

## ORDINANCE NO. O-2022-013

AN ORDINANCE INCLUDING THE HEREINAFTER DESCRIBED TERRITORY TO THE EXTRATERRITORIAL JURISDICTION OF CITY OF MAGNOLIA TEXAS, MONTGOMERY COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID EXTRATERRITORIAL JURISDICTION SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY THAT MAY APPLY WITHIN THE EXTRATERRITORIAL JURISDICTION.

**WHEREAS**, §42.022 of the Texas Local Government Code, authorizes the expansion of extraterritorial jurisdiction of an incorporated city, subject to the laws of this state; and

**WHEREAS**, the City of Magnolia, Texas, Montgomery County received a proper petition Requesting Expansion and Extension of Extraterritorial Jurisdiction by MAGNOLIA ESCONDIDO, LLC, ("Petition") to request land to be added to the City of Magnolia Extraterritorial Jurisdiction; and

**WHEREAS**, the City Council of the City of Magnolia, Texas by adopting this Ordinance has approved and accepted the said Petition; and

**WHEREAS**, the procedures prescribed by the Texas Local Government Code, and the laws of this state have been duly followed with respect to the following described territory, to wit:

Being 151.741 acres of land located in the J. Pierpont Survey, Abstract No. 426 Montgomery County, Texas, being all of that certain called 4.907 acre tract described in the deed to Magnolia Escondido LLC by an instrument of record under Document Number 2021151664, M.C.O.P.R., all of that certain called 7.499 acre tract described in the deed to Magnolia Escondido LLC by an instrument of record under Document Number 2021172380, M.C.O.P.R., all of that certain called 7.494 acre tract described in the deed to Magnolia Escondido LLC by an instrument of record under Document Number 2021172379, M.C.O.P.R., and all of that certain called 131.841 acre tract described in the deed to Magnolia Escondido LLC by an instrument of record under Document Number 2021005404, M.C.O.P.R., said 151.741 acre tract being more particularly described by metes and bounds as follows (all bearings of 4.907 acre tract, 7.499 acre tract, 7.494 acre tract, and 131.841 acre tract are referenced to the record bearings of their respective recorded deeds):  
AND

Being a tract containing 13.53 acres of land situated in the W. Hillhouse Survey, Abstract No. 260 and the J. Pierpont Survey, Abstract No. 426, in Montgomery County, Texas. Said 13.23 acres being a portion of a call

148.435 acre tract of land recorded in the name of Magnolia Escondido, LLC under Montgomery County Clerk's File (M.C.C.F.) No. 2018120024. Said 13.53 acres being more particularly described by metes and bounds as follows (bearings are referenced to the Texas Coordinate System of 1983, Central Zone, based on GPS observations):

AND all tracts more particularly described by metes and bounds in the Exhibit A of the attached Petition Requesting Expansion and Extension of Extraterritorial Jurisdiction.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:**

**Section 1.** Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted as findings of fact by the City Council and made a part hereof for all purposes.

**Section 2.** That the heretofore described property is hereby included in the extraterritorial jurisdiction of the City of Magnolia, Montgomery County, Texas, and that the boundary limits of the extraterritorial jurisdiction of the City of Magnolia be and the same are hereby extended to include the above described territory, and the same shall hereafter be included within the extraterritorial jurisdiction of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the extraterritorial jurisdiction of the city of Magnolia and they shall be bound by the acts, ordinances, resolutions, and regulations of said city that may apply within the extraterritorial jurisdiction.

**Section 3.** The City Secretary is hereby directed to file with the County Clerk of Montgomery County, Texas, a certified copy of this ordinance and the attached Petition Requesting Expansion and Extension of Extraterritorial Jurisdiction.

**Section 4.** Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

**Section 5.** Compliance Clause and Effective Date. The City Council finds, determines and declares that a sufficient written notice was posted, and this Ordinance was passed in accordance with the Open Meetings Act. The Effective date of this Ordinance is the date signed by the Mayor and placed in the office of the City Secretary; at which time this Ordinance takes effect.

PASSED AND APPROVED by an affirmative vote of all members of the City Council of Magnolia, this the 10<sup>th</sup> day of May, 2022.



THE CITY OF MAGNOLIA

  
\_\_\_\_\_  
Mayor Todd Kana

ATTEST:

  
\_\_\_\_\_  
Kandice Garrett, City Secretary

Received & filed  
in the office of the

MAY 16 2022

PETITION REQUESTING EXPANSION AND EXTENSION  
OF EXTRATERRITORIAL JURISDICTION

City Secretary  
City of Magnolia, Texas

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF MAGNOLIA,  
TEXAS:

MAGNOLIA ESCONDIDO, LLC, a Texas limited liability company (the "Petitioner"), the owner of the property described in the exhibit attached hereto as Exhibit A and incorporated herein for all purposes (the "Property"), and acting pursuant to the provisions of Chapter 42 of the Texas Local Government Code, particularly Section 42.022, as amended, hereby petitions the Mayor and City Council of the City of Magnolia, Texas (the "City"), to expand the City's extraterritorial jurisdiction to include the Property, and would show the following:

I.

The Petitioner is the owner of title to all of the land within the Property, as shown by the tax rolls of Montgomery County, Texas, and there are no other owners, lienholders, or claimants to any legal or equitable interests in or to the Property, except International Bank of Commerce, a Texas state bank, as lienholder.

II.

The Property is neither within the limits of any incorporated city, town, or village, nor within the extraterritorial jurisdiction (as such term is defined in Chapter 42 of the Texas Local Government Code) of any city, town, or village. The Property is or will be contiguous to the existing extraterritorial jurisdiction of the City.

III.

This petition and request is made pursuant to Section 42.022, Texas Local Government Code.

IV.

Whereas the Texas Legislature declared in Section 42.001, Texas Local Government Code, it to be the policy of the state to designate certain areas as the extraterritorial jurisdiction of municipalities to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities.

V.

The Petitioner believes that it will be in the best interests of the Petitioner and the

City, and will benefit the Property and the City, if the City extends and expands its extraterritorial jurisdiction to include all of the Property.

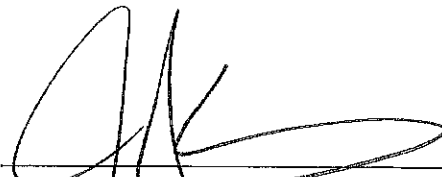
VI.

WHEREFORE, the Petitioner prays that this petition be granted; that the Property be added to and included within the extraterritorial jurisdiction of the City; and that this petition, if granted, be filed for record and be recorded in the Official Public Records of Montgomery County, Texas.

[EXECUTION PAGE FOLLOWS]

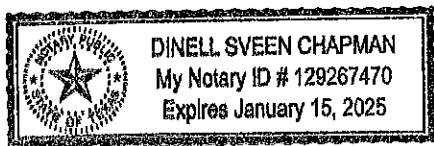
RESPECTFULLY EXECUTED this 19 day of April 2022,  
2022.


MAGNOLIA ESCONDIDO, LLC,  
a Texas limited liability company

By:   
James Alan Kent, Operating Manager

THE STATE OF TEXAS           §  
  §  
COUNTY OF Harris       §

This instrument was acknowledged before me on April 15<sup>th</sup>,  
2022, by James Alan Kent, Operating Manager of MAGNOLIA ESCONDIDO, LLC, a  
Texas limited liability company, on behalf of said limited liability company.



  
Notary Public, State of Texas

(NOTARY SEAL)

Attachment: Exhibit A – Metes and Bounds Description of the Property

After recording, return to Montgomery County Municipal Utility District No. 174, c/o  
Faye Simonds, Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite  
2600, Houston, Texas 77027.

## EXHIBIT A

March 11, 2022  
Job No. LJAS001-2936-0000

### DESCRIPTION OF 151.741 ACRES MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 174

Being 151.741 acres of land located in the J. Pierpont Survey, Abstract No. 426 Montgomery County, Texas, being all of that certain called 4.907 acre tract described in the deed to Magnolia Escondido LLC by an instrument of record under Document Number 2021151664, M.C.O.P.R., all of that certain called 7.499 acre tract described in the deed to Magnolia Escondido LLC by an instrument of record under Document Number 2021172380, M.C.O.P.R., all of that certain called 7.494 acre tract described in the deed to Magnolia Escondido LLC by an instrument of record under Document Number 2021172379, M.C.O.P.R., and all of that certain called 131.841 acre tract described in the deed to Magnolia Escondido LLC by an instrument of record under Document Number 2021005404, M.C.O.P.R., said 151.741 acre tract being more particularly described by metes and bounds as follows (all bearings of 4.907 acre tract, 7.499 acre tract, 7.494 acre tract, and 131.841 acre tract are referenced to the record bearings of their respective recorded deeds):

#### **ANNEXATION TRACT 1 – 4.907 ACRES**

"Being a tract or parcel containing 4.907 acres of land situated in the James Pierpont Survey Abstract Number 426, Montgomery County, Texas, being that same called 4.906 acre tract of record under Montgomery County Clerk's File Number (M.C.C.F. No.) 2000-034571, said 4.907 acre tract being more particularly described as follows with all bearings referenced to said 4.906 acre tract:

Beginning at the common southeast corner to said 4.906 acre tract, the herein described tract, the northeast corner to that certain called 7.500 acre tract of record under M.C.C.F. No. 2000-012802, in the centerline of Sandra Dee Lane (60 feet roadway easement);

Thence, South 89°58'29" West, at 30.00 feet passing an iron rod found in the west line of said Sandra Dee Lane, at 657.50 feet passing the common northwest corner to said 7.500 acre tract and the northeast corner to that certain called 7.505 acre tract of record under M.C.C.F. No.

2000-012801, at 876.94 feet passing an iron pipe found, in all a distance of 936.55 feet to an iron rod found for the southwest corner to said 4.906 acre tract, the herein described tract, in the centerline of a creek, in the easterly line of the remainder of that certain called 215 acre tract of record in Volume 1082, Page 273 of the Montgomery County Deed Records, Montgomery County, Texas;

Thence, along the centerline of said creek the following courses, North 50°08'48" East, 124.95 feet to a point for corner;

North 68°24'02" East, 22.54 feet to a point for corner; South 48°18'46" East, 14.40 feet to a point for corner, North 80°50'32" East, 23.54 feet to a point for corner; North 54°40'27" East, 108.73 feet to a point for corner; South 81°31'18" East, 15.07 feet to a point for corner, North 63°47'05" East, 68.07 feet to a point for corner; North 11°56'56" East, 43.01 feet to a point for corner,

North 41°53'02" East, 118.97 feet to the northwest corner to said 4.906 acre tract and the herein described tract;

Thence, South 89°55'47" East, continuing along said easterly line, at 8.20 feet passing an iron rod found, at 499.83 feet passing an iron rod set in the west line of said Sandra Dee Land, in all a distance of 529.84 feet to the northeast corner to said 4.906 acre tract, the herein described tract, in the centerline of said Sandra Dee Land,

Thence, South 00°32'03" East, along said centerline, 302.86 feet to the Point Of Beginning and containing 7.499acre of land."

#### **ANNEXATION TRACT 2 – 7.499 ACRES**

"Being a tract containing 7.499 acres of land located in the J. Pierpont Survey, A-426, in Montgomery County, Texas. Said 7.499 acres being a call 7.505 acre tract of land recorded in the name of Rondle L. Hartley and Pat A. Hartley under Montgomery County Clerk's File

(M.C.C.F.) No. 2000012801. Said 7.499 acres being more particularly described by metes and bounds as follows (bearings are referenced to the Texas Coordinate System of 1983, Central Zone, based on GPS observations):

BEGINNING at a 1/2 inch iron rod found at the northwest corner of said 7.505 acres and being a re-entrant corner on the easterly line of a call 134.670 acre tract of land recorded in the name of Magnolia Escondido, LLC under M.C.C.F. No. 2019108696,

THENCE, with the north line of said 7.505 acres, a southerly line of said 134.670 acres and the south line of a call 4.907 acre tract of land recorded in the name of Rondle Lee Hartley, II and Elaina Renee Hartley under M.C.C.F. No. 2006034494, North 87 degrees 16 minutes 27 seconds East, a distance of 657.95 feet to a 5/8 inch capped iron rod stamped "GBI Partners" set at the northeast corner of said 7.505 acres and northwest corner of a call 7.500 acre tract of land recorded in the name of Edmond R Shanks and Amanda D. Shanks under M.C.C.F. No. 2000012802;

THENCE, with the common line between said 7.505 acres and said 7.500 acres, South 03 degrees 13 minutes 37 seconds East, a distance of 496.57 feet to a 5/8 inch capped iron rod stamped "GBI Partners" set at the southeast corner of said 7.505 acres, the southwest corner of said 7.500 acres and being on the lower north line of a call 148.435 acre tract of land recorded in the name of Magnolia Escondido, LLC under M.C.C.F. No. 2018120024, from which a found 1/2 inch iron rod at the southeast corner of said 7.500 acres bears North 87 degrees 16 minutes 27 seconds East, 657.50 feet;

THENCE, with the south line of said 7.505 acres and said lower north line, South 87 degrees 16 minutes 27 seconds West, a distance of 657.82 feet to a 5/8 inch iron rod found at the southwest corner of said 7.505 acres, the lower northwest corner of said 148.435 acres and being on the east line of aforesaid 134.670 acres, from which a found 1 inch iron pipe (bent) at the lower southeast corner of said 134.670 acres bears South 03 degrees 15 minutes 53 seconds East, 454.86 feet;

THENCE, with the west line of said 7.505 acres and lower east line of said 134.670 acres, North 03 degrees 14 minutes 33 seconds West, a distance of 496.57 feet to the POINT OF BEGINNING and containing 7.499 acres of land, more or less."

#### **ANNEXATION TRACT 3 – 7.494 ACRES**

"Being a tract containing 7.494 acres of land located in the J. Pierpont Survey, A-426, in Montgomery County, Texas. Said 7.494 acres being a call 7.500 acre tract of land recorded in the name of Edmond R. Shanks and Amanda D. Shanks under Montgomery County Clerk's File (M.C.C.F.) No. 2000012802. Said 7.494 acres being more particularly described by metes and bounds as follows (bearings are referenced to the Texas Coordinate System of 1983, Central Zone, based on GPS observations):

BEGINNING at a 5/8 inch capped iron rod stamped "GBI Partners" set at the northeast corner of said 7.500 acres, the southeast corner of a call 4.907 acre tract of land recorded in the name of Rondle Lee Hartley, II and Elaina Renee Hartley under M.C.C.F. No. 2006034494, the southwest corner of a call 3.0455 acre tract of land recorded in the name of Magnolia Castland, Inc. under M.C.C.F. No. 99019783, the upper northwest corner of a call 148.435 acre tract of land recorded in the name of Magnolia Escondido, LLC under M.C.C.F. No. 2018120024, being at the centerline of Sandra Dee Lane, a 60 foot wide road easement, from which a found 1/2 inch iron rod at the upper northeast corner of said 148.435 acres and southeast corner of said 3.0455 acres bears North 87 degrees 14 minutes 28 seconds East, 437.37 feet, and a found nail at the northeast corner of said 4.907 acres bears North 03 degrees 11 minutes 55 seconds West, 303.33 feet;

THENCE, with the common lines between said 7.500 acres and said 148.435 acres, the following two (2) courses:

- 1.) South 03 degrees 14 minutes 39 seconds East, a distance of 496.57 feet to a

1/2 inch iron rod found at the southeast corner of said 7.500 acres;

- 2.) South 87 degrees 16 minutes 27 seconds West, a distance of 657.50 feet to a 5/8 inch capped iron rod stamped "GBI Partners" set at the southwest corner of said 7.500 acres and southeast corner of a call 7.505 acre tract of land recorded in the name of Rondle L. Hartley and Pat A. Hartley under M.C.C.F. No. 2000012801, from which a found 5/8 inch iron rod at the southwest corner of said 7.505 acres and lower northwest corner of aforesaid 148.435 acres bears South 87 degrees 16 minutes 27 seconds West, 657.82 feet;

THENCE, with the common line between said 7.500 and 7.505 acres, North 03 degrees 13 minutes 37 seconds West, a distance of 496.57 feet to a 5/8 inch capped iron rod stamped "GBI Partners" set at the northwest corner of said 7.500 acres, the northeast corner of said 7.505 acres and being on the south line of aforesaid 4.907 acres, from which a found 1/2 inch iron rod at the northwest corner of said 7.505 acres bears South 87 degrees 16 minutes 27 seconds West, 657.95 feet,

THENCE, with the north line of said 7.500 acres and south line of said 4.907 acres, North 87 degrees 16 minutes 27 seconds East, a distance of 657.35 feet to the POINT OF BEGINNING and containing 7.494 acres of land, more or less."

#### **ANNEXATION TRACT 4 – 131.841 ACRES**

"Being a 131.841 acre tract of land situated in the James Pierpoint Survey, Abstract Number 426, of Montgomery County, Texas, and being the residual of a called 190.245 acres as described in the deed recorded in Clerk's File Number 2003099058 of the Real Property Records of Montgomery County, Texas; said 131.841 acres being more particularly described as follows with all bearings based on the North line of the 190.245 acres per the recorded deed;

BEGINNING at a 5/8 inch iron rod, found for the Northwest corner of the herein described tract, common with the Northwest corner of the 190.245 acres an interior corner of a called 585.0022 acres as described in deed recorded in Clerk's File Number 2014013576 of said Real

Property Records, same being in a North line of the James Pierpoint Survey and the South line of the James M. Hamm Survey, Abstract Number 263, and proceeding;

THENCE N 89° 38' 50" E, along the north line of the herein described tract, common with the North line of the 190.245 acres, an interior line of the 585.0022 acres, a North line of the James Pierpoint Survey and the South line of the James M. Hamm Survey, a distance of 39.68 feet, to a 3/4 inch iron rod, found for corner;

THENCE N 89° 39' 48" E, continuing along the North line of the herein described tract, common with the North line of the 190.245 acres, an interior line of the 585.0022 acres, a North line of the James Pierpoint Survey and the South line of the James M. Hamm Survey, a distance of 1,596.73 feet, to a 1 1/2 inch iron pipe, found for corner, common with a Southeast corner of the 585.0022 acres and the Southwest corner of a called 102.058 acres as described in deed recorded in Clerk's File Number 2016087091 of said Real Property Records;

THENCE N 89° 46' 02" E, continuing along the North line of the herein described tract, common with the North line of the 190.245 acres, the South line of said 102.058 acres, a North line of the James Pierpoint Survey and the South line of the James M. Hamm Survey, a distance of 1,489.55 feet, to a point for the upper Northeast corner of the herein described tract, common with the Northwest corner of a called 4.48 acres as described in deed recorded in Clerk's File Number 200326186 of said Real Property Records, same being in the centerline of a creek;

Thence along an interior line of the herein described tract, common with the West line of the 4.48 acres and the centerline of said creek, the following bearings and distances:

S 14° 05' 32" W, a distance of 92.50 feet;

N 89° 51' 32" E, a distance of 30.50 feet;

S 18° 10' 32" W, a distance of 204.38 feet;

S 89° 51' 32" W, a distance of 51.95 feet;

S 07° 34' 28" E, a distance of 58.00 feet;

S 44° 09' 32" W, a distance of 87.80 feet;

S 05° 17' 32" W, a distance of 53.56 feet, to a point for an interior corner of the herein described tract, common with the Southwest corner of the 4.48 acres, same being in the centerline of Cindy Lane (apparent 60 foot roadway easement);

THENCE N 89° 50' 32" E, along an interior line of the herein described tract, common with the South line of the 4.48 acres and the centerline of Cindy Lane, a distance of 339.00 feet, to a point for the lower Northeast corner of the herein described tract, common with the Southeast corner of the 4.48 acres, same being at the intersection of the centerline of Cindy Lane with the centerline of Sandra Dee Avenue (apparent 60 foot roadway easement);

THENCE S 00° 53' 51" E, along a East line of the herein described tract, common with the West line of a called 4.69 acres as described in deed recorded in Clerk's File Number 9216478 of said Real Property Records and the centerline of Sandra Dee Avenue, a distance of 498.26 feet to a point for the upper Southeast corner of the herein described tract, common with the southwest corner of the 4.69 acres, the Northwest corner of a called 3.0445 acres as described in deed recorded in Clerk's File Number 99019783 of said Real Property Records and the Northeast corner of a called 4.907 acres as described in deed recorded in Clerk's File Number 2006034494 of said Real Property Records;

THENCE S 89° 42' 24" W, along a South line of the herein described tract, common with the North line of the 4.907 acres, at a distance of 30.00 feet, passing an iron rod with survey cap stamped "Precision", found for reference, and at a distance of 521.64 feet, passing a 1/2 inch iron rod, found for reference, and continuing a distance of 529.84 feet in all, to a point for an interior corner of the herein described tract, common with the Northwest corner of the 4.907 acres, same being in the centerline of said creek;

Thence along an east line of the herein described tract, common with the West line of the 4.907 acres and the centerline of said creek, the following bearings and distances:

S 41° 31' 13" W, a distance of 118.97 feet;

S 11° 35' 07" W, a distance of 43.01 feet;

S 63° 25' 16" W, a distance of 68.07 feet;

N 81° 53' 07" W, a distance of 15.07 feet;

S 54° 18' 38" W, a distance of 108.73 feet;

S 80° 28' 43" W, a distance of 23.54 feet;

N 48° 40' 35" W, a distance of 14.40 feet;

S 68° 02' 13" W, a distance of 22.54 feet;

S 49° 46' 59" W, a distance of 124.95 feet, to a point for corner of the herein described tract, common with the Southwest corner of the 4.907 acres, same being in the North line of a called 7.505 acres as described in deed recorded in Clerk's File Number 2000012801 of said Real Property Records;

THENCE S 89° 34' 25" W, along a South line of the herein described tract, common with the North line of the 7.505 acres, a distance of 379.01 feet, to a 1/2-inch iron rod, found for an interior corner of the herein described tract, common with the Northwest corner of the 7.505 acres;

THENCE S 00° 52' 25" E, along the lower East line of the herein described tract, common with the West line of the 7.505 acres and a West line of a called 148.435 acres as described in deed recorded in Clerk's File Number 2018120024 of said Real Property Records, a distance of 951.76 feet, to a 1 1/2 inch iron pipe, found for the lower Southeast corner of the herein described

tract, common with the Northeast corner of a called 2.2817 acres as described in deed recorded in Clerk's File Number 98102399 of said Real Property Records, same being in the South line of the 190.245 acres, the South line of the James Pierpoint Survey and the North line of the William Hillhouse Survey, Abstract Number 260;

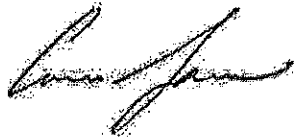
THENCE S 89° 50' 05" W (Deed – S 89° 50' 42" W), along the lower South line of the herein described tract, common with the South line of the 190.245 acres, the North line of the 2.2817 acres, the South line of the James Pierpoint Survey and the North line of the William Hillhouse Survey, a distance of 1,044.46 feet (Deed – 1,044.71 feet), to a 1 1/2 inch iron pipe, found for corner, common with the Northwest corner of the 2.2817 acres and a corner of the 585.0022 acres;

THENCE S 89° 53' 25" W, (Deed – S 89° 59' 54" W), continuing along the lower South line of the herein described tract, common with the South line of the 190.245 acres, an interior line of the 585.0022 acres, the North line of the 2.2817 acres, the South line of the James Pierpoint Survey and the North line of the William Hillhouse Survey, a distance of 575.38 feet (Deed – 576.44 feet), to a fence post, found for corner;

THENCE S 89° 08' 55" W, (Deed – S 89° 02' 40" W), along the lower South line of the herein described tract, common with the South line of the 190.245 acres, the North line of the 2.2817 acres, the South line of the James Pierpoint Survey and the North line of the William Hillhouse Survey, a distance of 386.33 feet (Deed – 386.02 feet), to a 1/2 inch iron rod, found for the Southwest corner of the herein described tract, common with the Southwest corner of the 190.245 acres and an interior corner of the 585.0022 acres;

THENCE N 00° 06' 26" W, (Deed – N 00° 01' 45" W), along the West line of the herein described tract, common with the West line of the 190.245 acres and an interior East line of the 585.0022 acres, a distance of 2,212.87 feet (Deed – 2,213.79 feet), back to the POINT OF BEGINNING and containing 131.841 acres of land as computed based on the survey and plat prepared by C & C Surveying, Inc., dated March 8, 2019."

**Tracts 1 through 4 combining for a total acreage of 151.741 acres.**



Cameron S. Lowe, RPLS, PLS  
Texas Registration No. 6713  
LJA Surveying, Inc.



Note: This document was prepared under 22 TAC § 663.21, 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 was prepared.

County: Montgomery  
Project: Escondido (Outside ETJ)  
Job No.: 185201  
M&B No.: 19-374

**FIELD NOTES FOR 13.53 ACRES**

Being a tract containing 13.53 acres of land situated in the W. Hillhouse Survey, Abstract No. 260 and the J. Pierpont Survey, Abstract No. 426, in Montgomery County, Texas. Said 13.23 acres being a portion of a call 148.435 acre tract of land recorded in the name of Magnolia Escondido, LLC under Montgomery County Clerk's File (M.C.C.F.) No. 2018120024. Said 13.53 acres being more particularly described by metes and bounds as follows (bearings are referenced to the Texas Coordinate System of 1983, Central Zone, based on GPS observations):

**COMMENCING** at a TXDOT disc found at the southwest corner of said 148.435 acres and northwest corner of a call 1.420 acre tract of land recorded in the name of State of Texas under M.C.C.F. No. 2010040292, same being on the north Right-of-Way line of F.M. 1774 (width varies) and the east line of a call 12.15 acre tract of land recorded in the name of James Lamar O'Neal in Volume 745, Page 775 of the Montgomery County Deed Records (M.C.D.R.);

**THENCE**, with said east line and the east line of a call 12.15 acre tract of land recorded in the name of Edgar Leon O'Neal in Volume 745, Page 783 of the M.C.D.R., North 01 degrees 28 minutes 01 seconds West, a distance of 1,583.43 feet to a 1/2 inch square iron rod found;

**THENCE**, with the upper south line of said Edgar Leon O'Neal 12.15 acre tract, North 87 degrees 53 minutes 08 seconds East, a distance of 132.46 feet to an iron bolt found;

**THENCE**, with aforesaid east line, the east line of those two (2) call 5.756 acre tracts of land recorded in the names of Leon Charles O'Neal and Norman Leslie O'Neal under M.C.C.F. No. 2003039490, and the east line of a call 2.2817 acre tract of land recorded in the name of Alice Law Johnson under M.C.C.F. No. 98102399, North 01 degrees 56 minutes 32 seconds West, a distance of 1,275.02 feet to the **POINT OF BEGINNING**;

**THENCE**, continuing with the east line of said 2.2817 acres, North 01 degrees 56 minutes 32 seconds West, a distance of 80.76 feet to a 1 inch iron pipe (bent) found on the common line between aforesaid Pierpont and Hillhouse Surveys and being at the northeast corner of said 2.2817 acre tract;

**THENCE**, North 03 degrees 15 minutes 53 seconds West, a distance of 454.86 feet to a 5/8 inch iron rod found at the southwest corner of a call 7.505 acre tract of land recorded in the name of Rondle L. Hartley and Pat A. Hartley under M.C.C.F. No. 2000012801;

**THENCE**, with the south line of said 7.505 acre tract and a call 7.500 acre tract of land recorded in the name of Edmond R. Shanks and Amanda D. Shanks under M.C.C.F. No. 2000012802, North 87 degrees 16 minutes 27 seconds East, a distance of 1,315.32 feet to a 1/2 inch iron rod found at the southeast corner of said 7.500 acre tract;

**THENCE**, with the east line of said 7.500 acre tract, North 03 degrees 14 minutes 39 seconds West, a distance of 496.57 feet to a point at a fence corner post found at the northeast corner of said 7.500 acre tract, the southwest corner of a call 3.0445 acre tract of land recorded in the name of Magnolia Castland, Inc. under M.C.C.F. No. 99019783, and being at the centerline terminus of Sandra Dee Lane, a 60 foot road easement;

**THENCE**, with the south line of said 3.0445 acre tract, North 87 degrees 14 minutes 28 seconds East, at a distance of 30 feet passing the east line of said Sandra Dee Lane, and continuing for a total distance of 437.37 feet to a 1/2 inch iron rod found at the southeast corner of said 3.0445 acre tract and being on the west line of a call 12.4782 acre tract of land recorded in the name of Charles W. Tatom and Barbara D. Tatom under M.C.C.F. No. 9805419;

**THENCE**, with said west line and the west line of a call 3.0690 acre tract of land recorded in the name of Jessica Manwaring under M.C.C.F. No. 2017101365, South 03 degrees 19 minutes 34 seconds East, a distance of 496.83 feet to a 5/8 inch capped iron rod stamped "GBI Partners" found;

**THENCE**, continuing with the west line of said 3.0690 acre tract, South 03 degrees 06 minutes 29 seconds East, a distance of 94.66 feet to a point from which a 3/4 inch iron rod found at the northwest corner of a call 17.845 acre tract of land recorded in the name of Diane M Daleo under M.C.C.F. No. 2011008721 and being on the common line between aforesaid Pierpont and Dunlavy Surveys bears South 03 degrees 06 minutes 29 seconds East, a distance of 363.08 feet;

**THENCE**, through and across aforesaid 148.435 acres, the following two (2) courses:

- 1.) South 87 degrees 31 minutes 26 seconds West, a distance of 276.78 feet to a point of curvature to the left;
- 2.) 1,561.63 feet, along the arc of said curve having a radius of 2,640.00 feet, a central angle of 33 degrees 53 minutes 31 seconds and a chord which bears South 70 degrees 34 minutes 40 seconds West, a distance of 1,538.96 feet to the **POINT OF BEGINNING** and containing 13.53 acres of land, more or less.

**NOTE: THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, 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 WAS PREPARED.**

GBI Partners, L.P.  
TBPELS Firm #10130300  
Ph: 281.499.4539  
November 22, 2019

