

By: Fletcher

H.B. No. 4138

A BILL TO BE ENTITLED

AN ACT

relating to the territory included in, the composition of the board of directors of, and the powers of the Harris County Improvement District No. 17.

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

SECTION 1. Subchapter C, Chapter 3891, Special District Local Laws Code, is amended by adding Section 3891.109 to read as follows:

Sec. 3891.109. ENFORCEMENT OF REAL PROPERTY RESTRICTIONS.
Section 54.237, Water Code, applies to the district.

SECTION 2. (a) On the later of June 1, 2015, or the effective date of this Act, the board of directors of the Harris County Improvement District No. 17 is dissolved.

(b) On the effective date of this Act, the board of directors of the Harris County Improvement District No. 17 is reconstituted and is composed of the following directors:

Pos. No.	Name of Director
1	James F. Wine
2	Joe Bullard
3	C. Laurence Allen Jr.
4	Daniel Dodson
5	Kendrick A. James

(c) The terms of the directors in positions 1, 2, and 3 expire June 1, 2017.

(d) The terms of the directors in positions 4 and 5 expire June 1, 2019.

(e) The Harris County Commissioners Court shall appoint successor directors as provided by Section 3891.052, Special District Local Laws Code.

SECTION 3. The following territory is added to the territory of the Harris County Improvement District No. 17:

HARRIS COUNTY:

Tract 1 (FM 2920 and Telge) is +/- 117 acres in size, within the W. Hurd Survey (Abstract No. 377) and situated southwest of the intersection of Farm-to-Market 2920 (Waller-Tomball) and Telge Roads in northwest Harris County with point of beginning being northeast corner of 111 tract (ABST 377W HURD TRS 3C 3D 4A & 5A) and west Right-Of-Way (ROW) of Telge Road;

Then south along west ROW of Telge Road and east boundary of 111 tract (ABST 377W HURD TRS 3C 3D 4A & 5A) to southeast corner of said tract;

Then generally west northwest along south boundary of said 111 acre tract to southwest corner of said tract;

Then north along west boundary of said 111 tract, and 4 acre tract (ABST 377 W HURD TR 4) to northwest corner of said 4 acre tract and south ROW of FM 2920 Rd.;

Then east along north boundary of said 4 acre tract and south ROW of FM 2920 Rd. to northeast corner of said tract;

Then south along east boundary of said 4 acre tract to southeast corner of said tract and north boundary of 111 acre tract (ABST 377 W HURD TRS 3C 3D 4A & 5A);

H.B. No. 4138

1 Then east along north boundary of said 111 acre tract to northeast
2 corner of said tract, west ROW of Telge Road and point of beginning
3 of +/-117 acre tract 1;
4 Tract 2 (Decker Prairie-Rosehill) is +/- 99 acres in size, within
5 the J. H. Edwards Survey (Abstract No. 20) and situated east
6 southeast of the intersection of Decker Prairie-Rosehill and Nutty
7 Farms Roads in northwest Harris County with point of beginning
8 being southwest corner of +/- 99 tract (ABST 20 J H EDWARDS TRS 9 &
9 10) and east Right-Of-Way (ROW) of Decker Prairie-Rosehill Rd.;
10 Then north along east ROW of Decker Prairie-Rosehill Rd. and west
11 boundary of said 99 acre tract to west northwest corner of said
12 tract and southwest corner of 50 acre tract (ABST 20 J H EDWARDS TR
13 4);
14 Then east along north boundary of said 99 acre tract, south boundary
15 of said 50 acre tract to interior corner of said 99 acre tract and
16 southeast corner of said 50 acre tract;
17 Then north along boundary of said 99 tract, and east boundary of
18 said 50 acre tract to north corner of said 99 acre tract and
19 southwest corner of 4.4 acre tract (HOLLY CREEK SEC 2 U/R TR 2A-L);
20 Then east along north boundary of said 99 acre tract, and south
21 boundary of HOLLY CREEK SEC 2 U/R TRACTS 2A-L, 2AK-2, 2AK-1, 2AJ,
22 2AA & 2J and 2H to northeast corner of said 99 acre tract;
23 Then south along east boundary of said 99 acre tract, and west
24 boundary of HOLLY CREEK U/R TRACTS P, H, PT TR C1 (HOMESITE), C2 and
25 C3 to southeast corner of said 99 acre tract;
26 Then west along south boundary of said 99 acre tract, and north
27 boundary of ESTATES OF HOLLY LAKE and ABST 20 J H EDWARDS PT TR 8B-2B

H.B. No. 4138

1 (AG-USE), TR 8B-2, TR 8F and TR 8B-2D to southwest corner of said 99
2 acre tract, east ROW of Decker Prairie-Rosehill Road and point of
3 beginning of +/-99 acre tract 2;

4 MONTGOMERY COUNTY:

5 Tract 3 (Colony at Pinehurst) being a 123.100 acres partially out of
6 (1) a called 15.511 acre tract described in deed recorded under
7 County Clerk's File No. 8405898, of the Montgomery County Real
8 Property Records (M.C.R.P.R.), (2) called 50.04 acre tract
9 described in deed recorded under VOL. 610, PG. 33, Montgomery
10 County Deed Records (M.C.D.R.), and (3) a called 76.277 acre
11 residue tract being the residue of that land described in deed
12 recorded under Vol. 1018, Pg. 610, (M.C.D.R.), being out of the
13 Buckman Canfield Survey, A-120, Montgomery County, Texas, and being
14 more particularly described by metes and bounds as follows:

15 Beginning at a 1/2 inch iron rod set in the southwesterly line of
16 that 0.3088 acre tract described in Lis Pendens for right-of-way
17 acquisition to widen S.H. 249 (Variable Width), in Clerk's File
18 No. 2014-020322, M.C.O.P.R.R.P., said point being in the westerly
19 line of said 15.511 acre tract, said point also being in the
20 northeasterly line of Lone Star Road (25 feet wide), and said point
21 having a Grid Coordinate: N=10,057,376.28, E=3,764,298.69;

22 1) THENCE, SOUTH 47°20'10" EAST, 1.59 feet along the
23 southwesterly line of said 0.3088 acre tract and the southwesterly
24 line of Proposed S.H. 249 to a 1/2 inch Iron Rod set for corner;

25 2) THENCE, NORTH 80°56'48" EAST, 50.03 feet along the
26 southwesterly line of said 0.3088 acre tract and the southwesterly
27 line of Proposed S.H. 249 to a 1/2 inch Iron Rod set for corner;

- 1 3) THENCE, SOUTH 59°19'41" EAST, 569.95 feet along the
2 southwesterly line of said 0.3088 acre tract and the southwesterly
3 line of Proposed S.H. 249 to a point for corner from which a found
4 1/2 inch iron rod bears NORTH 39°04'07" EAST, 0.51 feet, said point
5 being the beginning of a curve to the left;
- 6 4) THENCE, SOUTHEASTERLY, 60.46 feet along the southwesterly
7 line of said 0.3088 acre tract and the southwesterly line of
8 Proposed S.H. 249, being along the arc of said curve to the left,
9 having a radius of 5780.00 feet, a central angle of 00°35'58". and a
10 chord bearing SOUTH 59°37'40" EAST, 60.46 feet to the most easterly
11 corner of the herein described tract, from which a found "X" in
12 concrete bears NORTH 56°42'23" WEST 9.13 feet, said point being in
13 the northwesterly line of that 12.8767 acre tract described in
14 Clerk's File No. 2009-098999, M.C.O.P.R.R.P.;
- 15 5) THENCE, SOUTH 29°42'35" WEST, 660.32 feet along the
16 northwesterly line of said 12.8767 acre tract to a 1/2 inch iron rod
17 set for corner from which a found 1/2 inch iron rod bears SOUTH
18 72°14'28" EAST 23.04 feet;
- 19 6) THENCE, SOUTH 17°48'22" EAST, 401.89 feet along the
20 southwesterly line of said 12.8767 acre tract to a 1/2 inch iron rod
21 set for corner,
- 22 7) THENCE, SOUTH 42°35'57" EAST, 655.73 feet along the westerly
23 line of said 12.8767 acre tract to a 1/2 inch iron rod set for corner
24 at the most southerly corner of said 12.8767 tract, said point being
25 in the southeasterly line of said 49.953 acre tract;
- 26 8) THENCE, SOUTH 42°51'42" WEST, 563.49 feet along the
27 southeasterly line of said 49.953 acre tract to a 1/2 inch Iron rod

1 set for corner;

2 9) THENCE, SOUTH 41°39'16" WEST, 293.50 feet to a found 1/2" Iron
3 rod being the most southerly corner of said 49.953 acre tract;

4 10) THENCE, NORTH 47°59'29" WEST, 602.13 feet along the
5 southwesterly line of said 49.953 acre tract to a set 1/2 inch iron
6 rod at a reentrant corner of the herein described tract, said point
7 being the most northerly northeast corner of said 76.277 acre
8 tract;

9 11) THENCE, SOUTH 43°00'34" WEST, 1273.24 feet along the
10 southeasterly boundary of said 76.277 acre tract to a set 1/2 inch
11 iron rod for corner;

12 12) THENCE, SOUTH 47°56'16" EAST, 602.03 feet along the
13 southeasterly boundary of said 76.277 acre tract to a set 1/2 inch
14 iron rod for corner;

15 13) THENCE, SOUTH 42°59'33" WEST, 316.97 feet along the
16 southeasterly boundary of said 76.277 acre tract to a Fence Post;

17 14) THENCE, SOUTH 46°30'37" EAST, 896.01 feet along the
18 southeasterly boundary of said 76.277 acre tract to a Fence Post in
19 the northwesterly line of Goodson Loop (60 feet wide);

20 15) THENCE, SOUTH 47°32'56" WEST, 976.40 feet along the
21 southeasterly boundary of said 76.277 acre tract and along the
22 northwesterly line of Goodson Loop to a Fence Post;

23 16) THENCE, NORTH 46°52'34" WEST, 1050.23 feet along the
24 southeasterly boundary of said 76.277 acre tract to a 1/2" set for
25 corner, said point being the most northerly corner of that 9.5 acre
26 tract described in Volume 449, Page 85, M.C.D.R.;

27 17) THENCE, SOUTH 42°17'45" WEST, 398.79 feet along the

H.B. No. 4138

southeasterly boundary of said 76.277 acre tract to 1-1/2" Iron pipe found for the most westerly corner of said 9.5 acre tract, said point also being the most northerly corner of that 9.5 acre tract described in Volume 449, Page 81, M.C.D.R.;

18) THENCE, SOUTH 42°09'37" WEST, 395.40 feet along the southeasterly boundary of said 76.277 acre tract to a Fence Post at the most westerly corner of last said 9.5 acre tract, said point being in the northeasterly line of that 28.658 acre tract described in Clerk's File No. 9141220, M.C.O.P.R.R.P;

19) THENCE, NORTH 46°45'48" WEST, 484.70 feet along the southwesterly boundary of said 76.277 acre tract and along the northeasterly line of said 28.658 acre tract to a 1/2" Iron rod found in the southerly line of Goodson Loop;

20) THENCE, NORTH 42°12'08" EAST, 374.57 feet along the westerly boundary of said 76.277 acre tract and the southeasterly line of Goodson Loop to a 1/2" iron rod found for corner;

21) THENCE, NORTH 11°48'50" EAST, 49.34 feet along the westerly boundary of said 76.277 acre tract and the southeasterly line of Goodson Loop to a 1/2" iron rod found for corner, said point being the southerly corner of that 6.16 acre tract described in Clerk's File No. 99073596, M.C.O.P.R.R.P;

22) THENCE, NORTH 43°05'09" EAST, 778.21 feet along the westerly boundary of said 76.277 acre tract to the easterly corner of said 6.16 acre tract a found 1/2" iron rod at the southerly corner of that 12.179 acre tract described in Clerk's File No. 99010255, M.C.O.P.R.R.P;

23) THENCE, NORTH 42°55'37" EAST, 714.64 along the westerly

boundary of said 76.277 acre tract to an axle found for the easterly corner of said 12.179 acre tract;

24) THENCE, NORTH 47°01'14" WEST, 669.36 feet along the westerly boundary of said 76.277 acre tract and the easterly line of said 12.179 acre tract to a 1/2" iron rod found for corner;

25) THENCE, NORTH 42°12'14" EAST, 1427.72 feet along the westerly boundary of said 76.277 acre tract and partially along the easterly line of said 12.179 acre tract, and partially along the southeasterly line of that 25.625 acre tract described in Volume 262, Page 104, M.C.D.R., to an axle found at the easterly corner of said 25.625 acre tract;

26) THENCE, NORTH 47°59'29" WEST, 381.36 feet along the westerly boundary of said 49.953 acre tract and along the easterly line of said 25.625 acre tract to a found 6" iron pipe being the southerly corner of that 3.942 acre tract described in Clerk's File No. 904000351, M.C.O.P.R.R.P, said point also being in the in the southeasterly line of Lone Star Road (unrecorded);

27) THENCE, NORTH 42°48'13" EAST, 460.34 feet along the northwesterly line of said 49.953 acre tract and along the southeasterly line of Lone Star Road to a 1/2 inch iron rod set for the westerly corner of that called 5.00 acre tract described in Clerk's File No. 2009-006904, M.C.R.P.R.;

28) THENCE, SOUTH 47°59'23" EAST, 420.37 feet along the boundary of said 5.00 acre tract to a 1/2 inch iron rod set for corner;

29) THENCE, NORTH 42°48'13" EAST, 351.20 feet along the boundary of said 5.00 acre tract to a 1/2 inch iron rod being in the southwesterly line of a 50 foot wide Tejas Gas Pipeline Easement;

30) THENCE, NORTH 09°20'16" WEST, 532.38 feet along the boundary of said 5.00 acre tract and along the westerly line of said Tejas Gas Pipeline Easement to a point in the southeasterly line of Lone Star Road, from which point a found 1/2 inch iron rod bears SOUTH 12°22'40" WEST, 1.86 feet;

31) THENCE, NORTH 42°48'13" EAST, 63.33 feet along the westerly boundary of said 49.953 acre tract and along the southeasterly line of Lone Star Road to a R.R. Spike, said point having a Grid Coordinate: N=10,057,085.93, E=3,764,030.34, said point being the northerly corner of said 49.953 acre tract, said point also being the westerly corner of said 15.511 acre tract;

32) THENCE, NORTH 42°44'44" EAST, 395.37 feet along the northwesterly line of said 15.511 acre tract and along the southeasterly line of Lone Star Road to the POINT OF BEGINNING of tract 3.

Tract 3 Note: All bearings are based on the Texas Coordinate System, Central Zone, North American 1983 Datum. All coordinates herein are grid. All distances are surface. Coordinates may be converted to "surface" by using a CSF= 0.99996401912.

Tract 4 (Community Estates) being a 133.86 acre tract of land located in and a portion of the Cyrus Wickson Survey, Abstract No. 600, Montgomery County, Texas and being all of that certain called 80 acre tract of land conveyed to E. J. Damuth by deed dated February 17, 1839 of record under Volume 205, Page 206 of the Montgomery County Deed Records (M.C.D.R.), being a portion of that certain residue of a called 394.93 acre tract of land conveyed to E.J. Damuth by deed dated December 26, 1936 and recorded under

H.B. No. 4138

1 Volume 191, Page 239 of said Deed Records and being a portion of
2 that certain called 100.49 acre tract of land conveyed to E. J.
3 Damuth by deed dated August 10, 1951 and recorded under Volume 318,
4 Page 351 of said Deed Records; said 133.86 acres of land more
5 particularly described as follows:

6 BEGINNING at a found 1-inch iron pipe at the northeasterly corner of
7 Mostyn Manor Section Six, a subdivision of record under File
8 No. 2014048464 of the Montgomery County Map Records (M.C.M.R.),
9 being the northwesterly corner of that certain residue of a called
10 5.3 acre tract of land conveyed to Ralph Steacy and wife, Faye
11 Steacy by deed dated July 1, 1972 and recorded under Volume 778,
12 Page 791 of said Deed Records, same being the southwesterly corner
13 of that certain called 3.3685 acre tract of land conveyed to
14 Brittany N. Filetti and Jared Filetti by deed dated November 8, 2013
15 and recorded under Montgomery County Clerk's File (M.C.C.F.)
16 No. 2013122626 of the Official Public Records of Real Property
17 Montgomery County Texas (O.P.R.O.R.P.M.C.T.), also being the
18 southeasterly corner of said 80 acre tract;

19 THENCE, South 86°49'44" West, 448.77 feet (called North 89°44'26"
20 East, 448.77 per File No. 2014048464 of said Map Records) along the
21 northerly line of said Mostyn Manor Section Six, being the
22 southerly line of said 80 acre tract to the northwesterly corner of
23 said Mostyn Manor Section Six, from which a found 1-inch iron pipe
24 bears South 66°01' East, 0.33 feet;

25 THENCE, South 02°13'29" East, 1,589.13 feet (called North 00°41'13"
26 East per File No. 2014048464 of said Map Records) along the
27 westerly line of said Mostyn Manor Section Six and along the

H.B. No. 4138

1 easterly line of said residue of 394.93 acre tract, passing at
2 1,495.45 feet a found 5/8-inch iron rod with cap at the
3 southwesterly corner of Mostyn Manor Section Six and continuing to
4 a point In the southerly line of Community Road (a prescriptive
5 road) (no recording information found), being the northerly line of
6 that certain called 8.38 acre tract of land conveyed to Donald E.
7 Dean and wife, Karol L. Dean by deed dated May 12, 2011 and recorded
8 under M.C.C.F. No. 2011046796 of said Official Public Records, same
9 being the southerly line of said residue of 394.93 acre tract, from
10 which a found 2-inch iron pipe bears North 39°06' East, 2.33 feet and
11 a found 5/8-inch iron rod with cap for the northwesterly corner of
12 Mostyn Manor Section Five of record under Cabinet 2, Sheet 2640 of
13 said Map Records bears South 02°26' East, 5.34 feet;
14 THENCE, South 39°06'05" West, 418.44 feet (called North 40°37'35"
15 East, 420.80 feet per M.C.C.F. No. 2011046796 of said Official
16 Public Records) along the southerly line of Community Road, being
17 the northerly line of said 8.38 acre tract, same before the
18 southerly line of said residue of 394.93 acre tract to a found
19 1-inch iron pipe for an angle point;
20 THENCE South 40°25'38" West, 539.06 feet (called North 41°57'08"
21 East, 539.06 feet per M.C.C.F. No. 2011046796 of said Official
22 Public Records) continuing along the southerly line of Community
23 Road, being the northerly line of said 8.38 acre tract to a found
24 3/4-inch iron rod at the northwesterly corner of said 8.38 acre
25 tract, being the northerly corner of that certain called 3.1470
26 acre tract of land conveyed to Donald E. Dean and wife, Karol L.
27 Dean by deed dated June 20, 1979 and recorded under Volume 1140,

1 Page 596 of said Deed Records;
2 THENCE, South 40°25'30" West, 244.71 feet (called North 41°57' East
3 per Volume 1140, Page 596 of said Deed Records) continuing along the
4 southerly line of Community Road, being the northerly line of said
5 3.1470 acre tract, passing at 200.00 feet a found 5/8-inch iron rod
6 with cap at the northwesterly corner of said 3.1470 acre tract and
7 continuing to a set PK nail with shiner In the centerline of
8 Community Road, being the easterly line of that certain called
9 2.000 acre tract of land conveyed to Kenneth R. Smith and wife,
10 Beverly G. Smith by deed dated September 10, 1986 and recorded under
11 M.C.C.F. No. 8647682, Film Code No. 430-01-2404 of said Official
12 Public Records, same being the southerly corner of said residue of
13 394.93 acre tract, from which a found PK Nail with shiner bears
14 South 02°50'11" West, 171.62 feet;
15 THENCE, North 02°50'11" East, 165.68 feet (called South 05°11'50"
16 West per M.C.C.F. No. 8647682 of said Official Public Records),
17 along the centerline of an asphalt and gravel road, being the
18 easterly line of sold 2.000 acre tract, same being the westerly line
19 of said residue of 394.93 acre tract to a point on the southerly
20 line of that certain residue of a called 215.381 acre tract of land
21 conveyed to Randal A. Hendricks by deed dated September 8, 1975 and
22 recorded under Volume 908, Page 667 of said Deed Records, being the
23 northeasterly corner of said 2.000 acre tract;
24 THENCE, North 88°42'15" East, 1.83 feet (called South 88°16'41" East
25 per M.C.C.F No. 8647682 and called North 88°24'30" West per Volume
26 908, Page 667 of said Deed Records) along the southerly line of said
27 residue of 215.381 acre tract, being the westerly line of said

H.B. No. 4138

1 residue of 394.93 acre tract to a found 1/2-inch iron rod at the
2 southeasterly corner of said residue of 215.381 acre tract, from
3 which a found 3/8-inch iron rod (bent) bears North 50°28' West, 4.11
4 feet, a found PK Nail with shiner bears South 18°37' West, 6.99 feet;
5 THENCE, North 00°57'15" East, 413.94 feet (called South 03°50'30"
6 West, 414.00 feet) along the easterly line of said residue of
7 215.381 acre tract, being the westerly line of said residue of
8 394.93 acre tract to a found 1/2-Inch iron rod;
9 THENCE, North 04°43'17" West, 2,296.76 feet (called South 01°50'02"
10 East, 2,297.10 feet per Volume 908, Page 667 of said Deed Records)
11 continuing along the easterly line of said residue of 215.381 acre
12 tract, and along the westerly line of said residue of 394.93 acre
13 tract to a found 1/2-inch iron rod;
14 THENCE, North 05°19'45" West, 1,365.80 feet (called South 02°26'30"
15 East, 1,366.00 feet per Volume 908. Page 667 of said Deed Records)
16 continuing along the easterly line of said residue of 215.381 acre
17 tract to a set 5/8-inch iron rod with "GS" cap to the southeasterly
18 corner of sold residue of 215.381 acre tract, being the
19 southeasterly corner of said 100.49 acre tract;
20 THENCE, South 87°32'45" West, 650.00 feet (called South 89°34'00"
21 East per Volume 908, Page 667 of said Deed Records) along the
22 northerly line of said residue of 215.381 acre tract, being the
23 southerly line of said 100.49 acre tract to a set 5/8-inch iron rod
24 with "GS" cap, from which a found U-Joint on a drive shaft for the
25 northwesterly corner of said residue of 215.381 acre tract, being
26 the southwesterly corner of said 100.49 acre tract bears South
27 87°32'45" West, 2,260.03 feet;

1 THENCE, North 04°14'57" West, 580.00 feet to a set 5/8-inch iron rod
2 with "GS" cap;
3 THENCE, North 87°34'27" East, 650.00 feet to a set 5/8-inch iron rod
4 with "GS" cap;
5 THENCE, North 04°13'04" West, 440.00 feet to a set 5/8-inch iron rod
6 with "GS" cap;
7 THENCE, North 85°46'02" East, 1,419.04 feet along d fence line to a
8 point in a 36-inch oak tree, from which the center of the 36-inch
9 oak tree bears South 86°49' West, 1.97 feet, being the called
10 northwesterly corner of that certain called 38.150 acre tract of
11 land conveyed to Brian Murphy and wife, Susan Murphy by deed dated
12 March 10, 2009 and recorded Under M.C.C.F. No. 2009-020009 of said
13 Official Public Records, from which a found 1-inch iron pipe (bent)
14 bears North 86°46'40" East, 637.40 feet;
15 THENCE, South 02°21'34" East, 1,728.23 feet along the westerly line
16 of said 38.150 acre tract, and along the easterly line of said 80
17 acre tract, passing at 1,064.36 feet a found 5/8-inch iron rod with
18 cap for reference and continuing to a found 1/2-inch iron rod at the
19 westernmost southwesterly corner of said 38.150 acre tract, being
20 the northwesterly corner of that certain called 1 acre tract of land
21 conveyed to Marian J. Fielder and spouse, Jeffrey L. Fielder by deed
22 dated July 22, 2005 and recorded under M.C.C.F. No. 2005082134,
23 Film Code No. 878-10-1679 of said Official Public Records;
24 THENCE, South 02°29'46" East, 144.05 feet along the westerly line of
25 said Fielder 1 acre tract, being the easterly line of said 80 acre
26 tract to a found 1/2-inch iron rod at the southwesterly corner of
27 said Fielder 1 acre tract;

H.B. No. 4138

1 THENCE, South 02°26'24" East, 945.97 feet along the westerly line of
2 that certain called 1.9999 acre tract of land conveyed to Janice L.
3 Morris by deed dated February 13, 1996 and recorded under M.C.C.F.
4 No. 9610722, Film Code No. 134-00-1324 of said Official Public
5 Records, the westerly line of that certain called 1.00 acre tract of
6 land conveyed to Janice Morris by deed dated November 5, 1998 and
7 recorded under M.C.C.F. No. 9889160, Film Code No. 458-00-2326 of
8 said Official Public Records, the westerly line of that certain
9 residue of a called 6.8 acre tract of land conveyed to John W.
10 Reeves by deed dated August 13, 1999 and recorded under M.C.C.F.
11 No. 2002003857, Film Code No. 004-10-1780 of said Official Public
12 Records and the westerly line of said 3.3685 acre tract, being the
13 easterly line of said 80 acre tract to the POINT OF BEGINNING and
14 containing 133.86 acres of land (Tract 4).

15 Tract 5 (Hardin Store Rd.) being a 104.52 acre parcel (called
16 104.5230 acres) of land situated in the E.R. Hale Survey, Abstract
17 No. 264 and being the same tract of land as recorded in Volume 72,
18 Page 290 Deed Records of Montgomery County, Texas said 104.52 acre
19 parcel being more particularly described by metes and bounds as
20 follows with the base of bearing being the recorded deed.

21 Beginning at a 5/8" inch iron rod found in the west line of Rimwick
22 Forest Subdivision (U/R), Section 1, Lot 4 as recorded under
23 Montgomery County Film Code Number 081-11-0228 for the southeast
24 corner of a called 0.944 acre tract as recorded under Montgomery
25 County Clerk's File 2011064873 and the northeast corner of the
26 herein described parcel of land for the POINT OF BEGINNING;

27 THENCE, South 01° 13' 17" West (called South), along the west line of

H.B. No. 4138

1 the said called Rimwick Forest
2 Subdivision, the west line of Lot 4, the west line of Lot 3 as
3 recorded under File Number 8848910 Deed
4 Records of Montgomery County, and the east line of the herein
5 described parcel, passing at a distance of 52.10 feet a 1/2 inch
6 iron rod found marking the common corner of the said Lot 4 and Lot 3
7 of the
8 Rimwick Subdivision, continuing for a distance of 275.58 feet to a
9 monument for the southwest corner of the said Lot 3 and being in the
10 northerly line of a called 150 foot Railroad right of way as
11 recorded in Vol. 26, Pg. 367 D.R.M.C., continuing for a distance of
12 413.95 feet for the centerline of the I. & G.N. Railroad called 150
13 feet wide, continuing for a distance 479.55 feet to a point (from
14 which a 1 inch iron pipe found Bears North 56° 51" 32" West, a
15 distance of 12.34) in the southerly line of the said railroad right
16 of way, continuing along the west line of Post Oak Forest
17 Subdivision (U/R), the west line of Lot 10 as recorded under File
18 Number 8914750 D.R.M.C. for a total distance of 1050.04 feet to a
19 5/8 inch iron rod found in the west line of Post Oak Forest
20 (unrecorded subdivision) for the southwest corner of the said Lot
21 10, the northwest corner of Lot 11 as recorded under M.C.F.C.
22 382-11-1756, and marking an angle point in the herein described
23 parcel of land;
24 THENCE, South 00° 55' 07" East (called South), along the west line of
25 Post Oak Forest Subdivision, the
26 west line of Lot 11, and the east line of the herein described
27 parcel, passing at a distance of 180.04 feet to a 3/8 inch iron rod

H.B. No. 4138

1 found for the southwest corner of said Lot 11, and the northwest
2 corner of Lot 12, continuing along the west line of the said Post
3 Oak Forest Subdivision, the west line of the following Lots
4 12, Lot 13 as recorded in M.C.F.C. 382-11-1756, and Lot 14 for a
5 distance of 689.39 feet to a 1/2 inch iron rod for the southwest
6 corner of the said Lot 14 and the northwest corner of Post Oak
7 Forest Drive,
8 called 60.00 feet of right of way, continuing for a distance of
9 748.93 feet to a 1/2 inch iron rod for the
10 northwest corner of Lot 15 as recorded under M.C.F.C. 151-10-1266
11 and marking the southwest corner of said Post Oak Forest Drive,
12 continuing along the west line of the said Lot 15 for a total
13 distance of 969.39 feet to a monument found for the southwest corner
14 of the said Lot 15, the northwest corner of a called 2.586 acre
15 tract as recorded under M.C.C.F. 2011064873, and an angle point of
16 the herein described parcel;
17 THENCE, South 05° 18' 32" West (called South), along the west line of
18 the said called 2.586 acre tract and the east line of the herein
19 described parcel, a distance of 413.66 feet to a 1 inch iron rod
20 found for the southwest corner of the said 2.586 acre tract and the
21 northwest corner of Hughes Road, called 60.00 feet of right of way,
22 and an angle point in the herein described parcel of land;
23 THENCE, South 00° 17' 29" West (called South) along the west line of
24 the said Hughes Road, a called
25 1.160 acre tract as recorded under M.C.F.C. 379-00-1589, a 5.420
26 acre tract as recorded under M.C.F.C.
27 739-01-1994, a 1.591 acre tract as recorded under M.C.C.F.

H.B. No. 4138

1 2011091306, a 1.00 acre tract as recorded under M.C.C.F.
2 2011091306, and the east line of the herein described parcel, a
3 distance of 1643.03 feet to a 3/4 inch iron pipe in the northerly
4 line of Hardin Store Road (called 60 right of way, Public Road) for
5 the southwest corner of the said 1.00 acre tract and marking an
6 angle point of the herein described parcel of land;
7 THENCE, South 47° 20' 53" West, along the northerly right of way line
8 of Hardin Store Road and the
9 southerly line of the herein described parcel, a distance of 424.45
10 feet to a 1/2 inch iron rod found for the northeast corner of a
11 called 0.671 acre tract as recorded in Montgomery County Film Code
12 613-00-0474 marking an angle point of the herein described parcel
13 of land;
14 THENCE, South 89° 34' 07" West (called South 89° 31' 00" West) along
15 the common line of the said
16 0.671 acre tract and the herein described parcel, passing at a
17 distance of 263.33 feet to a 5/8 inch iron rod found for the
18 northwest corner of the said called 0.671 acre tract and the
19 northeast corner of Logtowne Subdivision as recorded in Book E,
20 Page 56B M.R.M.C., continuing along the common line of the said
21 Logtowne Subdivision and the herein described parcel for a total
22 distance of 722.41 feet to a 1 inch iron pipe found for an angle
23 point in the said called Log Town Subdivision marking the southwest
24 corner of the herein described parcel of land;
25 THENCE, North 00° 03' 36" West (called North), along the common line
26 of the said Logtowne
27 Subdivision and the herein described parcel passing at a distance

H.B. No. 4138

1 of 1097.96 feet a 3/4 inch iron pipe for the northeast corner of the
2 said called Log Towne Subdivision and the southeast corner of
3 Britwood
4 Estates as recorded in Book L, Page 118 M.R.M.C, continuing along
5 the common line of the said
6 Britwood Estates and the herein described parcel for a distance of
7 2384.46 feet to a 3/4 inch iron pipe found, continuing for a total
8 distance of 2736.02 feet to a 1/2 inch iron rod found in the east
9 line of the called Britwood Estates for an angle point in the herein
10 described parcel of land;
11 THENCE, North 00° 06' 02" East (called North) along the east line of
12 the said called Britwood Estates
13 Subdivision and the west line of the herein described parcel,
14 passing at a distance of 876.43 feet to a 5/8 inch iron rod found,
15 continuing for a distance of 1057.19 feet to a 1/2 inch iron rod
16 found, continuing for
17 a distance of 1336.41 to a 1/2 inch iron rod found, continuing for a
18 total distance of 1631.62 feet to a 3/4 inch iron rod found in the
19 south line of a called 6.776 acres as recorded in M.C.F.C.
20 613-00-0474 for the northeast corner of the said called Britwood
21 Estates Subdivision marking the northwest corner of the herein
22 described parcel of land;
23 THENCE, South 89° 57' 51" East, along the common line of the said
24 called 6.776 acre tract and the
25 herein described parcel, passing at a distance of 323.94 feet a 1
26 inch iron pipe found in the southerly right of way line of the said
27 called 150 foot Railroad Right of way line, passing at a distance of

H.B. No. 4138

1 411.65 feet the centerline of the I & G. N. Railroad, continuing for
2 a distance of 548.52 feet to a 5/8 inch iron rod found in the
3 northerly line of the said called 150.00 foot Railroad right of way
4 line and the southwest corner of a called 0.944 acres, continuing
5 along the common line of the said 0.944 acre tract and the herein
6 described parcel for a total distance of 1043.28 feet (called
7 1043.18) to the POINT OF BEGINNING and containing 104.52 acres
8 (Tract 5);

9 Tract 6 (adjacent to 66.58 acre Enclave at Dobbin) is 24.17 acres in
10 size and comprised of the following tract: A0078 BROWN JAMES, TRACT
11 5-A,5-E,5-G,5-H, ACRES 24.17 (Mont. Co. Property Records Ref. Id.
12 0078-00-005-1)

13 The point of beginning of 24.17 acre tract is northwest corner of
14 said 24.17 acre tract, east Right-Of-Way (ROW) of Clint-Neidigk
15 Roads and southwest corner of 3.0 acre tract (A0078 BROWN JAMES,
16 TRACT 4-B ACRES 3.000);

17 Then east along north boundary of said 24.17 acre tract, and south
18 boundary of said 3.0 acre tract, and 3.0 acre tract 4B-1, and
19 Woodforest Estates Block 1, and 9.520 acre tract (A0078 BROWN
20 JAMES, TRACT 7 ACRES 9.520) to northeast corner of said 24.17 acre
21 tract and northwest corner of 8.0 acre tract (A0078 BROWN JAMES,
22 TRACT 5-B, ACRES 8.000);

23 Then south along east boundary of said 24.17 acre tract and west
24 boundary of said 8.0 acre tract to north boundary of 2.5 acre tract
25 (A0078 BROWN JAMES, TRACT 5, ACRES 2.500);

26 Then west along boundary line of said 24.17 acre tract and north
27 boundary of said 2.5 acre tract to northwest corner of said 2.5 acre

1 tract and interior corner of 24.17 acre tract;
2 Then south along east boundary line of said 24.17 acre tract and
3 west boundary of said 2.5 acre tract to southwest corner of said 2.5
4 acre tract and north boundary of 13.113 acre tract (A0078 BROWN
5 JAMES, TRACT 8, 10-A, ACRES 13.113);
6 Then west along south boundary line of said 24.17 acre tract and
7 north boundary of said 13.113 acre tract to northwest corner of said
8 13.113 acre tract and interior corner of said 24.17 acre tract;
9 Then south along west boundary of said 13.113 acre tract and
10 boundary line of said 24.17 acre tract to northeast corner of SPRING
11 CREEK FOREST 03 (S898203) Subdivision;
12 Then west along south boundary of said 24.17 acre tract and north
13 boundary of SPRING CREEK FOREST 03 (S898203) Subdivision to
14 southeast corner 10.0 acre tract (A0078 BROWN JAMES, TRACT 5-D,
15 ACRES 10.000);
16 Then north along east boundary of said 10.0 acre tract to northeast
17 corner of said tract and interior corner of said 24.17 acre tract;
18 Then west along north boundary of said 10.0 acre tract and boundary
19 line of said 24.17 acre tract to northwest corner of said 10.0 acre
20 tract and west boundary of said 24.17 acre tract and east ROW of
21 Clint-Neidigk Rd.;
22 Then north along west boundary of said 24.17 acre tract, east ROW of
23 Clint-Neidigk Rd. to northwest corner of said tract and point of
24 beginning of +/- 24.17 acre tract 6;
25 Tract 7 (Adjacent to Enclave at Dobbin) The Enclave at Dobbin Tract
26 being a 66.580 acres comprised of the following tracts:
27 1. a called 22.5814 acre tract, County Clerk's File No. 9368043,

H.B. No. 4138

1 of the Montgomery County Real Property Records (M.C.R.P.R.),
2 2. a called 13.113 acre tract, Vol. 610, Pg. 33, Montgomery County
3 Deed Records (M.C.D.R.),
4 3. a called 2.5 acre tract, County Clerk's File No. 9676748,
5 M.C.R.P.R.,
6 4. a called 8.337 acre tract, County Clerk's File No. 9777430,
7 M.C.R.P.R.,
8 5. a called 5.0733 acres tract, County Clerk's File No. 9368043,
9 M.C.R.P.R.,
10 6. a called 5.000 acre tract, County Clerk's File No. 9368043,
11 M.C.R.P.R.,
12 7. a called 50733 acre tract, County Clerk's File No. 9368042,
13 M.C.R.P.R.,
14 8. a called 2.459 acre tract, County Clerk's File No. 8861841,
15 M.C.R.P.R.,
16 9. and a 2.459 acre tract, County Clerk's File No. 8861842,
17 M.C.R.P.R.,
18 being out of the James Brown Survey, A-78, Montgomery County,
19 Texas, and being more particularly described by metes and bounds as
20 follows:
21 COMMENCING for reference at a found 1/2 inch iron at the
22 intersection of the northerly line of Carraway Lane (a called 50
23 foot wide prescriptive right-of-way) with the southwesterly line of
24 Dobbin Hufsmith Road (a called 60 foot wide prescriptive
25 right-of-way), said point being the southeasterly corner of that
26 6.780 acre tract described in Volume 1146, Page 492, M.C.D.R., and
27 said point having a State Plane Grid Coordinate (Central Zone):

1 N=10,052,010.77, E=3,789,968.41;
2 1) THENCE, NORTH 43°38'19" WEST, 571.56 feet along the
3 southwesterly line of Dobbin Hufsmith Road to the POINT OF
4 BEGINNING, from which a found 5/8" iron rod bears N 49°16'24" E, 1.23
5 feet;
6 2) THENCE, SOUTH 86°40'08" WEST, 479.63 feet to a point for corner
7 from which a found 5/8" iron rod bears N 67°24'20" E, 1.51 feet;
8 3) THENCE, SOUTH 86°27'05" WEST, 713.04 feet to a point for corner
9 from which a found 1/2 inch iron rod bears N 77°59'07" E, 1.14 feet;
10 4) THENCE, SOUTH 03°21'08" EAST, 465.60 feet to a point for corner
11 from which a found 5/8" iron rod bears N 89°46'18" E, 1.98 feet;
12 5) THENCE, SOUTH 86°32'38" WEST, 239.62 feet to a point for corner
13 from which a found 3/4 inch iron rod bears S 77°56'48" E 1.99 feet;
14 6) THENCE, SOUTH 87°41'13" WEST, 556.87 feet along to a set 1/2
15 inch iron rod being in the easterly line of North Creek Road (a
16 called 60 foot wide prescriptive right-of-way);
17 7) THENCE, NORTH 03°08'56" WEST, 1568.54 feet along the easterly
18 line of North Creek Road to a set 1/2 inch iron rod;
19 8) THENCE, NORTH 86°38'07" EAST, 261.57 feet to a 1/2 inch Iron
20 rod set for corner;
21 9) THENCE, NORTH 03°21'33" WEST, 380.73 feet a set 1/2 inch iron
22 rod;
23 10) THENCE, NORTH 86°38'27" EAST, 1148.30 feet to ' set 1/2 inch
24 iron rod being in the southwesterly line of Dobbin Hufsmith Road;
25 said point being the beginning of a non-tangent curve to the left;
26 11) THENCE, SOUTHEASTERLY, 163.18 feet along the southwesterly
27 line of Dobbin Hufsmith Road, being along the arc of said curve to

H.B. No. 4138

1 the left, having a radius of 805.76 feet, a central angle of
2 11°36'12", and a chord bearing S 27°11'14" E 162.90 feet, to a set 1/2
3 inch iron rod at the beginning of a non-tangent line;
4 12) THENCE, SOUTH 32°55'52" EAST, 265.11 feet along the along the
5 southwesterly line of Dobbin Hufsmith Road to a point for corner
6 from which a found 5/8" iron rod bears N 32°09'14" W, 0.68 feet;
7 13) THENCE, SOUTH 31°32'45" EAST, 382.12 feet along the along the
8 southwesterly line of Dobbin Hufsmith Road to a point for corner
9 from which a found 5/8" iron rod bears N 28°24'59" W, 1.91 feet;
10 14) THENCE, SOUTH 31°27'04" EAST, 210.95 feet along the along the
11 southwesterly line of Dobbin Hufsmith Road to a point for corner
12 from which a found 1/2" iron rod bears N 13°52'37" W, 1.87 feet;
13 15) THENCE, SOUTH 31°20'41" EAST, 60.93 feet along the along the
14 southwesterly line of Dobbin Hufsmith Road to a point for corner
15 from which a found 5/8" iron rod bears N 10°13'03" W, 1.91 feet; said
16 point being the beginning of a non-tangent curve to the right;
17 16) THENCE, SOUTHEASTERLY, 134.13 feet along the southwesterly
18 line of Dobbin Hufsmith Road, being along the arc of said curve to
19 the right, having a radius of 264.75 feet, a central angle of
20 29°01'40", and a chord bearing S 16°50'29" E 132.70 feet, to a set 1/2
21 inch iron rod at the beginning of a non-tangent line, from which
22 point a found 1/2" iron rod bears N 02°45'37" E, 2.00 feet;
23 17) THENCE, SOUTH 02°19'02" EAST, 246.76 feet along the
24 southwesterly line of Dobbin Hufsmith Road to a set 1/2 inch iron
25 rod at a point for corner from which a found 1/2" iron rod bears N
26 25°54'23" E, 2.20 feet;
27 18) THENCE, SOUTH 18°07'16" EAST, 164.71 feet along the

H.B. No. 4138

1 southwesterly line of Dobbin Hufsmith Road to the POINT OF
2 BEGINNING of tract 7.

3 Tract 7 Note: All bearings are based on the Texas Coordinate System,
4 Central Zone, North American 1983 Datum. All coordinates herein are
5 grid. All distances are surface. Coordinates may be converted to
6 "surface" by using a CSF= 0.99998559187.

7 Tract 8 being 162.324 acres comprised of a 158.808 acre tract and a
8 3.516 acre tract, hereinafter Tract 8.1 and Tract 8.2,
9 respectively; being out of the James Brown Survey, A-78 and the
10 Isaac Mansfield Survey, A-344, Montgomery County, Texas, and being
11 more particularly described by metes and bounds as follows:

12 TRACT 8.1 (158.808 Acres)

13 Beginning at the northwest corner of the herein described tract,
14 said point having a Grid Coordinate: N=10,059,092.745,
15 E=3,797,114.190;

16 1) THENCE, NORTH 87°33'26" EAST, 1019.13 feet to a point for
17 corner having a Grid Coordinate: N=10,059,136.186,
18 E=3,798,132.485';

19 2) THENCE, NORTH 87°07'38" EAST, 1019.62 feet to a point for the
20 most northerly northeast corner of the herein described tract;

21 3) THENCE, SOUTH 02°47'31" EAST, 1423.07 feet to a point for
22 corner;

23 4) THENCE, SOUTH 02°32'16" EAST, 809.63 feet to a point for
24 reentrant corner;

25 5) THENCE, NORTH 87°07'08" EAST, 783.78 feet to a point for a
26 northeasterly corner;

27 6) THENCE, SOUTH 03°53'29" EAST, 387.92 feet to a point for

1 reentrant corner;
2 7) THENCE, NORTH $86^{\circ}38'45''$ EAST, 786.72 feet to a point for the
3 most southerly northeast corner of the herein described tract;
4 8) THENCE, SOUTH $04^{\circ}49'26''$ EAST, 700.00 feet to a point for the
5 southeast corner of the herein described tract;
6 9) THENCE, SOUTH $86^{\circ}37'53''$ WEST, 798.12 feet to a point for
7 corner;
8 10) THENCE, NORTH $03^{\circ}53'29''$ WEST, 258.91 feet to a point for
9 reentrant corner;
10 11) THENCE, SOUTH $87^{\circ}06'17''$ WEST, 795.17 feet to a point for
11 corner;
12 12) THENCE, NORTH $04^{\circ}42'27''$ WEST, 216.64 feet to a point for
13 reentrant corner;
14 13) THENCE, SOUTH $88^{\circ}25'42''$ WEST, 1768.72 feet to a the beginning
15 of a non-tangent curve to the left; said point being in the
16 northeasterly line of Dry Creek Road (variable width);
17 14) THENCE, NORTHWESTERLY 169.73 feet along Dry Creek Road and
18 along the arc of said curve to the left, said curve having a radius
19 of 174.77 feet, a central angle of $55^{\circ}38'41''$, and a chord bearing and
20 distance of NORTH $49^{\circ}37'09''$ WEST, 163.14 feet;
21 15) THENCE, NORTH $77^{\circ}24'24''$ WEST, 132.55 feet along Dry Creek Road
22 to a point for the southwesterly corner of the herein described
23 tract;
24 16) THENCE, NORTH $03^{\circ}16'29''$ WEST, 1257.51 feet along the westerly
25 line of the herein described tract, to a point for corner;
26 17) THENCE, NORTH $03^{\circ}03'57''$ WEST, 1408.11 feet along the westerly
27 line of the herein described tract, to the POINT OF BEGINNING;

TRACT 8.2 (3.516 Acres)

COMMENCING for reference at the northwest corner of the above described tract, said point having a Grid Coordinate: N=10,059,092.745, E=3,797,114.190;

1) THENCE, SOUTH 03°03'57" EAST, 1408.11 feet along the westerly line of the above described tract to a point for corner;

2) THENCE, SOUTH 03°16'29" EAST, 1299.27 feet along the westerly line of the above described tract, to the POINT OF BEGINNING, said point being in the southerly line of Dry Creek Road (variable width);

3) THENCE, SOUTH 79°02'36" EAST, 120.78 feet, along the southerly line of Dry Creek Road, to a the beginning of a curve to the right;

4) THENCE, SOUTHEASTERLY, 178.18 feet along the southerly line of Dry Creek Road and along the arc of said curve to the right, said curve having a radius of 134.77 feet, a central angle of 75°45'00", and a chord bearing and distance of SOUTH 41°09'59" EAST, 165.48 feet;

5) THENCE, SOUTH 03°16'29" EAST, 225.92 feet, along the westerly line of Dry Creek Road (call 40 feet wide), to a point for corner;

6) THENCE, SOUTH 19°46'31" WEST, 354.95 feet, along the westerly line of Dry Creek Road, to a point for corner;

7) THENCE, SOUTH 16°26'31" WEST, 295.60 feet, along the westerly line of Dry Creek Road, to the most southerly corner of the herein described tract;

8) THENCE, NORTH 03°16'29" WEST, 990.80 feet, along the westerly line of the herein described tract, to a point in the southerly line of Dry Creek Road;

1 9) THENCE, NORTH 85°53'56" EAST, 19.99 feet, along the southerly
2 line of Dry Creek Road; to the POINT OF BEGINNING of Tract 8;
3 Tract 8 Note: All bearings are based on the Texas Coordinate
4 System, Central Zone, North American 1983 Datum. All coordinates
5 herein are grid and may be converted to surface by dividing by the
6 Combined Scale Factor of 0.999977037. All distances are surface.

7 SECTION 4. (a) The legal notice of the intention to
8 introduce this Act, setting forth the general substance of this
9 Act, has been published as provided by law, and the notice and a
10 copy of this Act have been furnished to all persons, agencies,
11 officials, or entities to which they are required to be furnished
12 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
13 Government Code.

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

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

21 (d) The general law relating to consent by political
22 subdivisions to the creation of districts with conservation,
23 reclamation, and road powers and the inclusion of land in those
24 districts has been complied with.

25 (e) All requirements of the constitution and laws of this
26 state and the rules and procedures of the legislature with respect
27 to the notice, introduction, and passage of this Act have been

1 fulfilled and accomplished.

2 SECTION 5. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2015.