

THE STATE OF TEXAS               §  
                                                  §  
COUNTY OF FORT BEND       §

ORDER OF EXCLUSION AND DISANNEXATION

RECITALS

WHEREAS, on February 14, 2017, the Commissioners Court of Fort Bend County ordered the calling of the election for the creation of Fort Bend County Assistance District No. 9 ("CAD No. 9"), the creation of Fort Bend County Assistance District No. 10 ("CAD No. 10") and the imposition of a sales and use tax for both proposed county assistance districts under Chapter 387 of the Texas Local Government Code; and

WHEREAS, certain portions of land that are currently located within the boundaries of Fort Bend County Assistance District No. 1 ("CAD No. 1") are also within the proposed boundaries of CAD No. 9 or CAD No. 10; and

WHEREAS, a county assistance district may not adopt a sales and use tax under Chapter 387 if the adoption of the tax would result in a combined tax rate of all local sales and use taxes that would exceed the maximum combined rate of sales and use taxes prescribed by Sections 321.101 and 323.101 of the Texas Tax Code, in any location in the county assistance district; and

WHEREAS, the inclusion of certain portions of land that are currently located within the boundaries of CAD No. 1 and proposed CAD No. 9 or proposed CAD No. 10 and subsequent imposition of sales and use taxes by the respective county assistance districts, if approved by the voters, would exceed such maximum combined rate within those certain overlapping portions of land; and

WHEREAS, the Board of Directors of CAD No. 1 desires to exclude such overlapping areas of land, being real property situated in Fort Bend County, Texas ("Property"), depicted in the attached Exhibit A, by disannexation so as to be situated outside of the boundaries of CAD No. 1; and

WHEREAS, Section 387.003(j) of the Texas Local Government Code permits a commissioners court by order, to exclude an area from the district if the district has no outstanding bonds payable wholly or partly from sales and use taxes and the exclusion of the Property does not impair any outstanding district debt or contractual obligation; and

WHEREAS, the Board of Directors of CAD No. 1 finds that there are no outstanding bonds payable wholly or partly from sales and use taxes and the exclusion

of the Property does not impair any outstanding CAD No. 1 debt or contractual obligation; and

BE IT ORDERED BY THE COMMISSIONERS COURT SITTING AS THE BOARD OF DIRECTORS OF CAD NO. 1 THAT:

Section 1: The matters and facts set out in the preamble of this order are hereby found and declared to be true and complete and are incorporated herein.

Section 2: The Property is hereby excluded from the boundaries of CAD No. 1 by disannexation.

Section 3: This Order is effective immediately upon passage.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**FORT BEND COUNTY ASSISTANCE  
DISTRICT NO. 1**

By: \_\_\_\_\_  
Robert E. Hebert, County Judge

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Laura Richard, County Clerk

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                                             §  
COUNTY OF FORT BEND       §

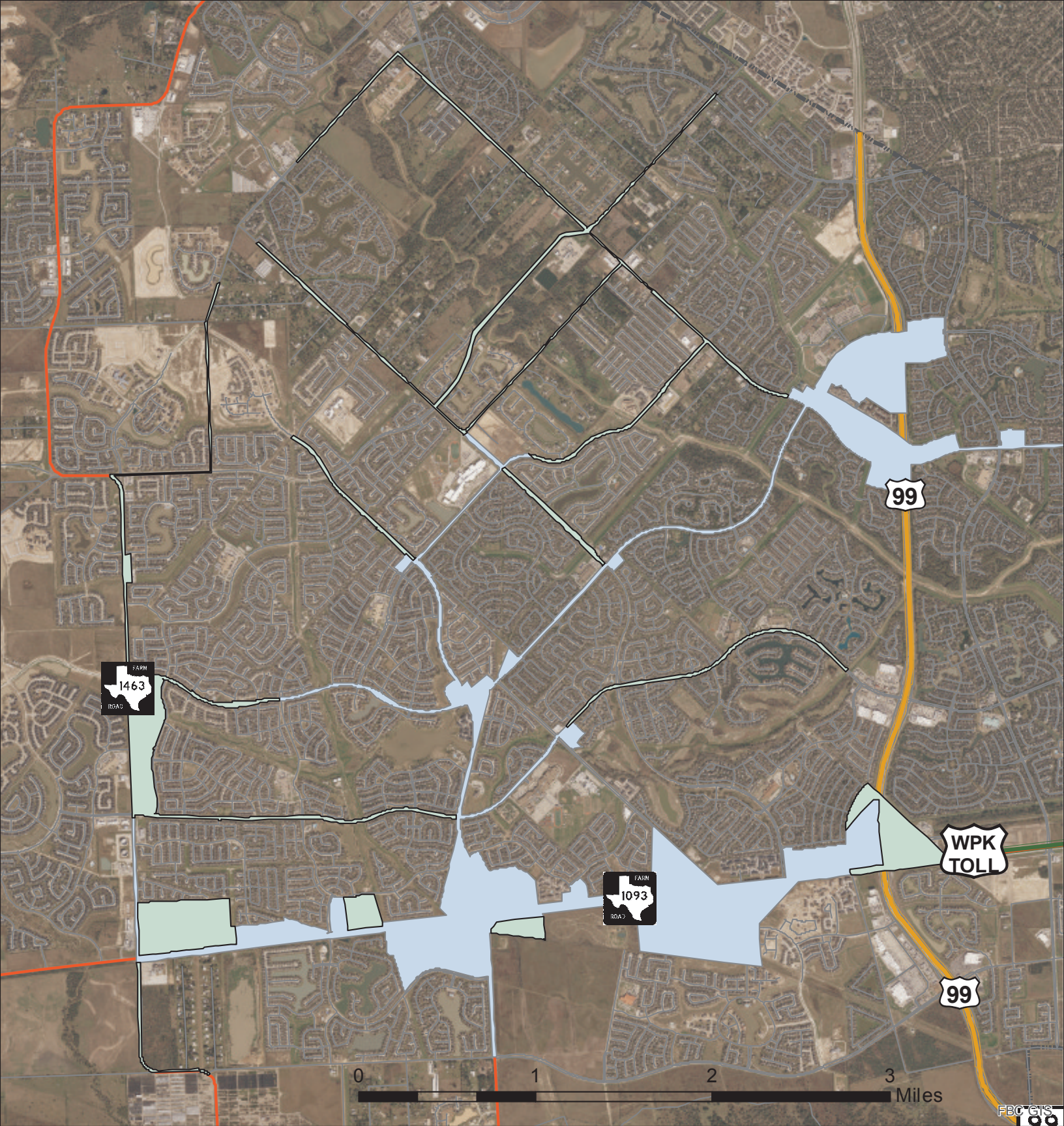
This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_, by Robert E. Hebert, County Judge of Fort Bend County, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

(NOTARY SEAL)

# EXHIBIT A





#### Legend

- CAD 1 Deannexation
- Current CAD 1
- Precinct Lines

## Precinct 3 Fort Bend County Engineering April 11, 2017 FB CAD 1 Deannexation

#### Overview



UTM 18Q UTM 18Q  
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