



THE STATE OF TEXAS           §  
  §  
COUNTY OF FORT BEND       §

**ORDER ESTABLISHING AND ORGANIZING  
FORT BEND COUNTY ASSISTANCE DISTRICT NO. 5**

RECITALS

WHEREAS, Fort Bend County (the "County") adopted an Order Calling Election for Creation of the Fort Bend County Assistance District No. 5 and Imposition of a Sales and Use Tax on September 7, 2011 (the "Order Calling"); and

WHEREAS, on November 8, 2011, the County held an election for the creation of Fort Bend County Assistance District No. 5 (the "District") and the imposition of a sales and use tax at the rate of one percent within the boundaries of the District; and

WHEREAS, the County certified the results of the election on November 16, 2011, in which the voters authorized the creation of the District and the imposition of a sales and use tax at the rate of one percent within the boundaries of the District; and

WHEREAS, the City of Pearland consented to the creation of the District in Ordinance No. 1456, adopted on October 24, 2011; and

WHEREAS, the Order Calling states that to the extent a mistake is made in the metes and bounds such that the boundaries of the District extend into a municipality's corporate limits or the current extraterritorial jurisdiction of a municipality other than the City of Pearland, or extend into an area in which less than one percent of sales and use tax is currently available, that portion of the boundaries shall be deemed to be excluded from the District; and

WHEREAS, it has been determined that there was an error in the metes and the bounds of the District and the corrected metes and bounds are attached as **Exhibit A**; and

WHEREAS, the County desires to establish the District, organize its operations, and approve the Agreement; Now, therefore,

BE IT ORDERED BY THE COMMISSIONERS COURT OF FORT BEND COUNTY THAT:

Section 1: The District is established and is authorized to impose a sales and use tax at the rate of one percent within the boundaries of the District, commencing on the first day of the first calendar quarter occurring after the expiration of the first complete quarter occurring after the date the State Comptroller receives a copy of the order imposing the sales and use tax adopted by the District's governing body, anticipated to be April 1, 2012.

Section 2: The Commissioners Court hereby authorizes the officers and employees of the County to notify the State Comptroller of the creation of the District and the authorization to impose a sales and use tax at the rate of one percent within the boundaries of the District.

Section 3: The Commissioners Court shall serve as the initial Board of Directors of the District, but reserves the right pursuant to Section 387.005 of the Texas Local Government Code to appoint a separate governing body of the district.

Section 4: The boundaries of the District are established as shown in **Exhibit A.**

Section 5: This Order is effective immediately upon passage.

**[Remainder of this page intentionally left blank.]**

ADOPTED this 22 day of November, 2011.

FORT BEND COUNTY



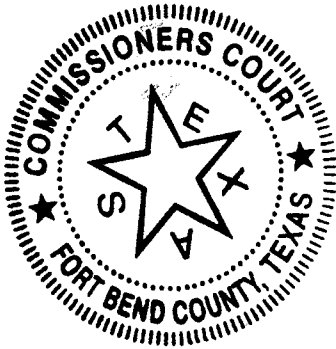
Robert Hebert, County Judge

ATTEST:



Dianne Wilson, County Clerk and Ex-Officio  
Clerk of the Commissioners Court of  
Fort Bend County, Texas

(SEAL)



**EXHIBIT A**  
**METES AND BOUNDS**