

City of Houston, Texas, Ordinance No. 2020 - 624

AN ORDINANCE CONSENTING TO THE ADDITION OF 66.4252 ACRES OF LAND TO DOWDELL PUBLIC UTILITY DISTRICT, FOR INCLUSION IN ITS DISTRICT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, Dowdell Utility District (the "District") was created by the Texas Legislature and now codified under Chapter 8184, Texas Special District Local Laws Code, and is operating pursuant to Chapters 49 and 54 of the Texas Water Code, as amended; and

WHEREAS, the Board of Directors of Dowdell Public Utility District and Northcrest Spring Stuebner, LTD, have petitioned the City to add 66.4252 acres of land, consisting of three (3) tracts, for inclusion into the District; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings and recitals contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That attached to this ordinance and made a part hereof is a petition ("Petition") requesting for the consent of the City to the annexation of 66.4252 acres of land, consisting of three (3) tracts, described in Exhibit A to the Petition and within the extraterritorial jurisdiction of the City, into the District. The Petition is hereby granted, subject to the terms and conditions set forth in Exhibit B to the Petition.

Section 3. That the City Council further hereby notifies the referenced District, its residents and property owners of the provisions of applicable law allowing the City to annex any portion of the district located within the City's extraterritorial jurisdiction, including without limitation, the land authorized to be included in the District hereby. The City requires that the

District include a statement in its form required under Section 49.455, Texas Water Code, reflecting the possibility of such annexation by the City.

Section 4. That a public emergency exists requiring that this ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this ordinance shall take effect immediately upon its passage and approval by the Mayor; provided, however, that if the Mayor fails to sign this ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 15th day of July, 2020.

APPROVED this _____ day of _____, 2020.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is JUL 21 2020.



City Secretary

Prepared by Legal Dept.

AH/sec 4/17/20



Senior Assistant City Attorney

Requested by Carol Ellinger Haddock, P.E.

Director – Houston Public Works Department

(L.D. File No. 0919980017024)

Z:\REALESTATE\KMMUDS\DOWNDELL\ORD_66.4252AC.DOC

| AYE | NO | |
|--------------------------------|---------|------------------------|
| ✓ | | MAYOR TURNER |
| | | COUNCIL MEMBERS |
| ✓ | | PECK |
| ABSENT-ON PERSONAL BUSINESS | | DAVIS |
| | | KAMIN |
| ✓ | | EVANS-SHABAZZ |
| ✓ | | MARTIN |
| ✓ | | THOMAS |
| ✓ | | TRAVIS |
| ✓ | | CISNEROS |
| ✓ | | GALLEGOS |
| ✓ | | POLLARD |
| ✓ | | MARTHA CASTEX-TATUM |
| ✓ | | KNOX |
| ✓ | | ROBINSON |
| ✓ | | KUBOSH |
| ✓ | | PLUMMER |
| ✓ | | ALCORN |
| CAPTION | ADOPTED | |

**PETITION TO CITY OF HOUSTON
FOR ADDITION OF LAND**

The undersigned majority of the Board of Directors of Dowdell Public Utility District, hereinafter called "District", is a municipal utility district heretofore existing under the terms and provisions of Article XVI of the Constitution of the State of Texas and operating under Chapters 49 and 54, Texas Water Code, as amended and created by Article 8280-581, V.T.C.S., on June 4, 1971, and the undersigned landowner joining in this petition desires to obtain the written consent of the City of Houston, hereinafter called "City", for the addition to the District of an area of land in the total amount of 66.4252 acres within the City's extraterritorial jurisdiction in accordance with Section 54.016, Texas Water Code, which land is located in Harris County, Texas, and is described in Exhibit "A" attached hereto and made a part hereof.

Said Section 54.016 provides in part that no municipal utility district operating under Chapter 54, Texas Water Code, may add land within the area of the extraterritorial jurisdiction of any city without the written consent of the city; and the governing body of such city is given ninety (90) days to refuse or grant permission for the addition of land to the district, and said governing body is permitted an additional 120 days' time within which to mutually agree with the landowners and officers of the district concerning the addition to the district of land within the city's extraterritorial jurisdiction.

The undersigned directors deem it beneficial to District for the City of Houston's personnel to review, study and approve the District's plans and specifications for the installation and construction of water, sewer and drainage facilities, and also deem it beneficial to District that the land described in Exhibit "A" be added to District. All lienholders on the land have consented by signature and joined herein.

Now, therefore, being in all things fully advised, for and in consideration of the premises and the timely written consent of the City of Houston for the addition of an area of land to this District as aforesaid, and in consideration of the benefits derived by said District from the City of Houston's engineering assistance in the review, study and approval of the District's utility installation plans and specifications, as will be evidenced by the passage of a resolution and the acceptance of this agreement and undertaking by the City Council, the undersigned District directors and the Landowner hereby expressly covenant and agree to the terms and conditions contained in Exhibit "B" attached hereto and incorporated herein.

The general nature of the work proposed to be done in the land to be included in the District is construction and extension of water, sewer and drainage facilities.

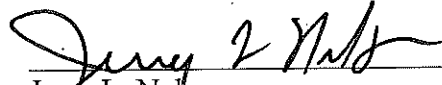
The work proposed to be done in the land to be included in the District is necessary to provide utility service to proposed new residential and/or commercial development to be located within the District.

It is now estimated by those filing this petition, from such information as is available at this time, that the ultimate cost of the development contemplated will be approximately \$1,328,504.

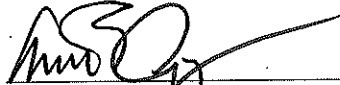
Wherefore, District respectfully prays that this petition be granted in all respects and that the City of Houston give its written consent to the addition of the aforesaid land to said District.

Dated this 19th day of December, 2019.

DOWDELL PUBLIC UTILITY DISTRICT

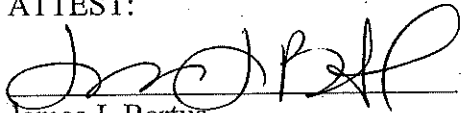


Jerry L. Nelson
President



Allison Copony
Vice President

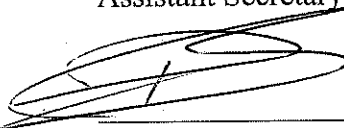
ATTEST:



James J. Bertus
Secretary



Christopher Kotran
Assistant Secretary



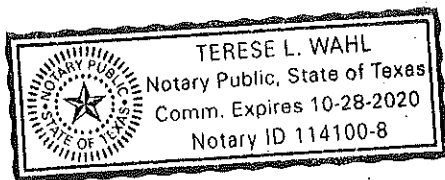
Danny Staab
Director

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on December 19,
2019, by Jerry L. Nelson, Allison Copony, James J. Bertus, Christopher Kotran and Danny
Staab, the directors and officers of Dowdell Public Utility District.



Notary Public, State of T E X A S

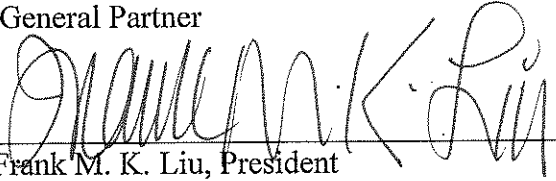


JOINDER OF LANDOWNER:

The undersigned is the owner of land described in Exhibit "A-2" and the lienholder on the land to be added to the District has consented to and joined in this Petition.

NORTHCREST SPRING STUEBNER, LTD., a
Texas limited partnership

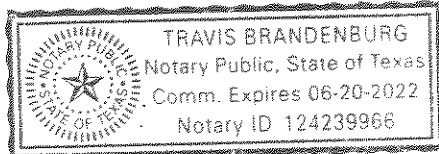
By: Sage Interests, Inc., a Texas corporation, its
General Partner

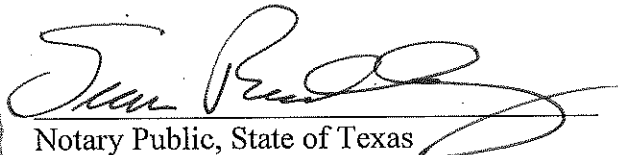

Frank M. K. Liu, President

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on February 4, 2020, by Frank M. K. Liu, President of Sage Interest, Inc., a Texas corporation, as the General Partner of Northcrest Spring Stuebner, Ltd., a Texas limited partnership, on behalf of said corporation and limited partnership, for purposes intended.

[seal]




Notary Public, State of Texas

CONSENT OF LIENHOLDER:

The undersigned is a lienholder on the land described in Exhibit "A-2" and hereby consents to this petition and the addition of said land to the District.

Dated this 14th day of February 2020.

PROSPERITY BANK, a Texas banking association

By: [Signature]

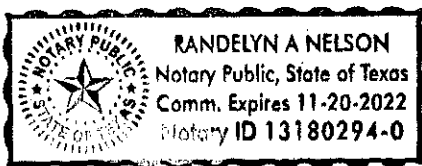
Printed Name: Melissa Brundrett Martinez

Title: Banking Center President

STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on February 14, 2020 by Melissa Brundrett Martinez (name), the Banking Center President (title), of Prosperity Bank, a Texas banking association, of behalf of said entity, for purposes intended.



[seal]

Randelyn A. Nelson
Notary Public, State of Texas

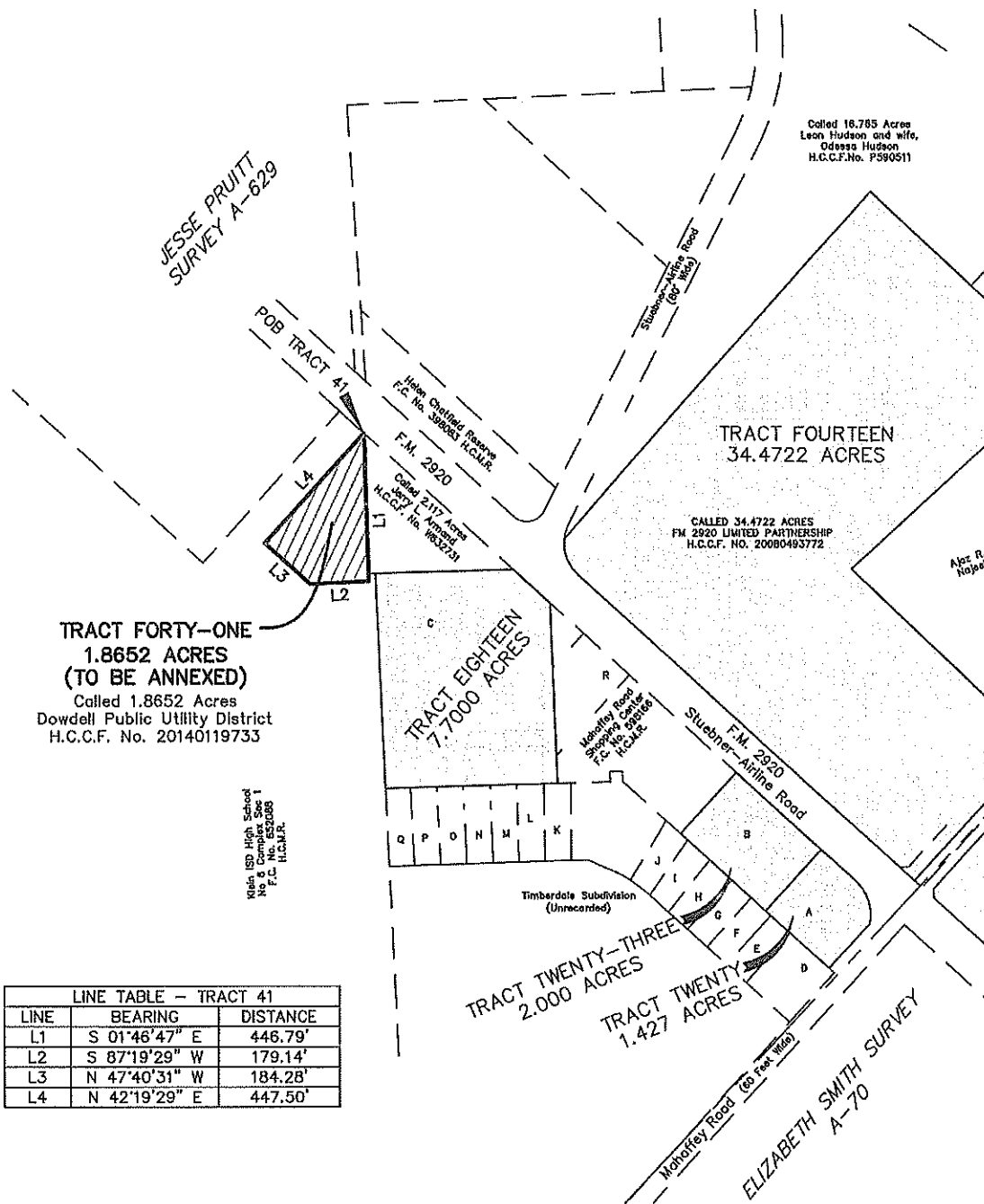


NORTH

SCALE: 1" = 400'

NOTES:

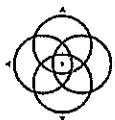
1. This document is prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.
2. Bearings were based on the District Boundary Map of Harris County Dowdell P.U.D. (Public Utility District), prepared by Miller Survey Group, dated 01-18-16.
3. This plat is accompanied by a separate metes and bounds description.



| LINE TABLE - TRACT 41 | | |
|-----------------------|---------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | S 01°46'47" E | 446.79' |
| L2 | S 87°19'29" W | 179.14' |
| L3 | N 47°40'31" W | 184.28' |
| L4 | N 42°19'29" E | 447.50' |

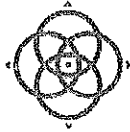
EXHIBIT OF
DOWDELL PUBLIC UTILITY DISTRICT
ANNEXATION TRACT FORTY-ONE 1.8652 ACRES
SITUATED IN THE
JESSE PRUITT SURVEY, A-629
HARRIS COUNTY, TEXAS

| | |
|----------------|----------------|
| FILED BY: - | DATE: 12-05-19 |
| DRAWN BY: TW | REV: |
| CHECKED BY: RK | REV: |
| JOB NO. 52801 | REV: |
| SHEET 1 OF 2 | REV: |



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**DOWDELL PUBLIC UTILITY DISTRICT
ANNEXATION TRACT FORTY-ONE
1.8652 ACRES**

A TRACT OR PARCEL CONTAINING 1.8652 ACRES OF LAND SITUATED IN THE JESSE PRUITT SURVEY, ABSTRACT NO. 629, HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 1.8652 ACRE TRACT OF LAND CONVEYED TO DOWDELL PUBLIC UTILITY DISTRICT AS RECORDED UNDER HARRIS COUNTY CLERKS FILE (H.C.C.F.) NO. 20140119733, ALSO BEING ALL OF RESTRICTED RESERVE "A" OF KLEIN ISD HIGH SCHOOL NO 6 COMPLEX SEC 1, MAP OR PLAT THEREOF RECORDED UNDER FILM CODE NO. 652088 OF THE HARRIS COUNTY MAP RECORDS (H.C.M.R.), WITH SAID 1.8652 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY (R.O.W.) LINE OF F.M. HIGHWAY 2920 FOR THE NORTHERLY CORNER OF SAID 1.8652 ACRE TRACT;

THENCE, SOUTH 01 DEG. 46 MIN. 47 SEC. EAST ALONG THE EASTERLY LINE OF SAID 1.8652 ACRE TRACT, A DISTANCE OF 446.79 FEET TO A POINT FOR THE SOUTHEASTERLY CORNER OF SAID 1.8652 ACRE TRACT;

THENCE, SOUTH 87 DEG. 19 MIN. 29 SEC. WEST ALONG THE SOUTHERLY LINE OF SAID 1.8652 ACRE TRACT, A DISTANCE OF 179.14 FEET TO AN ANGLE POINT;

THENCE, NORTH 47 DEG. 40 MIN. 31 SEC. WEST ALONG THE SOUTHWESTERLY LINE OF SAID 1.8652 ACRE TRACT, A DISTANCE OF 184.28 FEET TO A POINT FOR THE WESTERLY CORNER OF SAID 1.8652 ACRE TRACT;

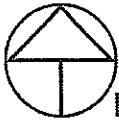
THENCE, NORTH 42 DEG. 19 MIN. 29 SEC. EAST ALONG THE NORTHWESTERLY LINE OF SAID 1.8652 ACRE TRACT, A DISTANCE OF 447.50 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.8652 ACRES OF LAND.

NOTE: THIS DESCRIPTION IS PREPARED UNDER 22 TAC 663.21 AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

ROBERT KNESS
R.P.L.S. NO. 6486
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



12-05-19
DATE:



NORTH

SCALE: 1" = 400'

NOTES:

1. This document is prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.
2. Bearings were based on the District Boundary Map of Harris County Dowdell P.U.D. (Public Utility District), prepared by Miller Survey Group, dated 01-18-16.
3. This plat is accompanied by a separate metes and bounds description.

| CURVE TABLE - TRACT 39 | | | | | |
|------------------------|-----------|-----------|-----------|---------------|-----------|
| CURVE | RADIUS | DELTA | LENGTH | BEARING | CHORD |
| C1 | 4,044.13' | 14°20'00" | 1,011.70' | N 67°17'32" E | 1,009.06' |

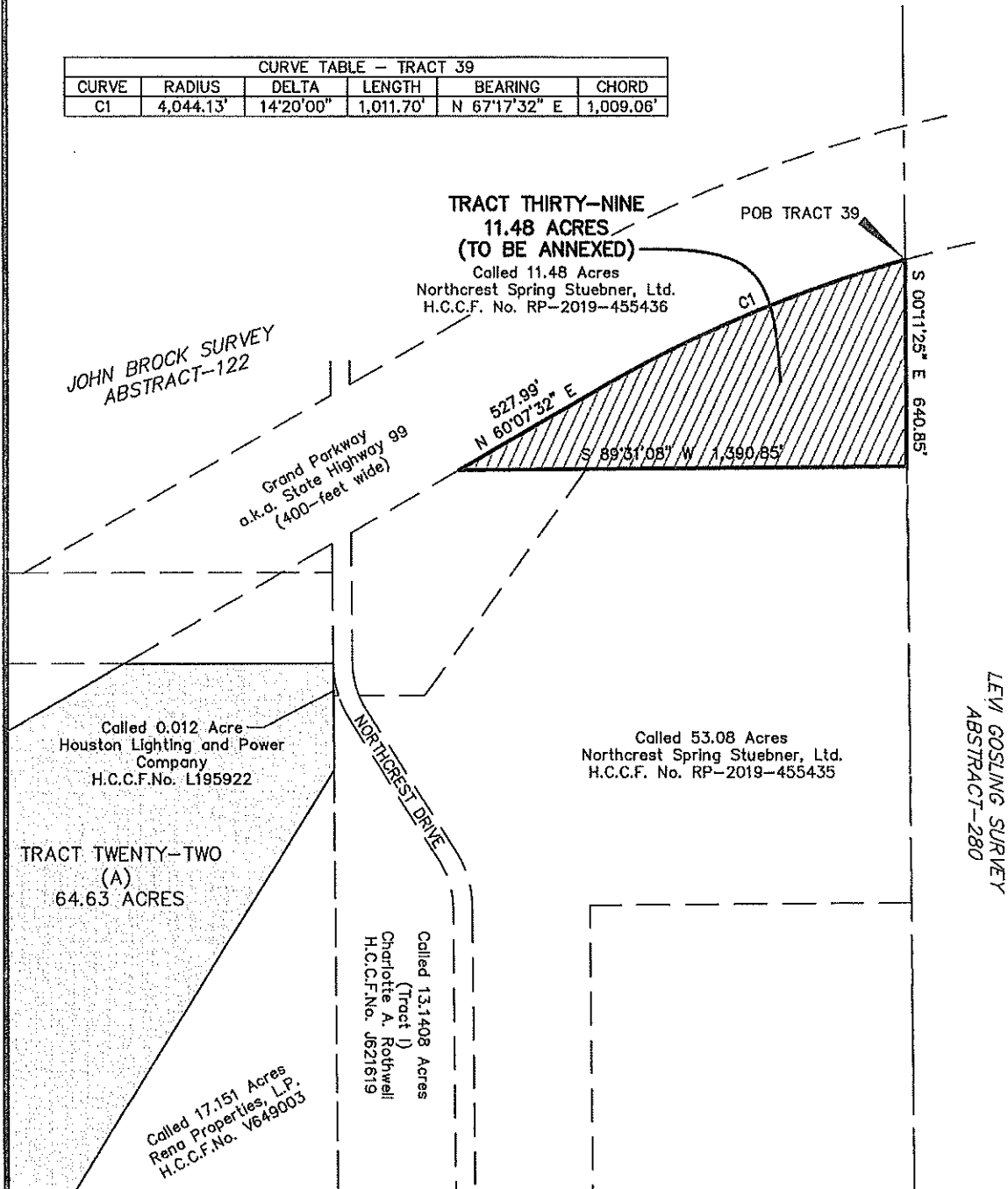
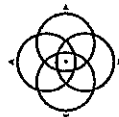


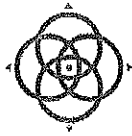
EXHIBIT OF
DOWDELL PUBLIC UTILITY DISTRICT
ANNEXATION TRACT THIRTY-NINE 11.48 ACRES
SITUATED IN THE
JOHN BROCK SURVEY, A-122
HARRIS COUNTY, TEXAS

| | | | |
|--------------|-------|-------|----------|
| FILED BY: | - | DATE: | 12-05-19 |
| DRAWN BY: | TW | REV: | |
| CHECKED BY: | RK | REV: | |
| JOB NO. | 52801 | REV: | |
| SHEET 1 OF 2 | | REV: | |



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**DOWDELL PUBLIC UTILITY DISTRICT
ANNEXATION TRACT THIRTY-NINE
11.48 ACRES**

A TRACT OR PARCEL CONTAINING 11.48 ACRES OF LAND SITUATED IN THE JOHN BROCK SURVEY, ABSTRACT NO. 122, HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 11.48 ACRE TRACT OF LAND CONVEYED TO NORTHCREST SPRING STUEBNER, LTD. AS RECORDED UNDER HARRIS COUNTY CLERKS FILE (H.C.C.F.) NO. RP-2019-455436, WITH SAID 11.48 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY (R.O.W.) LINE OF THE GRAND PARKWAY (ALSO KNOWN AS STATE HIGHWAY 99), FOR THE NORTHERLY CORNER OF SAID 11.48 ACRE TRACT;

THENCE, SOUTH 00 DEG. 11 MIN. 25 SEC. EAST ALONG THE EASTERLY LINE OF SAID 11.48 ACRE TRACT, A DISTANCE OF 640.85 FEET TO A POINT FOR THE SOUTHEASTERLY CORNER OF SAID 11.48 ACRE TRACT;

THENCE, SOUTH 89 DEG. 31 MIN. 08 SEC. WEST ALONG THE SOUTHERLY LINE OF SAID 11.48 ACRE TRACT, A DISTANCE OF 1,390.85 FEET TO A POINT ON SAID SOUTHEASTERLY R.O.W. LINE OF THE GRAND PARKWAY, FOR THE WESTERLY CORNER OF SAID 11.48 ACRE TRACT;

THENCE, NORTH 60 DEG. 07 MIN. 32 SEC. EAST ALONG SAID SOUTHEASTERLY R.O.W. LINE OF THE GRAND PARKWAY, A DISTANCE OF 527.99 FEET TO A POINT OF CURVATURE;

THENCE, CONTINUING ALONG SAID SOUTHEASTERLY R.O.W. LINE OF THE GRAND PARKWAY, WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 4,044.13 FEET, A CENTRAL ANGLE OF 14 DEG. 20 MIN. 00 SEC., AN ARC LENGTH OF 1,011.70 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 67 DEG. 17 MIN. 32 SEC. EAST, - 1,009.06 FEET TO THE PLACE OF BEGINNING AND CONTAINING 11.48 ACRES OF LAND.

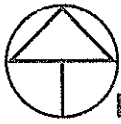
NOTE: THIS DESCRIPTION IS PREPARED UNDER 22 TAC 663.21 AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

ROBERT KNESS
R.P.L.S. NO. 6486
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



SHEET 2 OF 2

12-05-19
DATE:



NORTH

SCALE: 1" = 400'

NOTES:

1. This document is prepared under 22 TAC 663.21, does not reflect the results of on the ground survey, and is not to be used to convey or establish interests in real property except those rights implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.
2. Bearings were based on the District Boundary Map of Harris County Dowdell P.U.D. (Public Utility District), prepared by Miller Survey Group, dated 01-18-16.
3. This plat is accompanied by a separate metes and bounds description.

CURVE TABLE - TRACT 40

| CURVE | RADIUS | DELTA | LENGTH | BEARING | CHORD |
|-------|---------|-----------|---------|---------------|---------|
| C1 | 330.00' | 31°56'29" | 183.97' | N 16°29'52" W | 181.60' |
| C2 | 270.00' | 10°12'44" | 48.12' | N 27°21'45" W | 48.06' |

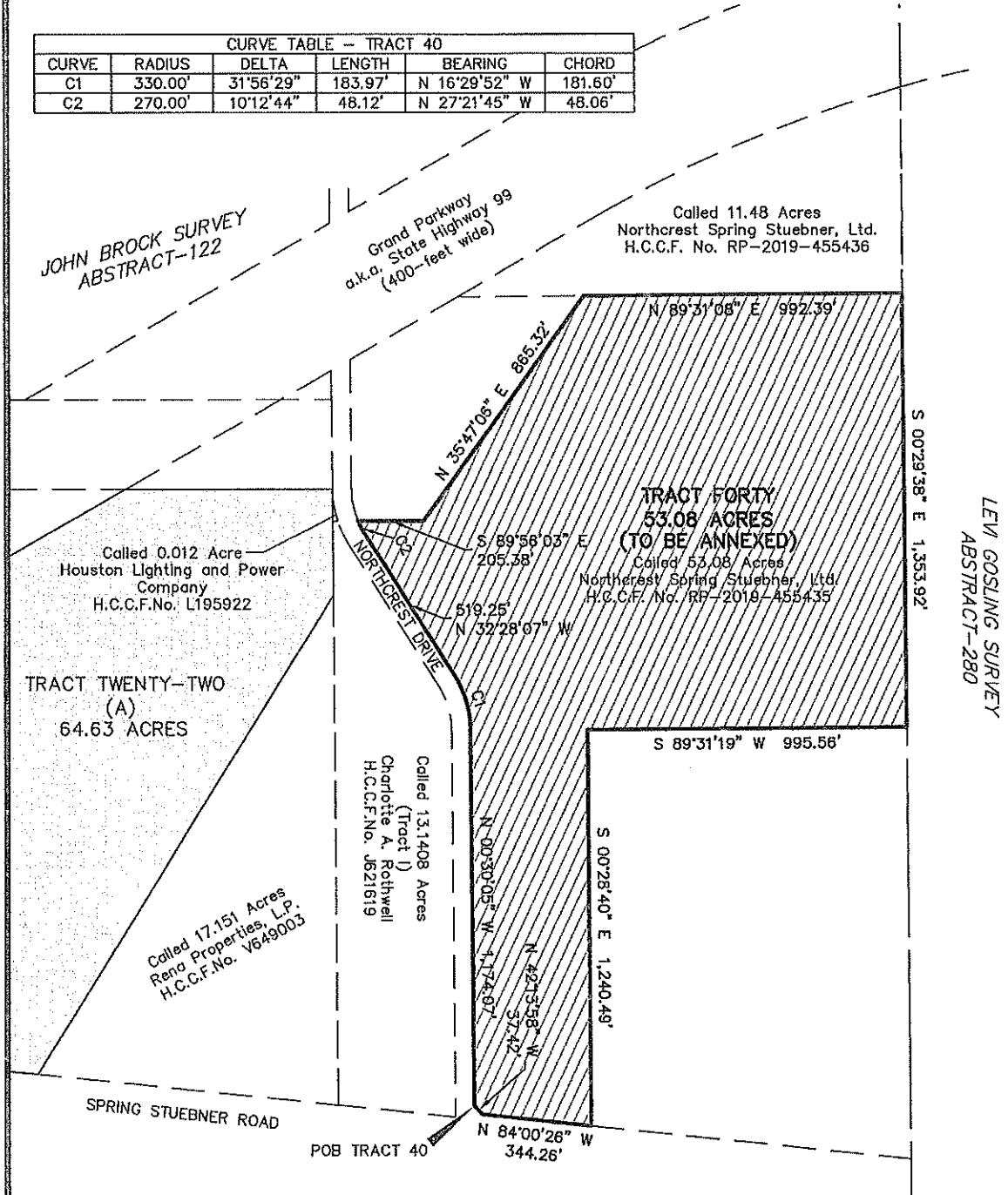
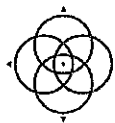


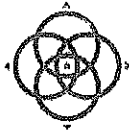
EXHIBIT OF
DOWDELL PUBLIC UTILITY DISTRICT
ANNEXATION TRACT FORTY 53.08 ACRES
SITUATED IN THE
JOHN BROCK SURVEY, A-122
HARRIS COUNTY, TEXAS

| | |
|----------------|----------------|
| FIELD BY: - | DATE: 12-05-19 |
| DRAWN BY: TW | REV: |
| CHECKED BY: RK | REV: |
| JOB NO. 52801 | REV: |
| SHEET 1 OF 2 | REV: |



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DOWDELL PUBLIC UTILITY DISTRICT ANNEXATION TRACT FORTY 53.08 ACRES

A TRACT OR PARCEL CONTAINING 53.08 ACRES OF LAND SITUATED IN THE JOHN BROCK SURVEY, ABSTRACT NO. 122, HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 53.08 ACRE TRACT OF LAND CONVEYED TO NORTHCREST SPRING STUEBNER, LTD. AS RECORDED UNDER HARRIS COUNTY CLERKS FILE [H.C.C.F.] NO. RP-2019-455435, WITH SAID 53.08 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CUT BACK CORNER OF THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY (R.O.W.) LINE OF SPRING STUEBNER ROAD AND THE EASTERLY R.O.W. LINE OF NORTHCREST DRIVE, FOR A SOUTHWESTERLY CORNER OF SAID 53.08 ACRE TRACT;

THENCE, ALONG SAID EASTERLY R.O.W. LINE OF NORTHCREST DRIVE, THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

NORTH 00 DEG. 30 MIN. 05 SEC. WEST, A DISTANCE OF 1,174.07 FEET TO A POINT OF CURVATURE;

WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 330.00 FEET, A CENTRAL ANGLE OF 31 DEG. 56 MIN. 29 SEC., AN ARC LENGTH OF 183.97 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 16 DEG. 29 MIN. 52 SEC. WEST, - 181.60 FEET TO A POINT OF TANGENCY;

NORTH 32 DEG. 28 MIN. 07 SEC. WEST, A DISTANCE OF 519.25 FEET TO A POINT OF CURVATURE;

WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 10 DEG. 12 MIN. 44 SEC., AN ARC LENGTH OF 48.12 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 27 DEG. 21 MIN. 45 SEC. WEST, - 48.06 FEET TO A POINT FOR THE WESTERLY CORNER OF SAID 53.08 ACRE TRACT;

THENCE, SOUTH 89 DEG. 56 MIN. 03 SEC. EAST ALONG A NORTHERLY LINE OF SAID 53.08 ACRE TRACT, A DISTANCE OF 205.38 FEET TO AN ANGLE POINT;

THENCE, NORTH 35 DEG. 47 MIN. 06 SEC. EAST ALONG THE NORTHWESTERLY LINE OF SAID 53.08 ACRE TRACT, A DISTANCE OF 865.32 FEET TO A POINT FOR CORNER;

THENCE, NORTH 89 DEG. 31 MIN. 08 SEC. EAST ALONG THE NORTHERLY LINE OF SAID 53.08 ACRE TRACT, A DISTANCE OF 992.39 FEET TO A POINT FOR THE NORTHEASTERLY CORNER OF SAID 53.08 ACRE TRACT;

THENCE, SOUTH 00 DEG. 29 MIN. 38 SEC. EAST ALONG AN EASTERLY LINE OF SAID 53.08 ACRE TRACT, A DISTANCE OF 1,353.92 FEET TO A POINT FOR A SOUTHEASTERLY CORNER OF SAID 53.08 ACRE TRACT;

THENCE, SOUTH 89 DEG. 31 MIN. 19 SEC. WEST ALONG A SOUTHERLY LINE OF SAID 53.08 ACRE TRACT, A DISTANCE OF 995.56 FEET TO A POINT FOR AN INTERIOR CORNER OF SAID 53.08 ACRE TRACT;

THENCE, SOUTH 00 DEG. 28 MIN. 40 SEC. EAST ALONG AN EASTERLY LINE OF SAID 53.08 ACRE TRACT, A DISTANCE OF 1,240.49 FEET TO A POINT ON SAID NORTHERLY R.O.W. LINE OF SPRING STUEBNER ROAD, FOR A SOUTHEASTERLY CORNER OF SAID 53.08 ACRE TRACT;

THENCE, NORTH 84 DEG. 00 MIN. 26 SEC. WEST ALONG SAID NORTHERLY R.O.W. LINE OF SPRING STUEBNER ROAD, A DISTANCE OF 344.26 FEET TO A POINT FOR THE SOUTHEASTERLY CORNER OF SAID CUT BACK;

THENCE, NORTH 42 DEG. 13 MIN. 58 SEC. WEST ALONG SAID CUT BACK, A DISTANCE OF 37.42 FEET TO THE PLACE OF BEGINNING AND CONTAINING 53.08 ACRES OF LAND.

NOTE: THIS DESCRIPTION IS PREPARED UNDER 22 TAC 663.21 AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

ROBERT KNESS
R.P.L.S. NO. 6486
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



SHEET 2 OF 2

12-05-19
DATE:

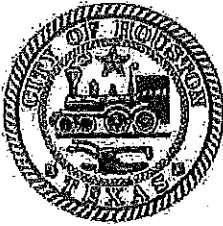


EXHIBIT "B"

(a) To the extent authorized by law, the District will issue bonds only for the purpose of purchasing and constructing, or purchasing, or constructing under contract with the City of Houston, or otherwise acquiring waterworks systems, sanitary sewer systems, storm sewer systems, drainage facilities, recreational facilities, road facilities, or facilities for fire-fighting services, or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way, easements, sites, equipment, buildings, plants, structures, and facilities therefor, and to operate and maintain same, and to sell water, sanitary sewer, and other services within or without the boundaries of the District. Such bonds will expressly provide that the District reserves the right to redeem the bonds on any interest-payment date subsequent to the fifteenth (15th) anniversary of the date of issuance without premium and will be sold only after the taking of public bids therefor, and none of such bonds, other than refunding bonds, will be sold for less than 95% of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent (2%) above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date notice of the sale of such bonds is given, and that bids for the bonds will be received not more than forty-five (45) days after notice of sale of the bonds is given. The resolution authorizing the issuance of the District's bonds will contain a provision that any pledge of the revenues from the operation of the District's water and sewer and/or drainage system to the payment of the District's bonds will terminate when and if the City of Houston, Texas, annexes the District, takes over the assets of the District and assumes all of the obligations of the District. No land located within the extraterritorial jurisdiction of the City of Houston will be added or annexed to the District until the City of Houston has given its written consent by resolution or ordinance of the City Council to such addition or annexation.

(b) (1) Before the commencement of any construction within the District, its directors, officers, or developers and landowners will submit to the Director of the Department of Public Works and Engineering of the City of Houston, or to his designated representative, all plans and specifications for the construction of water, sanitary sewer, drainage, and road facilities and related improvements to serve the District and obtain the approval of such plans and specifications therefrom. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, installed or used within the District, will conform exactly to the specifications of the City of Houston. All water service lines and sewer service lines, lift stations, sewage treatment facilities, and road facilities, and appurtenances thereto, installed or used within the District will comply with the City of Houston's standard plans and specifications as amended from time to time. Prior to the construction of any water, sanitary sewer, drainage or road facilities within or by the District, the District or its engineer will give written notice by registered or certified mail to the Director of Public Works and Engineering, stating the date that such construction will be commenced. The construction of the District's water, sanitary sewer, drainage and road facilities will be in accordance with the approved plans and specifications, and with applicable standards and specifications of the City of Houston; and during the progress of the construction and installation of such facilities, the Director of Public Works and

Engineering of the City of Houston, or an employee thereof, may make periodic on-the-ground inspections.

(2) Before the expenditure by the District of bond proceeds for the acquisition, construction or development of recreational facilities, the District shall obtain and maintain on file, from a registered landscape architect, registered professional engineer or a design professional allowed by law to engage in architecture, a certification that the recreational facilities, as constructed, conform to the applicable recreational facilities design standards and specifications of the City of Houston's Department of Parks and Recreation and shall submit a copy of the certification and the "as built" plans and specifications for such recreational facilities to the Director of the City of Houston Parks and Recreation Department.

(3) Before the expenditure by the District of bond proceeds for the acquisition, construction or development of facilities for fire-fighting services, the District shall obtain and maintain on file, from a registered architect, registered professional engineer or a design professional allowed by law to engage in facility design and construction, a certification that the facilities for fire-fighting services, as constructed, conform to the applicable fire-fighting facilities design standards and specifications of the City of Houston's Fire Department and shall submit a copy of the certification and the "as built" plans and specifications for such facilities for fire-fighting services to the Chief of the City of Houston Fire Department.

(c) The District will agree to engage a sewage plant operator holding a valid certificate of competency issued under the direction of the Texas Commission on Environmental Quality, or such successor agency as the legislature may establish ("TCEQ"), as required by Section 26.0304, Texas Water Code, as may be amended from time to time. The District will agree to make periodic analyses of its discharge pursuant to the provisions of Order No. 69-1219-1 of the Texas Water Quality Board (predecessor agency to the TCEQ) and further to send copies of all such effluent data to the Department of Public Works and Engineering, City of Houston, as well as to the TCEQ. The District will agree that representatives of the City of Houston may supervise the continued operations of the sewage treatment facility by making periodic inspections thereof.

(d) The District, its board of directors, officers, developers, and/or landowners will not permit the construction, or commit to any development within, the District that will result in a wastewater flow to the serving treatment facility which exceeds that facility's legally permitted average daily flow limitations or the District's allocated capacity therein.

(e) Prior to the sale of any lot or parcel of land, the owner or the developer of the land included within the limits of the District will obtain the approval of the Planning Commission of the City of Houston of a plat which will be duly recorded in the Real Property Records of Harris County, Texas, and otherwise comply with the rules and regulations of the Department of Planning and Development and the Department of Public Works and Engineering of the City of Houston.