

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

ORDER OF EXCLUSION AND DISANNEXATION

RECITALS

WHEREAS, a certain segment of FM 521 from the Harris-Fort Bend County line south to the Arcola municipal boundary line, identified in Exhibit A, attached hereto and incorporated herein for all purposes and hereinafter referred to as the "FM 521 ROW", is currently located within the original boundaries of Fort Bend County Assistance District No. 5 ("CAD No. 5"); and

WHEREAS, Fort Bend County Assistance District No. 4 ("CAD No. 4") is situated with boundaries located near or adjacent to the boundaries of CAD No. 5; and

WHEREAS, CAD No. 4 is financially capable of making the necessary improvements to the FM 521 ROW that CAD No. 5 currently does not have the available resources to perform; and

WHEREAS, the Board of Directors of CAD No. 5 desires to exclude FM 521 ROW so as to be situated outside of the boundaries of CAD No. 5 and eligible for inclusion within the boundaries of CAD No. 4; 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 land does not impair any outstanding district debt or contractual obligation; and

WHEREAS, the Board of Directors of CAD No. 5 finds that there are no outstanding bonds payable wholly or partly from sales and use taxes and the exclusion of the FM 521 ROW does not impair any outstanding CAD No. 5 debt or contractual obligation; and

BE IT ORDERED BY THE COMMISSIONERS COURT SITTING AS THE BOARD OF DIRECTORS OF CAD NO. 5 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 FM 521 ROW is hereby excluded from the boundaries of CAD No. 5 by disannexation.

Section 3: This Order is effective immediately upon passage.

ADOPTED this _____ day of _____, 2018.

**FORT BEND COUNTY ASSISTANCE
DISTRICT NO. 5**

By: _____
Robert E. Hebert, County Judge

Date: _____

ATTEST:

By: _____
Laura Richard, County Clerk

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This instrument was acknowledged before me on _____, 2018, by Robert E. Hebert, County Judge of Fort Bend County, Texas.

Notary Public, State of Texas

(NOTARY SEAL)

EXHIBIT A

De-Annex FM 521
ROW from CAD 5
into CAD 4

CAD 4

