

By: Fletcher

H.B. No. 4138

Substitute the following for H.B. No. 4138:

By: Fallon

C.S.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. Subchapter D, Chapter 3891, Special District Local Laws Code, is amended by adding Section 3891.159 to read as follows:

Sec. 3891.159. POWERS OF MUNICIPAL UTILITY DISTRICT TO ESTABLISH DEFINED AREAS AND DESIGNATED PROPERTY; TAXES; BONDS. The district has the powers of a municipal utility district under Subchapter J, Chapter 54, Water Code, including the power to:

(1) implement a plan;
(2) issue bonds; and
(3) impose a tax in a defined area established under that subchapter.

SECTION 3. (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 4. 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

1 tract;

2 Then generally west northwest along south boundary of said 111 acre

3 tract to southwest corner of said tract;

4 Then north along west boundary of said 111 tract, and 4 acre tract

5 (ABST 377 W HURD TR 4) to northwest corner of said 4 acre tract and

6 south ROW of FM 2920 Rd.;

7 Then east along north boundary of said 4 acre tract and south ROW of

8 FM 2920 Rd. to northeast corner of said tract;

9 Then south along east boundary of said 4 acre tract to southeast

10 corner of said tract and north boundary of 111 acre tract (ABST 377

11 W HURD TRS 3C 3D 4A & 5A);

12 Then east along north boundary of said 111 acre tract to northeast

13 corner of said tract, west ROW of Telge Road and point of beginning

14 of +/-117 acre tract 1;

15 Tract 2 (Decker Prairie-Rosehill) is +/- 99 acres in size, within

16 the J. H. Edwards Survey (Abstract No. 20) and situated east

17 southeast of the intersection of Decker Prairie-Rosehill and Nutty

18 Farms Roads in northwest Harris County with point of beginning

19 being southwest corner of +/- 99 tract (ABST 20 J H EDWARDS TRS 9 &

20 10) and east Right-Of-Way (ROW) of Decker Prairie-Rosehill Rd.;

21 Then north along east ROW of Decker Prairie-Rosehill Rd. and west

22 boundary of said 99 acre tract to west northwest corner of said

23 tract and southwest corner of 50 acre tract (ABST 20 J H EDWARDS TR

24 4);

25 Then east along north boundary of said 99 acre tract, south boundary

26 of said 50 acre tract to interior corner of said 99 acre tract and

27 southeast corner of said 50 acre tract;

1 Then north along boundary of said 99 tract, and east boundary of
2 said 50 acre tract to north corner of said 99 acre tract and
3 southwest corner of 4.4 acre tract (HOLLY CREEK SEC 2 U/R TR 2A-L);
4 Then east along north boundary of said 99 acre tract, and south
5 boundary of HOLLY CREEK SEC 2 U/R TRACTS 2A-L, 2AK-2, 2AK-1, 2AJ,
6 2AA & 2J and 2H to northeast corner of said 99 acre tract;
7 Then south along east boundary of said 99 acre tract, and west
8 boundary of HOLLY CREEK U/R TRACTS P, H, PT TR C1 (HOMESITE), C2 and
9 C3 to southeast corner of said 99 acre tract;
10 Then west along south boundary of said 99 acre tract, and north
11 boundary of ESTATES OF HOLLY LAKE and ABST 20 J H EDWARDS PT TR 8B-2B
12 (AG-USE), TR 8B-2, TR 8F and TR 8B-2D to southwest corner of said 99
13 acre tract, east ROW of Decker Prairie-Rosehill Road and point of
14 beginning of +/-99 acre tract 2;

15 MONTGOMERY COUNTY:

16 Tract 3 (Colony at Pinehurst) being a 123.100 acres partially out of
17 (1) a called 15.511 acre tract described in deed recorded under
18 County Clerk's File No. 8405898, of the Montgomery County Real
19 Property Records (M.C.R.P.R.), (2) called 50.04 acre tract
20 described in deed recorded under VOL. 610, PG. 33, Montgomery
21 County Deed Records (M.C.D.R.), and (3) a called 76.277 acre
22 residue tract being the residue of that land described in deed
23 recorded under Vol. 1018, Pg. 610, (M.C.D.R.), being out of the
24 Buckman Canfield Survey, A-120, Montgomery County, Texas, and being
25 more particularly described by metes and bounds as follows:

26 Beginning at a 1/2 inch iron rod set in the southwesterly line of
27 that 0.3088 acre tract described in Lis Pendens for right-of-way

1 acquisition to widen S.H. 249 (Variable Width), in Clerk's File
2 No. 2014-020322, M.C.O.P.R.R.P., said point being in the westerly
3 line of said 15.511 acre tract, said point also being in the
4 northeasterly line of Lone Star Road (25 feet wide), and said point
5 having a Grid Coordinate: N=10,057,376.28, E=3,764,298.69;

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

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

12 3) THENCE, SOUTH 59°19'41" EAST, 569.95 feet along the
13 southwesterly line of said 0.3088 acre tract and the southwesterly
14 line of Proposed S.H. 249 to a point for corner from which a found
15 1/2 inch iron rod bears NORTH 39°04'07" EAST, 0.51 feet, said point
16 being the beginning of a curve to the left;

17 4) THENCE, SOUTHEASTERLY, 60.46 feet along the southwesterly
18 line of said 0.3088 acre tract and the southwesterly line of
19 Proposed S.H. 249, being along the arc of said curve to the left,
20 having a radius of 5780.00 feet, a central angle of 00°35'58". and a
21 chord bearing SOUTH 59°37'40" EAST, 60.46 feet to the most easterly
22 corner of the herein described tract, from which a found "X" in
23 concrete bears NORTH 56°42'23" WEST 9.13 feet, said point being in
24 the northwesterly line of that 12.8767 acre tract described in
25 Clerk's File No. 2009-098999, M.C.O.P.R.R.P.;

26 5) THENCE, SOUTH 29°42'35" WEST, 660.32 feet along the
27 northwesterly line of said 12.8767 acre tract to a 1/2 inch iron rod

1 set for corner from which a found 1/2 inch iron rod bears SOUTH
2 72°14'28" EAST 23.04 feet;
3 6) THENCE, SOUTH 17°48'22" EAST, 401.89 feet along the
4 southwesterly line of said 12.8767 acre tract to a 1/2 inch iron rod
5 set for corner,
6 7) THENCE, SOUTH 42°35'57" EAST, 655.73 feet along the westerly
7 line of said 12.8767 acre tract to a 1/2 inch iron rod set for corner
8 at the most southerly corner of said 12.8767 tract, said point being
9 in the southeasterly line of said 49.953 acre tract;
10 8) THENCE, SOUTH 42°51'42" WEST, 563.49 feet along the
11 southeasterly line of said 49.953 acre tract to a 1/2 inch Iron rod
12 set for corner;
13 9) THENCE, SOUTH 41°39'16" WEST, 293.50 feet to a found 1/2" Iron
14 rod being the most southerly corner of said 49.953 acre tract;
15 10) THENCE, NORTH 47°59'29" WEST, 602.13 feet along the
16 southwesterly line of said 49.953 acre tract to a set 1/2 inch iron
17 rod at a reentrant corner of the herein described tract, said point
18 being the most northerly northeast corner of said 76.277 acre
19 tract;
20 11) THENCE, SOUTH 43°00'34" WEST, 1273.24 feet along the
21 southeasterly boundary of said 76.277 acre tract to a set 1/2 inch
22 iron rod for corner;
23 12) THENCE, SOUTH 47°56'16" EAST, 602.03 feet along the
24 southeasterly boundary of said 76.277 acre tract to a set 1/2 inch
25 iron rod for corner;
26 13) THENCE, SOUTH 42°59'33" WEST, 316.97 feet along the
27 southeasterly boundary of said 76.277 acre tract to a Fence Post;

- 1 14) THENCE, SOUTH 46°30'37" EAST, 896.01 feet along the
2 southeasterly boundary of said 76.277 acre tract to a Fence Post in
3 the northwesterly line of Goodson Loop (60 feet wide);
- 4 15) THENCE, SOUTH 47°32'56" WEST, 976.40 feet along the
5 southeasterly boundary of said 76.277 acre tract and along the
6 northwesterly line of Goodson Loop to a Fence Post;
- 7 16) THENCE, NORTH 46°52'34" WEST, 1050.23 feet along the
8 southeasterly boundary of said 76.277 acre tract to a 1/2" set for
9 corner, said point being the most northerly corner of that 9.5 acre
10 tract described in Volume 449, Page 85, M.C.D.R.;
- 11 17) THENCE, SOUTH 42°17'45" WEST, 398.79 feet along the
12 southeasterly boundary of said 76.277 acre tract to 1-1/2" Iron
13 pipe found for the most westerly corner of said 9.5 acre tract, said
14 point also being the most northerly corner of that 9.5 acre tract
15 described in Volume 449, Page 81, M.C.D.R.;
- 16 18) THENCE, SOUTH 42°09'37" WEST, 395.40 feet along the
17 southeasterly boundary of said 76.277 acre tract to a Fence Post at
18 the most westerly corner of last said 9.5 acre tract, said point
19 being in the northeasterly line of that 28.658 acre tract described
20 in Clerk's File No. 9141220, M.C.O.P.R.R.P;
- 21 19) THENCE, NORTH 46°45'48" WEST, 484.70 feet along the
22 southwesterly boundary of said 76.277 acre tract and along the
23 northeasterly line of said 28.658 acre tract o a 1/2" Iron rod found
24 n the southerly line of Goodson Loop;
- 25 20) THENCE, NORTH 42°12'08" EAST, 374.57 feet along the westerly
26 boundary of said 76.277 acre tract and the southeasterly line of
27 Goodson Loop to a 1/2" iron rod found for corner;

- 1 21) THENCE, NORTH 11°48'50" EAST, 49.34 feet along the westerly
2 boundary of said 76.277 acre tract and the southeasterly line of
3 Goodson Loop to a 1/2" iron rod found for corner, sad point being
4 the southerly corner of that 6.16 acre tract described in Clerk's
5 File No. 99073596, M.C.O.P.R.R.P;
- 6 22) THENCE, NORTH 43°05'09" EAST, 778.21 feet along the westerly
7 boundary of said 76.277 acre tract to the easterly corner of said
8 6.16 acre tract a found 1/2" iron rod at the southerly corner of
9 that 12.179 acre tract described in Clerk's File No. 99010255,
10 M.C.O.P.R.R.P;
- 11 23) THENCE, NORTH 42°55'37" EAST, 714.64 along the westerly
12 boundary of said 76.277 acre tract to an axle found for the easterly
13 corner of said 12.179 acre tract;
- 14 24) THENCE, NORTH 47°01'14" WEST, 669.36 feet along the westerly
15 boundary of said 76.277 acre tract and the easterly line of said
16 12.179 acre tract to a 1/2" iron rod found for corner;
- 17 25) THENCE, NORTH 42°12'14" EAST, 1427.72 feet along the westerly
18 boundary of said 76.277 acre tract and partially along the easterly
19 line of said 12.179 acre tract, and partially along the
20 southeasterly line of that 25.625 acre tract described in Volume
21 262, Page 104, M.C.D.R., to an axle found at the easterly corner of
22 said 25.625 acre tract;
- 23 26) THENCE, NORTH 47°59'29" WEST, 381.36 feet along the westerly
24 boundary of said 49.953 acre tract and along the easterly line of
25 said 25.625 acre tract to a found 6" iron pipe being the southerly
26 corner of that 3.942 acre tract described in Clerk's File
27 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 Volume 191, Page 239 of said Deed Records and being a portion of that certain called 100.49 acre tract of land conveyed to E. J. Damuth by deed dated August 10, 1951 and recorded under Volume 318, Page 351 of said Deed Records; said 133.86 acres of land more particularly described as follows:

BEGINNING at a found 1-inch iron pipe at the northeasterly corner of Mostyn Manor Section Six, a subdivision of record under File No. 2014048464 of the Montgomery County Map Records (M.C.M.R.), being the northwesterly corner of that certain residue of a called 5.3 acre tract of land conveyed to Ralph Steacy and wife, Faye Steacy by deed dated July 1, 1972 and recorded under Volume 778, Page 791 of said Deed Records, same being the southwesterly corner of that certain called 3.3685 acre tract of land conveyed to Brittany N. Filetti and Jared Filetti by deed dated November 8, 2013 and recorded under Montgomery County Clerk's File (M.C.C.F.) No. 2013122626 of the Official Public Records of Real Property

1 Montgomery County Texas (O.P.R.O.R.P.M.C.T.), also being the
2 southeasterly corner of said 80 acre tract;
3 THENCE, South 86°49'44" West, 448.77 feet (called North 89°44'26"
4 East, 448.77 per File No. 2014048464 of said Map Records) along the
5 northerly line of said Mostyn Manor Section Six, being the
6 southerly line of said 80 acre tract to the northwesterly corner of
7 said Mostyn Manor Section Six, from which a found 1-inch iron pipe
8 bears South 66°01' East, 0.33 feet;
9 THENCE, South 02°13'29" East, 1,589.13 feet (called North 00°41'13"
10 East per File No. 2014048464 of said Map Records) along the
11 westerly line of said Mostyn Manor Section Six and along the
12 easterly line of said residue of 394.93 acre tract, passing at
13 1,495.45 feet a found 5/8-inch iron rod with cap at the
14 southwesterly corner of Mostyn Manor Section Six and continuing to
15 a point In the southerly line of Community Road (a prescriptive
16 road) (no recording information found), being the northerly line of
17 that certain called 8.38 acre tract of land conveyed to Donald E.
18 Dean and wife, Karol L. Dean by deed dated May 12, 2011 and recorded
19 under M.C.C.F. No. 2011046796 of said Official Public Records, same
20 being the southerly line of said residue of 394.93 acre tract, from
21 which a found 2-inch iron pipe bears North 39°06' East, 2.33 feet and
22 a found 5/8-inch iron rod with cap for the northwesterly corner of
23 Mostyn Manor Section Five of record under Cabinet 2, Sheet 2640 of
24 said Map Records bears South 02°26' East, 5.34 feet;
25 THENCE, South 39°06'05" West, 418.44 feet (called North 40°37'35"
26 East, 420.80 feet per M.C.C.F. No. 2011046796 of said Official
27 Public Records) along the southerly line of Community Road, being

C.S.H.B. No. 4138

1 the northerly line of said 8.38 acre tract, same before the
2 southerly line of said residue of 394.93 acre tract to a found
3 1-inch iron pipe for an angle point;
4 THENCE South 40°25'38" West, 539.06 feet (called North 41°57'08"
5 East, 539.06 feet per M.C.C.F. No. 2011046796 of said Official
6 Public Records) continuing along the southerly line of Community
7 Road, being the northerly line of said 8.38 acre tract to a found
8 3/4-inch iron rod at the northwesterly corner of said 8.38 acre
9 tract, being the northerly corner of that certain called 3.1470
10 acre tract of land conveyed to Donald E. Dean and wife, Karol L.
11 Dean by deed dated June 20, 1979 and recorded under Volume 1140,
12 Page 596 of said Deed Records;
13 THENCE, South 40°25'30" West, 244.71 feet (called North 41°57' East
14 per Volume 1140, Page 596 of said Deed Records) continuing along the
15 southerly line of Community Road, being the northerly line of said
16 3.1470 acre tract, passing at 200.00 feet a found 5/8-inch iron rod
17 with cap at the northwesterly corner of said 3.1470 acre tract and
18 continuing to a set PK nail with shiner In the centerline of
19 Community Road, being the easterly line of that certain called
20 2.000 acre tract of land conveyed to Kenneth R. Smith and wife,
21 Beverly G. Smith by deed dated September 10, 1986 and recorded under
22 M.C.C.F. No. 8647682, Film Code No. 430-01-2404 of said Official
23 Public Records, same being the southerly corner of said residue of
24 394.93 acre tract, from which a found PK Nail with shiner bears
25 South 02°50'11" West, 171.62 feet;
26 THENCE, North 02°50'11" East, 165.68 feet (called South 05°11'50"
27 West per M.C.C.F. No. 8647682 of said Official Public Records),

1 along the centerline of an asphalt and gravel road, being the
2 easterly line of sold 2.000 acre tract, same being the westerly line
3 of said residue of 394.93 acre tract to a point on the southerly
4 line of that certain residue of a called 215.381 acre tract of land
5 conveyed to Randal A. Hendricks by deed dated September 8, 1975 and
6 recorded under Volume 908, Page 667 of said Deed Records, being the
7 northeasterly corner of said 2.000 acre tract;
8 THENCE, North 88°42'15" East, 1.83 feet (called South 88°16'41" East
9 per M.C.C.F No. 8647682 and called North 88°24'30" West per Volume
10 908, Page 667 of said Deed Records) along the southerly line of said
11 residue of 215.381 acre tract, being the westerly line of said
12 residue of 394.93 acre tract to a found 1/2-inch iron rod at the
13 southeasterly corner of said residue of 215.381 acre tract, from
14 which a found 3/8-inch iron rod (bent) bears North 50°28' West, 4.11
15 feet, a found PK Nail with shiner bears South 18°37' West, 6.99 feet;
16 THENCE, North 00°57'15" East, 413.94 feet (called South 03°50'30"
17 West, 414.00 feet) along the easterly line of said residue of
18 215.381 acre tract, being the westerly line of said residue of
19 394.93 acre tract to a found 1/2-Inch iron rod;
20 THENCE, North 04°43'17" West, 2,296.76 feet (called South 01°50'02"
21 East, 2,297.10 feet per Volume 908, Page 667 of said Deed Records)
22 continuing along the easterly line of said residue of 215.381 acre
23 tract, and along the westerly line of said residue of 394.93 acre
24 tract to a found 1/2-inch iron rod;
25 THENCE, North 05°19'45" West, 1,365.80 feet (called South 02°26'30"
26 East, 1,366.00 feet per Volume 908. Page 667 of said Deed Records)
27 continuing along the easterly line of said residue of 215.381 acre

1 tract to a set 5/8-inch iron rod with "GS" cap to the southeasterly
2 corner of sold residue of 215.381 acre tract, being the
3 southeasterly corner of said 100.49 acre tract;
4 THENCE, South 87°32'45" West, 650.00 feet (called South 89°34'00"
5 East per Volume 908, Page 667 of said Deed Records) along the
6 northerly line of said residue of 215.381 acre tract, being the
7 southerly line of said 100.49 acre tract to a set 5/8-inch iron rod
8 with "GS" cap, from which a found U-Joint on a drive shaft for the
9 northwesterly corner of said residue of 215.381 acre tract, being
10 the southwesterly corner of said 100.49 acre tract bears South
11 87°32'45" West, 2,260.03 feet;
12 THENCE, North 04°14'57" West, 580.00 feet to a set 5/8-inch iron rod
13 with "GS" cap;
14 THENCE, North 87°34'27" East, 650.00 feet to a set 5/8-inch iron rod
15 with "GS" cap;
16 THENCE, North 04°13'04" West, 440.00 feet to a set 5/8-inch iron rod
17 with "GS" cap;
18 THENCE, North 85°46'02" East, 1,419.04 feet along d fence line to a
19 point in a 36-inch oak tree, from which the center of the 36-inch
20 oak tree bears South 86°49' West, 1.97 feet, being the called
21 northwesterly corner of that certain called 38.150 acre tract of
22 land conveyed to Brian Murphy and wife, Susan Murphy by deed dated
23 March 10, 2009 and recorded Under M.C.C.F. No. 2009-020009 of said
24 Official Public Records, from which a found 1-inch iron pipe (bent)
25 bears North 86°46'40" East, 637.40 feet;
26 THENCE, South 02°21'34" East, 1,728.23 feet along the westerly line
27 of said 38.150 acre tract, and along the easterly line of said 80

C.S.H.B. No. 4138

1 acre tract, passing at 1,064.36 feet a found 5/8-inch iron rod with
2 cap for reference and continuing to a found 1/2-inch iron rod at the
3 westernmost southwesterly corner of said 38.150 acre tract, being
4 the northwesterly corner of that certain called 1 acre tract of land
5 conveyed to Marian J. Fielder and spouse, Jeffrey L. Fielder by deed
6 dated July 22, 2005 and recorded under M.C.C.F. No. 2005082134,
7 Film Code No. 878-10-1679 of said Official Public Records;
8 THENCE, South 02°29'46" East, 144.05 feet along the westerly line of
9 said Fielder 1 acre tract, being the easterly line of said 80 acre
10 tract to a found 1/2-inch iron rod at the southwesterly corner of
11 said Fielder 1 acre tract;
12 THENCE, South 02°26'24" East, 945.97 feet along the westerly line of
13 that certain called 1.9999 acre tract of land conveyed to Janice L.
14 Morris by deed dated February 13, 1996 and recorded under M.C.C.F.
15 No. 9610722, Film Code No. 134-00-1324 of said Official Public
16 Records, the westerly line of that certain called 1.00 acre tract of
17 land conveyed to Janice Morris by deed dated November 5, 1998 and
18 recorded under M.C.C.F. No. 9889160, Film Code No. 458-00-2326 of
19 said Official Public Records, the westerly line of that certain
20 residue of a called 6.8 acre tract of land conveyed to John W.
21 Reeves by deed dated August 13, 1999 and recorded under M.C.C.F.
22 No. 2002003857, Film Code No. 004-10-1780 of said Official Public
23 Records and the westerly line of said 3.3685 acre tract, being the
24 easterly line of said 80 acre tract to the POINT OF BEGINNING and
25 containing 133.86 acres of land (Tract 4).
26 Tract 5 (Hardin Store Rd.) being a 104.52 acre parcel (called
27 104.5230 acres) of land situated in the E.R. Hale Survey, Abstract

C.S.H.B. No. 4138

1 No. 264 and being the same tract of land as recorded in Volume 72,
2 Page 290 Deed Records of Montgomery County, Texas said 104.52 acre
3 parcel being more particularly described by metes and bounds as
4 follows with the base of bearing being the recorded deed.
5 Beginning at a 5/8" inch iron rod found in the west line of Rimwick
6 Forest Subdivision (U/R), Section 1, Lot 4 as recorded under
7 Montgomery County Film Code Number 081-11-0228 for the southeast
8 corner of a called 0.944 acre tract as recorded under Montgomery
9 County Clerk's File 2011064873 and the northeast corner of the
10 herein described parcel of land for the POINT OF BEGINNING;
11 THENCE, South 01° 13' 17" West (called South), along the west line of
12 the said called Rimwick Forest
13 Subdivision, the west line of Lot 4, the west line of Lot 3 as
14 recorded under File Number 8848910 Deed
15 Records of Montgomery County, and the east line of the herein
16 described parcel, passing at a distance of 52.10 feet a 1/2 inch
17 iron rod found marking the common corner of the said Lot 4 and Lot 3
18 of the
19 Rimwick Subdivision, continuing for a distance of 275.58 feet to a
20 monument for the southwest corner of the said Lot 3 and being in the
21 northerly line of a called 150 foot Railroad right of way as
22 recorded in Vol. 26, Pg. 367 D.R.M.C., continuing for a distance of
23 413.95 feet for the centerline of the I. & G.N. Railroad called 150
24 feet wide, continuing for a distance 479.55 feet to a point (from
25 which a 1 inch iron pipe found Bears North 56° 51" 32" West, a
26 distance of 12.34) in the southerly line of the said railroad right
27 of way, continuing along the west line of Post Oak Forest

C.S.H.B. No. 4138

1 Subdivision (U/R), the west line of Lot 10 as recorded under File
2 Number 8914750 D.R.M.C. for a total distance of 1050.04 feet to a
3 5/8 inch iron rod found in the west line of Post Oak Forest
4 (unrecorded subdivision) for the southwest corner of the said Lot
5 10, the northwest corner of Lot 11 as recorded under M.C.F.C.
6 382-11-1756, and marking an angle point in the herein described
7 parcel of land;
8 THENCE, South 00° 55' 07" East (called South), along the west line of
9 Post Oak Forest Subdivision, the
10 west line of Lot 11, and the east line of the herein described
11 parcel, passing at a distance of 180.04 feet to a 3/8 inch iron rod
12 found for the southwest corner of said Lot 11, and the northwest
13 corner of Lot 12, continuing along the west line of the said Post
14 Oak Forest Subdivision, the west line of the following Lots
15 12, Lot 13 as recorded in M.C.F.C. 382-11-1756, and Lot 14 for a
16 distance of 689.39 feet to a 1/2 inch iron rod for the southwest
17 corner of the said Lot 14 and the northwest corner of Post Oak
18 Forest Drive,
19 called 60.00 feet of right of way, continuing for a distance of
20 748.93 feet to a 1/2 inch iron rod for the
21 northwest corner of Lot 15 as recorded under M.C.F.C. 151-10-1266
22 and marking the southwest corner of said Post Oak Forest Drive,
23 continuing along the west line of the said Lot 15 for a total
24 distance of 969.39 feet to a monument found for the southwest corner
25 of the said Lot 15, the northwest corner of a called 2.586 acre
26 tract as recorded under M.C.C.F. 2011064873, and an angle point of
27 the herein described parcel;

C.S.H.B. No. 4138

1 THENCE, South 05° 18' 32" West (called South), along the west line of
2 the said called 2.586 acre tract and the east line of the herein
3 described parcel, a distance of 413.66 feet to a 1 inch iron rod
4 found for the southwest corner of the said 2.586 acre tract and the
5 northwest corner of Hughes Road, called 60.00 feet of right of way,
6 and an angle point in the herein described parcel of land;
7 THENCE, South 00° 17' 29" West (called South) along the west line of
8 the said Hughes Road, a called
9 1.160 acre tract as recorded under M.C.F.C. 379-00-1589, a 5.420
10 acre tract as recorded under M.C.F.C.
11 739-01-1994, a 1.591 acre tract as recorded under M.C.C.F.
12 2011091306, a 1.00 acre tract as recorded under M.C.C.F.
13 2011091306, and the east line of the herein described parcel, a
14 distance of 1643.03 feet to a 3/4 inch iron pipe in the northerly
15 line of Hardin Store Road (called 60 right of way, Public Road) for
16 the southwest corner of the said 1.00 acre tract and marking an
17 angle point of the herein described parcel of land;
18 THENCE, South 47° 20' 53" West, along the northerly right of way line
19 of Hardin Store Road and the
20 southerly line of the herein described parcel, a distance of 424.45
21 feet to a 1/2 inch iron rod found for the northeast corner of a
22 called 0.671 acre tract as recorded in Montgomery County Film Code
23 613-00-0474 marking an angle point of the herein described parcel
24 of land;
25 THENCE, South 89° 34' 07" West (called South 89° 31' 00" West) along
26 the common line of the said
27 0.671 acre tract and the herein described parcel, passing at a

1 distance of 263.33 feet to a 5/8 inch iron rod found for the
2 northwest corner of the said called 0.671 acre tract and the
3 northeast corner of Logtowne Subdivision as recorded in Book E,
4 Page 56B M.R.M.C., continuing along the common line of the said
5 Logtowne Subdivision and the herein described parcel for a total
6 distance of 722.41 feet to a 1 inch iron pipe found for an angle
7 point in the said called Log Town Subdivision marking the southwest
8 corner of the herein described parcel of land;
9 THENCE, North 00° 03' 36" West (called North), along the common line
10 of the said Logtowne
11 Subdivision and the herein described parcel passing at a distance
12 of 1097.96 feet a 3/4 inch iron pipe for the northeast corner of the
13 said called Log Towne Subdivision and the southeast corner of
14 Britwood
15 Estates as recorded in Book L, Page 118 M.R.M.C, continuing along
16 the common line of the said
17 Britwood Estates and the herein described parcel for a distance of
18 2384.46 feet to a 3/4 inch iron pipe found, continuing for a total
19 distance of 2736.02 feet to a 1/2 inch iron rod found in the east
20 line of the called Britwood Estates for an angle point in the herein
21 described parcel of land;
22 THENCE, North 00° 06' 02" East (called North) along the east line of
23 the said called Britwood Estates
24 Subdivision and the west line of the herein described parcel,
25 passing at a distance of 876.43 feet to a 5/8 inch iron rod found,
26 continuing for a distance of 1057.19 feet to a 1/2 inch iron rod
27 found, continuing for

1 a distance of 1336.41 to a 1/2 inch iron rod found, continuing for a
2 total distance of 1631.62 feet to a 3/4 inch iron rod found in the
3 south line of a called 6.776 acres as recorded in M.C.F.C.
4 613-00-0474 for the northeast corner of the said called Britwood
5 Estates Subdivision marking the northwest corner of the herein
6 described parcel of land;

7 THENCE, South 89° 57' 51" East, along the common line of the said
8 called 6.776 acre tract and the

9 herein described parcel, passing at a distance of 323.94 feet a 1
10 inch iron pipe found in the southerly right of way line of the said
11 called 150 foot Railroad Right of way line, passing at a distance of
12 411.65 feet the centerline of the I & G. N. Railroad, continuing for
13 a distance of 548.52 feet to a 5/8 inch iron rod found in the
14 northerly line of the said called 150.00 foot Railroad right of way
15 line and the southwest corner of a called 0.944 acres, continuing
16 along the common line of the said 0.944 acre tract and the herein
17 described parcel for a total distance of 1043.28 feet (called
18 1043.18) to the POINT OF BEGINNING and containing 104.52 acres
19 (Tract 5);

20 Tract 6 (adjacent to 66.58 acre Enclave at Dobbin) is 24.17 acres in
21 size and comprised of the following tract: A0078 BROWN JAMES, TRACT
22 5-A,5-E,5-G,5-H, ACRES 24.17 (Mont. Co. Property Records Ref. Id.
23 0078-00-005-1)

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

1 Then east along north boundary of said 24.17 acre tract, and south
2 boundary of said 3.0 acre tract, and 3.0 acre tract 4B-1, and
3 Woodforest Estates Block 1, and 9.520 acre tract (A0078 BROWN
4 JAMES, TRACT 7 ACRES 9.520) to northeast corner of said 24.17 acre
5 tract and northwest corner of 8.0 acre tract (A0078 BROWN JAMES,
6 TRACT 5-B, ACRES 8.000);
7 Then south along east boundary of said 24.17 acre tract and west
8 boundary of said 8.0 acre tract to north boundary of 2.5 acre tract
9 (A0078 BROWN JAMES, TRACT 5, ACRES 2.500);
10 Then west along boundary line of said 24.17 acre tract and north
11 boundary of said 2.5 acre tract to northwest corner of said 2.5 acre
12 tract and interior corner of 24.17 acre tract;
13 Then south along east boundary line of said 24.17 acre tract and
14 west boundary of said 2.5 acre tract to southwest corner of said 2.5
15 acre tract and north boundary of 13.113 acre tract (A0078 BROWN
16 JAMES, TRACT 8, 10-A, ACRES 13.113);
17 Then west along south boundary line of said 24.17 acre tract and
18 north boundary of said 13.113 acre tract to northwest corner of said
19 13.113 acre tract and interior corner of said 24.17 acre tract;
20 Then south along west boundary of said 13.113 acre tract and
21 boundary line of said 24.17 acre tract to northeast corner of SPRING
22 CREEK FOREST 03 (S898203) Subdivision;
23 Then west along south boundary of said 24.17 acre tract and north
24 boundary of SPRING CREEK FOREST 03 (S898203) Subdivision to
25 southeast corner 10.0 acre tract (A0078 BROWN JAMES, TRACT 5-D,
26 ACRES 10.000);
27 Then north along east boundary of said 10.0 acre tract to northeast

1 corner of said tract and interior corner of said 24.17 acre tract;
2 Then west along north boundary of said 10.0 acre tract and boundary
3 line of said 24.17 acre tract to northwest corner of said 10.0 acre
4 tract and west boundary of said 24.17 acre tract and east ROW of
5 Clint-Neidigk Rd.;
6 Then north along west boundary of said 24.17 acre tract, east ROW of
7 Clint-Neidigk Rd. to northwest corner of said tract and point of
8 beginning of +/- 24.17 acre tract 6;
9 Tract 7 (Adjacent to Enclave at Dobbin) The Enclave at Dobbin Tract
10 being a 66.580 acres comprised of the following tracts:
11 1. a called 22.5814 acre tract, County Clerk's File No. 9368043,
12 of the Montgomery County Real Property Records (M.C.R.P.R.),
13 2. a called 13.113 acre tract, Vol. 610, Pg. 33, Montgomery County
14 Deed Records (M.C.D.R.),
15 3. a called 2.5 acre tract, County Clerk's File No. 9676748,
16 M.C.R.P.R.,
17 4. a called 8.337 acre tract, County Clerk's File No. 9777430,
18 M.C.R.P.R.,
19 5. a called 5.0733 acres tract, County Clerk's File No. 9368043,
20 M.C.R.P.R.,
21 6. a called 5.000 acre tract, County Clerk's File No. 9368043,
22 M.C.R.P.R.,
23 7. a called 50733 acre tract, County Clerk's File No. 9368042,
24 M.C.R.P.R.,
25 8. a called 2.459 acre tract, County Clerk's File No. 8861841,
26 M.C.R.P.R.,
27 9. and a 2.459 acre tract, County Clerk's File No. 8861842,

1 M.C.R.P.R.,
2 being out of the James Brown Survey, A-78, Montgomery County,
3 Texas, and being more particularly described by metes and bounds as
4 follows:
5 COMMENCING for reference at a found 1/2 inch iron at the
6 intersection of the northerly line of Carraway Lane (a called 50
7 foot wide prescriptive right-of-way) with the southwesterly line of
8 Dobbin Hufsmith Road (a called 60 foot wide prescriptive
9 right-of-way), said point being the southeasterly corner of that
10 6.780 acre tract described in Volume 1146, Page 492, M.C.D.R., and
11 said point having a State Plane Grid Coordinate (Central Zone):
12 N=10,052,010.77, E=3,789,968.41;
13 1) THENCE, NORTH 43°38'19" WEST, 571.56 feet along the
14 southwesterly line of Dobbin Hufsmith Road to the POINT OF
15 BEGINNING, from which a found 5/8" iron rod bears N 49°16'24" E, 1.23
16 feet;
17 2) THENCE, SOUTH 86°40'08" WEST, 479.63 feet to a point for corner
18 from which a found 5/8" iron rod bears N 67°24'20" E, 1.51 feet;
19 3) THENCE, SOUTH 86°27'05" WEST, 713.04 feet to a point for corner
20 from which a found 1/2 inch iron rod bears N 77°59'07" E, 1.14 feet;
21 4) THENCE, SOUTH 03°21'08" EAST, 465.60 feet to a point for corner
22 from which a found 5/8" iron rod bears N 89°46'18" E, 1.98 feet;
23 5) THENCE, SOUTH 86°32'38" WEST, 239.62 feet to a point for corner
24 from which a found 3/4 inch iron rod bears S 77°56'48" E 1.99 feet;
25 6) THENCE, SOUTH 87°41'13" WEST, 556.87 feet along to a set 1/2
26 inch iron rod being in the easterly line of North Creek Road (a
27 called 60 foot wide prescriptive right-of-way);

- 1 7) THENCE, NORTH 03°08'56" WEST, 1568.54 feet along the easterly
2 line of North Creek Road to a set 1/2 inch iron rod;
- 3 8) THENCE, NORTH 86°38'07" EAST, 261.57 feet to a 1/2 inch Iron
4 rod set for corner;
- 5 9) THENCE, NORTH 03°21'33" WEST, 380.73 feet a set 1/2 inch iron
6 rod;
- 7 10) THENCE, NORTH 86°38'27" EAST, 1148.30 feet to ' set 1/2 inch
8 iron rod being in the southwesterly line of Dobbin Hufsmith Road;
9 said point being the beginning of a non-tangent curve to the left;
- 10 11) THENCE, SOUTHEASTERLY, 163.18 feet along the southwesterly
11 line of Dobbin Hufsmith Road, being along the arc of said curve to
12 the left, having a radius of 805.76 feet, a central angle of
13 11°36'12", and a chord bearing S 27°11'14" E 162.90 feet, to a set 1/2
14 inch iron rod at the beginning of a non-tangent line;
- 15 12) THENCE, SOUTH 32°55'52" EAST, 265.11 feet along the along the
16 southwesterly line of Dobbin Hufsmith Road to a point for corner
17 from which a found 5/8" iron rod bears N 32°09'14" W, 0.68 feet;
- 18 13) THENCE, SOUTH 31°32'45" EAST, 382.12 feet along the along the
19 southwesterly line of Dobbin Hufsmith Road to a point for corner
20 from which a found 5/8" iron rod bears N 28°24'59" W, 1.91 feet;
- 21 14) THENCE, SOUTH 31°27'04" EAST, 210.95 feet along the along the
22 southwesterly line of Dobbin Hufsmith Road to a point for corner
23 from which a found 1/2" iron rod bears N 13°52'37" W, 1.87 feet;
- 24 15) THENCE, SOUTH 31°20'41" EAST, 60.93 feet along the along the
25 southwesterly line of Dobbin Hufsmith Road to a point for corner
26 from which a found 5/8" iron rod bears N 10°13'03" W, 1.91 feet; said
27 point being the beginning of a non-tangent curve to the right;

1 16) THENCE, SOUTHEASTERLY, 134.13 feet along the southwesterly
2 line of Dobbin Hufsmith Road, being along the arc of said curve to
3 the right, having a radius of 264.75 feet, a central angle of
4 $29^{\circ}01'40''$, and a chord bearing S $16^{\circ}50'29''$ E 132.70 feet, to a set 1/2
5 inch iron rod at the beginning of a non-tangent line, from which
6 point a found 1/2" iron rod bears N $02^{\circ}45'37''$ E, 2.00 feet;

7 17) THENCE, SOUTH $02^{\circ}19'02''$ EAST, 246.76 feet along the
8 southwesterly line of Dobbin Hufsmith Road to a set 1/2 inch iron
9 rod at a point for corner from which a found 1/2" iron rod bears N
10 $25^{\circ}54'23''$ E, 2.20 feet;

11 18) THENCE, SOUTH $18^{\circ}07'16''$ EAST, 164.71 feet along the
12 southwesterly line of Dobbin Hufsmith Road to the POINT OF
13 BEGINNING of tract 7.

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

18 Tract 8 being 162.324 acres comprised of a 158.808 acre tract and a
19 3.516 acre tract, hereinafter Tract 8.1 and Tract 8.2,
20 respectively; being out of the James Brown Survey, A-78 and the
21 Isaac Mansfield Survey, A-344, Montgomery County, Texas, and being
22 more particularly described by metes and bounds as follows:

23 TRACT 8.1 (158.808 Acres)

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

27 1) THENCE, NORTH $87^{\circ}33'26''$ EAST, 1019.13 feet to a point for

1 corner having a Grid Coordinate: N=10,059,136.186,
2 E=3,798,132.485';
3 2) THENCE, NORTH 87°07'38" EAST, 1019.62 feet to a point for the
4 most northerly northeast corner of the herein described tract;
5 3) THENCE, SOUTH 02°47'31" EAST, 1423.07 feet to a point for
6 corner;
7 4) THENCE, SOUTH 02°32'16" EAST, 809.63 feet to a point for
8 reentrant corner;
9 5) THENCE, NORTH 87°07'08" EAST, 783.78 feet to a point for a
10 northeasterly corner;
11 6) THENCE, SOUTH 03°53'29" EAST, 387.92 feet to a point for
12 reentrant corner;
13 7) THENCE, NORTH 86°38'45" EAST, 786.72 feet to a point for the
14 most southerly northeast corner of the herein described tract;
15 8) THENCE, SOUTH 04°49'26" EAST, 700.00 feet to a point for the
16 southeast corner of the herein described tract;
17 9) THENCE, SOUTH 86°37'53" WEST, 798.12 feet to a point for
18 corner;
19 10) THENCE, NORTH 03°53'29" WEST, 258.91 feet to a point for
20 reentrant corner;
21 11) THENCE, SOUTH 87°06'17" WEST, 795.17 feet to a point for
22 corner;
23 12) THENCE, NORTH 04°42'27" WEST, 216.64 feet to a point for
24 reentrant corner;
25 13) THENCE, SOUTH 88°25'42" WEST, 1768.72 feet to a the beginning
26 of a non-tangent curve to the left; said point being in the
27 northeasterly line of Dry Creek Road (variable width);

14) THENCE, NORTHWESTERLY 169.73 feet along Dry Creek Road and along the arc of said curve to the left, said curve having a radius of 174.77 feet, a central angle of 55°38'41", and a chord bearing and distance of NORTH 49°37'09" WEST, 163.14 feet;

15) THENCE, NORTH 77°24'24" WEST, 132.55 feet along Dry Creek Road to a point for the southwesterly corner of the herein described tract;

16) THENCE, NORTH 03°16'29" WEST, 1257.51 feet along the westerly line of the herein described tract, to a point for corner;

17) THENCE, NORTH 03°03'57" WEST, 1408.11 feet along the westerly 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

1 feet;

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

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

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

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

12 9) THENCE, NORTH 85°53'56" EAST, 19.99 feet, along the southerly
13 line of Dry Creek Road; to the POINT OF BEGINNING of Tract 8;

14 Tract 8 Note: All bearings are based on the Texas Coordinate
15 System, Central Zone, North American 1983 Datum. All coordinates
16 herein are grid and may be converted to surface by dividing by the
17 Combined Scale Factor of 0.999977037. All distances are surface.

18 SECTION 5. (a) The legal notice of the intention to
19 introduce this Act, setting forth the general substance of this
20 Act, has been published as provided by law, and the notice and a
21 copy of this Act have been furnished to all persons, agencies,
22 officials, or entities to which they are required to be furnished
23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
24 Government Code.

25 (b) The governor, one of the required recipients, has
26 submitted the notice and Act to the Texas Commission on
27 Environmental Quality.

1 (c) The Texas Commission on Environmental Quality has filed
2 its recommendations relating to this Act with the governor,
3 lieutenant governor, and speaker of the house of representatives
4 within the required time.

5 (d) The general law relating to consent by political
6 subdivisions to the creation of districts with conservation,
7 reclamation, and road powers and the inclusion of land in those
8 districts has been complied with.

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

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