

1-1 By: Creighton S.B. No. 2504
1-2 (In the Senate - Filed April 1, 2019; April 2, 2019, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 23, 2019, reported favorably by the following
1-5 vote: Yeas 6, Nays 0; April 23, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the creation of the Magnolia Woods Municipal Utility
1-18 District No. 1; granting a limited power of eminent domain;
1-19 providing authority to issue bonds; providing authority to impose
1-20 assessments, fees, and taxes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-23 Code, is amended by adding Chapter 8257 to read as follows:

1-24 CHAPTER 8257. MAGNOLIA WOODS MUNICIPAL UTILITY DISTRICT NO. 1

1-25 SUBCHAPTER A. GENERAL PROVISIONS

1-26 Sec. 8257.0101. DEFINITIONS. In this chapter:

1-27 (1) "Board" means the district's board of directors.

1-28 (2) "Commission" means the Texas Commission on
1-29 Environmental Quality.

1-30 (3) "Director" means a board member.

1-31 (4) "District" means the Magnolia Woods Municipal
1-32 Utility District No. 1.

1-33 Sec. 8257.0102. NATURE OF DISTRICT. The district is a
1-34 municipal utility district created under Section 59, Article XVI,
1-35 Texas Constitution.

1-36 Sec. 8257.0103. CONFIRMATION AND DIRECTOR ELECTION
1-37 REQUIRED. The temporary directors shall hold an election to
1-38 confirm the creation of the district and to elect five permanent
1-39 directors as provided by Section 49.102, Water Code.

1-40 Sec. 8257.0104. CONSENT OF MUNICIPALITY REQUIRED. The
1-41 temporary directors may not hold an election under Section
1-42 8257.0103 until each municipality in whose corporate limits or
1-43 extraterritorial jurisdiction the district is located has
1-44 consented by ordinance or resolution to the creation of the
1-45 district and to the inclusion of land in the district.

1-46 Sec. 8257.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-47 (a) The district is created to serve a public purpose and benefit.

1-48 (b) The district is created to accomplish the purposes of:

1-49 (1) a municipal utility district as provided by
1-50 general law and Section 59, Article XVI, Texas Constitution; and

1-51 (2) Section 52, Article III, Texas Constitution, that
1-52 relate to the construction, acquisition, improvement, operation,
1-53 or maintenance of macadamized, graveled, or paved roads, or
1-54 improvements, including storm drainage, in aid of those roads.

1-55 Sec. 8257.0106. INITIAL DISTRICT TERRITORY. (a) The
1-56 district is initially composed of the territory described by
1-57 Section 2 of the Act enacting this chapter.

1-58 (b) The boundaries and field notes contained in Section 2 of
1-59 the Act enacting this chapter form a closure. A mistake made in the
1-60 field notes or in copying the field notes in the legislative process
1-61 does not affect the district's:

- 2-1 (1) organization, existence, or validity;
- 2-2 (2) right to issue any type of bond for the purposes
- 2-3 for which the district is created or to pay the principal of and
- 2-4 interest on a bond;
- 2-5 (3) right to impose a tax; or
- 2-6 (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

2-8 Sec. 8257.0201. GOVERNING BODY; TERMS. (a) The district
 2-9 is governed by a board of five elected directors.
 2-10 (b) Except as provided by Section 8257.0202, directors
 2-11 serve staggered four-year terms.

2-12 Sec. 8257.0202. TEMPORARY DIRECTORS. (a) The temporary
 2-13 board consists of:

- 2-14 (1) Paul West;
- 2-15 (2) Lisa Belus;
- 2-16 (3) Ashley Bird;
- 2-17 (4) Craig Lobel; and
- 2-18 (5) Ty Hunter Fox.

2-19 (b) Temporary directors serve until the earlier of:
 2-20 (1) the date permanent directors are elected under
 2-21 Section 8257.0103; or
 2-22 (2) the fourth anniversary of the effective date of
 2-23 the Act enacting this chapter.

2-24 (c) If permanent directors have not been elected under
 2-25 Section 8257.0103 and the terms of the temporary directors have
 2-26 expired, successor temporary directors shall be appointed or
 2-27 reappointed as provided by Subsection (d) to serve terms that
 2-28 expire on the earlier of:

- 2-29 (1) the date permanent directors are elected under
 2-30 Section 8257.0103; or
- 2-31 (2) the fourth anniversary of the date of the
 2-32 appointment or reappointment.

2-33 (d) If Subsection (c) applies, the owner or owners of a
 2-34 majority of the assessed value of the real property in the district
 2-35 may submit a petition to the commission requesting that the
 2-36 commission appoint as successor temporary directors the five
 2-37 persons named in the petition. The commission shall appoint as
 2-38 successor temporary directors the five persons named in the
 2-39 petition.

SUBCHAPTER C. POWERS AND DUTIES

2-41 Sec. 8257.0301. GENERAL POWERS AND DUTIES. The district
 2-42 has the powers and duties necessary to accomplish the purposes for
 2-43 which the district is created.

2-44 Sec. 8257.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-45 DUTIES. The district has the powers and duties provided by the
 2-46 general law of this state, including Chapters 49 and 54, Water Code,
 2-47 applicable to municipal utility districts created under Section 59,
 2-48 Article XVI, Texas Constitution.

2-49 Sec. 8257.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-50 52, Article III, Texas Constitution, the district may design,
 2-51 acquire, construct, finance, issue bonds for, improve, operate,
 2-52 maintain, and convey to this state, a county, or a municipality for
 2-53 operation and maintenance macadamized, graveled, or paved roads, or
 2-54 improvements, including storm drainage, in aid of those roads.

2-55 Sec. 8257.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-56 road project must meet all applicable construction standards,
 2-57 zoning and subdivision requirements, and regulations of each
 2-58 municipality in whose corporate limits or extraterritorial
 2-59 jurisdiction the road project is located.

2-60 (b) If a road project is not located in the corporate limits
 2-61 or extraterritorial jurisdiction of a municipality, the road
 2-62 project must meet all applicable construction standards,
 2-63 subdivision requirements, and regulations of each county in which
 2-64 the road project is located.

2-65 (c) If the state will maintain and operate the road, the
 2-66 Texas Transportation Commission must approve the plans and
 2-67 specifications of the road project.

2-68 Sec. 8257.0305. COMPLIANCE WITH MUNICIPAL CONSENT
 2-69 ORDINANCE OR RESOLUTION. The district shall comply with all

3-1 applicable requirements of any ordinance or resolution that is
3-2 adopted under Section 54.016 or 54.0165, Water Code, and that
3-3 consents to the creation of the district or to the inclusion of land
3-4 in the district.

3-5 Sec. 8257.0306. DIVISION OF DISTRICT. (a) The district
3-6 may be divided into two or more new districts only if the district:

- 3-7 (1) has never issued any bonds; and
- 3-8 (2) is not imposing ad valorem taxes.

3-9 (b) This chapter applies to any new district created by the
3-10 division of the district, and a new district has all the powers and
3-11 duties of the district.

3-12 (c) A new district created by the division of the district
3-13 may not, at the time the new district is created, contain any land
3-14 outside the area described by Section 2 of the Act enacting this
3-15 chapter.

3-16 (d) The board, on its own motion or on receipt of a petition
3-17 signed by the owner or owners of a majority of the assessed value of
3-18 the real property in the district, may adopt an order dividing the
3-19 district.

3-20 (e) The board may adopt an order dividing the district
3-21 before or after the date the board holds an election under Section
3-22 8257.0103 to confirm the district's creation.

3-23 (f) An order dividing the district shall:

- 3-24 (1) name each new district;
- 3-25 (2) include the metes and bounds description of the
3-26 territory of each new district;
- 3-27 (3) appoint temporary directors for each new district;

3-28 and
3-29 (4) provide for the division of assets and liabilities
3-30 between or among the new districts.

3-31 (g) On or before the 30th day after the date of adoption of
3-32 an order dividing the district, the district shall file the order
3-33 with the commission and record the order in the real property
3-34 records of each county in which the district is located.

3-35 (h) A new district created by the division of the district
3-36 shall hold a confirmation and directors' election as required by
3-37 Section 8257.0103.

3-38 (i) If the creation of the new district is confirmed, the
3-39 new district shall provide the election date and results to the
3-40 commission.

3-41 (j) Any new district created by the division of the district
3-42 must hold an election as required by this chapter to obtain voter
3-43 approval before the district may impose a maintenance tax or issue
3-44 bonds payable wholly or partly from ad valorem taxes.

3-45 (k) Municipal consent to the creation of the district and to
3-46 the inclusion of land in the district granted under Section
3-47 8257.0104 acts as municipal consent to the creation of any new
3-48 district created by the division of the district and to the
3-49 inclusion of land in the new district.

3-50 SUBCHAPTER D. DEFINED AREAS

3-51 Sec. 8257.0401. AUTHORITY TO ESTABLISH DEFINED AREAS OR
3-52 DESIGNATED PROPERTY. The district may define areas or designate
3-53 certain property of the district to pay for improvements,
3-54 facilities, or services that primarily benefit that area or
3-55 property and do not generally and directly benefit the district as a
3-56 whole.

3-57 Sec. 8257.0402. PROCEDURE FOR ELECTION. (a) Before the
3-58 district may impose an ad valorem tax applicable only to the defined
3-59 area or designated property or issue bonds payable from ad valorem
3-60 taxes of the defined area or designated property, the board shall
3-61 hold an election in the defined area or designated property only.

3-62 (b) The board may submit the proposition to the voters on
3-63 the same ballot to be used in another election.

3-64 Sec. 8257.0403. DECLARING RESULT AND ISSUING ORDER.

3-65 (a) If a majority of the voters voting at the election held under
3-66 Section 8257.0402 approve the proposition or propositions, the
3-67 board shall declare the results and, by order, shall establish the
3-68 defined area or designated property and describe it by metes and
3-69 bounds or designate the specific area or property.

4-1 (b) A court may not review the board's order except on the
4-2 ground of fraud, palpable error, or arbitrary and confiscatory
4-3 abuse of discretion.

4-4 Sec. 8257.0404. TAXES FOR SERVICES, IMPROVEMENTS, AND
4-5 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter
4-6 approval and adoption of the order described by Section 8257.0403,
4-7 the district may apply separately, differently, equitably, and
4-8 specifically its taxing power and lien authority to the defined
4-9 area or designated property to provide money to construct,
4-10 administer, maintain, and operate services, improvements, and
4-11 facilities that primarily benefit the defined area or designated
4-12 property.

4-13 Sec. 8257.0405. ISSUANCE OF BONDS FOR DEFINED AREA OR
4-14 DESIGNATED PROPERTY. After the order under Section 8257.0403 is
4-15 adopted, the district may issue bonds to provide for any land,
4-16 improvements, facilities, plants, equipment, and appliances for
4-17 the defined area or designated property.

4-18 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

4-19 Sec. 8257.0501. ELECTIONS REGARDING TAXES OR BONDS.

4-20 (a) The district may issue, without an election, bonds and other
4-21 obligations secured by:

- 4-22 (1) revenue other than ad valorem taxes; or
- 4-23 (2) contract payments described by Section 8257.0503.

4-24 (b) The district must hold an election in the manner
4-25 provided by Chapters 49 and 54, Water Code, to obtain voter approval
4-26 before the district may impose an ad valorem tax or issue bonds
4-27 payable from ad valorem taxes.

4-28 (c) The district may not issue bonds payable from ad valorem
4-29 taxes to finance a road project unless the issuance is approved by a
4-30 vote of a two-thirds majority of the district voters voting at an
4-31 election held for that purpose.

4-32 Sec. 8257.0502. OPERATION AND MAINTENANCE TAX. (a) If
4-33 authorized at an election held under Section 8257.0501, the
4-34 district may impose an operation and maintenance tax on taxable
4-35 property in the district in accordance with Section 49.107, Water
4-36 Code.

4-37 (b) The board shall determine the tax rate. The rate may not
4-38 exceed the rate approved at the election.

4-39 Sec. 8257.0503. CONTRACT TAXES. (a) In accordance with
4-40 Section 49.108, Water Code, the district may impose a tax other than
4-41 an operation and maintenance tax and use the revenue derived from
4-42 the tax to make payments under a contract after the provisions of
4-43 the contract have been approved by a majority of the district voters
4-44 voting at an election held for that purpose.

4-45 (b) A contract approved by the district voters may contain a
4-46 provision stating that the contract may be modified or amended by
4-47 the board without further voter approval.

4-48 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

4-49 Sec. 8257.0601. AUTHORITY TO ISSUE BONDS AND OTHER
4-50 OBLIGATIONS. The district may issue bonds or other obligations
4-51 payable wholly or partly from ad valorem taxes, impact fees,
4-52 revenue, contract payments, grants, or other district money, or any
4-53 combination of those sources, to pay for any authorized district
4-54 purpose.

4-55 Sec. 8257.0602. TAXES FOR BONDS. At the time the district
4-56 issues bonds payable wholly or partly from ad valorem taxes, the
4-57 board shall provide for the annual imposition of a continuing
4-58 direct ad valorem tax, without limit as to rate or amount, while all
4-59 or part of the bonds are outstanding as required and in the manner
4-60 provided by Sections 54.601 and 54.602, Water Code.

4-61 Sec. 8257.0603. BONDS FOR ROAD PROJECTS. At the time of
4-62 issuance, the total principal amount of bonds or other obligations
4-63 issued or incurred to finance road projects and payable from ad
4-64 valorem taxes may not exceed one-fourth of the assessed value of the
4-65 real property in the district.

4-66 SECTION 2. The Magnolia Woods Municipal Utility District
4-67 No. 1 initially includes all the territory contained in the
4-68 following area:

4-69 TRACT ONE:

5-1 Description of a 4,286.698 acre tract of land, Save and
 5-2 Except a 0.057 acre tract described in Warranty Deed to
 5-3 Lufkin-Conroe Telephone Exchange recorded under Montgomery County
 5-4 Clerk's File Number 9556511, out of the called 4,300.288 acre tract
 5-5 described in Special Warranty Deed from BST Timberlands of Texas to
 5-6 Woodard Ranch West, LP, recorded under Montgomery County Clerk's
 5-7 File Number 2005-064857 and also out of the tracts described in
 5-8 Special Warranty Deed to Magnolia Timber Partners, LP recorded
 5-9 under Volume 553, Page 001 of the Deed Records of Waller County
 5-10 Texas, Volume 849, Page 205 of the Deed Records of Grimes County,
 5-11 Texas, and Montgomery County Clerk's File Number 968009; and
 5-12 located in the Joseph C. Ferguson Survey, Abstract 221, Montgomery
 5-13 County, Alexander Robblis Survey, Abstract 464, Montgomery County
 5-14 and Abstract 400, Grimes County, H. M. Bullock Survey, Abstract 96,
 5-15 Grimes County, Robert Elgin Survey, Abstract 199, Montgomery
 5-16 County, R. O. Lusk Survey, Abstract 312, Montgomery County, and
 5-17 Abstract 299 Grimes County James M. Hamm Survey, Abstract 263,
 5-18 Montgomery County, James Pierpont Survey, Abstract 426, Montgomery
 5-19 County, Robert Watson Survey, Abstract 605, Montgomery County and
 5-20 Abstract 271, Waller County, and also located in Grimes County,
 5-21 Waller County, and Montgomery County, Texas and more particularly
 5-22 described as follows:

5-23 BEGINNING at a 5/8 inch iron rod with cap marked "Carter &
 5-24 Burgess" set in the west right-of-way of FM 1774 (100.0 feet wide
 5-25 per Volume 219, Page 423, Volume 252, Page 343, Volume 252, Page
 5-26 344, Volume 257, Page 71, Volume 254, Page 556, Volume 215, Page
 5-27 512, and Volume 218, Page 2 of Montgomery County Deed Records) and
 5-28 in the north line of said Woodard Ranch West, LP tract and the south
 5-29 line of the called 1,995.300 acre tract described in Special
 5-30 Warranty Deed to the Charles Eugene Campbell Marital Trust recorded
 5-31 under Montgomery County Clerk's File Number 2004-058220;

5-32 THENCE South 02 Degrees 34 Minutes 58 Seconds East, with west
 5-33 right-of-way line of FM 1486, a distance of 3459.57 feet to a set
 5-34 5/8 inch iron rod with rap marked "Carter & Burgess";

5-35 THENCE South 03 Degrees 11 Minutes 11 Seconds East,
 5-36 continuing with the west right-of-way line of FM 1486, a distance of
 5-37 2100.08 feet to a 5/8 inch iron rod with cap marked "Carter &
 5-38 Burgess" set for the northeast corner of a called 30.7877 acre tract
 5-39 described in deed to Tim Halfin recorded under Montgomery County
 5-40 Clerk's File Number 9868341;

5-41 THENCE South 02 Degrees 34 Minutes 20 Seconds East,
 5-42 continuing with the west right-of-way line of FM 1486, a distance of
 5-43 551.60 feet to a 5/8 inch iron rod with rap marked "Carter &
 5-44 Burgess" set for corner;

5-45 THENCE South 87 Degrees 03 Minutes 39 Seconds West, with the
 5-46 north line of said Tim Halfin tract and the south line of said
 5-47 Woodard Ranch West, LP tract, at a distance of 4.17 feet passing a
 5-48 rod in concrete, a total distance of 1433.74 feet to a 1 inch iron
 5-49 pipe found for the northwest corner of said Rim Halfin tract and a
 5-50 corner of said Woodard Ranch West, LP tract;

5-51 THENCE South 02 Degrees 57 Minutes 58 Seconds East, with the
 5-52 west line of the said Jack Halfin tract, the west line of the called
 5-53 7.50 acre tract described in deed to Robert Mautz recorded under
 5-54 Montgomery County Clerk's File Number 9895592, the west line of the
 5-55 called 5.00 acre tract described in deed to Fred Muzkya recorded
 5-56 under Montgomery County Clerk's File Number 99074582, the west line
 5-57 of the called 10 acre tract described in deed to Fred Muzkya
 5-58 recorded under Montgomery County Clerk's File Number 99074581, the
 5-59 west line of the called 10.00 acre tract described in deed to David
 5-60 McDonald recorded under Montgomery County Clerk File Number
 5-61 9812063, and the west line of the called 60.80 acre tract described
 5-62 in deed to Brenda Smith recorded under Montgomery County Clerk's
 5-63 File Number 8005582, and the east line of said Woodard Ranch West,
 5-64 LP tract, a distance of 3750.82 feet to a bolt in concrete found for
 5-65 the northwest corner of said Brenda Smith tract and a corner of said
 5-66 Woodard Ranch West, LP tract;

5-67 THENCE North 87 Degrees 05 Minutes 09 Seconds East, with the
 5-68 south line of said Brenda Smith tract and the north line of said
 5-69 Woodard Ranch West, LP tract, at a distance of 1411.99 feet passing

6-1 a found concrete monument, a total distance of 1416.40 feet to a 5/8
6-2 inch iron rod with cap marked "Carter & Burgess" set for corner in
6-3 the west right-of-way line of FM 1486;
6-4 THENCE South 02 Degrees 44 Minutes 42 Seconds East, with the
6-5 west right-of-way line of FM 1486, a distance of 196.91 feet to a
6-6 5/8 inch iron rod with cap marked "Carter & Burgess" set for corner;
6-7 THENCE South 02 Degrees 56 Minutes 32 Seconds East, with the
6-8 west right-of-way line of FM 1486, a distance of 1741.20 feet to a
6-9 5/8 inch iron rod with cap masked "Carter & Burgess" set for the
6-10 northeast corner of the called 10.00 acre tract described in deed to
6-11 Magnolia Independent School District recorded under Montgomery
6-12 County Clerk's File Number 9350680;
6-13 THENCE South 87 Degrees 11 Minutes 27 Seconds West, with the
6-14 north line of said Magnolia Independent School District tract and
6-15 the south line of said Woodard Ranch West, LP tract, a distance of
6-16 661.95 feet to a 5/8 inch iron rod with cap found for the northwest
6-17 corner of said Magnolia Independent School District;
6-18 THENCE South 02 Degrees 48 Minutes 41 Seconds East, with the
6-19 west line of said Magnolia Independent School District tract and
6-20 the east line of said Woodard Ranch West, LP tract, a distance of
6-21 660.21, feet to a 5/8 inch iron rod with cap found for the southwest
6-22 corner of said Magnolia Independent School District tract;
6-23 THENCE North 87 Degrees 10 Minutes 30 Seconds East, with the
6-24 south line of said Magnolia Independent School District tract and
6-25 the north line of said Woodard Ranch West, LP tract, a distance of
6-26 663.46 feet to a 5/8 inch iron rod with cap marked "Carter &
6-27 Burgess" act in the west right-of-way line of FM 1486;
6-28 THENCE South 02 Degrees 56 Minutes 32 Seconds East, with the
6-29 west right-of-way line of FM 1486, a distance of 1510.35 feet to a
6-30 set 5/8 inch iron rod with cap marked "Carter & Burgess";
6-31 THENCE South 01 Degrees 35 Minutes 42 Seconds East,
6-32 continuing with the west right-of-way line of FM 1486, a distance of
6-33 755.41 feet to a point in the center of Mill Creek;
6-34 THENCE with the center of Mill Creek the following calls:
6-35 North 66 Degrees 29 Minutes 42 Seconds West, a distance of 153
6-36 feet;
6-37 North 47 Degrees 03 Minutes 46 Seconds West, a distance of
6-38 25.15 feet;
6-39 North 15 Degrees 23 Minutes 49 Seconds West, a distance of
6-40 34.41 feet;
6-41 North 50 Degrees 04 Minutes 47 Seconds West, a distance of
6-42 42.44 feet;
6-43 North 69 Degrees 33 Minutes 31 Seconds West a distance 53.78
6-44 feet;
6-45 North 51 Degrees 00 Minutes 58 Seconds West, a distance of
6-46 148.95 feet;
6-47 North 21 Degrees 18 Minutes 25 Seconds West, a distance of
6-48 69.98 feet;
6-49 South 74 Degrees 51 Minutes 13 Seconds West, a distance of
6-50 120.60 feet;
6-51 North 41 Degrees 09 Minutes 02 Seconds West, a distance of
6-52 46.98 feet;
6-53 North 21 Degrees 20 Minutes 56 Seconds West, a distance of
6-54 117.72 feet;
6-55 North 50 Degrees 52 Minutes 08 Seconds West, a distance of
6-56 74.60 feet;
6-57 North 24 Degrees 19 Minutes 33 Seconds West, a distance of
6-58 53.22 feet;
6-59 North 87 Degrees 17 Minutes 11 Seconds West, a distance 46.99
6-60 feet;
6-61 South 69 Degrees 05 Minutes 22 Seconds West, a distance of
6-62 180.84 feet;
6-63 South 43 Degrees 04 Minutes 37 Seconds West, a distance of
6-64 126.16 feet;
6-65 South 74 Degrees 00 Minutes 22 Seconds West, a distance of
6-66 56.30 feet;
6-67 South 83 Degrees 01 Minutes 41 Seconds West, a distance of
6-68 110.13 feet;
6-69 South 76 Degrees 38 Minutes 10 Seconds West, a distance of

7-1 52.88 feet,
 7-2 North 50 Degrees 24 Minutes 09 Seconds West, a distance of
 7-3 125.15 feet;
 7-4 North 74 Degrees 07 Minutes 57 Seconds West, a distance of
 7-5 104.06 feet,
 7-6 North 48 Degrees 05 Minutes 58 Seconds West, a distance of
 7-7 76.65 feet;
 7-8 North 58 Degrees 18 Minutes 08 Seconds West, a distance of
 7-9 111.05 feet;
 7-10 North 86 Degrees 46 Minutes 10 Seconds West, a distance of
 7-11 32.03 feet;
 7-12 South 12 Degrees 23 Minutes 06 Seconds West, a distance of
 7-13 95.06 feet;
 7-14 South 54 Degrees 16 Minutes 54 Seconds West, a distance of
 7-15 67.33 feet;
 7-16 South 18 Degrees 21 Minutes 22 Seconds West; a distance of
 7-17 72.49 feet;
 7-18 North 84 Degrees 12 Minutes 58 Seconds West, a distance of
 7-19 94.80 feet;
 7-20 South 70 Degrees 02 Minutes 40 Seconds West, a distance of
 7-21 148.00 feet;
 7-22 North 19 Degrees 36 Minutes 03 Seconds West, a distance of
 7-23 23.54 feet;
 7-24 North 0 Degrees 13 Minutes 43 Seconds West, a distance of
 7-25 60.16 feet;
 7-26 North 55 Degrees 29 Minutes 43 Seconds West, a distance of
 7-27 46.99 feet;
 7-28 South 81 Degrees 09 Minutes 48 Seconds West, a distance of
 7-29 55.26 feet;
 7-30 South 54 Degrees 46 Minutes 58 Seconds West, a distance of
 7-31 160.79 feet;
 7-32 South 46 Degrees 36 Minutes 18 Seconds West, a distance of
 7-33 71.94 feet;
 7-34 North 88 Degrees 40 Minutes 16 Seconds West, a distance of
 7-35 68.48 feet;
 7-36 South 3 Degrees 03 Minutes 49 Seconds East a distance of
 7-37 103.80 feet;
 7-38 South 58 Degrees 10 Minutes 14 Seconds West, a distance of
 7-39 99.77 feet;
 7-40 North 69 Degrees 43 Minutes 47 Seconds West, a distance of
 7-41 111.89 feet;
 7-42 North 5 Degrees 02 Minutes 25 Seconds West; a distance of
 7-43 142.38 feet;
 7-44 North 39 Degrees 45 Minutes 16 Seconds West a distance of
 7-45 17.27 feet;
 7-46 North 38 Degrees 58 Minutes 20 Seconds West, a distance of
 7-47 20.56 feet;
 7-48 South 72 Degrees 58 Minutes 37 Seconds West, a distance of
 7-49 107.26 feet,
 7-50 North 35 Degrees 30 Minutes 48 Seconds West, a distance of
 7-51 52.44 feet;
 7-52 North 75 Degrees 00 Minutes 07 Seconds East; a distance of
 7-53 44.76 feet;
 7-54 North 49 Degrees 16 Minutes 57 Seconds West, a distance of
 7-55 76.44 feet;
 7-56 South 76 Degrees 18 Minutes 51 Seconds West, a distance of
 7-57 124.20 feet;
 7-58 North 79 Degrees 16 Minutes 32 Seconds West, a distance of
 7-59 163.51 feet;
 7-60 South 51 Degrees 38 Minutes 22 Seconds West, a distance of
 7-61 65.74 feet,
 7-62 South 59 Degrees 16 Minutes 59 Seconds East, a distance of
 7-63 87.74 feet;
 7-64 South 62 Degrees 51 Minutes 02 Seconds West, a distance of
 7-65 105.40 feet;
 7-66 South 86 Degrees 13 Minutes 08 Seconds West, a distance of
 7-67 127.37 feet;
 7-68 North 59 Degrees 15 Minutes 27 Seconds West, a distance of
 7-69 20.51 feet;

8-1 North 12 Degrees 05 Minutes 23 Seconds East, a distance of
 8-2 42.25 feet;
 8-3 North 66 Degrees 09 Minutes 22 Seconds West, a distance of
 8-4 45.72 feet;
 8-5 South 75 Degrees 11 Minutes 42 Seconds West, a distance of
 8-6 98.33 feet;
 8-7 South 30 Degrees 35 Minutes 00 Seconds West, a distance of
 8-8 152.59 feet;
 8-9 South 6 Degrees 03 Minutes 19 Seconds East, a distance of
 8-10 32.22 feet;
 8-11 South 31 Degrees 53 Minutes 33 Seconds East, a distance of
 8-12 101.56 feet;
 8-13 South 55 Degrees 27 Minutes 10 Seconds East, a distance of
 8-14 105.07 feet;
 8-15 South 33 Degrees 52 Minutes 46 Seconds West, a distance of
 8-16 68.75 feet;
 8-17 South 78 Degrees 25 Minutes 54 Seconds West, a distance of
 8-18 207.12 feet;
 8-19 North 84 Degrees 39 Minutes 12 Seconds a distance of 159.86
 8-20 feet;
 8-21 North 18 Degrees 00 Minutes 22 Seconds West, a distance of
 8-22 92.87 feet;
 8-23 North 35 Degrees 15 Minutes 57 Seconds East, a distance of
 8-24 85.03 feet;
 8-25 North 33 Degrees 03 Minutes 10 Seconds West, a distance of
 8-26 135.81 feet;
 8-27 North 36 Degrees 04 Minutes 39 Seconds East, a distance of
 8-28 78.18 feet;
 8-29 North 33 Degrees 09 Minutes 02 Seconds West, a distance of
 8-30 95.91 feet;
 8-31 North 84 Degrees 40 Minutes 30 Seconds West, a distance of
 8-32 210.32 feet;
 8-33 South 51 Degrees 35 Minutes 52 Seconds West, a distance of
 8-34 36.19 feet;
 8-35 South 50 Degrees 27 Minutes 50 Seconds East, a distance of
 8-36 33.36 feet;
 8-37 North 63 Degrees 52 Minutes 38 Seconds East, a distance of 22.
 8-38 30 feet;
 8-39 South 15 Degrees 55 Minutes 37 Seconds East, a distance of
 8-40 37.13 feet;
 8-41 South 47 Degrees 10 Minutes 49 Seconds West, a distance of
 8-42 48.72 feet;
 8-43 South 86 Degrees 10 Minutes 28 Seconds West, a distance of
 8-44 167.22 feet;
 8-45 South 52 Degrees 25 Minutes 53 Seconds West, a distance of
 8-46 246.19 feet;
 8-47 South 40 Degrees 38 Minutes 57 Seconds West, a distance of
 8-48 74.90 feet;
 8-49 North 74 Degrees 19 Minutes 02 Seconds West, a distance of
 8-50 92.79 feet;
 8-51 South 69 Degrees 10 Minutes 55 Seconds West, a distance of
 8-52 66.48 feet;
 8-53 North 48 Degrees 06 Minutes 52 Seconds West, a distance of
 8-54 60.65 feet;
 8-55 South 72 Degrees 19 Minutes 16 Seconds West, a distance of
 8-56 30.00 feet;
 8-57 South 2 Degrees 12 Minutes 42 Seconds East, a distance of
 8-58 54.18 feet;
 8-59 South 30 Degrees 24 Minutes 19 Seconds West, a distance of
 8-60 70.78 feet;
 8-61 South 66 Degrees 36 Minutes 03 Seconds West, a distance of
 8-62 147.99 feet;
 8-63 North 59 Degrees 24 Minutes 18 Seconds West, a distance of
 8-64 64.04 feet;
 8-65 North 81 Degrees 46 Minutes 49 Seconds West, a distance of
 8-66 149.37 feet;
 8-67 North 52 Degrees 20 Minutes 57 Seconds West, a distance of
 8-68 89.40 feet;
 8-69 South 89 Degrees 42 Minutes 29 Seconds West, a distance of

9-1 53.97 feet;
 9-2 South 29 Degrees 38 Minutes 45 Seconds West, a distance of
 9-3 206.94 feet;
 9-4 South 54 Degrees 20 Minutes 53 Seconds West, a distance of
 9-5 99.96 feet;
 9-6 South 37 Degrees 00 Minutes 20 Seconds West, a distance of
 9-7 183.95 feet;
 9-8 South 7 Degrees 16 Minutes 40 Seconds East, a distance of
 9-9 66.68 feet;
 9-10 South 18 Degrees 37 Minutes 13 Seconds West, a distance of
 9-11 145.00 feet;
 9-12 South 50 Degrees 55 Minutes 33 Seconds West a distance of
 9-13 50.37 feet;
 9-14 South 81 Degrees 25 Minutes 05 Seconds West, a distance of
 9-15 117.81. feet;
 9-16 South 43 Degrees 33 Minutes 33 Seconds West, a distance of
 9-17 214.19 feet;
 9-18 South 55 Degrees 56 Minutes 20 Seconds West, a distance of
 9-19 199.82 feet;
 9-20 North 86 Degrees 30 Minutes 30 Seconds West, a distance of
 9-21 66.04 feet;
 9-22 North 39 Degrees 31 Minutes 13 Seconds West, a distance of
 9-23 73.41 feet,
 9-24 North 24 Degrees 35 Minutes 20 Seconds West, a distance of
 9-25 20.52 feet;
 9-26 North 64 Degrees 12 Minutes 02 Seconds West, a distance of
 9-27 197.24 feet;
 9-28 North 42 Degrees 28 Minutes 22 Seconds West, a distance of
 9-29 185.27 feet;
 9-30 North 5 Degrees 07 Minutes 35 Seconds East, a distance of
 9-31 75.65 feet;
 9-32 North 19 Degrees 31 Minutes 28 Seconds West, a distance of
 9-33 44.62 feet;
 9-34 North 0 Degrees 27 Minutes 51 Seconds East, a distance of
 9-35 239.11 feet;
 9-36 North 27 Degrees 30 Minutes 15 Seconds East, a distance of
 9-37 83.52 feet;
 9-38 North 60 Degrees 50 Minutes 32 Seconds West, a distance of
 9-39 69.65 feet;
 9-40 South 79 Degrees 21 Minutes 19 Seconds West, a distance of
 9-41 191.59 feet;
 9-42 North 51 Degrees 02 Minutes 23 Seconds West, a distance of
 9-43 107.06 feet;
 9-44 North 13 Degrees 38 Minutes 34 Seconds West, a distance of
 9-45 156.05 feet;
 9-46 North 48 Degrees 55 Minutes 46 Seconds West, a distance of
 9-47 390.43 feet;
 9-48 North 36 Degrees 13 Minutes 39 Seconds West, a distance of
 9-49 166.29 feet;
 9-50 North 89 Degrees 35 Minutes 57 Seconds West, a distance of
 9-51 45.71 feet,
 9-52 South 61 Degrees 51 Minutes 40 Seconds West, a distance of
 9-53 198.79 feet;
 9-54 South 30 Degrees 04 Minutes 49 Seconds West, a distance of
 9-55 36.09 feet;
 9-56 South 20 Degrees 11 Minutes 29 Seconds East, a distance of
 9-57 96.61 feet;
 9-58 South 6 Degrees 08 Minutes 11 Seconds East, a distance of
 9-59 174.03 feet;
 9-60 South 7 Degrees 28 Minutes 44 Seconds West, a distance of
 9-61 106.64 feet,
 9-62 South 27 Degrees 41 Minutes 51 Seconds West, a distance of
 9-63 131.32 feet;
 9-64 South 4 Degrees 34 Minutes 07 Seconds West, a distance of
 9-65 152.56 feet;
 9-66 South 24 Degrees 50 Minutes 38 Seconds West, a distance of
 9-67 324.10 feet;
 9-68 North 62 Degrees 01 Minutes 07 Seconds West, a distance of
 9-69 59.93 feet;

10-1 South 63 Degrees 06 Minutes 40 Seconds West, a distance of
 10-2 55.18 feet;
 10-3 South 11 Degrees 19 Minutes 06 Seconds West, a distance of
 10-4 17.89 feet;
 10-5 North 84 Degrees 39 Minutes 41 Seconds West, a distance of
 10-6 15.53 feet;
 10-7 South 27 Degrees 40 Minutes 44 Seconds West, a distance of
 10-8 52.50 feet;
 10-9 South 54 Degrees 48 Minutes 46 Seconds West, a distance of
 10-10 163.39 feet;
 10-11 South 1 degree 53 Minutes 56 Seconds East, a distance of 74.20
 10-12 feet;
 10-13 South 25 Degrees 46 Minutes 31 Seconds West; a distance of
 10-14 41.01 feet;
 10-15 South 43 Degrees 04 Minutes 41 Seconds West, a distance of
 10-16 153.67 feet;
 10-17 South 65 Degrees 24 Minutes 42 Seconds West, a distance of
 10-18 152.12 feet;
 10-19 South 85 Degrees 45 Minutes 56 Seconds West, a distance of
 10-20 59.54 feet;
 10-21 North 60 Degrees 55 Minutes 21 Seconds West, a distance of
 10-22 68.90 feet;
 10-23 North 14 Degrees 20 Minutes 24 Seconds West, a distance of
 10-24 145.46 feet;
 10-25 North 37 Degrees 47 Minutes 55 Seconds West, a distance of
 10-26 91.94 feet;
 10-27 North 17 Degrees 32 Minutes 20 Seconds West, a distance of
 10-28 83.43 feet;
 10-29 North 49 Degrees 24 Minutes 51 Seconds West; a distance of
 10-30 71.33 feet;
 10-31 North 15 Degrees 47 Minutes 09 Seconds West, a distance of
 10-32 79.77 feet;
 10-33 North 44 Degrees 54 Minutes 58 Seconds West, a distance of
 10-34 149.26 feet;
 10-35 South 78 Degrees 48 Minutes 22 Seconds West, a distance of
 10-36 104.91 feet;
 10-37 THENCE North 76 Degrees 24 Minutes 51 Seconds West; with the
 10-38 center of Mill Creek, a distance of 90.78 feet to the northwest
 10-39 corner of the called 73.594 acre tract described in deed to Ruel
 10-40 Sanders recorded under Volume 679 Page 212 of the Deed Records of
 10-41 Montgomery County;
 10-42 THENCE South 3 Degrees 17 Minutes 07 Seconds East, with the
 10-43 west line of said Ruel Sanders tract and the east line of the
 10-44 Magnolia Timber Partners tract, a distance of 19.89 feet to a 5/8
 10-45 inch iron rod with cap marked "Carter & Burgess" set for corner;
 10-46 THENCE South 86 Degrees 42 Minutes 53 Seconds West, with the
 10-47 north line of the called 103 acre tract described in deed to R. F.
 10-48 Sanders recorded under Volume 280, Page 301 of the Deed Records of
 10-49 Montgomery County and the south line of the Woodard Ranch West, LP
 10-50 tract, a distance of 1194.54 feet to a 5/8 inch iron rod with cap
 10-51 marked "Carter & Burgess" set for the northwest corner of said R. F.
 10-52 Sanders tract;
 10-53 THENCE South 3 Degrees 17 Minutes 07 Seconds East, with the
 10-54 east line of the Woodard Ranch West, LP tract and the west line of
 10-55 the said R. F. Sanders tract, a distance of 3635.69 feet to a 5/8
 10-56 inch iron rod with cap marked "Carter & Burgess" set for corner;
 10-57 THENCE South 2 Degrees 25 Minutes 09 Seconds East, continuing
 10-58 with the east line of the Woodard Ranch West, LP tract and the west
 10-59 line of the R. F. Sanders tract, a distance of 919.23 feet to a 5/8
 10-60 inch iron rod with cap marked "Carter & Burgess" set previous in the
 10-61 north right-of-way line of FM 1774 (60.0 feet wide per Volume 204,
 10-62 Page 522 of Montgomery County Deed Records);
 10-63 THENCE North 74 Degrees 43 Minutes 59 Seconds West, with the
 10-64 north right-of-way of FM 1774, a distance of 479.95 feet to a 5/8
 10-65 inch iron rod with cap marked "Carter & Burgess" set for the
 10-66 beginning of a curve to the right;
 10-67 THENCE in a northwesterly direction with the north
 10-68 right-of-way of FM 1774 and said curve to the right, having a radius
 10-69 of 1170.47 feet, a central angle of 30 Degrees 46 Minutes 39

11-1 Seconds, a chord bearing of North 59 Degrees 20 Minutes 40 Seconds
 11-2 West, a chord distance of 621.21 feet, at an arc distance of 297
 11-3 feet crossing the Montgomery County and Waller County Line, a total
 11-4 arc distance of 628.74 feet to 5/8 inch iron rod with cap marked
 11-5 "Carter & Burgess" set for the point of tangency;
 11-6 THENCE North 43 Degrees 57 Minutes 20 Seconds West,
 11-7 continuing with the north right-of-way line of FM 1774, a distance
 11-8 of 574.51 feet to a 5/8 inch iron rod with cap marked "Carter &
 11-9 Burgess" set for corner;
 11-10 THENCE North 42 Degrees 58 Minutes 17 Seconds West,
 11-11 continuing with the north right-of-way line of FM 1774, a distance
 11-12 of 443.48 feet to a 5/8 inch iron rod with cap marked "Carter &
 11-13 Burgess" set for corner of the herein described tract and the
 11-14 southeast corner of a called 3.3907 acre tract described in deed to
 11-15 Chaminade Capital Corporation recorded under Volume 554, Page 571
 11-16 of the Waller County Deed Records, from which a found concrete
 11-17 monument bears South 02 Degrees 36 Minutes 21 Seconds East, a
 11-18 distance of 337.82 feet;
 11-19 THENCE North 02 Degrees 36 Minutes 21 Seconds West, with the
 11-20 east line of the Richard Prior Survey and the west line of the
 11-21 Robert Watson Survey, Abstract 271 Waller County, also with the
 11-22 west line of the Woodard Ranch West, LP tract, the east line of the
 11-23 called 3.3907 acre tract described in deed to Chaminade Capital
 11-24 Corp. recorded under Volume 554, Page 571, the east line of the call
 11-25 3.3907 acre tract described in deed to Kevin Zabiegala recorded
 11-26 under Volume 559, Page 882, the east line of the called 3.3907 acre
 11-27 tract described in deed to Donna Hoyt recorded under Volume 414,
 11-28 Page 582, the east line of the tract described in deed to Randolph
 11-29 Hardee recorded under Volume 378, Page 911, the east line of the
 11-30 call 7.458 acre tract described in deed to Eugene Mattern recorded
 11-31 under Volume 531, Page 898, the east line of the called 56.0438 acre
 11-32 tract described in deed to Brenda Tolleson recorded under Volume
 11-33 474, Page 479, the east line of the called 19.755 acre tract
 11-34 described in deed to Eugene Mattern recorded under Volume 571, Page
 11-35 767, and the east line of the called 90.0 acre tract described in
 11-36 deed to Wm. F. Jackson recorded under Volume 168, Page 540 all of
 11-37 the Deed Records of Waller County, a distance of 6362 .56 feet to a
 11-38 5/8 inch iron rod with cap marked "Carter & Burgess" set for corner;
 11-39 THENCE North 02 Degrees 51 Minutes 14 Seconds West, with the
 11-40 west line of the Woodard Ranch West, LP tract, and the east line of
 11-41 Lake Hollyhill Acres subdivision recorded under Volume 275, Page
 11-42 292 of Grimes County Deed Records, a distance of 3169.95 feet to a
 11-43 square bolt in concrete found for corner;
 11-44 THENCE South 86 Degrees 55 Minutes 20 Seconds West, with the
 11-45 south line of the Woodard Ranch West, LP tract and the north line of
 11-46 Lake Hollyhill, a distance of 3150.62 feet to a 1/2 inch iron rod
 11-47 found for corner,
 11-48 THENCE North 3 Degrees 05 Minutes 22 Seconds West, with the
 11-49 west line of the Woodard Ranch West, LP tract and the east line of
 11-50 the called 19.484 acre tract, a distance of 954.90 feet to a 1/2
 11-51 inch iron rod found for corner;
 11-52 THENCE North 87 Degrees 05 Minutes 46 Seconds East, with the
 11-53 north line of the Woodard Ranch West, LP tract and with the south
 11-54 line of the tracts described in deeds to Todd Mission Farm recorded
 11-55 under Volume 427, Page 712 and Volume 450 Page 739 of the Deed
 11-56 Records of Grimes County, a distance of 366.94 feet to a 1/2 inch
 11-57 iron rod found for corner;
 11-58 THENCE North 2 Degrees 47 Minutes 46 Seconds West, with the
 11-59 west line of the Woodard Ranch West, LP tract and with the east line
 11-60 of said Todd Mission Farm tract, a distance of 1565.13 feet to a 1/2
 11-61 inch iron rod found for corner;
 11-62 THENCE South 87 Degrees 10 Minutes 42 Seconds West. with the
 11-63 south line of the Woodard Ranch West, LP tract and the north line of
 11-64 said Todd Mission Farm tract, a distance of 499.97 feet to a 1 1/2
 11-65 inch iron pipe found for corner;
 11-66 THENCE North 3 Degrees 34 Minutes 54 Seconds West, with the
 11-67 west line of the Woodard Ranch West, LP tract and the east line of
 11-68 the Todd Mission Farm tract, a distance of 1112.04 feet to a 3/8
 11-69 inch iron rod found for corner;

12-1 THENCE North 04 Degrees 11 Minutes 26 Seconds West,
 12-2 continuing with the west line of the Woodard Ranch West, LP tract
 12-3 and the east line of the Todd Mission Farm tract, a distance of
 12-4 1123.78 feet to a 1/2 inch iron rod found for the northeast corner
 12-5 of said Todd Mission Farm tract from which a 3/4 inch iron bolt
 12-6 bears North 84 Degrees 42 Minutes 36 Seconds East a distance of
 12-7 21.66 feet;

12-8 THENCE North 86 Degrees 07 Minutes 53 Seconds East, with the
 12-9 north line of the Woodard Ranch West, LP tract, the south line of
 12-10 the called 182.9495 acre tract described in deed to the Texas
 12-11 Renaissance Festival, Inc. recorded under Volume 565, Page 23 of
 12-12 the Deed Records of Grimes County, and with the south line of the
 12-13 tract described in deed to Clifford Largent recorded under Volume
 12-14 265, Page 369 of the Deed Records of Grimes County, a distance of
 12-15 2146.80 feet to a 1 1/2 inch iron pipe found for corner;

12-16 THENCE North 06 Degrees 53 Minutes 24 Seconds West, with the
 12-17 west line of the Woodard Ranch West, LP tract and the east line of
 12-18 the Texas Renaissance Festival tract, a distance of 1856.50 feet to
 12-19 a concrete monument found for corner;

12-20 THENCE North 3 Degrees 32 Minutes 02 Seconds West, with the
 12-21 west line of the Woodard Ranch West, LP tract, the east line of the
 12-22 Texas Renaissance Festival tract, the east line of the called
 12-23 36.706 acre tract described in deed to Autry Maywald recorded under
 12-24 Volume 696, Page 103, the east line of the called 16.0 acre tract
 12-25 described in deed to Michael Cotie recorded under Volume 362, Page
 12-26 558, and also with the east line of the H. M. Bullock Survey,
 12-27 Abstract 96 Grimes County, and with the west line of the Alexander
 12-28 Robblis Survey, Abstract 400 Grimes County, a distance of 2064.64
 12-29 feet to a 5/8 inch iron rod with cap marked "Carter & Burgess" set
 12-30 for corner;

12-31 THENCE North 87 Degrees 31 Minutes 54 Seconds East, departing
 12-32 the east line of the a H. M. Bullock Survey and with the west line of
 12-33 the Alexander Robblis Survey, a distance of 12655.49 feet to the
 12-34 POINT OF BEGINNING and containing 4,286.698 acres less the
 12-35 following save and except 0.057 acre tract.

12-36 SAVE & EXCEPT

12-37 Description of a 0.057 acre tract of land, being that called
 12-38 0.057 acre tract described in deed to Lufkin-Conroe Telephone
 12-39 Exchange recorded under Montgomery County Clerk File Number
 12-40 9556511, and located in the Joseph G. Ferguson Survey, Abstract
 12-41 221, Montgomery County, Texas, and more particularly described as
 12-42 follows:

12-43 COMMENCING at a 5/8 inch iron rod with cap marked "Carter &
 12-44 Burgess" set in the west right-of-way of FM 1774 (100.0 feet wide
 12-45 per Volume 219, Page 423, Volume 252, Page 343, Volume 252, Page
 12-46 344, Volume 257, Page 71, Volume 254, Page 556, Volume 215, Page
 12-47 512, and Volume 218, Page 2 of Montgomery County Deed Records) and
 12-48 in the north line of said Woodard Ranch West, LP tract and the south
 12-49 line of the called 1,995.300 acre tract described in Special
 12-50 Warranty Deed to the Charles Eugene Campbell Marital Trust recorded
 12-51 under Montgomery County Clerk's File Number 2004-058220;

12-52 THENCE South 02 Degrees 34 Minutes 58 Seconds East, with west
 12-53 right-of-way line of FM 1486, a distance of 3459.37 feet to a set
 12-54 5/8 inch iron rod with cap marked "Carter & Burgess";

12-55 THENCE South 03 Degrees 11 Minutes 11 Seconds East,
 12-56 continuing with the west right-of-way of FM 1486, a distance 20.24
 12-57 feet to a point for corner;

12-58 THENCE South 87 Degrees 45 Minutes 51 Seconds West, with the
 12-59 south line of the 20 feet wide easement described in deed to
 12-60 Lufkin-Conroe Telephone Exchange recorded under Montgomery County
 12-61 Clerk's File Number 9556511, a distance of 99.52 feet to a 5/8 inch
 12-62 iron rod with cap marked "Carter & Burgess" set for the southeast
 12-63 corner of said Lufkin-Conroe Telephone Exchange called 0.057 acre
 12-64 tract and POINT OF BEGINNING of the herein described tract;

12-65 THENCE South 87 Degrees 45 Minutes 51 Seconds West, with the
 12-66 south line of said Lufkin-Conroe Telephone Exchange tract and a
 12-67 north line of the tracts described in Special Warranty Deed to
 12-68 Magnolia Timber Partners LP recorded under Volume 553, Page 001 of
 12-69 the Deed Records of Waller County, Texas, Volume 849, Page 205 of

13-1 the Deed Records of Grimes County, Texas, and Montgomery County
 13-2 Clerk's File Number 968009, a distance of 50.00 feet to a 1/2 inch
 13-3 iron rod found for the southwest corner of said Lufkin-Conroe
 13-4 Telephone Exchange tract;

13-5 THENCE 02 Degrees 14 Minutes 09 Seconds West, with the west
 13-6 line of said Lufkin-Conroe Telephone Exchange tract and a east line
 13-7 of said Woodard Ranch West, LP tract, a distance of 50.00 feet to a
 13-8 1/2 inch iron rod found for the northwest corner of said
 13-9 Lufkin-Conroe Telephone Exchange tract;

13-10 THENCE North 87 Degrees 45 Minutes 511 Seconds East, with the
 13-11 north line of said Lufkin-Conroe Telephone Exchange tract and a
 13-12 south line of said Woodard Ranch West; LP tract, a distance of 50.00
 13-13 feet to a 1/2 inch iron rod found for the northeast corner of said
 13-14 Lufkin-Conroe Telephone Exchange tract;

13-15 THENCE South 02 Degrees 14 Minutes 09 Seconds East, with the
 13-16 east line of said Lufkin-Conroe Telephone Exchange tract and a west
 13-17 line of said Woodard Ranch West, LP tract, a distance of 50.00 feet
 13-18 to the POINT OF BEGINNING and containing 0.057 acre of land.

13-19 TRACT TWO:

13-20 Description of 1,445.197 acres of land out of the called
 13-21 2,323.214 acre tract described in Special Warranty Deed from BST
 13-22 Timberlands of Texas, L.P. to Woodard Ranch Partners, L P recorded
 13-23 August 26, 2005 under Montgomery County Clerk File Number
 13-24 2005-095962 of the real property records of Montgomery County,
 13-25 Texas, and located in the William Stansbury Survey, Abstract 508
 13-26 and the Thomas G. Allen Survey, Abstract 64, Montgomery County,
 13-27 Texas and more particularly described as follows:

13-28 BEGINNING at a concrete monument found in the east
 13-29 right-of-way line of FM 1486 (100 feet wide) recorded under Volume
 13-30 219, Page 423, Volume 252, Page 343, Volume 252, Page 344, Volume
 13-31 257, Page 71, Volume 254, Page 556, Volume 215, Page 512 and Volume
 13-32 218, Page 2 of the Deed Records of Montgomery County, Texas in the
 13-33 south line of said Woodard Ranch Partners, L.P. called 2,323 214
 13-34 acre tract, and the northwest corner of the called 9.9999 acre tract
 13-35 described in deed to Joanne Moore recorded under Montgomery County
 13-36 Clerk's File Number 2003-042415;

13-37 THENCE North 02 degrees 53 minutes 38 seconds West, with the
 13-38 east right-of-way line of FM 1486, a distance of 1,165.37 feet to a
 13-39 concrete monument found for the southwest corner of the called
 13-40 29.397 acre tract described in deed to M. L. Maciejewski recorded
 13-41 under Volume 259, Page 791 of Montgomery County Deed Records and in
 13-42 the north line of said Woodard Ranch Partners, L.P. tract;

13-43 THENCE North 87 degrees 12 minutes 36 seconds East, with the
 13-44 north line of said Woodard Ranch Partners, L.P. called 2,323.214
 13-45 acre tract and the south line of the called 29.397 acre tract, a
 13-46 distance of 1,681.98 feet to a point in a creek from which a set 5/8
 13-47 inch iron rod with cap marked "Carter & Burgess" bears South 87
 13-48 degrees 12 minutes 36 seconds West, a distance of 100.00 feet;

13-49 THENCE North 16 degrees 26 minutes 24 seconds West, with the
 13-50 creek, a distance of 233.50 feet to a point for corner;

13-51 THENCE North 40 degrees 41 minutes 24 seconds West,
 13-52 continuing with the creek, a distance of 123.30 feet to a point for
 13-53 corner;

13-54 THENCE North 04 degrees 56 minutes 24 seconds West,
 13-55 continuing with the creek, a distance of 207.40 feet to a point for
 13-56 corner;

13-57 THENCE North 22 degrees 34 minutes 08 seconds West continuing
 13-58 with the creek, a distance of 71.00 feet to a point for corner;

13-59 THENCE North 41 degrees 35 minutes 52 seconds East,
 13-60 continuing with the creek, a distance of 71.50 feet to a point for
 13-61 corner;

13-62 THENCE North 40 degrees 39 minutes 49 seconds West,
 13-63 continuing with the creek, a distance of 187.91 feet to a point for
 13-64 corner;

13-65 THENCE North 29 degrees 57 minutes 45 seconds West,
 13-66 continuing with the creek, a distance of 450.22 to a point for
 13-67 corner;

13-68 THENCE North 66 degrees 31 minutes 40 seconds West,
 13-69 continuing with the creek, a distance of 308.15 feet to a point for

14-1 corner;
14-2 THENCE North 45 degrees 01 minutes 38 seconds West,
14-3 continuing with the creek, a distance of 363.18 feet to a point for
14-4 corner;
14-5 THENCE North 19 degrees 20 minutes 00 seconds West,
14-6 continuing with the creek, a distance of 259.64 feet to a point for
14-7 corner;
14-8 THENCE North 17 degrees 39 minutes 04 seconds West,
14-9 continuing with the creek, a distance of 394.32 feet to a point for
14-10 corner;
14-11 THENCE North 63 degrees 20 minutes 45 seconds West,
14-12 continuing with the creek, a distance of 56.90 feet to a point for
14-13 corner;
14-14 THENCE North 22 degrees 21 minutes 29 seconds West,
14-15 continuing with the creek, a distance of 480.58 feet to a point for
14-16 corner;
14-17 THENCE North 23 degrees 41 minutes 20 seconds West,
14-18 continuing with the creek, a distance of 263.57 feet to a point for
14-19 corner;
14-20 THENCE North 38 degrees 22 minutes 48 seconds West,
14-21 continuing with the creek, a distance of 427.55 feet to a 3/4 inch
14-22 iron rod found in the east right-of-way line of FM 1486;
14-23 THENCE North 02 degrees 42 minutes 57 seconds West, with the
14-24 east right-of-way line of FM 1486, a distance of 400.73 feet to a
14-25 concrete monument found for the southwest corner of the Convenient
14-26 County Estates Subdivision, Phase II, recorded under Cabinet H,
14-27 Sheet 79 B of Montgomery County Map Records and in the north line of
14-28 the William Stansbury Survey, Abstract 508 and the south line of the
14-29 William Stansbury Survey, Abstract 531;
14-30 THENCE North 87 degrees 22 minutes 40 seconds East, with the
14-31 north line of said Woodard Ranch Partners, L.P. tract, the south
14-32 line of the Convenient County Estates Subdivision, the north line
14-33 of the William Stansbury Survey, Abstract 508, and the south line of
14-34 the William Stansbury Survey, Abstract 531, a distance of 6,641.21
14-35 feet to a 5/8 inch iron rod found for corner;
14-36 THENCE North 87 degrees 10 minutes 42 seconds East,
14-37 continuing with the north line of said Woodard Ranch Partners, L.P.
14-38 tract and the south line of said Convenient County Estates, a
14-39 distance of 5,747.50 feet to a 4 inch iron pipe found for the
14-40 southeast corner of the Convenient County Estates Subdivision, a
14-41 northern corner of said Woodard Ranch Partners, L.P. tract, the
14-42 northeast corner of William Stansbury Survey, Abstract 192;
14-43 THENCE South 02 degrees 44 minutes 34 seconds East, with the
14-44 east line of said William Stansbury Survey and the west line of said
14-45 Jacob Eyler Survey, a distance of 1,243.66 feet to 3/4 inch iron
14-46 pipe found for a southern corner of said Woodard Ranch Partners,
14-47 L.P. tract, the northwest corner of the John T. Rockwell Survey,
14-48 Abstract 451 and the northwest corner of the. called 320 acre tract
14-49 described in deed to Dan H. Madeley recorded under Volume 414, Page
14-50 291 of Montgomery County Deed Records;
14-51 THENCE South 02 degrees 35 minutes 52 seconds East, with the
14-52 east line of said William Stansbury Survey, the east line of said
14-53 Woodard Ranch Partners, L.P. tract, and the west line of said John
14-54 T. Rockwell Survey, a distance of 4,322.67 feet to a 2 inch iron
14-55 pipe found for a southern corner of said Woodard Ranch Partners,
14-56 L.P. tract;
14-57 THENCE South 87 degrees 02 minutes 33 seconds West, with the
14-58 south line of the Woodard Ranch Partners, L.P. tract, the south line
14-59 of said William Stansbury Survey, and the north line of the called
14-60 131.230 acre tract described in deed to Raymond C. Rickett, Jr.
14-61 recorded under Montgomery County Clerk File Number 9719186, a
14-62 distance of 3,324.80 feet to a 1 inch iron pipe found for a southern
14-63 corner of said Woodard Ranch Partners, L.P. tract and the northwest
14-64 corner of said Raymond C. Rickett, Jr. tract;
14-65 THENCE South 02 degrees 46 minutes 27 seconds East, with the
14-66 east line of said Woodard Ranch Partners, L.P. tract and the west
14-67 line of said Raymond C. Rickett, Jr. tract, a distance of 1,264.55
14-68 feet to a 1 inch iron pipe found for a southern corner of said
14-69 Woodard Ranch Partners, L.P. tract, the southwest corner of said

15-1 Raymond C. Rickett, Jr. tract and in the north line of the called
15-2 209.46 acre tract described in deed to Christopher Rhodes recorded
15-3 under Montgomery County Clerk's File Number 9526828;

15-4 THENCE South 86 degrees 51 minutes 47 seconds West, with the
15-5 south line of said Woodard Ranch Partners, L.P. tract and the north
15-6 line of the Christopher Rhodes tract, a distance of 1,617.63 feet to
15-7 a 5/8 inch iron rod set for a southern corner of said Woodard Ranch
15-8 Partners, L.P. tract and the northwest corner of said Christopher
15-9 Rhodes tract, and in the west line of the Thomas G. Allen Survey;

15-10 THENCE North 03 degrees 11 minutes 35 seconds West, with the
15-11 west line of said Woodard Ranch Partners, L.P. tract and the east
15-12 line of the Magnolia East Unrecorded Subdivision described in deeds
15-13 recorded under Montgomery County Clerk's File Numbers 9019503,
15-14 8917284, 9770914, 99006599, 9750729, and 8913130, a distance of
15-15 1,975.88 feet to a 4 inch iron pipe found for the northeast corner
15-16 of said Magnolia East Unrecorded Subdivision, a southern corner of
15-17 said Woodard Ranch Partners, L.P. tract, the northeast corner of
15-18 the John Niles Survey, Abstract 396, and in the south line of the
15-19 William Stansbury Survey, Abstract 508;

15-20 THENCE South 87 degrees 20 minutes 16 seconds West, with the
15-21 south line of said Woodard Ranch Partners, L.P. tract and the north
15-22 line of said Magnolia East Unrecorded Subdivision described in
15-23 deeds recorded under Montgomery County Clerk's File Numbers
15-24 8913130, 2001-115769, 2000-102053, 8807383, 8502145, 9808626,
15-25 9207949, 8844012, 8303341, Volume 1163, Page 759, 2004-112602,
15-26 8436226, 9250650, 2002-018876, 9842447, 8751939, and 2003-042415
15-27 of Montgomery County Deed Records, at a distance of 797.74 feet
15-28 passing a set 5/8 inch iron rod with cap marked "Carter & Burgess",
15-29 a total distance of 7,414.45 feet to the POINT OF BEGINNING and
15-30 containing 1,445.197 acres of land.

15-31 SECTION 3. (a) The legal notice of the intention to
15-32 introduce this Act, setting forth the general substance of this
15-33 Act, has been published as provided by law, and the notice and a
15-34 copy of this Act have been furnished to all persons, agencies,
15-35 officials, or entities to which they are required to be furnished
15-36 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
15-37 Government Code.

15-38 (b) The governor, one of the required recipients, has
15-39 submitted the notice and Act to the Texas Commission on
15-40 Environmental Quality.

15-41 (c) The Texas Commission on Environmental Quality has filed
15-42 its recommendations relating to this Act with the governor, the
15-43 lieutenant governor, and the speaker of the house of
15-44 representatives within the required time.

15-45 (d) All requirements of the constitution and laws of this
15-46 state and the rules and procedures of the legislature with respect
15-47 to the notice, introduction, and passage of this Act are fulfilled
15-48 and accomplished.

15-49 SECTION 4. (a) If this Act does not receive a two-thirds
15-50 vote of all the members elected to each house, Subchapter C, Chapter
15-51 8257, Special District Local Laws Code, as added by Section 1 of
15-52 this Act, is amended by adding Section 8257.0307 to read as follows:
15-53 Sec. 8257.0307. NO EMINENT DOMAIN POWER. The district may
15-54 not exercise the power of eminent domain.

15-55 (b) This section is not intended to be an expression of a
15-56 legislative interpretation of the requirements of Section 17(c),
15-57 Article I, Texas Constitution.

15-58 SECTION 5. This Act takes effect immediately if it receives
15-59 a vote of two-thirds of all the members elected to each house, as
15-60 provided by Section 39, Article III, Texas Constitution. If this
15-61 Act does not receive the vote necessary for immediate effect, this
15-62 Act takes effect September 1, 2019.

15-63 * * * * *