improve, operate,
21 maintain, and convey to this state, a county, or a municipality for
22 operation and maintenance macadamized, graveled, or paved roads, or
23 improvements, including storm drainage, in aid of those roads.

24 Sec. 8061.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
25 road project must meet all applicable construction standards,
26 zoning and subdivision requirements, and regulations of each
27 municipality in whose corporate limits or extraterritorial

1 jurisdiction the road project is located.

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

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

10 Sec. 8061.0305. COMPLIANCE WITH MUNICIPAL CONSENT
11 ORDINANCE OR RESOLUTION. The district shall comply with all
12 applicable requirements of any ordinance or resolution that is
13 adopted under Section 54.016 or 54.0165, Water Code, and that
14 consents to the creation of the district or to the inclusion of land
15 in the district.

16 Sec. 8061.0306. DIVISION OF DISTRICT. (a) The board, on
17 its own motion or on receipt of a petition signed by the owner or
18 owners of a majority of the assessed value of the real property in
19 the district, may adopt an order dividing the district.

20 (b) An order dividing a district may create one or more new
21 districts and may provide for the continuation of the district.

22 (c) An order dividing the district shall:

23 (1) name any new district;

24 (2) include the metes and bounds description of the
25 territory of each of the districts;

26 (3) appoint temporary directors for any new district;

27 and

1 (4) provide for the division of assets and liabilities
2 between the districts.

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

6 (e) The district may be divided only if the district:

7 (1) has no outstanding bonded debt; and

8 (2) is not imposing ad valorem taxes.

9 (f) A new district created by the division of the district
10 may not, at the time the new district is created, contain any land
11 outside the area described by Section 2 of the Act enacting this
12 chapter.

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

17 (h) This chapter applies to any new district created by the
18 division of the district, and a new district has all the powers and
19 duties of the district.

20 (i) A new district created by the division of the district
21 shall hold a confirmation and directors' election.

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

25 (k) A new district created by the division of the district
26 must hold an election as required by this chapter to obtain voter
27 approval before the district may impose a maintenance tax or issue

bonds payable wholly or partly from ad valorem taxes.

(1) The district may continue to rely on confirmation, directors', bond, or tax elections held prior to the division.

(m) Municipal consent to the creation of the district and to the inclusion of land in the district acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

Sec. 8061.0307. LIMITATION ON USE OF EMINENT DOMAIN. The district may not exercise the power of eminent domain outside the district to acquire a site or easement for:

(1) a road project authorized by Section 8061.0303; or

(2) a recreational facility as defined by Section 49.462, Water Code.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8061.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 8061.0403.

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

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

1 Sec. 8061.0402. OPERATION AND MAINTENANCE TAX. (a) If
2 authorized at an election held under Section 8061.0401, the
3 district may impose an operation and maintenance tax on taxable
4 property in the district in accordance with Section 49.107, Water
5 Code.

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

8 Sec. 8061.0403. CONTRACT TAXES. (a) In accordance with
9 Section 49.108, Water Code, the district may impose a tax other than
10 an operation and maintenance tax and use the revenue derived from
11 the tax to make payments under a contract after the provisions of
12 the contract have been approved by a majority of the district voters
13 voting at an election held for that purpose.

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

17 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

18 Sec. 8061.0501. AUTHORITY TO ISSUE BONDS AND OTHER
19 OBLIGATIONS. The district may issue bonds or other obligations
20 payable wholly or partly from ad valorem taxes, impact fees,
21 revenue, contract payments, grants, or other district money, or any
22 combination of those sources, to pay for any authorized district
23 purpose.

24 Sec. 8061.0502. TAXES FOR BONDS. At the time the district
25 issues bonds payable wholly or partly from ad valorem taxes, the
26 board shall provide for the annual imposition of a continuing
27 direct ad valorem tax, without limit as to rate or amount, while all

or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 8061.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. The Montgomery County Municipal Utility District No. 204 initially includes all the territory contained in the following area:

Being the 2506.15 acres of land, situated in the SAMUEL LINDLEY SURVEY, A-23, JOSE MARIA DE LA GARZA GRANT, A-15, RICHARD WILLIAMS SURVEY, A-596 and the T.C. STEVENS SURVEY, A-525, Montgomery County, Texas and being:

1. Part of a called 1432.5101 acre tract of land described as PARCEL 4 in a Special Warranty Deed dated April 25, 2018 from Apitx 5 LLC to Michael G. Manners, Trustee of the Michael G. Manners Revocable Trust Dated September 8, 2017 recorded in Volume 1322, Page 463, Official Public Records, Montgomery County, Texas (MCOPR);

2. All of a called 532.4888 acre tract of land described as PARCEL 1 in said Deed dated April 25, 2018 from Apitx 5 LLC to Michael G. Manners, Trustee of the Michael G. Manners Revocable Trust Dated September 8, 2017 recorded in Volume 1322, Page 463, MCOPR;

3. All of a called 66.3792 acre tract of land described in a Deed dated December 8, 2017 from Maria De La Luz Ortiz, et vir to

Michael G. Manners, Trustee of the Michael G. Manners Revocable Trust recorded under Clerk's File Number (CFN) 2017111540, MCOPR;

4. All of the following four (4) tracts described in a Deed dated October 15, 2014 from Harry N. Kerr and Rendy Kerr to Michael G. Manners recorded under CFN 2017111540, MCOPR:

- PARCEL ONE (1) 187.56 acre tract of land,
- PARCEL TWO (2) 131.49 acre tract of land,
- PARCEL THREE (3) 104.94 acre tract of land,
- PARCEL FOUR (4) 85.32 acre tract of land;

Said 2506.15 acres being all of the 2510.10 acre tract described hereafter, SAVE AND EXCEPT 3.95 acres within the fenced margin of Rogers Road, a.k.a. Old Willis New Waverly Road (county maintained asphalt surface), described hereinafter the below description;

Said 2510.10 acres being more definitely described by metes and bounds as follows:

BEGINNING at the northernmost west corner of the said 1432.5101 acre Manners tract and this tract, the northernmost corner of a called 132.3296 acre tract of land described in a Deed to Edward E. Hartline, et ux recorded under CFN 9656185, MCOPR, the easternmost corner of a called 9.333 acre tract of land described in a Deed to Edward E. Hartline and Deborah W. Hartline recorded under CFN 2001052161, MCOPR and the southernmost corner of a called 45.19 acre tract of land described in a Deed to Francine Stewart recorded under CFN 56023, Official Public Records of Walker County, TX (WCOPR);

THENCE N 65°41'07" E, a distance of 884.12 feet <calculated>

1 with the following boundary lines:

2 • a northwesterly line of the said 1432.5101 acre Manners
3 tract and this tract,

4 • the south east line of the said 45.19 acre Stewart tract,
5 to a point for corner of the following tracts:

6 • in the northernmost northwest line of the said 1432.5101
7 acre Manners tract and a west angle corner in the westerly north
8 line this tract,

9 • in the southerly line of the said 45.19 acre Stewart
10 tract,

11 • in the common line of the SAMUEL LINDLEY SURVEY, A-23
12 (Montgomery County) and A-29 (Walker County),

13 • in the approximate Montgomery County/Walker County line;
14 THENCE N 87°31'06" E, across the said 1432.5101 acre Manners
15 tract, a distance of 1394.41 feet <calculated based upon GIS data,
16 see note no. 3> with the following boundary lines:

17 • the westerly north line of this tract,

18 • the common line of the SAMUEL LINDLEY SURVEY, A-23
19 (Montgomery County) and A-29 (Walker County),

20 • the approximate Montgomery County/Walker County line, to
21 a point for corner of the following tracts:

22 • in a northerly interior line of the said 1432.5101 acre
23 Manners tract and a northeast corner of this tract,

24 • the approximate northwest corner of the said JOSE MARIA DE
25 LA GARZA GRANT, A-15,

26 • in the southwesterly line of a called 30.6 acre tract of
27 land described in a Deed to Francine F. Stewart recorded under Inst.

1 57729, WCOPR;

2 THENCE S 24°31'02" E, a distance of 394.55 feet <calculated>
3 with the following boundary lines:

4 • a northerly interior line of the said 1432.5101 acre
5 Manners tract and this tract,

6 • the common line of the said JOSE MARIA DE LA GARZA GRANT,
7 A-15 and the said SAMUEL LINDLEY SURVEY, A-23,

8 • the southwesterly line of the said 30.6 acre Stewart
9 tract,

10 to a point for corner of the following tracts:

11 • the northernmost interior ell corner of the said 1432.5101
12 acre Manners tract and this tract,

13 • the southernmost corner of the said 30.6 acre Stewart
14 tract;

15 THENCE N 65°30'38" E, a distance of 975.97 feet with the
16 following boundary lines:

17 • a northerly interior line of the said 1432.5101 acre
18 Manners tract and this tract,

19 • the southeasterly line of the said 30.6 acre Stewart
20 tract,

21 to a point for corner of the following tracts:

22 • in a northerly interior line of the said 1432.5101 acre
23 Manners tract and an exterior angle corner in the easterly north
24 line of this tract,

25 • in the southeasterly line of the said 30.6 acre Stewart
26 tract,

27 • in the common line of the said JOSE MARIA DE LA GARZA

GRANT, A-15 (Montgomery County) and A-22 (Walker County),

- in said approximate Montgomery County/Walker County line;

THENCE N 87°31'06" E, across the said 1432.5101 acre Manners tract, a distance of 533.70 feet <calculated based upon GIS data, see note no. 3> with the following boundary lines:

- the easterly north line of this tract,

• the common line of the said JOSE MARIA DE LA GARZA GRANT, A-15 (Montgomery County) and A-22 (Walker County),

• the said approximate Montgomery County/Walker County line,

to a point for corner of the following tracts:

• in a northeasterly line of the said 1432.5101 acre Manners tract and an angle corner in the easterly north line of this tract,

• in the common line of the said JOSE MARIA DE LA GARZA GRANT, A-15 (Montgomery County) and A-22 (Walker County),

• in the said approximate Montgomery County/Walker County line;

• in an interior line of a called 50.23 acre tract of land described as Tract 2 in a Deed to Richard William Buckner recorded in Vol. 702, pg. 59, MCOPR;

THENCE S 58°32'55" E, a distance of 74.17 feet with the following boundary lines:

• the northernmost northeast line of the said 1432.5101 acre Manners tract and this tract,

- an interior line of the said 50.23 acre Buckner tract,

to a point for corner of the following tracts:

- a northeasterly angle corner of the said 1432.5101 acre

1 Manners tract and this tract,

2 • a westerly interior angle corner of the said 50.23 acre
3 Buckner tract;

4 THENCE S 13°37'55" W, a distance of 940.82 feet with the
5 following boundary lines:

6 • a northerly east line of the said 1432.5101 acre Manners
7 tract and this tract,

8 • a south west line of the said 50.23 acre Buckner tract,
9 to a point for corner of the following tracts:

10 • a northeasterly angle corner of the said 1432.5101 acre
11 Manners tract and this tract,

12 • the southernmost southwest corner of the said 50.23 acre
13 Buckner tract,

14 • in the westernmost north line of a called 199.62 acre
15 tract of land described in a Deed to David W. Thompson and Lisa Ann
16 Thompson recorded under CFN 2018005335, MCOPR;

17 THENCE S 88°54'31" W, a distance of 134.13 feet with the
18 following boundary lines:

19 • the northernmost south line of the said 1432.5101 acre
20 Manners tract and this tract,

21 • the southernmost north line of the said 199.62 acre
22 Thompson tract,

23 to a point in the center of Chicken Creek for corner of the
24 following tracts:

25 • a northeasterly interior angle corner of the said
26 1432.5101 acre Manners tract and this tract,

27 • the southernmost northwest corner of the said 199.62 acre

1 Thompson tract;

2 THENCE S 16°14'50" W, a distance of 1214.37 feet with the
3 following boundary lines:

4 • a northerly east line of the said 1432.5101 acre Manners
5 tract and this tract,

6 • a west line of the said 199.62 acre Thompson tract,
7 to a point for corner of the following tracts:

8 • an easterly interior angle corner of the said 1432.5101
9 acre Manners tract and this tract,

10 • the westernmost corner of the said 199.62 acre Thompson
11 tract;

12 THENCE S 24°54'33" E, a distance of 1140.32 feet with the
13 following boundary lines:

14 • an easterly interior line of the said 1432.5101 acre
15 Manners tract and this tract,

16 • the southernmost west line of the said 199.62 acre
17 Thompson tract,

18 • the common line of the said JOSE MARIA DE LA GARZA GRANT,
19 A-15 and the said SAMUEL LINDLEY SURVEY, A-23,

20 to a point for corner of the following tracts:

21 • an easterly interior ell corner of the said 1432.5101 acre
22 Manners tract and this tract,

23 • the southwest corner of the said 199.62 acre Thompson
24 tract;

25 THENCE N 65°38'47" E, a distance of 839.59 feet with the
26 following boundary lines:

27 • an easterly north line of the said 1432.5101 acre Manners

1 tract and this tract,

2 • the southerly line of the said 199.62 acre Thompson tract,

3 to a point for corner of the following tracts:

4 • an easterly northeast corner of the said 1432.5101 acre

5 Manners tract and this tract,

6 • in the southerly line of the said 199.62 acre Thompson

7 tract,

8 • the westernmost corner of a called 67.542 acre tract of

9 land described in a Deed to Donnie O. Chumley, et ux recorded under

10 Film Code Number (FCN) 472-01-2169, Official Public Records of Real

11 Property, Montgomery County, TX (MCRPR);

12 THENCE S 25°05'13" E, a distance of 3498.14 feet with the

13 following boundary lines:

14 • an east line of the said 1432.5101 acre Manners tract and

15 this tract,

16 • the west line of the said 67.542 acre Chumley tract,

17 • the southernmost westerly line of a called 30.00 acre

18 tract of land described in a Deed to Glen E. Koy, Jr. recorded under

19 FCN 743-01-1612, MCRPR,

20 • the westerly line of a called 10.00 acre tract of land

21 described in a Deed to James A. Hammons, et ux recorded under FCN

22 323-01-2205, MCRPR,

23 • the westerly line of a called 10.00 acre tract of land

24 described in a Deed to James T. Hammons, et ux recorded under FCN

25 452-13-1112, MCOPR,

26 • the westerly line of a called 9.95 acre tract of land

27 described in a Deed to James T. Hammons recorded under CFN

1 2018095675, MCOPR,

2 • the northernmost west line of a called 29.90 acre tract of
3 land described in a Deed to Matthew S. Herridge recorded under CFN
4 2018090717, MCOPR,

5 to a point for corner of the following tracts:

6 • a southeast corner of the said 1432.5101 acre Manners
7 tract and this tract,

8 • a westerly interior ell corner of the said 29.90 acre
9 Herridge tract;

10 THENCE S 62°57'14" W, a distance of 920.75 feet with the
11 following boundary lines:

12 • an easterly southeast line of the said 1432.5101 acre
13 Manners tract and this tract,

14 • the lower northwest line of the said 29.90 acre Herridge
15 tract,

16 to a point for corner of the following tracts:

17 • an easterly interior ell corner of the said 1432.5101 acre
18 Manners tract and this tract,

19 • the westernmost corner of the said 29.90 acre Herridge
20 tract,

21 • in the common line of the said JOSE MARIA DE LA GARZA
22 GRANT, A-15 and the said SAMUEL LINDLEY SURVEY, A-23;

23 THENCE S 25°14'14" E, a distance of 3418.55 feet with the
24 following boundary lines:

25 • an easterly northeast line of the said 1432.5101 acre
26 Manners tract and this tract,

27 • the westerly southwest line of the said 29.90 acre

1 Herridge tract,
2 • the common line of the said JOSE MARIA DE LA GARZA GRANT,
3 A-15 and the said SAMUEL LINDLEY SURVEY, A-23,
4 • the westerly line of a called 20.000 acre tract of land
5 described in a Deed to Glen E. Koy, et ux recorded under CFN
6 9676130, MCRPR,
7 • the westerly line of a called 16.416 acre tract of land
8 described in a Deed to Glen Koy and Janice Koy recorded under CFN
9 2004112851, MCRPR,
10 • the westerly line of a called 4.933 acre tract of land
11 described in a Deed to Chad William Baylor recorded under CFN
12 2011077678, MCOPR,
13 • the westerly line of a called 4.0000 acre tract of land
14 described in a Deed to Rubin Allen Wood, et ux recorded under CFN
15 201108049, MCOPR,
16 • the westerly line of a called 1.63 acre tract of land
17 described in a Deed to Halbert L. Martin, Sr. and Kathryn L. Martin
18 recorded under CFN 2015039488, MCOPR,
19 to a point for corner of the following tracts:
20 • an easterly angle corner of the said 1432.5101 acre
21 Manners tract and this tract,
22 • in the common line of the said JOSE MARIA DE LA GARZA
23 GRANT, A-15 and the said SAMUEL LINDLEY SURVEY, A-23,
24 • in the fenced west margin of said Rogers Road;
25 THENCE S 26°59'30" E, across the fenced margins of said Rogers
26 Road, a distance of 174.33 feet <calculated> to a point for corner
27 of the following tracts;

1 ● the northernmost corner of the said 532.4888 acre Manners
2 tract and an easterly angle corner of this tract,

3 ● in the common line of the said JOSE MARIA DE LA GARZA
4 GRANT, A-15 and the said SAMUEL LINDLEY SURVEY, A-23,

5 ● in the fenced east margin of said Rogers Road,

6 ● the westernmost northwest corner of Mt. Zion Acres
7 Subdivision according to Plat recorded in Cabinet D, Sheet 108-B
8 and also recorded under CFN 8311986;

9 THENCE S 25°40'43" E, a distance of 1275.80 feet with the
10 following boundary lines:

11 ● a westerly northeast line of the said 532.4888 acre
12 Manners tract and an interior northeast line of this tract,

13 ● the westernmost line of the said Mt. Zion Acres
14 Subdivision,

15 ● the common line of the said JOSE MARIA DE LA GARZA GRANT,
16 A-15 and the said SAMUEL LINDLEY SURVEY, A-23,

17 to a point for corner of the following tracts:

18 ● a westerly interior angle corner of the said 532.4888 acre
19 Manners tract and a central interior angle corner of this tract,

20 ● the westernmost southwest corner of the said Mt. Zion
21 Acres Subdivision,

22 ● in the common line of the said JOSE MARIA DE LA GARZA
23 GRANT, A-15 and the said SAMUEL LINDLEY SURVEY, A-23;

24 THENCE S 88°39'00" E, a distance of 527.46 feet with the
25 following boundary lines:

26 ● the westernmost north line of the said 532.4888 acre
27 Manners tract and an central north line of this tract,

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1 ● the westernmost south line of the said Mt. Zion Acres
2 Subdivision,

3 to a point for corner of the following tracts:

4 ● the westernmost northeast corner of the said 532.4888 acre
5 Manners tract and a northeast corner of this tract,

6 ● a southerly interior angle corner of the said Mt. Zion
7 Acres Subdivision;

8 THENCE S 25°03'48" E, a distance of 398.07 feet with the
9 following boundary lines:

10 ● a northerly interior line of the said 532.4888 acre
11 Manners tract and this tract,

12 ● the southernmost west line of the said Mt. Zion Acres
13 Subdivision,

14 to a point for corner of the following tracts:

15 ● a northerly interior angle corner of the said 532.4888
16 acre Manners tract and this tract,

17 ● the southernmost southwest corner of the said Mt. Zion
18 Acres Subdivision;

19 THENCE S 87°44'57" E, a distance of 477.38 feet with the
20 following boundary lines:

21 ● a north line of the said 532.4888 acre Manners tract and
22 this tract,

23 ● the southernmost line of the said Mt. Zion Acres
24 Subdivision,

25 to a point for corner of the following tracts:

26 ● in a north line of the said 532.4888 acre Manners tract and
27 this tract,

1 ● the southeast corner of the said Mt. Zion Acres
2 Subdivision,

3 ● the southwest corner of the said 66.3792 acre Manners
4 tract;

5 THENCE N 22°23'08" W, a distance of 2871.09 feet with the
6 following boundary lines:

7 ● the west line of the said 66.3792 acre Manners tract and a
8 west line of this tract,

9 ● the east line of the said Mt. Zion Acres Subdivision,
10 to a point for corner of the following tracts:

11 ● the northwest corner of the said 66.3792 acre Manners
12 tract and a lower northwest corner of this tract,

13 ● the northeast corner of the said Mt. Zion Acres
14 Subdivision,

15 ● in the south margin of Mt. Zion Road (a county maintained
16 asphalt surface);

17 THENCE S 87°44'03" E, a distance of 1089.77 feet with the
18 following boundary lines:

19 ● the north line of the said 66.3792 acre Manners tract and a
20 north line of this tract,

21 ● the south margin of said Mt. Zion Road,
22 to a point for corner of the following tracts:

23 ● the northeast corner of the said 66.3792 acre Manners
24 tract and a northeast corner of this tract,

25 ● in the south margin of said Mt. Zion Road,

26 ● the northwest corner of a called 4.00 acre tract described
27 in a Deed to John Wesley Castine recorded under CFN 2011071469,

1 MCOPR;

2 THENCE S 22°32'05" E, a distance of 874.15 feet with the
3 following boundary lines:

4 • an east line of the said 66.3792 acre Manners tract and
5 this tract,

6 • the west line of the said 4.00 acre Castine tract,
7 to a point for corner of the following tracts:

8 • an angle corner of the said 66.3792 acre Manners tract and
9 this tract,

10 • the southwest corner of the said 4.00 acre Castine tract,

11 • the westernmost northwest corner of a called 44.5 acre
12 tract conveyed to Ian Martin Gerrard recorded under CFN 2018099526,
13 MCOPR and being more particularly described in a Deed recorded in
14 Vol. 483, pg. 485, Deed Records of Montgomery County, TX (MCDR);

15 THENCE S 22°35'50" E, a distance of 1126.95 feet with the
16 following boundary lines:

17 • an east line of the said 66.3792 acre Manners tract and
18 this tract,

19 • the west line of the said 44.5 acre Gerrard tract,
20 to a point for corner of the following tracts:

21 • an angle corner of the said 66.3792 acre Manners tract and
22 this tract,

23 • the southwest corner of the said 44.5 acre Gerrard tract,

24 • the easternmost northwest corner of the said 532.4888 acre
25 Manners tract;

26 THENCE N 89°38'34" E, a distance of 1363.00 feet with the
27 following boundary lines:

1 ● a north line of the said 532.4888 acre Manners tract and
2 this tract,

3 ● the south line of the said 44.5 acre Gerrard tract,
4 to a point for corner of the following tracts:

5 ● a northeast corner of the said 532.4888 acre Manners tract
6 and this tract,

7 ● in the south line of the said 44.5 acre Gerrard tract,

8 ● the southernmost northwest corner of a called 57.790 acre
9 tract of land described in a Deed to Jacob Slott recorded under CFN
10 2017071820, MCOPR;

11 THENCE S 14°49'59" E, a distance of 901.02 feet with the
12 following boundary lines:

13 ● an east line of the said 532.4888 acre Manners tract and
14 this tract,

15 ● the west line of the said 57.790 acre Slott tract,
16 to a point for corner of the following tracts:

17 ● an interior corner of the said 532.4888 acre Manners tract
18 and this tract,

19 ● the westernmost southwest corner of the said 57.790 acre
20 Slott tract;

21 THENCE S 87°45'59" E, a distance of 194.05 feet with the
22 following boundary lines:

23 ● an easterly north line of the said 532.4888 acre Manners
24 tract and this tract,

25 ● a south line of the said 57.790 acre Slott tract,
26 to a point for corner of the following tracts:

27 ● an angle corner of the said 532.4888 acre Manners tract

1 and this tract,

2 ● in a south line of the said 57.790 acre Slott tract;

3 ● the northwest corner of a called 55.5169 acre tract of
4 land described in a Deed to Jacob Slott recorded under CFN
5 2018057080, MCOPR;

6 THENCE generally in a southerly direction, with an east line
7 of the said 532.4888 acre Manners tract and of this tract and the
8 westerly line of the said 55.5169 acre Slott tract, the following
9 five (5) calls:

10 ● S 39°40'05" E, a distance of 437.68 feet to a point for
11 corner,

12 ● S 14°13'08" E, a distance of 84.58 feet to a point for
13 corner,

14 ● S 16°28'28" W, a distance of 289.38 feet to a point for
15 corner,

16 ● S 27°16'56" W, a distance of 648.82 feet to a point for
17 corner,

18 ● S 25°42'27" W, a distance of 1411.29 feet to a point for
19 corner in the center of Little Caney Creek;

20 THENCE generally in an easterly direction with the center of
21 said Little Caney Creek, with a lower north line of the said
22 532.4888 acre Manners tract and of this tract and the south line of
23 the said 55.5169 acre Slott tract, the following eleven (11) calls:

24 1) S 58°09'36" E, a distance of 260.72 feet to a point for
25 corner,

26 2) N 25°57'38" E, a distance of 230.21 feet to a point for
27 corner,

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1 3) S 76°55'51" E, a distance of 62.79 feet to a point for
2 corner,

3 4) N 82°18'25" E, a distance of 250.28 feet to a point for
4 corner,

5 5) S 65°20'13" E, a distance of 341.62 feet to a point for
6 corner,

7 6) N 23°34'04" E, a distance of 133.93 feet to a point for
8 corner,

9 7) N 74°54'27" E, a distance of 209.23 feet to a point for
10 corner,

11 8) S 77°34'31" E, a distance of 104.01 feet to a point for
12 corner,

13 9) S 23°52'36" W, a distance of 145.46 feet to a point for
14 corner,

15 10) S 23°19'34" E, a distance of 147.34 feet to a point for
16 corner,

17 11) S 66°15'17" E, a distance of 271.00 feet to a point for
18 the southernmost northeast corner of the said 532.4888 acre Manners
19 tract, a lower northeast corner of this tract, the southernmost
20 corner of the said 55.5169 acre Slott tract, in the center of said
21 Little Caney Creek and in the westernmost line of a called 250 acre
22 tract of land described in a Deed to Henry L. Pratt and Arthur C.
23 Pratt recorded in Vol. 194, pg. 192, MCDR;

24 THENCE S 00°25'07" W, a distance of 808.32 feet with the
25 following boundary lines:

26 • the easternmost line of the said 532.4888 acre Manners
27 tract and an east line of this tract,

1 ● the westernmost line of the said 250 acre Pratt tract,
2 to a point for corner of the following tracts:

3 ● an angle corner in the easternmost line of the said
4 532.4888 acre Manners tract and a central interior ell corner of
5 this tract,

6 ● the southwest corner of the said 250 acre Pratt tract,

7 ● the northwest corner of the said 187.56 acre Manners
8 tract;

9 THENCE S 89°05'15" E, a distance of 2447.10 feet with the
10 following boundary lines:

11 ● the north line of the said 187.56 acre Manners tract and a
12 north line of this tract,

13 ● the south line of the said 250 acre Pratt tract,
14 to a point in the center of Caney Creek for corner of the
15 following tracts:

16 ● an angle corner in the north line of the said 187.56 acre
17 Manners tract and a central angle corner of this tract,

18 ● in the south line of the said 250 acre Pratt tract,

19 ● the northwest corner of a called 15.00 acre tract of land
20 described in a Deed to Sue Ellen Dewees Gibson recorded under FCN
21 957-01-2189, MCRPR;

22 THENCE generally in a southerly direction with the center of
23 said Caney Creek and with the east line of the following tracts:

24 ● the said 187.56 acre Manners tract,

25 ● the said 131.49 acre Manners tract,

26 same being the west line of the following tracts:

27 ● the said 15.00 acre Gibson tract,

1 ● the residue of a called 218.401 acre tract of land
2 described as Tract 2 in a Deed to Ellen Stewart Dewees recorded in
3 Vol. 764, pg. 819, MCDR,

4 ● a called 153.695 acre tract of land described as Tract 1 in
5 a Deed to Lonny Carmen Dewees, Jr., also recorded in said Vol. 764,
6 pg. 819, MCDR,

7 and establishing the easternmost line of this tract, the
8 following twenty-six (26) calls:

9 1) S 47°35'47" E, a distance of 369.51 feet to a point for
10 corner,

11 2) S 05°34'58" E, a distance of 80.55 feet to a point for
12 corner,

13 3) S 22°06'00" W, a distance of 174.59 feet to a point for
14 corner,

15 4) S 68°23'25" E, a distance of 246.43 feet to a point for
16 corner,

17 5) S 20°57'28" W, a distance of 472.28 feet to a point for
18 corner,

19 6) S 38°49'39" E, a distance of 172.36 feet to a point for
20 corner,

21 7) S 31°38'49" W, a distance of 313.29 feet to a point for
22 corner,

23 8) N 86°53'33" E, a distance of 339.86 feet to a point for
24 corner,

25 9) S 07°55'58" W, a distance of 192.47 feet to a point for
26 corner,

27 10) S 01°11'55" E, a distance of 354.49 feet to a point for

1 corner,
2 11) S 57°37'12" E, a distance of 60.18 feet to a point for
3 corner in the called intersection of Caney Creek and Bee Creek, at
4 the southeast corner of the said 187.56 acre Manners tract, a
5 northerly angle corner of the said 131.49 acre Manners tract and a
6 southwesterly angle corner of the said residue of 218.401 acre
7 Dewees tract,
8 12) N 76°07'45" E, a distance of 572.30 feet to a point for
9 corner,
10 13) N 87°59'39" E, a distance of 94.34 feet to a point for
11 corner,
12 14) S 30°56'42" E, a distance of 102.96 feet to a point for
13 corner,
14 15) S 09°04'20" W, a distance of 119.06 feet to a point for
15 corner,
16 16) S 74°35'08" E, a distance of 320.44 feet to a point for
17 corner,
18 17) S 47°00'21" E, a distance of 70.61 feet to a point for
19 corner,
20 18) S 01°15'09" W, a distance of 217.80 feet to a point for
21 corner,
22 19) S 45°44'15" W, a distance of 496.51 feet to a point for
23 corner,
24 20) S 21°42'10" E, a distance of 121.03 feet to a point for
25 corner,
26 21) S 26°42'53" E, a distance of 243.78 feet to a point for
27 corner,

1 22) S 20°55'35" E, a distance of 168.98 feet to a point for
2 corner,

3 23) N 77°52'34" E, a distance of 168.03 feet to a point for
4 corner,

5 24) S 35°33'58" E, a distance of 253.63 feet to a point for
6 corner,

7 25) S 25°35'00" W, a distance of 260.82 feet to a point for
8 corner,

9 26) S 26°50'22" E, a distance of 192.61 feet to a point for
10 the easternmost southeast corner of the said 131.49 acre Manners
11 tract and this tract, an angle corner in the west line of the said
12 153.695 acre Dewees, Jr. tract and the northernmost corner of a
13 called 70.000 acre tract of land described in a Deed to Ed H. Red, et
14 ux recorded under FCN 532-01-0235, MCRPR;

15 THENCE S 64°56'17" W, with the following boundary lines:

16 ● the southernmost southeast line of the said 131.49 acre
17 Manners tract and a southeast line of this tract,

18 ● the northwest line of the said 70.000 acre Red tract,
19 at 1996.36 feet, a point for corner of the following tracts:

20 ● the southernmost southwest corner of the said 131.49 acre
21 Manners tract,

22 ● in the northwest line of the said 70.000 acre Red tract,

23 ● the easternmost corner of the said 85.32 acre Manners
24 tract,

25 ● in a southeast line of this tract,

26 continue with the following boundary lines:

27 ● the easternmost south line of the said 85.32 acre Manners

tract and a southwest line of this tract,

- the northwest line of the said 70.000 acre Red tract,
at a TOTAL DISTANCE OF 3133.99 FEET to a point for corner of
the following tracts:

- an easterly interior ell corner of the said 85.32 acre
Manners tract and a southerly interior ell corner of this tract,
- the northwest corner of the said 70.000 acre Red tract
- in the common line of the said JOSE MARIA DE LA GARZA
GRANT, A-15 and the said T.C. STEVENS SURVEY, A-525;

THENCE S 25°06'06" E, a distance of 2100.00 feet with the
following boundary lines:

- the southernmost east line of the said 85.32 acre Manners
tract and this tract,
- the westernmost line of the said 70.000 acre Red tract,
to a point for corner of the following tracts:

- the southernmost east corner of the said 85.32 acre
Manners tract and this tract,
- the southernmost corner of the said 70.000 acre Red tract
- in the northwest margin of Farm-to-Market Road No. 1097;

THENCE S 47°04'59" W, a distance of 1137.91 feet with the
following boundary lines:

- the southernmost southeast line of the said 85.32 acre
Manners tract and this tract,
- the northwest margin of said F.M. 1097,
to a point for corner of the following tracts:

- an angle corner in the southernmost southwest line of the
said 85.32 acre Manners tract and this tract,

1 ● an angle corner in the northwest margin of said F.M. 1097;
2 THENCE with a curve to the right, having an arc length of
3 557.49 feet, a radius of 7595.18 feet, a chord bearing of S 49°11'09"
4 W and a chord length of 557.36 feet and with the following boundary
5 lines:

6 ● the southernmost southwest line of the said 85.32 acre
7 Manners tract and this tract,

8 ● the northwest margin of F.M. 1097,
9 to a point for corner of the following tracts:

10 ● the southernmost corner of the said 85.32 acre Manners
11 tract and this tract,

12 ● the northwest margin of said F.M. 1097,

13 ● in the common line of the said JOSE MARIA DE LA GARZA
14 GRANT, A-15 and the said T.C. STEVENS SURVEY, A-525,

15 ● the easternmost corner of a called 4.5210 acre tract of
16 land conveyed to Jimmy R. Moore, et ux, recorded under FCN
17 923-01-2387, MCRPR and more particularly described under CFN
18 8728136, MCRPR;

19 THENCE N 23°50'53" W, with the following boundary lines:

20 ● the southernmost westerly line of the said 85.32 acre
21 Manners tract and this tract,

22 ● the easterly line of the said 4.5210 acre Moore tract,

23 ● the common line of the said JOSE MARIA DE LA GARZA GRANT,
24 A-15 and the said T.C. STEVENS SURVEY, A-525,

25 at 507.39 feet, a point for corner of the following tracts:

26 ● the southernmost northwest corner of the said 85.32 acre
27 Manners tract and an angle corner in a southwest line of this tract,

1 ● in the easterly line of the said 4.5210 acre Moore tract,
2 ● the southernmost corner of the said 104.94 acre Manners
3 tract,
4 ● in the common line of the said JOSE MARIA DE LA GARZA
5 GRANT, A-15 and the said T.C. STEVENS SURVEY, A-525,
6 continue with the following boundary lines:
7 ● the southernmost westerly line of the said 104.94 acre
8 Manners tract and this tract,
9 ● the easterly line of the said 4.5210 acre Moore tract,
10 ● the common line of the said JOSE MARIA DE LA GARZA GRANT,
11 A-15 and the said T.C. STEVENS SURVEY, A-525,
12 ● the easterly line of a called 2.467 acre tract of land
13 described in a Deed to Scott Allen Baker and Angela Marie Cherry
14 recorded under FCN 750-10-0608, MCRPR,
15 ● the easterly line of a called 2.890 acre tract of land
16 described in a Deed to Dewayne Marshall, et ux recorded under FCN
17 096-00-1649, MCRPR,
18 ● the easterly line of a called 1.9991 acre tract of land
19 described in a Deed to C. Dewayne Marshall recorded under FCN
20 715-01-1507, MCRPR,
21 ● the easterly line of a called 2.00017 acre tract of land
22 described in a Deed to Albert E. Munn recorded in Vol. 590, pg. 176,
23 MCDR,
24 ● the easterly line of a called 75.837 acre tract of land
25 described in a Deed to Glenn A. Johnson recorded under FCN
26 667-10-2479, MCRPR,
27 at a TOTAL DISTANCE OF 2876.60 FEET to a point for corner of

1 the following tracts:

2 • the southernmost interior angle corner of the said 104.94
3 acre Manners tract and this tract,

4 • the northeast corner of the said 75.837 acre Johnson
5 tract,

6 • a called point of intersection of the east line of the
7 Alfred Johnson Survey, A-298, the northernmost corner of the T.C.
8 STEVENS SURVEY, A-525 and in the west line of the JOSE MARIA DE LA
9 GARZA GRANT, A-15;

10 THENCE N 88°43'55" W, a distance of 930.68 feet with the
11 following boundary lines:

12 • an upper south line of the said 104.94 acre Manners tract
13 and a lower south line of this tract,

14 • the north line of the said 75.837 acre Johnson tract,

15 • crossing the common line of the said T.C. STEVENS SURVEY,
16 A-525 and the said Alfred Johnson Survey, A-298,

17 to a point for corner of the following tracts:

18 • an upper southwest corner of the said 104.94 acre Manners
19 tract and a lower southwest corner of this tract,

20 • in the north line of the said 75.837 acre Johnson tract,

21 • the easternmost southeast corner of a called 110.440 acre
22 tract of land described in a Deed to Working Dog Ranch, LP recorded
23 under CFN 2017098732, MCOPR,

24 • in the centerline of Bee Creek;

25 THENCE generally in a northerly direction with the center of
26 said Bee Creek, with the westernmost boundary line of the said
27 104.94 acre Manners tract, with the easternmost boundary line of

1 the said 110.440 acre Working Dog Ranch tract and establishing a
2 lower west line of this tract, the following twenty-nine (29)
3 calls:

- 4 1) N 25°18'32" E, a distance of 48.63 feet to a point for
5 corner,
- 6 2) N 22°27'19" W, a distance of 36.00 feet to a point for
7 corner,
- 8 3) N 22°52'33" E, a distance of 29.00 feet to a point for
9 corner,
- 10 4) N 37°52'42" W, a distance of 29.00 feet to a point for
11 corner,
- 12 5) S 69°06'43" W, a distance of 62.00 feet to a point for
13 corner,
- 14 6) N 24°51'27" W, a distance of 26.00 feet to a point for
15 corner,
- 16 7) N 38°19'39" E, a distance of 69.00 feet to a point for
17 corner,
- 18 8) N 04°50'33" E, a distance of 32.00 feet to a point for
19 corner,
- 20 9) N 76°46'14" E, a distance of 34.00 feet to a point for
21 corner,
- 22 10) N 10°15'37" E, a distance of 24.00 feet to a point for
23 corner,
- 24 11) N 38°58'27" W, a distance of 28.00 feet to a point for
25 corner,
- 26 12) N 01°06'33" E, a distance of 30.00 feet to a point for
27 corner,

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- 1 13) N 61°46'33" E, a distance of 31.00 feet to a point for
2 corner,
3 14) N 07°29'33" E, a distance of 34.00 feet to a point for
4 corner,
5 15) N 30°41'27" W, a distance of 70.00 feet to a point for
6 corner,
7 16) N 65°56'33" E, a distance of 63.00 feet to a point for
8 corner,
9 17) N 08°30'33" E, a distance of 49.00 feet to a point for
10 corner,
11 18) N 43°15'33" E, a distance of 35.00 feet to a point for
12 corner,
13 19) N 03°49'27" W, a distance of 22.00 feet to a point for
14 corner,
15 20) N 43°59'33" E, a distance of 53.00 feet to a point for
16 corner,
17 21) N 00°07'27" W, a distance of 90.00 feet to a point for
18 corner,
19 22) S 80°46'33" W, a distance of 41.00 feet to a point for
20 corner,
21 23) N 63°02'27" W, a distance of 37.00 feet to a point for
22 corner,
23 24) N 24°24'23" W, a distance of 84.00 feet to a point for
24 corner,
25 25) N 12°48'34" E, a distance of 90.00 feet to a point for
26 corner,
27 26) N 24°57'27" W, a distance of 37.00 feet to a point for

1 corner,

2 27) N 25°17'33" E, a distance of 35.48 feet to a point for
3 corner,

4 28) N 72°27'33" E, a distance of 73.70 feet to a point for
5 corner,

6 29) N 10°27'19" E, a distance of 15.01 feet to a point for
7 corner at the westernmost northwest corner of the said 104.94 acre
8 Manners tract and the southernmost northwest corner of this tract,
9 the easternmost northeast corner of the 110.440 acre Walking Dog
10 Ranch tract and in the south line of a called 67.831 acre tract of
11 land described in a Deed to Thornberry Properties L.L.C. recorded
12 under CFN 2013137435, MCOPR;

13 THENCE S 88°13'52" E, a distance of 850.58 feet with the
14 following boundary lines:

15 ● the westerly north line of the said 104.94 acre Manners
16 tract and the southernmost north line of this tract,

17 ● the south line of the said 67.831 acre Thornberry tract,
18 to a point for corner of the following tracts:

19 ● the northerly interior ell corner of the said 104.94 acre
20 Manners tract and a southerly interior ell corner of this tract,

21 ● the southeast corner of the said 67.831 acre Thornberry
22 tract;

23 THENCE N 01°21'00" E, with the following boundary lines:

24 ● the northernmost west line of the said 104.94 acre Manners
25 tract and a southerly west line of this tract,

26 ● the east line of the said 67.831 acre Thornberry tract,
27 at 439.52 feet, a point for corner of the following tracts:

1 ● the northernmost northwest corner of the said 104.94 acre
2 Manners tract and in a southerly west line of this tract,

3 ● the westernmost southwest corner of the said 131.49 acre
4 Manners tract,

5 in the east line of the said 67.831 acre Thornberry tract,
6 at 1205.90 feet, a point for corner of the following tracts:

7 ● the westernmost northwest corner of the said 131.49 acre
8 Manners tract and in a southerly west line of this tract,

9 ● the southwest corner of the said 187.56 acre Manners
10 tract,

11 ● in the east line of the said 67.831 acre Thornberry tract,
12 continue with the following boundary lines:

13 ● the west line of the said 187.56 acre Manners tract and a
14 southerly west line of this tract,

15 ● the east line of the said 67.831 acre Thornberry tract,

16 ● the east line of a called 219.15 acre tract of land
17 described in a Deed to Norman Conroy recorded in Vol. 619, pg. 759,
18 MCDR, also referred to as Woodland Lakes Addition, an unrecorded
19 subdivision;

20 at a TOTAL DISTANCE OF 3671.52 FEET to a point for corner of
21 the following tracts:

22 ● in the west line of the said 187.56 acre Manners tract and
23 a southerly interior ell corner of this tract,

24 ● the northeast corner of the said 219.15 acre Conroy tract,

25 ● the southeast corner of the said 532.4888 acre Manners
26 tract;

27 THENCE generally in a westerly direction with the south line

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of the said 532.4888 acre Manners tract and a central south line of this tract and the north line of the said 219.15 acre Conroy tract, the following three (3) calls:

- N 87°06'32" W, a distance of 2129.31 feet to a point for corner in the common line of the said JOSE MARIA DE LA GARZA GRANT, A-15 and the RICHARD WILLIAMS SURVEY, A-596,

- N 87°44'29" W, a distance of 1802.06 feet to a point for corner,

- N 89°32'46" W, a distance of 1057.19 feet to a point for the southernmost southwest corner of the said 532.4888 acre Manners tract and a central southwest corner of this tract, in the north line of the said 219.15 acre Conroy tract and the southeast corner of a called 2 acre tract of land described in a Deed to Cynthia Stubblefield Walker under CFN 2007104519, MCRPR;

THENCE N 33°11'15" E, a distance of 287.84 feet with the following boundary lines:

- a southerly west line of the said 532.4888 acre Manners tract and this tract,

- the east line of the said 2 acre Walker tract, to a point for corner of the following tracts:

- a southwesterly interior corner of the said 532.4888 acre Manners tract and this tract,

- the northeast corner of the said 2 acre Walker tract;

THENCE N 85°32'50" W, a distance of 275.40 feet with the following boundary lines:

- a lower south line of the said 532.4888 acre Manners tract and this tract,

the north line of the said 2 acre Walker tract,

to a point for corner of the following tracts:

- a southwest corner of the said 532.4888 acre Manners tract and this tract,

- the northwest corner of the said 2 acre Walker tract,

- in the fenced easterly margin of said Rogers Road;

THENCE generally in a northerly direction with the west line of the said 532.4888 acre Manners tract and a lower west line of this tract and the fenced easterly margin of said Rogers Road, the following eleven (11) calls:

1) N 29°37'22" E, a distance of 572.10 feet to a point for corner,

2) N 18°19'14" W, a distance of 99.93 feet to a point for corner,

3) N 13°46'19" E, a distance of 67.91 feet to a point for corner,

4) N 02°28'15" W, a distance of 287.64 feet to a point for corner,

5) N 12°22'29" W, a distance of 789.17 feet to a point for corner,

6) N 18°08'26" W, a distance of 264.59 feet to a point for corner,

7) N 22°52'05" W, a distance of 1258.59 feet to a point for corner,

8) N 06°39'44" W, a distance of 176.67 feet to a point for corner,

9) N 07°35'27" E, a distance of 189.92 feet to a point for

1 corner,

2 10) N 15°07'11" E, a distance of 116.72 feet to a point for
3 corner,

4 11) N 25°24'45" E, a distance of 212.11 feet to a point for
5 corner in a west line of the said 532.4888 acre Manners tract and a
6 southerly interior angle corner of this tract and in the fenced
7 easterly margin of said Rogers Road;

8 THENCE N 82°41'38" W, across said Rogers Road,

9 at 79.03 feet <calculated>, a point for corner of the
10 following tracts:

11 • the southeast corner of the said 1432.5101 acre Manners
12 tract and in a south line of this tract,

13 • in the fenced westerly margin of said Rogers Road,

14 • the northeast corner of a called 2.15 acre tract described
15 in a Constable's Resale Deed to Lauren Marie Ahmadian recorded
16 under CFN 2020045765, MCOPR,

17 continue with the following boundary lines:

18 • a southerly line of the said 1432.5101 acre Manners tract
19 and this tract,

20 • the north line of the said 2.15 acre Ahmadian tract,

21 at a TOTAL DISTANCE OF 242.88 FEET to a point for corner of
22 the following tracts:

23 • an angle corner in a south line of the said 1432.5101 acre
24 Manners tract and this tract,

25 • in the north line of the said 2.15 acre Ahmadian tract;

26 THENCE S 87°48'07" W, a distance of 284.50 feet with the
27 following boundary lines:

1 ● a southerly line of the said 1432.5101 acre Manners tract
2 and this tract,

3 ● the north line of the said 2.15 acre Ahmadian tract,
4 to a point for corner of the following tracts:

5 ● an angle corner in a southerly line of the said 1432.5101
6 acre Manners tract and this tract,

7 in the northeast line of the residue a called 137-1/2 acre
8 tract of land described in a Deed to Tobe Westmoreland recorded in
9 Vol. 68, pg. 516, MCDR;

10 THENCE generally with the south and east lines of the said
11 1432.5101 acre Manners tract and this tract and the north and west
12 lines of the residue of the said 137-1/2 acre Westmoreland tract,
13 the following four (4) calls:

14 ● S 76°27'30" W, a distance of 443.84 feet to a point for
15 corner,

16 ● S 88°25'17" W, a distance of 29.40 feet to a point for
17 corner,

18 ● S 65°23'34" W, a distance of 1254.85 feet to a point for a
19 lower interior corner of the said 1432.5101 acre Manners tract, a
20 central interior corner of this tract and the northwest corner of
21 the said Westmoreland tract,

22 ● S 24°28'25" E, a distance of 1447.51 feet to a point for the
23 southernmost east corner of the said 1432.5101 acre Manners tract
24 and a southerly southeast corner of this tract, in the west line of
25 the said 137-1/2 acre Westmoreland tract and the northernmost
26 corner of a called 164.5285 acre tract of land described in a Deed
27 to William A. Marek, Jr. recorded under CFN 2006001720, MCRPR;

1 THENCE S 65°53'56" W, a distance of 3496.08 feet with the
2 following boundary lines:

3 • a southeast line of the said 1432.5101 acre Manners tract
4 and this tract,

5 • the northerly line of the said 164.5285 acre Marek tract,
6 to a point for corner of the following tracts:

7 • a southwest corner of the said 1432.5101 acre Manners
8 tract and this tract,

9 • the westernmost corner of the said 164.5285 acre Marek
10 tract,

11 • the called east line of Arrowhead Lakes Subdivision,
12 Section 1 according to plat recorded in Vol. 7, pg. 55, MCDR;

13 THENCE generally in a northerly and westerly direction, with
14 the southwesterly interior lines of the said 1432.5101 acre Manners
15 tract and this tract and the northerly lines of the said Arrowhead
16 Lakes Subdivision, the following four (4) calls:

17 • N 24°56'14" W, a distance of 752.00 feet to a point for
18 corner,

19 • S 63°58'23" W, a distance of 246.57 feet to a point for
20 corner,

21 • S 31°05'04" W, a distance of 476.60 feet to a point for
22 corner,

23 • S 56°11'46" W, a distance of 297.66 feet <calculated> to a
24 point at the most westerly southwest corner of this tract and being
25 at the approximate intersection of a south line of the said
26 1432.5101 acre Manners tract, a north line of the said Arrowhead
27 Lakes Subdivision and the boundary line of the extraterritorial

1 jurisdiction of the City of Willis (Willis ETJ);

2 THENCE with the boundary of the said Willis ETJ, across the
3 said 1432.5101 acre Manners tract and establishing a westerly
4 boundary line of this tract, the following call:

5 • with a curve to the left, having an arc length of 1776.43
6 feet, a radius of 5231.37 feet, a chord bearing of N 01°59'23" W and
7 a chord length of 1767.90 feet <calculated based upon GIS data, see
8 note no. 4> to a point for an angle corner in a westerly line of the
9 said 1432.5101 acre Manners tract and a west corner this tract and
10 being in the easterly fenced margin of I&GN Railroad (100 ft.
11 Right-of-Way);

12 THENCE with the easterly fenced margin of the said I&GN
13 Railroad, a westerly line of the said 1432.5101 acre Manners tract
14 and this tract, the following three (3) calls:

15 • N 20°39'08" E, a distance of 2741.71 feet <calculated> to
16 a point for corner,

17 • with a curve to the left, having an arc length of 1669.21
18 feet, a radius of 1960.08 feet, a chord bearing of N 03°44'40" W and
19 a chord length of 1619.23 feet to a point for corner,

20 • N 28°09'35" W, a distance of 4349.47 feet to a point for a
21 west corner of the said 1432.5101 acre Manners tract and this tract
22 and the southernmost corner of a called 132.3296 acre tract of land
23 described in a Deed to Edward E. Hartline, et ux recorded under CFN
24 9656185, MCOPR;

25 THENCE N 62°22'01" E, a distance of 3534.42 feet with the
26 following boundary lines:

27 • a northwest line of the said 1432.5101 acre Manners tract

1 and this tract,

2 • the southeast line of the said 132.3296 acre Hartline
3 tract,

4 • the southeast line of a called 36.5193 acre tract of land
5 described in a Deed to Rick L. Carter recorded under FCN
6 402-00-0096, MCRPR,

7 to a point for corner of the following tracts:

8 • a northwesterly interior ell corner of the said 1432.5101
9 acre Manners tract and this tract,

10 • the easternmost corner of the said 36.5193 acre Marek
11 tract;

12 THENCE N 26°50'53" W, a distance of 1562.36 feet with the
13 following boundary lines:

14 • a northerly interior line of the said 1432.5101 acre
15 Manners tract and this tract,

16 • the northeast line of the said 36.5193 acre Carter tract,
17 to a point for corner of the following tracts:

18 • a northwesterly interior ell corner of the said 1432.5101
19 acre Manners tract and this tract,

20 • the northernmost corner of the said 36.5193 acre Marek
21 tract;

22 THENCE S 62°27'48" W, a distance of 529.70 feet with the
23 following boundary lines:

24 • an upper interior line of the said 1432.5101 acre Manners
25 tract and this tract,

26 • the northwest line of the said 36.5193 acre Carter tract,
27 to a point for corner of the following tracts:

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1 ● a southwest corner of the said 1432.5101 acre Manners
2 tract and this tract,

3 ● in the northwest line of the said 36.5193 acre Marek tract

4 ● the easternmost corner of a called 5.0000 acre tract of
5 land described in a Deed to Rick L. Carter recorded under CFN
6 9666189, MCRPR;

7 THENCE N 26°32'15" W, a distance of 929.45 feet with the
8 following boundary lines:

9 ● within the residue of the said 1432.5101 acre Manners
10 tract,

11 ● the northeast line of the said 5.0000 acre Carter tract,
12 to a point for corner of the following tracts:

13 ● a northwesterly interior angle corner of this tract,

14 ● the north corner of the said 5.0000 acre Carter tract;

15 THENCE S 28°20'22" W, a distance of 283.23 feet with the
16 following boundary lines:

17 ● within the residue of the said 1432.5101 acre Manners
18 tract,

19 ● the north line of the said 5.0000 acre Carter tract,
20 to a point for corner of the following tracts:

21 ● an upper southwest corner of this tract,

22 ● in an upper southwest line of the residue of the said
23 1432.5101 acre Manners tract,

24 ● the west corner of the said 5.0000 acre Carter tract,

25 ● in a northeasterly line of the said 132.3296 acre Hartline
26 tract;

27 THENCE N 24°34'56" W, a distance of 1509.81 feet with a

H.B. No. 5337

1 southwesterly line of the said 1432.5101 acre Manners tract and
2 this tract and with a northeasterly line of the said 132.3296 acre
3 Hartline tract to the PLACE OF BEGINNING and containing 2510.102
4 acres of land, SAVE AND EXCEPT THEREFROM the hereinafter described
5 3.95 acres within the fenced margins of Rogers Road, leaving a NET
6 AREA OF 2506.15 ACRES OF LAND.

7 SAVE AND EXCEPT 3.95 ACRE TRACT

8 Being a 3.95 acre tract of land located within the
9 fenced margins of Rogers Road, a.k.a. Old Willis New Waverly Road
10 (county maintained asphalt surface, no Right-of-Way Deed found of
11 record), situated in the SAMUEL LINDLEY SURVEY, A-23 and being more
12 definitely described by metes and bounds as follows:

13 BEGINNING at a point for the northwest corner of this tract,
14 the most southerly northeast corner of a called 1432.5101 acre
15 tract of land described as PARCEL 4 in a Special Warranty Deed dated
16 April 25, 2018 from Apitx 5 LLC to Michael G. Manners, Trustee of
17 the Michael G. Manners Revocable Trust Dated September 8,
18 2017 recorded in Volume 1322, Page 463, Official Public Records,
19 Montgomery County, Texas (MCOPR), the south corner of a called 1.63
20 acre tract of land described in a Deed to Halbert L. Martin, Sr. and
21 Kathryn L. Martin recorded under Clerk's File Number (CFN)
22 2015039488, MCOPR and in the west fenced margin of said Rogers Road;

23 THENCE S 26°59'30" E, across said Rogers Road with the north
24 line of this tract, a distance of 174.33 feet <calculated> to a
25 point for corner of the following tracts:

- 26 ● at the northeast corner of this tract,
27 ● the northernmost corner of a called 532.4888 acre tract of

land described as PARCEL 1 in said Deed dated April 25, 2018 from Apitx 5 LLC to Michael G. Manners, Trustee of the Michael G. Manners Revocable Trust Dated September 8, 2017 recorded in Volume 1322, Page 463, MCOPR,

- in the east fenced margin of said Rogers Road;

THENCE generally in a southerly direction with a fence in the east margin of said Rogers Road, with the east line of this tract and with the westerly line of the said 532.4888 acre Manners tract, the following four (4) calls:

- S 00°51'20" W, a distance of 1094.43 feet to a point for corner,

- S 06°15'10" W, a distance of 172.07 feet to a point for corner,

- S 19°34'05" W, a distance of 211.74 feet to a point for corner,

- S 25°24'45" W, a distance of 618.10 feet to a point for corner;

THENCE N 82°41'38" W, across said Rogers Road with the south line of this tract, a distance of 79.03 feet <calculated> to a point for corner of the following tracts:

- the southwest corner of this tract,
- a southeast corner of the said 1432.5101 acre Manners tract,

- in the west fenced margin of said Rogers Road,

- in the north line of a called 2.15 acre tract described in a Constable's Resale Deed to Lauren Marie Ahmadian recorded under CFN 2020045765, MCOPR;

1 THENCE generally in a northerly direction with a fence in the
2 west margin of said Rogers Road, with the west line of this tract
3 and with the easternmost line of the said 1432.5101 acre Manners
4 tract, the following four (4) calls:

5 • N 25°12'20" E, a distance of 650.20 feet to a point for
6 corner,

7 • N 18°28'57" E, a distance of 186.20 feet to a point for
8 corner,

9 • N 06°06'35" E, a distance of 155.11 feet to a point for
10 corner,

11 • N 00°49'44" E, a distance of 1249.46 feet to the PLACE OF
12 BEGINNING, containing 3.95 acres of land.

13 SECTION 3. (a) The legal notice of the intention to
14 introduce this Act, setting forth the general substance of this
15 Act, has been published as provided by law, and the notice and a
16 copy of this Act have been furnished to all persons, agencies,
17 officials, or entities to which they are required to be furnished
18 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
19 Government Code.

20 (b) The governor, one of the required recipients, has
21 submitted the notice and Act to the Texas Commission on
22 Environmental Quality.

23 (c) The Texas Commission on Environmental Quality has filed
24 its recommendations relating to this Act with the governor, the
25 lieutenant governor, and the speaker of the house of
26 representatives within the required time.

27 (d) All requirements of the constitution and laws of this

1 state and the rules and procedures of the legislature with respect
2 to the notice, introduction, and passage of this Act are fulfilled
3 and accomplished.

4 SECTION 4. (a) Section 8061.0307, Special District Local
5 Laws Code, as added by Section 1 of this Act, takes effect only if
6 this Act receives a two-thirds vote of all the members elected to
7 each house.

8 (b) If this Act does not receive a two-thirds vote of all the
9 members elected to each house, Subchapter C, Chapter 8061, Special
10 District Local Laws Code, as added by Section 1 of this Act, is
11 amended by adding Section 8061.0307 to read as follows:

12 Sec. 8061.0307. NO EMINENT DOMAIN POWER. The district may
13 not exercise the power of eminent domain.

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

17 SECTION 5. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2023.