

ORDINANCE NO. 2006-17

AN ORDINANCE AMENDING ORDINANCE NO. 2003-53  
APPROVING FIRST AMENDMENT TO THE UTILITY  
AGREEMENT BY AND BETWEEN GALVESTON COUNTY  
MUNICIPAL UTILITY DISTRICT NO. 45, LEAGUE CITY  
INVESTORS, LTD. AND THE CITY OF LEAGUE CITY, TX

WHEREAS, by Ordinance No. 2003-53, the City of League City, Texas approved a Utility Agreement by and between Galveston County Municipal Utility District No. 45 (the "District"), League City Investors, Ltd. and the City of League City, Texas, providing for the terms and conditions regarding construction, acquisition, ownership, operation and maintenance of a waterworks, sanitary sewer and drainage system to serve area within the District comprising 593.48 acres, more or less, in Galveston County, Texas; and

WHEREAS, by Resolution No. 2006-09, City Council of the City of League City, Texas has granted its consent to the annexation by the District of an additional 256.382 acres of land, more or less, as described in the Petitions for Consent to Annex Land Into Galveston County Municipal Utility District No. 45; and

WHEREAS, the City and District wish to approve a First Amendment to the Utility Agreement in order to clarify that the terms and conditions of the Agreement shall also apply to the additional 256.382 acres being annexed by the District;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

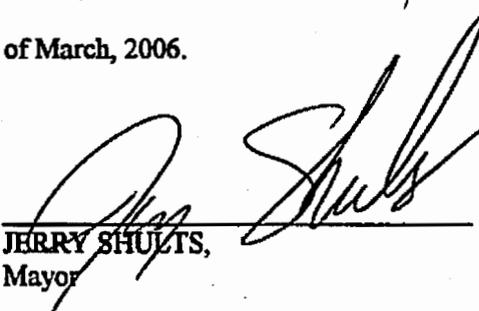
Section 2. That the Mayor is authorized to execute the First Amendment to Utility Agreement by and between Galveston County Municipal Utility District No. 45 (the "District"), League City Investors, Ltd. and the City of League City, Texas as shown in substantially the same form as Exhibit "A."

Section 3. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED first reading the 9<sup>th</sup> day of March, 2006.

PASSED second reading the 28<sup>th</sup> day of March, 2006.

PASSED AND ADOPTED the 28<sup>th</sup> day of March, 2006.

  
\_\_\_\_\_  
JERRY SHULTS,  
Mayor

ATTEST:

*Barbara J. Long*

BARBARA LONG,  
City Secretary

**FIRST AMENDMENT TO  
UTILITY AGREEMENT  
BY AND BETWEEN  
GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 45,  
LEAGUE CITY INVESTORS, LTD.,  
AND  
THE CITY OF LEAGUE CITY, TEXAS**

STATE OF TEXAS                   §  
  §  
COUNTY OF GALVESTON       §

THIS FIRST AMENDMENT ("Amendment") to the Utility Agreement By and Between Galveston County Municipal Utility District No. 45, League City Investors, Ltd., and the City of League City, Texas (the "Agreement") made and entered into as of the 28<sup>th</sup> day of March, 2006 by and between GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 45, a body politic and corporate and governmental agency created and operating under the provisions of Chapters 49 and 54, Texas Water Code, and pursuant to Article XVI, Section 59, Texas Constitution (the "District"), LEAGUE CITY INVESTORS, LTD. and the CITY OF LEAGUE CITY, TEXAS, a municipal corporation (the "City").

**WITNESSETH**

WHEREAS, the District, the City and the League City Investors, Ltd., have previously entered into the Agreement; and

WHEREAS, the District has accepted the terms and conditions of the Agreement in accordance with Section 1.03(a) of the Agreement; and

WHEREAS, Section 1.01 of the Agreement contemplated that the District is 593.48 acres and the Agreement does not provide a mechanism to annex land to the District; and

WHEREAS, the District seeks to annex 256.382 acres, as more particularly described in Exhibit "A" hereto (the "Annexation Tract"), to the District and seeks to have the Agreement apply to the Annexation Tract except as provided herein; and

WHEREAS, the City is willing to amend the Agreement to allow the annexation of the Annexation Tract to the District, subject to the terms of this Amendment.

## A G R E E M E N T

For and in consideration of the mutual promises, obligations, covenants, and benefits set forth, the District and the City contract and agree as follows:

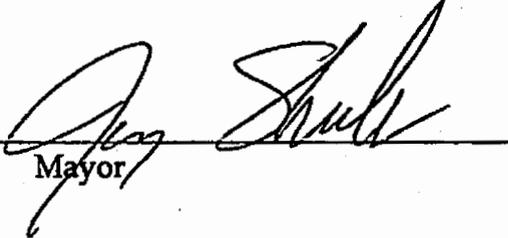
Section 1. Except as provided in Section 2 hereof, the description of the "District" in Section 1.01 of the Agreement and the definition of "District" in Section 1.02 shall include the Annexation Tract for all purposes under the Agreement. All benefits, terms and conditions provided for the District in the Agreement shall also apply to the Annexation Tract.

Section 2. For the purposes of Section 8.01 of the Agreement, the development of the Annexation Tract shall be in accordance with Chapter 102, Article II (relating to park and recreational areas) of the City's Code of Ordinances as it exists on the date of this Amendment, it being understood by the parties that the Developer's prior dedication of an approximately 11-acre site and payment of a \$200 per platted lot fee to the City shall serve only to satisfy its park dedication requirements as they pertain to the 593.48 acres comprising the District's initial boundaries.

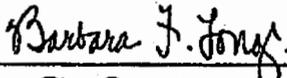
Section 3. Except as provided in this Amendment, the Agreement remains in full force and effect and the terms and conditions of the Agreement have not been modified or amended.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment in multiple copies, each of which shall be deemed to be an original, this the 28<sup>th</sup> day of March 2006.

THE CITY OF LEAGUE CITY, TEXAS

By:   
Mayor

ATTEST:

By:   
City Secretary

IN WITNESS WHEREOF, the parties hereto have executed this Amendment in multiple copies, each of which shall be deemed to be an original, this the 28 day of March 2006.

LEAGUE CITY INVESTORS, LTD.

By: Sam Boyd  
Sam Boyd  
President

IN WITNESS WHEREOF, the parties hereto have executed this Amendment in multiple copies, each of which shall be deemed to be an original, this the 22 day of August 2006.

UTILITY

GALVESTON COUNTY MUNICIPAL

DISTRICT NO. 45

By: Cheryl Leonard  
Name: Cheryl Leonard  
Title: PRESIDENT

ATTEST:

By: [Signature]  
Name: Kevin Moore  
Title: Assistant Secretary

**Exhibit A**  
**Metes and Bounds Description of the Annexation Tract**

EXHIBIT A

**TRACT 2 - 166.23 ACRE TRACT  
TO BE ANNEXED INTO M.U.D. 45**

All that certain 166.23 acre tract of land located in the **JOHN MILES SURVEY, ABSTRACT 55**, the **SAMUEL HINTON SURVEY, ABSTRACT 89**, the **RODNEY ANTHONY SURVEY, ABSTRACT 630** and the **EDWARD PAYNE SURVEY, ABSTRACT 164**, Galveston County, Texas, being a 92.86 acre tract described in a deed recorded under Galveston County Clerk File No. 2004057294, a 70.87 acre tract of land described in a deed recorded under Galveston County Clerk File No. 2004057293 and a 2.50 acre tract of land described in a deed recorded under Galveston County Clerk File No. 2005001316, also being out of **LEAGUE CITY SEMI-TROPICAL GARDENS**, according to the map or plat recorded in Volume 238, Page 8 and out of **Blocks 26, 27 and 28 CLIFTON LAND AND PRODUCTION COMPANY SUBDIVISION**, according to the map or plat recorded in Volume 254, Page 4, all deeds and maps recorded in the Office of the County Clerk of Galveston County and being more particularly described by metes and bounds as follows:

BEARING STRUCTURE IS BASED ON AN 801.500 ACRE TRACT DESCRIBED AS TRACT 1 IN A DEED RECORDED UNDER FILM CODE NO. 017-25-0583 IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY.

**BEGINNING** at an iron rod with cap stamped "D.L. Hardy" found at the East corner of said **ANTHONY SURVEY**, the same being the South corner of the **S.G. McCLENNY SURVEY, ABSTRACT 154**, lying on the Northwesterly line of said **PAYNE SURVEY**, the same being the Northwesterly line of said **CLIFTON LAND AND PRODUCTION COMPANY SUBDIVISION** and being the East corner of said **LEAGUE CITY SEMI-TROPICAL GARDENS**;

**THENCE S 50°01'31" W**, along the Southeasterly line of said **ANTHONY SURVEY** and said **LEAGUE CITY SEMI-TROPICAL GARDENS** and the Northwesterly line of said **PAYNE SURVEY** and said **CLIFTON LAND AND PRODUCTION COMPANY SUBDIVISION**, a distance of 1828.44 feet to a point for corner;

**THENCE S 29°30'48" E**, parallel to and 140 feet Easterly of the West line of **Blocks 26, 27 and 28, CLIFTON LAND AND PRODUCTION COMPANY SUBDIVISION**, passing at 47.36 feet an iron rod with cap stamped "GeoSurv" and continuing for a total distance of 837.31 feet to an iron rod with cap stamped "GeoSurv" found for angle point;

**THENCE S 74° 30'48" E**, a distance of 14.14 feet to an iron rod with cap stamped "GeoSurv" found for corner on the Northerly line of **FM 646**;

**THENCE S 60°13'23" W**, along the Northerly line of **FM 646**, a distance of 150.00 feet to a 1/2 inch iron pipe found at the intersection of the Northerly line of **FM 646** with the Westerly line of said **Block 28**, the same being the Easterly line of a 30 foot roadway (not open);

**THENCE N 15°29'12" E**, a distance of 14.14 feet to an iron rod with cap stamped "GeoSurv" found for angle point;

**THENCE N 29°30'48" W**, parallel to and 10 feet Easterly of the Westerly line of **Blocks 28, 27 and 26**, passing at 767.00 feet an iron rod with cap stamped "GeoSurv" and continuing for a total distance of 814.00 feet to a point for corner on the Northwesterly line of said **PAYNE SURVEY** and the **CLIFTON LAND AND PRODUCTION COMPANY SUBDIVISION**, the same being the Southeasterly line of said **ANTHONY SURVEY** and **LEAGUE CITY SEMI-TROPICAL GARDENS**;

**THENCE S 50°01'31" W, along the Southeasterly line of said ANTHONY SURVEY and LEAGUE CITY SEMI-TROPICAL GARDENS, the same being the Northwesterly line of said PAYNE SURVEY and the CLIFTON LAND AND PRODUCTION COMPANY SUBDIVISION, a distance of 1254.06 feet to an iron rod with cap stamped "GeoSurv" found for corner;**

**THENCE N 02°57'39" W, passing at 133.39 feet the Southwest corner of Lot 171, LEAGUE CITY SEMI-TROPICAL GARDENS and continuing along the East line of a 30 foot wide road (not open), the same being the West line of Lots 171, 170, 169, 168, 167, 166, 165 and 164, LEAGUE CITY SEMI-TROPICAL GARDENS, passing at 3239.78 feet the Northeasterly line of said ANTHONY SURVEY and LEAGUE CITY SEMI-TROPICAL GARDENS, the same being the Southwesterly line of said HINTON SURVEY, passing at 3418.32 feet the Northwesterly line of said HINTON SURVEY, the same being the Southeasterly line of said MILES SURVEY and continuing for a total distance of 3918.89 feet to an iron rod with cap stamped "GeoSurv" found for corner;**

**THENCE N 49°45'31" E, a distance of 1886.73 feet to an iron rod with cap stamped "GeoSurv" found for corner on the Southwesterly line of a 300 foot wide Houston Lighting and Power right-of-way;**

**THENCE S 29°05'29" E, along the Southwesterly line of said Houston Lighting and Power right-of-way, passing at 405.96 feet the Southeasterly line of said MILES SURVEY, the same being the Northwesterly line of said HINTON SURVEY and continuing for a total distance of 1642.64 feet to an iron rod with cap stamped "GeoSurv" found for corner;**

**THENCE S 49°45'31" W, a distance of 1514.64 feet to an iron rod with cap stamped "GeoSurv" found for corner on the Northeasterly line of said ANTHONY SURVEY and LEAGUE CITY SEMI-TROPICAL GARDENS, the same being the Southwesterly line of said HINTON SURVEY;**

**THENCE S 63°44'29" E, along the Southwesterly line of said HINTON SURVEY, the same being the Northeasterly line of said ANTHONY SURVEY and LEAGUE CITY SEMI-TROPICAL GARDENS, a distance of 707.48 feet to an iron rod with cap stamped "D.L. Hardy" found for angle point at the South corner of said HINTON SURVEY, the same being the West corner of said McCLENNY SURVEY;**

**THENCE S 68°50'49" E, along the Southwesterly line of said McCLENNY SURVEY, the same being the Northeasterly line of said ANTHONY SURVEY and LEAGUE CITY SEMI-TROPICAL GARDENS, a distance of 446.98 feet to an iron rod with cap stamped "D.L. Hardy" found for angle point;**

**THENCE S 71°23'49" E, continuing along the common line of the McCLENNY SURVEY, the ANTHONY SURVEY and LEAGUE CITY SEMI-TROPICAL GARDENS, a distance of 561.24 feet to the POINT OF BEGINNING and containing 166.23 acres of land.**

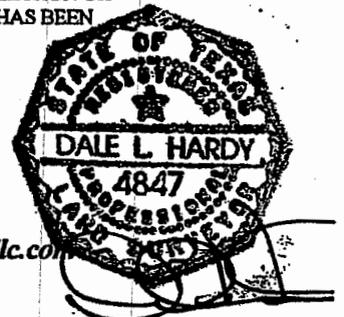
**NOTE: THIS DOCUMENT HAS BEEN PREPARED UNDER 22 TAC § 663.23; DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND; IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT HAS BEEN PREPARED.**

**PREPARED  
May 23, 2005  
BY**

**DALE L. HARDY / GEOSURV, LLC  
REGISTERED PROFESSIONAL LAND SURVEYORS  
P.O. BOX 246, LEAGUE CITY, TEXAS 77574**

**PH 281-554-7739 FAX 281-554-6928 E-MAIL: dhardy@geosurvllc.com**

**PAGE 2 OF 2**



**TRACT 4 - 26.65 ACRES  
TO BE ANNEXED INTO M.U.D. 45**

All that certain 26.65 acre tract of land located in the **W.G. BANKS SURVEY, ABSTRACT 36**, Galveston County, Texas, being the same property described at Tract III and Tract V in a deed from League City, LLC to League City Investors, Ltd. recorded under Film Code No. 017-25-0583 in the Office of the County Clerk of Galveston County and being more particularly described by metes and bounds as follows:

BEARING STRUCTURE IS BASED ON AN 801.500 ACRE TRACT DESCRIBED AS TRACT 1 IN A DEED RECORDED UNDER FILM CODE NO. 017-25-0583 IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS.

COMMENCING at the Northwest corner of said **W.G. BANKS SURVEY**;  
THENCE S 02°46'25" E, along the West line of the **BANKS SURVEY** a distance of 390.70 feet to a fence post found on the South line of FM 646 (120 foot right-of-way) for the Northwest corner and **POINT OF BEGINNING** of the herein described tract;  
THENCE N 87°04'48" E, along the South line of FM 646 a distance of 1449.96 feet to a 1/2 inch iron rod found for corner;  
THENCE S 03°05'02" E, a distance of 855.58 feet to an iron rod with cap stamped "D.L. Hardy" found for corner;  
THENCE N 88°30'29" W, a distance of 1458.63 feet to an iron rod with cap stamped "D.L. Hardy" found for corner on the West line of said **BANKS SURVEY**;  
THENCE N 02°46'25" W, along the West line of said **BANKS SURVEY** a distance of 743.37 feet to the **POINT OF BEGINNING** and containing 26.65 acres of land.



NOTE

THIS DOCUMENT HAS BEEN PREPARED UNDER 22 TAC § 663.23; 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 AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT HAS BEEN PREPARED.

PREPARED  
June 9, 2005  
BY

**DALE L. HARDY / GEOSURV, LLC**  
**REGISTERED PROFESSIONAL LAND SURVEYORS**  
**P.O. BOX 246, LEAGUE CITY, TEXAS 77574**  
**PH 281-554-7739 FAX 281-554-6928**

**TRACT 1 - 35.00 ACRES  
TO BE ANNEXED INTO M.U.D. 45**

All that certain 35.00 acre tract of land located in the **SAMUEL HINTON SURVEY, ABSTRACT 89** and the **S.G. McCLENNY SURVEY, ABSTRACT 154**, Galveston County, Texas, being a portion of an 86.6235 acre tract described in a deed recorded under Film Code No. 017-34-1376 in the Office of the County Clerk of Galveston County and being more particularly described by metes and bounds as follows:

BEARING STRUCTURE IS BASED ON AN 801.500 ACRE TRACT DESCRIBED AS TRACT 1 IN A DEED RECORDED UNDER FILM CODE NO. 017-25-0583 IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS.

**BEGINNING** at an iron rod with cap stamped "D.L. Hardy" found at the East corner of the **RODNEY ANTHONY SURVEY, ABSTRACT 630**, the same being the South corner of said **McCLENNY SURVEY**, lying on the Northwesterly line of the **ED PAYNE, SURVEY, ABSTRACT 164**, and being the East corner of **LEAGUE CITY SEMI-TROPICAL GARDENS**, according to the map or plat recorded in Volume 238, Page 8 in the Office of the County Clerk of Galveston County;

**THENCE** N 71°23'49" W, along the Southwesterly line of said **McCLENNY SURVEY**, the same being the Northeasterly line of said **LEAGUE CITY SEMI-TROPICAL GARDENS**, a distance of 561.24 feet to an iron rod with cap stamped "D.L. Hardy" found for angle point;

**THENCE** N 68°50'49" W, continuing along the common line of said **McCLENNY SURVEY** and **LEAGUE CITY SEMI-TROPICAL GARDENS**, a distance of 446.98 feet to an iron rod with cap stamped "D.L. Hardy" found for angle point, being the West corner of said **McCLENNY SURVEY** and the South corner of said **HINTON SURVEY**;

**THENCE** N 63°44'29" W, along the Southwesterly line of said **HINTON SURVEY** and the Northeasterly line of said **LEAGUE CITY SEMI-TROPICAL GARDENS**, a distance of 707.48 feet to an iron rod with cap stamped "GeoSurv" found for corner;

**THENCE** N 49°45'31" E, a distance of 1514.64 feet to an iron rod with cap stamped "GeoSurv" found for corner on the Southwesterly line of a 300 foot wide Houston Lighting and Power right-of-way;

**THENCE** S 29°05'29" E, along the Southwesterly line of said 300 foot wide Houston Lighting and Power right-of-way, passing at 661.28 feet the South line of said **HINTON SURVEY**, the same being the North line of said **McCLENNY SURVEY** and continuing for a total distance of 1352.82 feet to an iron rod with cap stamped "GeoSurv" found for corner on the Southeasterly line of said **McCLENNY SURVEY**, the same being the Northwesterly line of said **PAYNE SURVEY**;

**THENCE** S 50°01'31" W, along the common line of said **McCLENNY** and **PAYNE SURVEYS**, a distance of 427.88 feet to the **POINT OF BEGINNING** and containing 35.00 acres of land.

NOTE THIS DOCUMENT HAS BEEN PREPARED UNDER 27 TAC § 663.23. IT 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 AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT HAS BEEN PREPARED



PREPARED  
May 23, 2005  
BY

**DALE L. HARDY / GEOSURV, LLC**  
**REGISTERED PROFESSIONAL LAND SURVEYORS**  
**P.O. BOX 246, LEAGUE CITY, TEXAS 77574**  
**PH 281-554-7739 FAX 281-554-6928**

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## LEGAL DESCRIPTION

Being Tract 10 of League City Semi-Tropical Gardens, a subdivision in the Rodney Anthony Survey in Galveston County, Texas, according to the map thereof of record in Volume 238, Page 8, of the Map Records of the County Clerk of Galveston County, Texas, and being more particularly described by metes and bounds as follows

**BEGINNING** at a Tx DOT Highway Department monument (brass disc set in concrete) marking PC Station 212-37 60, as per Highway Department right-of-way maps, lying in the north right-of-way line of F M No 646 (based on a 120 foot wide right-of-way) at its intersection with the east line of a 25 foot wide unimproved right-of-way line,

**THENCE**, in an easterly direction with the north line of said F M No 646 and the beginning of a curve to the right with a central angle of 03 degrees 28 minutes, 49 seconds and a radius of 11,519.16 feet and chord bearing and distance of North 88 degrees 47 minutes 15 seconds East - 699.60 feet, an arc length of 699.71 feet to an established point (from which a 1/2" Iron rod bears South 37 degrees 06 minutes 43 seconds West - 1.21 feet) marking its intersection with the east line of a 40 foot wide unimproved right-of-way,

**THENCE**, North 03 degrees 03 minutes 32 seconds West along the east line of said 40 foot wide unimproved right-of-way and the west line of the Paul and Geraldine Hopkins Tract as recorded in G C C F No 9028574 at a distance of 504.48 feet (deed called 504.59 feet) passing the northwest corner and also being the southwest corner of Tract 11 of said League City Semi-Tropical Gardens in all a total distance of 748.48 feet to a 5/8 inch iron rod with cap set marking the southwest corner of said Tract 10 and also being the **POINT OF BEGINNING**,

**THENCE** North 03 degrees 03 minutes 32 seconds West continuing along the said east line of said 40' foot wide unimproved right-of-way and the west line of said Tract 10 a distance of 313.00 feet to a 5/8 Inch Iron rod with cap set marking the northwest corner of the herein described tract,

**THENCE** North 86 degrees 59 minutes 31 seconds East along the common line of Tract 9 and Tract 10 a distance of 660.00 feet to a 5/8 inch Iron rod with cap set marking the northeast corner of the herein described tract,

**THENCE** South 03 degrees 03 minutes 32 seconds East along the common line of Tract 10 and Tract 17 a distance of 313.00 feet to a 5/8 Inch Iron rod with cap set lying in the north line of a 40 foot wide unimproved right-of-way and also being the south line of said Tract 10 marking the southeast corner of the herein described tract,

**THENCE** South 86 degrees 59 minutes 31 seconds West along the south line of said Tract 10 and the north line of said 40 foot wide unimproved right-of-way a distance of 560.00 feet to the **POINT OF BEGINNING** and containing 4.742 acres (206,580 square feet) of land more or less.

**TRACT 3 - 23.76 ACRE TRACT  
TO BE ANNEXED INTO M.U.D. 45**

All that certain 23.76 acre tract of land located in the **JOHN MILES SURVEY, ABSTRACT 55**, Galveston County, Texas, being the same property described in a deed recorded in Volume 1553, Page 589 in the Office of the County Clerk of Galveston County and being more particularly described by metes and bounds as follows:

**BEARING STRUCTURE IS BASED ON AN 801.500 ACRE TRACT DESCRIBED AS TRACT 1 IN A DEED RECORDED UNDER FILM CODE NO. 017-25-0583 IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY.**

**COMMENCING** at a 1/2 inch iron rod found marking the South corner of said **MILES SURVEY**, lying on the Northeasterly line of the **RODNEY ANTHONY SURVEY, ABSTRACT 630**;

**THENCE N 58°44'29" W**, along the Southwesterly line of said **MILES SURVEY** and the Northeasterly line of said **ANTHONY SURVEY**, a distance of 420.00 feet to an iron rod with cap stamped "GeoSurv" found marking the South corner and **POINT OF BEGINNING** of the herein described tract;

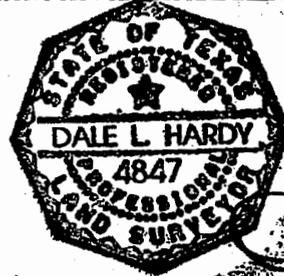
**THENCE N 58°44'29" W**, continuing along the common survey line, a distance of 420.00 feet to a 5/8 inch iron rod with cap stamped "GeoSurv" set for corner;

**THENCE N 49°45'31" E**, parallel to the Southeasterly line of said **MILES SURVEY**, a distance of 2704.90 feet to a point for corner on the Westerly line of a 300 foot wide Houston Lighting and Power right-of-way, from which a 5/8 inch iron rod bears S 08°12' E, 1.95 feet;

**THENCE S 29°05'29" E**, along the Westerly line of said 300 foot wide Houston Lighting and Power right-of-way, a distance of 405.96 feet to an iron rod with cap stamped "GeoSurv" found for corner;

**THENCE S 49°45'31" W**, parallel to the Southeasterly line of said **MILES SURVEY**, a distance of 2493.13 feet to the **POINT OF BEGINNING** and containing 23.76 acres of land.

**NOTE:** THIS DOCUMENT HAS BEEN PREPARED UNDER 22 TAC § 663.23; 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 AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT HAS BEEN PREPARED.



PREPARED  
May 23, 2005  
BY

**DALE L. HARDY / GEOSURV, LLC**  
**REGISTERED PROFESSIONAL LAND SURVEYORS**  
**P.O. BOX 246, LEAGUE CITY, TEXAS 77574**  
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