

**AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF MISSOURI CITY,  
TEXAS, FORT BEND COUNTY, FORT BEND COUNTY DRAINAGE DISTRICT, AND  
REINVESTMENT ZONE NUMBER TWO, CITY OF MISSOURI CITY, TEXAS FOR  
PARTICIPATION IN REINVESTMENT ZONE NUMBER TWO, CITY OF MISSOURI  
CITY, TEXAS**

This Amendment ("Amendment") is made and entered into pursuant to Section 311.013 of the Texas Tax Code by and between the City of Missouri City ("City"), a municipal corporation of the State of Texas, acting by and through its City Council; Fort Bend County ("County"), a body corporate and politic acting by and through its Commissioners Court; Fort Bend County Drainage District ("Drainage District"), a political subdivision of the State of Texas acting by and through the County Commissioners Court; and Reinvestment Zone Number Two, City of Missouri City, Texas ("Reinvestment Zone"), a reinvestment zone created by the City of Missouri City, Texas, acting by and through its Board of Directors.

WHEREAS, the City, County, Drainage District, and Reinvestment Zone entered into an agreement set forth in Exhibit "A" ("Agreement") on or about April 23, 2001, for the County's participation in the Reinvestment Zone; and

WHEREAS, the County desires to continue to participate in the Reinvestment Zone to foster economic growth and productivity in Fort Bend County; and

NOW, THEREFORE, for and in consideration of the foregoing and further consideration of the mutual promises, covenants and conditions herein, the City, the County, the Drainage District, and the Reinvestment Zone (collectively referred to as "Parties") hereby agree as follows:

**Section 1. Purpose**

The purpose of this Amendment is to extend the County and the Drainage District's participation in the Reinvestment Zone.

**Section 2. Amendments**

- A. Article IV, Section A of the Agreement is amended by inserting a new Subdivision 3 after Subdivision 2 and before the paragraph beginning with the sentence, "The County's Tax Increment Participation and obligation to participate in the Reinvestment Zone shall be restricted to its tax increment collected on the Captured Appraised Value in the Reinvestment Zone in the amounts shown above" as follows:

“(3) Except as provided herein, the County's/District's Tax Increment Participation in years 2029 through 2049 shall be 50 percent of the amount of taxes actually collected by the County (for General Fund and Road & Bridge Fund only) and the Drainage District (Maintenance Fund only) on the County

Captured Appraised Value, unless the tax rate for any of those years exceeds the Tax Year 2019 rates. If the actual taxes collected for a category are based on a rate that is greater than Tax Year 2019 rate, the 2019 rate shall be used to calculate the County's/District's Increment Participation and County and/or District shall retain the overage amount. If the actual tax collected for any category is based on a rate that less than the Tax Year 2019 rate, then the County's/District's Tax Increment Participation for that category will be 50 percent of the amount actually collected. Below are the Tax Year 2019 Adopted Rates by Category and the 50 percent calculation of the Maximum Tax Increment Participation:

Category	Rate per \$100 valuation	50 percent
County general fund	.34350	.17175
County road and bridge fund	.01600	.008
Drainage maintenance fund	.01350	.00675

B. Article VI, Section A of the Agreement is amended as follows:

**“A. Agreement Term**

This Agreement shall become effective as of the date of the final signature hereto, and shall remain in effect until fifty (50) years later. The first payment of the County Tax Increment Participation shall be for those taxes levied by the County in the year 1999 and the last payment by the County under this Agreement is for those taxes levied by the County in the year 2049.”

**Section 3. Miscellaneous**

- A. Except as modified herein, the Agreement remains in full force and effect.
- B. If there is a conflict between this Amendment and the Agreement, the provisions of this Amendment shall prevail.

**Section 4. Severability**

The provisions of this Amendment are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Amendment is for any reason held to be invalid or contrary to the law by a court of competent jurisdiction or contrary to any rule or regulation in the remaining portions of the Amendment, it shall not affect, impair, or invalidate this Amendment as a whole or any provision hereof not declared to be invalid or contrary to law.

**Section 5. Entire Agreement; Requirement of a Writing**

It is understood and agreed that this Amendment supersedes all oral agreements and negotiations between the Parties relating to the subject matter hereof as well as any previous agreement presently in effect between the Parties relating to the subject matter hereof. Any alterations, amendments, deletions, or waivers of the provisions of this Amendment shall be valid only when expressed in writing and duly signed by the Parties.

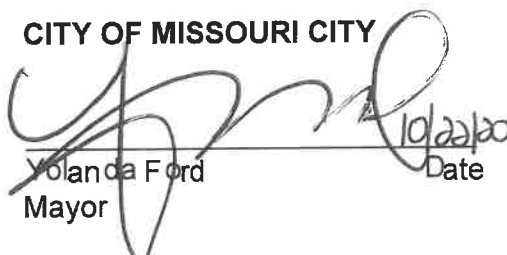
**Section 6. Term**

It is expressly understood and agreed that this Amendment is and will be effective for thirty (30) years from the date signed by the last party hereto, unless terminated sooner by of the Parties.

**Section 7. Beneficiaries**

This Amendment is solely for the benefit of the Parties and shall not be construed to confer any benefit on any other person except as expressly provided for herein.

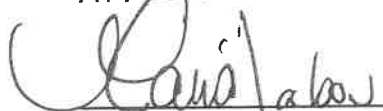
**CITY OF MISSOURI CITY**


  
\_\_\_\_\_  
Yolanda Ford Date  
Mayor

**FORT BEND COUNTY**

  
\_\_\_\_\_  
KP George Date  
County Judge 7-14-2020

**ATTEST:**

  
\_\_\_\_\_  
Maria Jackson Date  
City Secretary 10/22/20

  
\_\_\_\_\_  
Laura Richard Date  
County Clerk




**REINVESTMENT ZONE  
NUMBER TWO  
CITY OF MISSOURI CITY**

DocuSigned by:  
  
583910C9B2264CO...  
Frank Hester Date

**FORT BEND COUNTY  
DRAINAGE DISTRICT**

  
County Judge KP George  
7-14-2020  
KP George Date

APPROVED AS TO FORM:

DocuSigned by:  
  
C7032FB7890E461...  
E. Joyce Iyamu Date  
City Attorney

**THE STATE OF TEXAS**  
**COUNTY OF FORT BEND**

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**AGREEMENT**

**I. PARTIES**

**A. Address**

**THIS AGREEMENT** ("Agreement") is made by and between the **CITY OF MISSOURI CITY, TEXAS** ("City"), a municipal corporation and home-rule city of the State of Texas principally situated in the County of Fort Bend, acting by and through its governing body, the City Council; **FORT BEND COUNTY** ("County"), a body corporate and politic acting by and through its Commissioners Court, located at 301 Jackson, Suite 719, Richmond, Texas 77469; **FORT BEND COUNTY DRAINAGE DISTRICT**, a political subdivision of the State of Texas; and the **REINVESTMENT ZONE NUMBER TWO, CITY OF MISSOURI CITY, TEXAS** (the "Reinvestment Zone"), a reinvestment zone created by the City of Missouri City pursuant to Chapter 311 of the Texas Tax Code, acting by and through its Board of Directors. This Agreement is made pursuant to Section 311.013 of the Texas Tax Code, which Section permits a taxing unit to enter into agreements to pay into the tax increment fund of any of its tax increment produced from property located in a reinvestment zone.

The initial addresses of the parties, which one party may change by giving written notice of its changed address to the other parties, are as follows:

<u>City</u>	<u>County</u>	<u>The Reinvestment Zone</u>
City Manager or Designee City of Missouri City, Texas 1522 Texas Parkway Missouri City, Texas 77459	Fort Bend County Attention County Judge 301 Jackson Street, Suite 719 Richmond, Texas 77469 With copy to: Fort Bend County Tax Assessor/Collector P.O. Box 399 Richmond, Texas 77406-0399	Reinvestment Zone Number Two, Missouri City, Texas Attention: Chairman c/o City of Missouri City, Texas 1522 Texas Parkway Missouri City, Texas 77459

**B. Index**

The City, the County and the Reinvestment Zone hereby agree to the terms and conditions of this Agreement. This Agreement consists of the following sections:

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Exhibit "A" – City of Missouri City Ordinance No. 0-99-43

**C. Parts Incorporated**

All of the above described sections and documents are hereby incorporated into this Agreement by this reference for all purposes.

**IN WITNESS HEREOF**, the City, the County and the Reinvestment Zone have made and executed this Agreement in multiple copies, each of which is an original.

**CITY OF MISSOURI CITY, TEXAS,**  
A home rule municipality

**FORT BEND COUNTY**

William D. Owen 4-23-01  
City Mayor Date

J. C. P. 4-16-01  
James Adolphus, County Judge Date

ATTEST:  
Patricia Fogarty 4-23-01  
City Secretary Date

ATTEST:  
Dianne Wilson  
Dianne Wilson, County Clerk

APPROVED AS TO FORM:

(SEAL)

COUNTERSIGNED:  
Jan Schmid 4/23/01  
City Manager Date

Ben W. "Bud" Childers April 16, 2001  
County Attorney Date

APPROVED AS TO FORM:  
[Signature] 4-19-02  
City Attorney Date

**FORT BEND COUNTY DRAINAGE DISTRICT**

J. C. P. 4-16-01  
Date

ATTEST:  
Dianne Wilson  
Date

**REINVESTMENT ZONE NUMBER TWO  
CITY OF MISSOURI CITY, TEXAS**

By: [Signature]  
Chairman, Board of Directors Date

ATTEST/SEAL

By: Janey L. Alterbe 5/11/01  
Secretary, Board of Directors Date

RECORDERS MEMORANDUM  
This page is not satisfactory for electronic recording due to carbon or photo copy, ink bleed-through, etc. All block-outs, additions and changes were presented at time instrument was filed and recorded.

## II. DEFINITIONS

As used in this Agreement, the following terms shall have the meanings set out below:

"Administrative Costs" means the costs of organizing and operating the Reinvestment Zone.

"Agreement" means this agreement between the City, the County and the Reinvestment Zone.

"Agreement Term" is defined in Section VI.

"Captured Appraised Value" means the captured appraised value of the Reinvestment Zone as defined by Chapter 311, Texas Tax Code.

"City" is defined in Section I of this Agreement and includes its successors and assigns.

"Countersignature Date" means that date shown as the date countersigned by the City Manager on the signature page of this Agreement.

The "County" is defined in Section I of this Agreement and includes its successors and assigns.

The "County Tax Increment Participation" means the amount of the County tax levy on the Captured Appraised Value which the County agrees to contribute to the Reinvestment Zone pursuant to Subsections A and B of Section IV of this Agreement.

"Project Plan" means the project plan and reinvestment zone financing plan for the Reinvestment Zone adopted by the board of directors of the Reinvestment Zone and approved by the City Council of the City.

"Reinvestment Zone" means Reinvestment Zone Number Two, City of Missouri City, Texas created by the City on August 2, 1999, by Ordinance No. 0-99-43, attached as Exhibit "A", and includes its successors and assigns.

"Tax Increment Fund" means the tax increment fund created by the City in the City Treasury for the Reinvestment Zone.

Otherwise, the terms used herein shall have the meanings ascribed to them in Chapter 311, Texas Tax Code, as applicable.

### III. BACKGROUND

By Ordinance No. 0-99-43, adopted August 2, 1999, the City created the Reinvestment Zone for the purposes of development and redevelopment in the area of the Reinvestment Zone. The City will deposit tax increments produced in the Reinvestment Zone in the Tax Increment Fund. The County desires to participate in the Reinvestment Zone in consideration for the agreements set forth below.

The County received written notice from the City of the City's intent to establish the Reinvestment Zone. Such notice was received more than sixty (60) days before the public hearing on the creation of the Reinvestment Zone and conforms in all respects to the request of §311.003 of the Texas Tax Code.

### IV. OBLIGATIONS OF THE COUNTY

#### A. Tax Increment Participation by the County

For and in consideration of the agreements of the parties set forth herein, and subject to the remaining subsections of this section, the County agrees to participate in the Reinvestment Zone attributable to the County to the Tax Increment Fund during the term of this Agreement (the "County Tax Increment Participation").

(1) The amount in the years 1999 through 2013 is the amount of taxes collected by the County in each of such years at the 1999 County tax rate for the County General Fund, Road and Bridge, and Drainage District taxes on the Captured Appraised Value. For tax year 1999, this totaled a tax rate of .5791 per \$100 valuation ("the 1999 benchmark"). The parties agree and acknowledge that the portion of the County tax rate used for Debt Service (also known as the Interest and Sinking Fund) will not be included in the calculation of the County's contribution. If the County tax rate is less than the 1999 benchmark during such period, then the County Tax Increment Participation is the total amount of taxes collected by the County at the actual tax rate of the County on the Captured Appraised Value. Taxes collected during such period by result of a County tax levy at a tax rate greater than the 1999 benchmark shall be retained by the County.

(2) The amount in years 2014 through 2028 is the amount of taxes collected by the County in each of such years at a rate of \$0.28955 per \$100 valuation on the Captured Appraised Value. If the County tax rate is less than \$0.28955 for such year, then the County Tax Increment Participation in such year is the total amount of taxes collected by the County at the actual tax

rate of the County on the Captured Appraised Value. Taxes collected by result of a County tax levy at a tax rate greater than \$0.28955 shall be retained by the County.

The County's Tax Increment Participation and obligation to participate in the Reinvestment Zone shall be restricted to its tax increment collected on the Captured Appraised Value in the Reinvestment Zone in the amounts shown above. The County shall not be obligated to pay its County Tax Increment Participation from other County taxes or revenues or until the County Tax Increment Participation in the Reinvestment Zone is actually collected. The obligation to pay the County Tax Increment Participation shall accrue as taxes representing the County tax increment are collected and in accordance with Section 311.013(c) of the Texas Tax Code, the County shall make payment required under this Agreement not later than the 90<sup>th</sup> day after the delinquency date for the County's property taxes. All penalty and interest collected on delinquent accounts will be retained by the County. In the event that any property within the Reinvestment Zone changes use from agricultural value to market value, the Captured Appraised Value will be the difference in the market value for the 1999 benchmark and the market value for the present year.

**B. Expansion of the Investment Zone**

The obligation of the County to participate in the Reinvestment Zone is limited to the area described in Exhibit "A" attached hereto. The County's participation shall not extend to the tax increment on any additional property added to the Reinvestment Zone by the City unless the County approves the participation.

**C. Board of Directors**

The County has the right to appoint one (1) member on the Reinvestment Zone Board of Directors. As a taxing unit that levies taxes on real property in the Zone, the Drainage District also has the right to appoint one (1) member on the Reinvestment Zone Board of Directors. Regardless of any provisions of Missouri City Ordinance 0-99-43, adopted August 2, 1999, the parties agree that neither the County nor the Drainage District shall forfeit such right by failing to appoint such member within a specified period of time.

**V. OBLIGATIONS OF CITY AND THE REINVESTMENT ZONE**

A copy of the Reinvestment Zone Project Plan and any amendments thereto shall be provided to the County before any such plan is finally approved by the Reinvestment Zone.

## **VI. TERM AND TERMINATION**

### **A. Agreement Term**

This Agreement shall become effective as of the date of the final signature hereto, and shall remain in effect until thirty (30) years later. The first payment of the County Tax Increment Participation shall be for those taxes levied by the County in the year 1999 and the last payment by the County under this Agreement is for those taxes levied by the County in the year 2028.

### **B. Early Termination**

The City shall not adopt an ordinance terminating the Reinvestment Zone earlier than the duration of the Zone established in Ordinance No. 0-99-43 without the prior consent of the County, provided that the Reinvestment Zone may otherwise terminate by operation of law.

### **C. Disposition of Tax Increments**

Upon termination of the Reinvestment Zone, if all public improvements in the Project Plan have been constructed and financed and if all Reinvestment Zone debt is paid in full, the City and the Reinvestment Zone shall pay to the County all monies remaining in the Tax Increment Fund that are attributable to the County Tax Increment Participation.

## **VII. MISCELLANEOUS**

### **A. Severability**

In the event any term, covenant or condition herein contained shall be held to be invalid by any court of competent jurisdiction, such invalidity shall not affect any other term, covenant or condition herein contained, provided that such invalidity does not materially prejudice either the County, the City or the Reinvestment Zone in their respective rights and obligations contained in the valid terms, covenants or conditions hereof.

In the event any term, covenant or condition shall be held invalid and affects in any manner the limitations on the County's contributions or participation, then this Agreement shall be void as to the County and the County shall have no liability for any incremental or other payments as may otherwise be provided for in this Agreement.

### **B. Entire Agreement**

This Agreement merges the prior negotiations and understandings of the parties hereto and embodies the entire agreement of the parties, and there are no other agreements, assurances, conditions, covenants (express or implied) or other terms with respect to the covenants, whether written or verbal, antecedent or contemporaneous, with the execution hereof.

**C. Written Amendment**

Unless otherwise provided herein, this Agreement may be amended only by written instrument duly executed on behalf of each party.

**D. Notices**

All notices required or permitted hereunder shall be in writing and shall be deemed delivered when actually received or, if earlier, on the third (3<sup>rd</sup>) day following deposit in a United States Postal Service post office or receptacle with proper postage affixed (certified mail, return receipt requested) addressed to the respective other party at the address prescribed in Section I of this Agreement or at such other address as the receiving party may have theretofore prescribed by notice to the sending party.

**E. Non-Waiver**

Failure of any party hereto to insist on the strict performance of any of the agreements herein or to exercise any rights or remedies accruing hereunder upon default or failure of performance shall not be considered a waiver of the right to insist on, and to enforce by any appropriate remedy, strict compliance with any other obligation hereunder or to exercise any right or remedy occurring as a result of any future default or failure of performance.

**F. Assignment**

No party shall assign this Agreement at law or otherwise without the prior written consent of the other parties.

No party shall delegate any portion of its performance under this Agreement without the written consent of the other parties.

**G. Successors**

This Agreement shall bind and benefit the parties and their legal successors. This Agreement does not create any personal liability on the part of any officer or agent of the City or of any trustee, officer, agent or employee of the County.

**H. No Waiver of Immunity**

No party hereto waives or relinquishes any immunity or defense on behalf of itself, its trustees, officers, employees, and agents as a result of its execution of this Agreement and performance of the covenants contained herein.

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**ORDINANCE NO. O-99-43**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, DESIGNATING A CONTIGUOUS GEOGRAPHIC AREA WITHIN THE CITY OF MISSOURI CITY IN THE STATE HIGHWAY 6 AND TRAMMEL FRESNO ROAD AREA AS REINVESTMENT ZONE NUMBER TWO FOR TAX INCREMENT FINANCING PURPOSES PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE; CREATING A BOARD OF DIRECTORS FOR SUCH ZONE; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE FOREGOING SUBJECT; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Chapter 311 of the Texas Tax Code, the City of Missouri City ("City") may designate a contiguous geographic area within the City as a reinvestment zone if the area satisfies the requirement of certain sections of Chapter 311 of the Texas Tax Code; and

WHEREAS, the City has prepared a preliminary reinvestment zone financing plan for the creation of a proposed reinvestment zone within a contiguous area of the City of Missouri City, in the State Highway 6 and Trammel Fresno Road area (the "proposed zone"), which provides that any increase in the City of Missouri City ad valorem taxes are to be deposited into the tax increment fund, and that taxes of other taxing units may be utilized in the financing of the proposed zone; and

WHEREAS, the City, prior to May 31, 1999, provided written notice of the City's intention to create the proposed zone, complying with the requirements of Chapter 311, Texas Tax Code, to the governing bodies of all other taxing units levying taxes on property within the proposed zone; and

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WHEREAS, a notice of the August 2, 1999, public hearing on the creation of the proposed zone was published on July 21, 1999, in the Fort Bend/Southwest Star, a newspaper of general circulation in the City; and

WHEREAS, Pursuant to Section 311.003 (a), Texas Tax Code, the City has noticed each taxing unit that levies real property taxes in the proposed zone; including Fort Bend County and Fort Bend Independent School District of its intention to create the zone sixty (60) days before the public hearing on the creation of said proposed zone; and

WHEREAS, at the public hearing on August 2, 1999, interested persons were allowed to speak for or against the creation of the proposed zone, its boundaries, or the concept of tax increment financing, and owners of property in the proposed zone were given a reasonable opportunity to protest the inclusion of their property in the proposed zone; and

WHEREAS, the City has provided all information and made all presentations, given all notices and done all other things required by Chapter 311, Texas Tax Code, or other law as a condition to the creation of the proposed zone; and

WHEREAS, the total appraised value of property in the proposed zone and all other reinvestment zones previously created by the City is approximately \$2,474,190; and

WHEREAS, the total appraised value of taxable real property in the City is approximately \$1,847,486,260; and

WHEREAS, the total appraised value of real property taxable by Fort Bend County, in which the proposed zone is located, is approximately \$2,474,190; and

WHEREAS, the total appraised value of real property taxable by the Fort Bend Independent School District, within those boundaries the proposed zone is located, is approximately \$2,474,190; and

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WHEREAS, the total area within the proposed zone is approximately 2,127 acres, excluding property that is publicly owned; and

WHEREAS, approximately 0 acres of the property in the proposed zone is currently used for residential purposes, as that term is defined in Section 311.006(d) of the Texas Tax Code; now therefore

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

Section 1. Findings.

- A. That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are adopted as part of this Ordinance for all purposes.
- B. That the City Council further finds and declares that the proposed improvements in the zone will significantly enhance the value of all the taxable real property in the proposed zone and will be of general benefit to the City.
- C. That the City Council further finds and declares that the proposed zone meets the criteria and requirements of Section 311.005 of the Texas Tax Code because the proposed zone substantially arrests and impairs the sound growth of the City; retards the provision of housing accommodations, constitutes an economic and social liability and is a menace to the public health, safety, morals, and welfare in its present condition and use because of the presence of:
  - a. The predominance of defective or inadequate street layout and a general lack of infrastructure to support development in the area;
  - b. Predominantly open land, inadequate site improvements and other factors that impair or arrest the sound growth of the City.

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- D. That the City Council, pursuant to the requirements of Chapter 311, Texas Tax Code, further finds and declares:
1. That the proposed zone is a contiguous geographic area located wholly within the corporate limits of the City of Missouri City;
  2. That less than ten percent of the property in the proposed zone, excluding property that is publicly owned, is used for residential purposes within the meaning of Section 311.006(d), Texas Tax Code;
  3. That the total appraised value of taxable real property in the proposed zone, and in existing reinvestment zones of the City, if any, does not exceed fifteen percent of the total appraised value of taxable real property in the City and in industrial districts, if any, created by the City;
  4. That the proposed zone does not contain more than fifteen percent of the total appraised value of real property taxable by Fort Bend County or the Fort Bend Independent School District; and
  5. That development or redevelopment of the property within the boundaries of the proposed zone will not occur solely through private investment in the reasonably foreseeable future.

**Section 2. Designation of the Zone.** That the City, acting under the provisions of Chapter 311, Texas Tax Code (the "Act"), including Section 311.005(a), does hereby designate as a reinvestment zone, and create and designate a reinvestment zone over, the area described in Exhibit "A" attached hereto and incorporated herein for all purposes to promote the development

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of the area. The reinvestment zone shall hereafter be named for identification as Reinvestment Zone Number Two, City of Missouri City, Texas, (the "Zone").

Section 3. **Board of Directors.** That there is hereby created a Board of Directors for the Zone, which shall consist of seven (7) members. Positions One through Five on the Board of Directors shall be reserved for the City. Positions Six and Seven shall be reserved for other taxing units levying taxes within the Zone, each of whom may appoint one director.

Failure of a taxing unit to appoint a director by January 1, 2000, shall be deemed a waiver of the right to appoint a director, and the City shall be entitled to appoint persons to that position, which shall be filled as provided below. The maximum number of directors shall not exceed fifteen (15). The City shall be entitled to appoint a person to one position of each of the two positions created as a result of more than four taxing units appointing directors, which positions shall be filled as provided below.

Any City councilmember is authorized to nominate and by vote of the majority of City councilmembers, including the Mayor, shall appoint the directors to Positions One through Five of the Board of Directors, as well as any position unfilled on January 1, 2000.

The following persons are hereby appointed as initial directors to the Board of Directors of the Zone in the position specified below:

<u>Position</u>	<u>Name</u>
1. Chairman	Jarvis Hollingsworth
2.	Joe Hubenak
3.	Tom Altenbern
4.	Judith Nichols
5.	Bob Butsky

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The directors appointed to odd-numbered positions shall be appointed for a two year term, beginning on the effective date of this Ordinance, while the directors appointed to even-numbered positions shall be appointed to a one year term, beginning on the effective date of this Ordinance. All subsequent appointments shall be for two-year terms. The member of the Board of Directors appointed to Position One is hereby designated to serve as the chair of the Board of Directors for a term beginning on the effective date of this Ordinance, and ending two years therefrom. Thereafter, any City councilmember may nominate and appoint, subject to the approval of the majority of City Council, including the Mayor, the member to serve as chair until the term of said member shall end or said member shall otherwise vacate his/her position as a member of the Board of Directors. The City Council authorizes the Board of Directors to elect from its members a vice chairman and such other officers as the Board of Directors sees fit.

The Board of Directors shall make recommendations to the City Council concerning the administration of the Zone. The Board of Directors shall prepare or cause to be prepared and adopt a project plan and reinvestment zone financing plan for the Zone as described in Section 311.011, Texas Tax Code, and shall submit such plans to the City Council for its approval. The City, pursuant to Section 311.010(a) of the Texas Tax Code, hereby authorizes the Board of Directors to exercise all of the City's powers necessary to administer, manage or operate the Zone and to prepare the project plan and reinvestment zone financing plan, including the power to employ consultants, legal counsel, and financial advisors, or enter into any reimbursement agreements with consultants, legal counsel and financial advisors payable solely from the Tax Increment Fund established pursuant to Section 7 of this Ordinance, subject to the approval of the City Manager or his designee, that may be reasonably necessary or convenient to assist the Board of Directors in the administration, management or operation of the Zone and the

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preparation of the project plan and reinvestment zone financing plan. Notwithstanding the foregoing, the Board of Directors shall not be authorized to issue bonds, impose taxes or fees, exercise the power of eminent domain or give final approval to the project plan and reinvestment zone financing plan. The Board of Directors of the Zone may not exercise any power granted to the City by Section 311.008 of the Texas Tax Code without additional authorization from the City.

Section 4. **Duration of the Zone.** That the Zone shall take effect immediately upon the passage and approval of this Ordinance, and termination of the operation of the Zone shall occur on December 31, 2029, or at an earlier time designated by subsequent ordinance, or at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, and the interest on the bonds, have been paid in full.

Section 5. **Tax Increment Base.** That the Tax Increment Base of the City or any other taxing unit participating in the Zone is the total appraised value of all real property taxable by the City or other taxing unit participating in the Zone and located in the Zone, determined as of January 1, 1999, the year in which the Zone is designated as a reinvestment zone (the "Tax Increment Base").

Section 6. **Tax Increment Fund.** That there is hereby created and established a Tax Increment Fund for the Zone which may be divided into subaccounts as authorized by subsequent ordinances. All Tax Increments, as defined below, shall be deposited in the Tax Increment Fund. The Tax Increment Fund and any subaccount shall be maintained at the depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. The annual Tax Increment shall equal the property taxes levied and collected by the City or any other taxing unit participating in the Zone for that year on the captured appraised value, as defined by the Act,

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of real property located in the Zone that is taxable by the City or any other taxing unit participating in the Zone, less any amounts that are to be allocated from the Tax Increment pursuant to the Act. All revenues from the sale of any tax increment bonds, notes, or other obligations hereafter issued by the City for the benefit of the Zone, if any; revenues from the sale of property acquired as part of the project plan and reinvestment zone financing plan, if any; and other revenues to be used in the Zone shall be deposited into the Tax Increment Fund. Prior to termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Texas Tax Code, for the Zone, to satisfy the claims of holders of tax increments bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the project plan and reinvestment zone financing plan and achieve their purposes pursuant to Section 311.010(b) of the Texas Tax Code.

Section 7. **Severability.** If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining provisions of this Ordinance or their application to other persons or set of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or regulations connected herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

Section 8. **Open Meetings.** It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding this

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meeting, as required by the Open Meetings Law, Texas Government Code, ch. 551, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof have been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 9. Emergency. There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction, therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval.

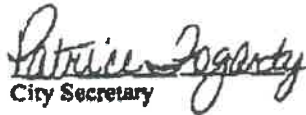
PASSED, APPROVED and ADOPTED on first and final reading this 2nd day of August, 1999.



Mayor

ATTEST:

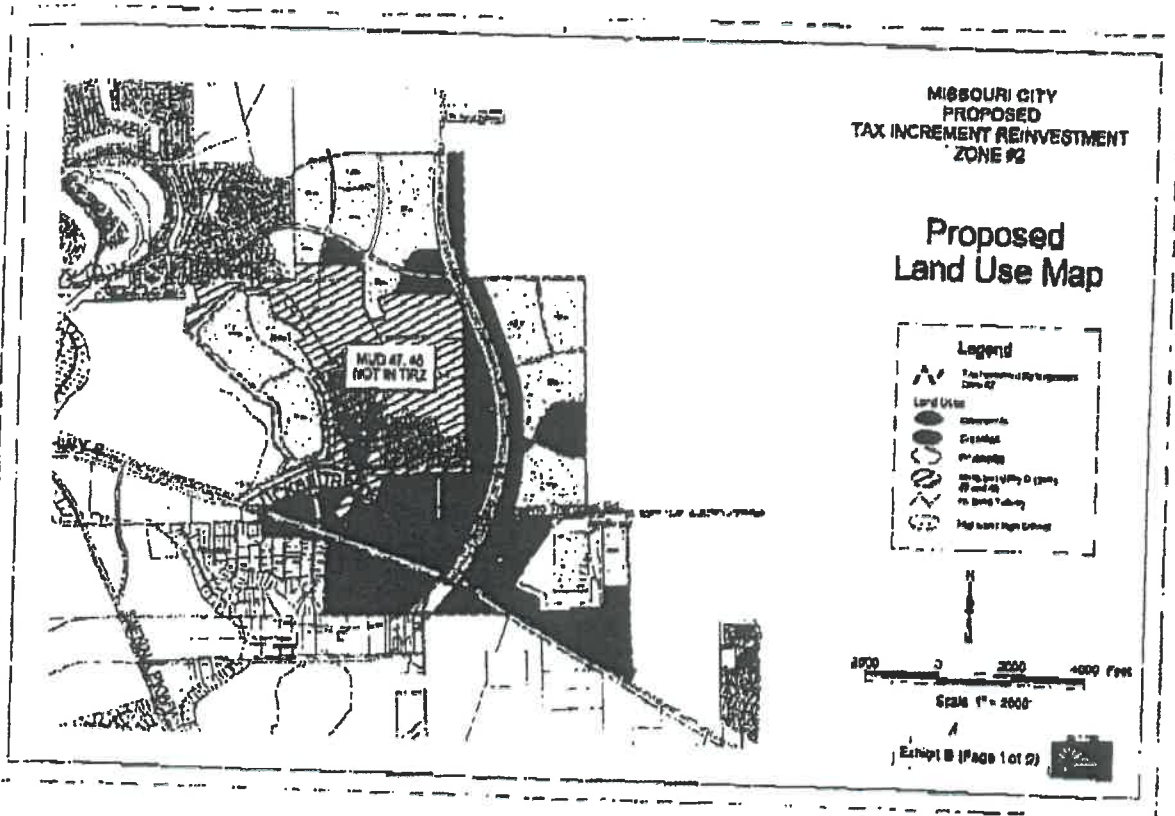
APPROVED AS TO FORM:

  
City Secretary  
City Attorney

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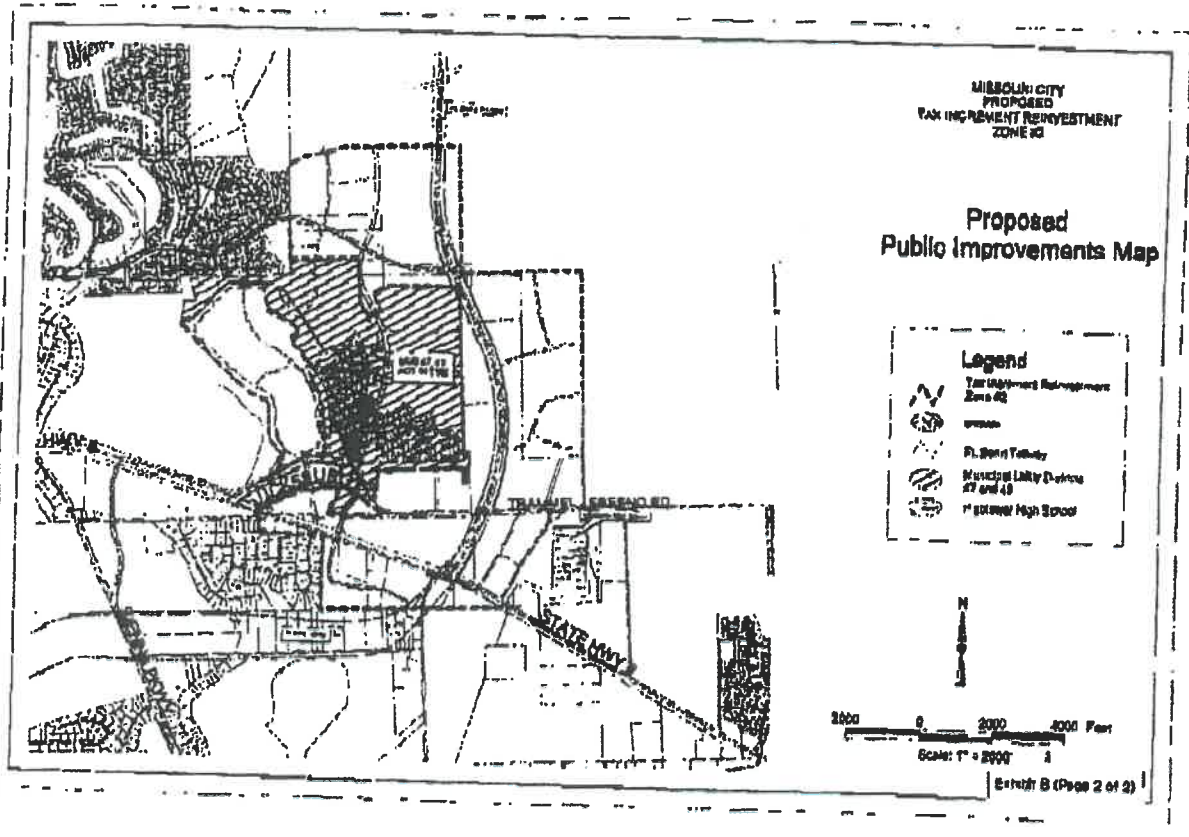


RECORDER'S MEMORANDUM  
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RECORDERS MEMORANDUM  
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**Mates and Bounds Description of City of Missouri City TIRZ No. 2**  
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**METES AND BOUNDS DESCRIPTION OF  
CITY OF MISSOURI CITY TIRZ NO. 2**

**AREA 1 OF 2: EASTERN PORTION OF TIRZ NO. 2**

Beginning at a point which is the southeast corner of the H. Shropshire Survey, Abstract 313, and the southwest corner of the Thomas Hobermaker Survey, Abstract 191, and lying in the north line of the Elijah Roark League, Abstract 77;

THENCE, in an easterly direction along the north line of the Elijah Roark League, Abstract 77, for a distance of approximately 3,070 feet to a point for corner, said point being the northeast corner of the City of Missouri City corporate limits, also being the northeast corner of a 79.2936 acre parcel, said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R38014 and FBCAD parcel account number 0077-00-000-0345-907 according to the FBCAD Tax Year 2000 Roll;

THENCE, in a southerly direction along the east line of the City of Missouri City corporate limits for a distance of approximately 6,420 feet to a point for corner, said point lying in the north right-of-way boundary of Trammel-Fresno Road, said point also being the southwest corner of a 80.43 acre parcel, said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R38017 and FBCAD parcel account number 0077-00-000-0395-907;

THENCE, in a westerly direction along the north right-of-way boundary of Trammel-Fresno Road and south line of said parcel account number 0077-00-000-0395-907 for a distance of approximately 920 feet to a point for corner, said point being directly north of the intersection of the south right-of-way line of Trammel-Fresno Road with the west right-of-way line of Hurricane Lane (formerly Summer Breeze Drive);

THENCE, directly south across Trammel-Fresno Road to a point in said west right-of-way line of Hurricane Lane;

THENCE, in a southwesterly direction for a distance of approximately 1950 feet along the west right-of-way line of Hurricane Lane, said west right-of-way line also being the southeast boundary of a 69.646 acre parcel, said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39306 and FBCAD parcel account number 0086-00-000-2130-907, to a point for corner, said point being directly opposite Hurricane Lane from the northwest corner of a 1.755 acre parcel, said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R212016 and FBCAD parcel account number 0086-00-000-1002-907;

THENCE, perpendicularly across Hurricane Lane to the northwest corner of said parcel account number 0086-00-000-1002-907;

THENCE, in a southeasterly direction for a distance of approximately 155.61 feet along the north boundary of said parcel account number 0086-00-000-1002-907 to the northeast

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corner of said parcel, said point also being the northwest corner of a 7.50 acre parcel, said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R149700 and FBCAD parcel account number 0086-86-010-0100-907;

THENCE, continuing in a southeasterly direction for a distance of approximately 610 feet along the north boundary of said parcel account number 0086-86-010-0100-907 to a point for corner, said point being the northeast corner of said parcel;

THENCE, in a southerly direction for a distance of approximately 320 feet along the eastern boundary of said parcel account number 0086-86-010-0100-907 to the southeast corner of said parcel, said point also being the northwest corner of a 78.534 acre parcel, said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R149655 and FBCAD parcel account number 0086-86-015-0400-907;

THENCE, in an easterly direction for a distance of approximately 1,690 feet along the north boundary of said parcel account number 0086-86-015-0400-907, passing at 1618.0 feet the southeast corner of the FBISD Hightower High School drainage and detention pond, to a point for corner, said point being where the boundary line of said parcel 0086-86-015-0400-907 turns northerly;

THENCE, in a northerly direction for a distance of approximately 560 feet along the western boundary of said parcel 0086-86-015-0400-907 to a point, said point being both the northernmost northwest corner of said parcel, and the southwest corner of a 31.818 acre parcel, said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R142852 and FBCAD parcel account number 0086-00-000-6005-907;

THENCE, continuing in a northerly direction for a distance of approximately 1,895.96 feet along the western boundary of said parcel account number 0086-00-000-6005-907 to a point for corner, said point being the northwest corner of said parcel and also being on the southern boundary of the Trammel-Fresno Road right-of-way;

THENCE, in an easterly direction for a distance of approximately 700 feet along the northern boundary of said parcel account number 0086-00-000-6005-907 and the southern boundary of the Trammel-Fresno Road right-of-way to a point for corner, said point being the northeast corner of said parcel and being the easternmost northeast corner of the City of Missouri City corporate limits;

THENCE, in a southerly direction for a distance of approximately 4,440 feet along the eastern boundary of the City of Missouri City corporate limits, said limits running for approximately the first 1,900 feet along the eastern boundary of said parcel account number 0086-00-000-6005-907 to that parcel's southeast corner, then continuing approximately 2,540 feet along the eastern boundary of said parcel 0086-86-015-0400-907 to a point for corner, said point being the southeast corner of parcel account number

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0086-86-015-0400-907, and also being a point in the northeast boundary of the State Highway 6 right-of-way;

THENCE, in a northwesterly direction for a distance of approximately 2,850 feet along the southern boundary of said parcel 0086-86-015-0400-907 and the northeast boundary of the State Highway 6 right-of-way to a point, said point being the southwest corner of said parcel and also being the southeast corner of a 3.326 acre parcel, said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R149701 and FBCAD parcel account number 0086-86-011-0010-907;

THENCE, continuing in a northwesterly direction for a distance of approximately 800 feet along the southern boundary of said parcel 0086-86-011-0010-907 and the northeast boundary of the State Highway 6 right-of-way to a point, said point being the southwest corner of said parcel;

THENCE, in a westerly direction across the State Highway 6 right-of-way for a distance of approximately 400 feet to a point, said point being the east corner of a 0.07 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R166812 and FBCAD parcel account number 0086-00-000-1102-907;

THENCE, in a westerly direction for a distance of approximately 130 feet along the southern boundary of said parcel account number 0086-00-000-1102-907 to a point, said point being the southwest corner of said parcel and also the southeast corner of a 12.04 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39300 and FBCAD parcel account number 0086-00-000-1800-907;

THENCE, in a westerly direction for a distance of approximately 1,090 feet along the southern boundary of said parcel account number 0086-00-000-1800-907 to a point, said point being the southwest corner of said parcel and also the southeast corner of a 13.4098 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39301 and FBCAD parcel account number 0086-00-000-1900-907;

THENCE, in a westerly direction for a distance of approximately 850 feet along the southern boundary of said parcel account number 0086-00-000-1900-907 to a point, said point being the southwest corner of said parcel and also lying in the eastern right-of-way boundary of Knight Road;

THENCE, in a westerly direction for a distance of approximately 60 feet across said Knight Road right-of-way to a point, said point being the southeast corner of a 21.251 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39392 and FBCAD parcel account number 0086-00-000-4300-907;

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THENCE, in a westerly direction for a distance of approximately 1,070 feet along the southern boundary of said parcel account number 0086-00-000-4300-907 to a point, said point being the southwest corner of said parcel and also the southeast corner of a 13.0 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39394 and FBCAD parcel account number 0086-00-000-4400-907;

THENCE, in a westerly direction for a distance of approximately 312.92 feet along the southern boundary of said parcel account number 0086-00-000-4400-907 to a point, said point being the southwest corner of said parcel and also the southeast corner of a 35.294 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R160599 and FBCAD parcel account number 0086-00-000-4606-907;

THENCE, in a westerly direction for a distance of approximately 1,286.39 feet along the southern boundary of said parcel account number 0086-00-000-4606-907 to a point for corner, said point being the southwest corner of said parcel;

THENCE, in a northerly direction for a distance of approximately 1,915.57 feet along the western boundary of said parcel account number 0086-00-000-4606-907 to a point for corner, said point being approximately 70 feet south of the northwest corner of said parcel and also 70 feet south of the southern right-of-way boundary of State Highway 6, said point also being the southeast corner of a 0.892 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39402 and FBCAD parcel account number 0086-00-000-4708-907;

THENCE, in a westerly direction for a distance of approximately 345.00 feet along the southern boundary of said parcel account number 0086-00-000-4708-907 to a point, said point being the southwest corner of said parcel and also lying in the eastern right-of-way boundary of Oakwick Forest Drive;

THENCE, in a westerly direction for a distance of approximately 30 feet to to a point for corner, said point lying in the center of the right-of-way of Oakwick Forest Drive;

THENCE, in a northerly direction for a distance of approximately 50 feet along the center of the right-of-way of Oakwick Forest Drive to a point for corner, said point lying approximately 30 feet in an easterly direction from the southeast corner of a 1.135 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39403 and FBCAD parcel account number 0086-00-000-4710-907;

THENCE, in a westerly direction for a distance of approximately 30 feet to to a point, said point being the southeast corner of said parcel account number 0086-00-000-4710-907;

THENCE, in a westerly direction for a distance of approximately 317.25 feet along the southern boundary of said parcel account number 0086-00-000-4710-907 to a point, said

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point being the southwest corner of said parcel and also the southeast corner of a 3.9567 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39401 and FBCAD parcel account number 0086-00-000-4705-907;

THENCE, in a westerly direction for a distance of approximately 609.46 feet along the southern boundary of said parcel account number 0086-00-000-4705-907 to a point, said point being the southwest corner of said parcel and also the southeast corner of a 3.5 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39400 and FBCAD parcel account number 0086-00-000-4702-907;

THENCE, in a westerly direction for a distance of approximately 411.98 feet along the southern boundary of said parcel account number 0086-00-000-4702-907 to a point for corner, said point being the southwest corner of said parcel;

THENCE, in a northerly direction for a distance of approximately 340 feet along the western boundary of said parcel account number 0086-00-000-4702-907 to a point for corner, said point being the northwest corner of said parcel and also lying in the southern right-of-way boundary of Trammel-Fresno Road and also being the northeast corner of a 1.0 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39468 and FBCAD parcel account number 0086-00-000-4775-907;

THENCE, in a westerly direction for a distance of approximately 131.40 feet along the northern boundary of said parcel account number 0086-00-000-4775-907 to a point, said point being the northwest corner of said parcel, said point also being the northeast corner of a 1.0 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39469 and FBCAD parcel account number 0086-00-000-4776-907;

THENCE, continuing in a westerly direction for a distance of approximately 135.47 feet along the northern boundary of said parcel account number 0086-00-000-4776-907 to a point, said point being the northwest corner of said parcel, said point also being the northeast corner of a 1.0 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39470 and FBCAD parcel account number 0086-00-000-4777-907;

THENCE, continuing in a westerly direction for a distance of approximately 139.78 feet along the northern boundary of said parcel account number 0086-00-000-4777-907 to a point, said point being the northwest corner of said parcel, said point also being the northeast corner of a 1.0 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39471 and FBCAD parcel account number 0086-00-000-4778-907;

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THENCE, continuing in a westerly direction for a distance of approximately 142.40 feet along the northern boundary of said parcel account number 0086-00-000-4778-907 to a point, said point being the northwest corner of said parcel, said point also being the northeast corner of a 1.0 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R39472 and FBCAD parcel account number 0086-00-000-4779-907;

THENCE, continuing in a westerly direction for a distance of approximately 40 feet along the northern boundary of said parcel account number 0086-00-000-4779-907 to a point for corner, said point being in the northern boundary of said parcel, said point also being in the southern right-of-way boundary of Trammel-Fresno Road and also being directly south of the southwest corner of a 2.474 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R38018 and FBCAD parcel account number 0077-00-000-0400-907;

THENCE, directly north for a distance of approximately 70 feet crossing the Trammel-Fresno Road right-of-way to a point, said point being in the northern boundary line of the Trammel-Fresno Road right-of-way and also being the southwest corner of said parcel account number 0077-00-000-0400-907;

THENCE, in a northerly direction for a distance of approximately 307.70 feet along the western boundary of said parcel account number 0077-00-000-0400-907 to a point for corner, said point being the northwest corner of said parcel being in the southern right-of-way boundary of State Highway 6;

THENCE, in a north, northeasterly direction for a distance of approximately 230 feet crossing the State Highway 6 right-of-way to a point for corner, said point being in the northern boundary line of the State Highway 6 right-of-way and also being the southwest corner of a 27.338 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R135429 and FBCAD parcel account number 0077-00-000-0331-907;

THENCE, in a northeasterly direction for a distance of approximately 2,460 feet along the northwestern and northern boundary of said parcel account number 0077-00-000-0331-907 to a point, said point being the northeast corner of said parcel account number 0077-00-000-0331-907 and also being the northwest corner of a 4.715 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R135432 and FBCAD parcel account number 0077-00-000-0332-907;

THENCE, in an easterly direction approximately 400 feet along the northern boundary of said parcel number 0077-00-000-0332-907 to a point for corner, said point being the northeast corner of said parcel number 0077-00-000-0332-907, said point also being in the western right-of-way boundary of Hillcroft Avenue;

THENCE, in a south, southwesterly direction for a distance of approximately 570 feet along the eastern boundary of said parcel number 0077-00-000-0332-907, and along the

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western right-of-way boundary of Hillcroft Avenue, to a point for corner, said point being the southeast corner of said parcel number 0077-00-000-0332-907, said point also being the northwest intersection of the western right-of-way boundary of Hillcroft Avenue with the northern right-of-way boundary of Vicksburg Drive;

THENCE, in a west, northwesterly direction for a distance of approximately 400 feet along the southern boundary of said parcel number 0077-00-000-0332-907, and along the northern right-of-way boundary of Vicksburg Drive, to a point for corner, said point being the southwest corner of said parcel number 0077-00-000-0332-907, said point also being the southeast corner of said parcel account number 0077-00-000-0331-907, said point also being in the northern right-of-way boundary of Vicksburg Drive;

THENCE, in a south, southwesterly direction for a distance of approximately 101.03 feet crossing the Vicksburg Drive right-of-way to a point, said point being in the southern right-of-way boundary of Vicksburg Drive, said point also being the northeast corner of a 22.772 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R135430 and FBCAD parcel account number 0077-00-000-0333-907, said point also being the northwest corner of a 7.203 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R135434 and FBCAD parcel account number 0077-00-000-0334-907;

THENCE, in a south, southwesterly direction for a distance of approximately 840 feet along the eastern boundary of said parcel account number 0077-00-000-0333-907, said eastern boundary also being the western boundary of said parcel account number 0077-00-000-0334-907, to a point for corner, said point being the southeast corner of said parcel account number 0077-00-000-0333-907, and also being the southwest corner of said parcel account number 0077-00-000-0334-907, said point also being in the northern boundary line of a 1.615 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R165973 and FBCAD parcel account number 0077-00-000-9005-907, said parcel account number 0077-00-000-9005-907 being a portion of the abandoned right-of-way of Trammel-Fresno Road;

THENCE, in an easterly direction for a distance of approximately 575.61 feet along the northern boundary line of said parcel account number 0077-00-000-9005-907 to a point, said point being the northeast corner of said parcel account number 0077-00-000-9005-907, and also being in the western right-of-way boundary of Hillcroft Avenue;

THENCE, in an easterly direction for a distance of approximately 115 feet crossing the Hillcroft Avenue right-of-way to a point for corner, said point being the southwest corner of a 7.255 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R38001 and FBCAD parcel 0077-00-000-0303-907, said point also being in the eastern right-of-way boundary of Hillcroft Avenue;

THENCE, in a north-northeasterly direction for a distance of approximately 590 feet along the western boundary of said parcel account number 0077-00-000-0303-907 and eastern right-of-way boundary of Hillcroft Avenue to a point for corner, said point being

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the northwest corner of said parcel and also being the southwest corner of the intersection of the Hillcroft Avenue and Vicksburg Drive rights-of-way;

THENCE, in a southeasterly direction for a distance of approximately 552.37 feet along the northeast boundary of said parcel account number 0077-00-000-0303-907 and southern right-of-way boundary of Vicksburg Drive to a point for corner, said point being a distance of 100 feet directly across Vicksburg Drive right-of-way in a perpendicular direction from the southwest corner of a 63.369 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R141435 and FBCAD parcel account number 0077-00-000-0341-907;

THENCE, in a northeasterly direction for a distance of 100 feet, crossing the Vicksburg Drive right-of-way, to a point, said point being the southwest corner of said parcel account number 0077-00-000-0341-907, said point also being in the northern right-of-way boundary of Vicksburg Drive;

THENCE, in a northeasterly then northerly direction for a distance of approximately 938.05 feet along the western boundary of said parcel account number 0077-00-000-0341-907 to a point for corner, said point being the northwest corner of said parcel, said point also being in the southern boundary of a 9.282 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R38003 and FBCAD parcel account number 0077-00-000-0306-907 which contains a portion of the 190 foot wide drainage easement owned by Fort Bend MUD No. 48 which borders the south side of Vicksburg Village of Shiloh subdivision;

THENCE, in an easterly direction for a distance of approximately 2,140 feet along the northern boundary of said parcel account number 0077-00-000-0341-907 to a point, said point being the northeast corner of said parcel and also the northwest corner of a 1.836 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R38004 and FBCAD parcel account number 0077-00-000-0307-907;

THENCE, in an easterly direction for a distance of approximately 200.0 feet along the northern boundary of said parcel account number 0077-00-000-0307-907 to a point, said point being the northeast corner of said parcel and also the southeast corner of a 19.7056 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R141437 and FBCAD parcel account number 0077-00-000-0391-907 and containing a portion of the 190 and 150 foot wide drainage easement owned by Fort Bend MUD No. 48 which borders the south and east sides of Vicksburg Village of Shiloh subdivision;

THENCE, in a northerly direction for a distance of approximately 4,904.28 feet along the eastern boundary of said parcel number 0077-00-000-0391-907 to a point, said point being the northwest corner of a 171.0904 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R38015 and FBCAD parcel account number 0077-00-000-0360-907, and said point also being the

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southwest corner of a 79.2936 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R38014 and FBCAD parcel account number 0077-00-000-0345-907;

THENCE, in a northerly direction for a distance of approximately 800 feet along the eastern boundary of said parcel number 0077-00-000-0391-907 to a point for corner, said point being the northeast corner of said parcel;

THENCE, in a westerly direction for a distance of approximately 150.00 feet along the northern boundary of said parcel number 0077-00-000-0391-907 to a point, said point being the northwest corner of said parcel and also being the northeast corner of a 59.7267 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R38009 and FBCAD parcel account number 0077-00-000-0315-907;

THENCE, in a westerly direction for a distance of approximately 1,900.00 feet along the northern boundary of said parcel number 0077-00-000-0315-907 to a point;

THENCE, in a west-southwesterly direction for a distance of approximately 478.90 feet further along the northern boundary of said parcel number 0077-00-000-0315-907 to a point for corner, said point being the northernmost northwest corner of said parcel and also being the inner southeast corner of a 16.237 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R38012 and FBCAD parcel account number 0077-00-000-0330-907;

THENCE, in a southeasterly direction for a distance of approximately 477.45 feet along the eastern boundary of said parcel number 0077-00-000-0330-907 to a point for corner, said point being the southeast corner of said parcel;

THENCE, in a southwesterly direction for a distance of approximately 400 feet along the southern boundary of said parcel number 0077-00-000-0330-907 to a point for corner, said point being the southwest corner of said parcel;

THENCE, curving in a north-northwesterly direction for a distance of approximately 1,220 feet along the western boundary of said parcel number 0077-00-000-0330-907 to a point, said point being the northwest corner of said parcel and also being the southeast corner of a 18.342 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R45843 and FBCAD parcel account number 0313-00-000-0115-907;

THENCE, in a northerly direction for a distance of approximately 490 feet along the eastern boundary of said parcel number 0313-00-000-0115-907 to a point for corner, said point being the northeast corner of said parcel and also being the southeast corner of a 1.547 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R122946 and FBCAD parcel account number 0313-00-000-0116-907;

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THENCE, in a westerly direction for a distance of approximately 1,647.43 feet along the northern boundary of said parcel number 0313-00-000-0115-907, and along the southern boundary of said parcel number 0313-00-000-0116-907, to a point for corner, said point being the northwest corner of said parcel number 0313-00-000-0115-907 and also being on the east boundary of the segment of the Mustang Bayou Diversion drainage easement which is located in a 521.438 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R45836 and FBCAD parcel account number 0313-00-000-0100-907;

THENCE, in a southerly direction for a distance of approximately 465 feet along the western boundary of said parcel number 0313-00-000-0115-907 to a point for corner, said point being the southwest corner of said parcel 0313-00-000-0115-907 and also being on the north boundary of the Senior Road right-of-way and also being on the south boundary of said parcel 0313-00-000-0100-907;

THENCE, in a westerly direction for a distance of approximately 100 feet along the southern boundary of said parcel number 0313-00-000-0100-907 and along the northern boundary of the Senior Road right-of-way, crossing the Mustang Bayou Diversion drainage easement to a point for corner, said point being the southwest corner of said parcel and also being the southwest corner of the H. Shropshire Survey, Abstract 313, and the southeast corner of the David Bright League, Abstract 13, and lying in the north line of the Elijah Roark League, Abstract 77;

THENCE, in a northerly direction for a distance of approximately 1,449.95 feet along the western boundary of said parcel number 0313-00-000-0100-907, said boundary also being the mutual boundary between the H. Shropshire Survey and the David Bright League for said distance, to a point in the center of the right-of-way of Lake Olympia Parkway;

THENCE, continuing in a northerly direction for a distance of approximately 5,474 feet along the western boundary of said parcel number 0313-00-000-0100-907, said boundary also being the mutual boundary between the H. Shropshire Survey and the David Bright League for said distance, to a point for corner, said point being the northwest corner of said parcel number 0313-00-000-0100-907, said point also being in the boundary line of the City of Missouri city limits, said point also being the southwest corner of the City of Houston city limits in this area;

THENCE, in an easterly direction for a distance of approximately 4,615 feet along the mutual northern boundary line of the City of Missouri city limits and southern boundary line of the City of Houston city limits to a point for corner, said point being the northeast corner of said parcel number 0313-00-000-0100-907, said point also being the northeast corner of the City of Missouri city limits in this area, said point also being the southeast corner of the City of Houston city limits in this area;

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THENCE, in a southerly direction along the eastern boundary of the City of Missouri City city limit line, also being the mutual boundary between the H. Shropshire Survey and the Thomas Hobermaker Survey, also being the eastern boundary line of said parcel number 0311-00-000-0100-907 for a distance of approximately 6,660 feet to a point, said point being the northeast corner of a 0.138 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R45841 and FBCAD parcel account number 0313-00-000-0105-907;

THENCE, continuing in a southerly direction along the eastern boundary of the City of Missouri City city limit line, also being the mutual boundary between the H. Shropshire Survey and the Thomas Hobermaker Survey, for a distance of approximately 300 feet to the POINT OF BEGINNING, and containing a subtotal of approximately 2,067.6023 acres, save and except the following three parcels.

**SAVE AND EXCEPT PARCELS NOT INCLUDED IN THE  
EASTERN PORTION OF TIRZ NO. 2**

The following three parcels are not included in the western portion of TIRZ No. 2 described above:

A 64.837 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R235417 and FBCAD parcel account number 0313-00-000-0107-907;

A 30.542 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R235418 and FBCAD parcel account number 0313-00-000-0108-907;

A 85.991 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R231826 and FBCAD parcel account number 0313-00-000-0113-907;

**AREA 2 OF 2: WESTERN PORTION OF TIRZ NO. 2**

Beginning at a point which is the northernmost-northeast corner of a 211.7247 acre parcel said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R37998 and FBCAD parcel account number 0077-00-000-0300-907;

THENCE, in a southerly, then southeasterly direction for a distance of approximately 1,480 feet along the northeast boundary of said parcel number 0077-00-000-0300-907, said line also being the southwest boundary of a 10.36 acre parcel, said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R122281 and FBCAD parcel account number 0077-00-000-0318-907, to a point for

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corner, said point being the southernmost corner of said parcel number 0077-00-000-0318-907;

THENCE, in a northeasterly direction for a distance of approximately 342.43 feet along the southeast boundary of said parcel number 0077-00-000-0318-907, also being a portion of the northeast boundary of said parcel number 0077-00-000-0300-907, to a point for corner, said point being the southeast corner of said parcel number 0077-00-000-0318-907;

THENCE, in a southeasterly direction for a distance of approximately 70 feet along a portion of the northeast boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a southwesterly direction for a distance of approximately 270 feet along a portion of the northeast boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a southeasterly direction for a distance of approximately 340.0 feet along a portion of the northeast boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a southerly direction for a distance of approximately 103.36 feet along a portion of the northeast boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a southwesterly direction for a distance of approximately 172.26 feet along a portion of the northeast boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a southeasterly direction for a distance of approximately 955.97 feet along a portion of the northeast boundary of said parcel number 0077-00-000-0300-907 to a point, said point also being the westernmost northwest corner of Vicksburg Village of Cumberland subdivision, and also being the northeast corner of a 6.184 acre parcel, said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R126051 and FBCAD parcel account number 0077-00-000-0324-907;

THENCE, in a south-southeasterly, then southerly direction for a distance of approximately 1,610 feet along the eastern boundary of said parcel number 0077-00-000-0324-907, also being the western boundary of Vicksburg Village of Cumberland subdivision, to a point, said point being the southeast corner of said parcel number 0077-00-000-0324-907, said corner also being the northeast corner of a 1.596 acre parcel, said parcel having Fort Bend Central Appraisal District (FBCAD) unique parcel identification number R141436 and FBCAD parcel account number 0077-00-000-0342-907;

THENCE, in a southerly direction for a distance of approximately 670 feet along the eastern boundary of said parcel number 0077-00-000-0342-907, also being the western

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boundary of Vicksburg Village of Cumberland subdivision, to a point for corner, said point being the southeast corner of said parcel number 0077-00-000-0342-907;

THENCE, in a northwesterly direction for a distance of approximately 241.91 feet along the southern boundary of said parcel number 0077-00-000-0342-907 to a point for corner, said point being the southwest corner of said parcel number 0077-00-000-0342-907 and also being in the southeast boundary of said parcel number 0077-00-000-0300-907;

THENCE, in a west-southwesterly direction for a distance of approximately 1,556.15 feet along the southern boundary of said parcel number 0077-00-000-0300-907 to a point for corner, said point being the southwest corner of said parcel number 0077-00-000-0300-907;

THENCE, in a northeasterly direction for a distance of approximately 260.24 feet along the western boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a north-northwesterly direction for a distance of approximately 497.00 feet along the western boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a north-northeasterly direction for a distance of approximately 635.62 feet along the western boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a northwesterly direction for a distance of approximately 494.84 feet along the southwestern boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a more north-northwesterly direction for a distance of approximately 783.89 feet along the southwestern boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a west-northwesterly direction for a distance of approximately 583.65 feet along the southwestern boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a northwesterly direction for a distance of approximately 578.18 feet along the southwestern boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a north-northwesterly direction for a distance of approximately 416.76 feet along the southwestern boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

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THENCE, in a more north-northwesterly direction for a distance of approximately 716.18 feet along the southwestern boundary of said parcel number 0077-00-000-0300-907 to a point for corner, said point being the westernmost point of said parcel;

THENCE, in a north and slightly northeasterly direction for a distance of approximately 117.45 feet along the western boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a northeasterly direction for a distance of approximately 227.43 feet along the northwestern boundary of said parcel number 0077-00-000-0300-907 to a point for corner;

THENCE, in a more northern northeasterly direction for a distance of approximately 1,212.08 feet along the northwestern boundary of said parcel number 0077-00-000-0300-907 to a point for corner, said point being the northernmost northwest corner of said parcel;

THENCE, in an easterly direction for a distance of approximately 990.81 feet along the northern boundary of said parcel number 0077-00-000-0300-907 to the POINT OF BEGINNING, and containing a total of approximately 219.5047 acres.