

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS
CONSENTING TO A PETITION FOR THE CREATION OF MONTGOMERY COUNTY
MUNICIPAL UTILITY DISTRICT NO. 215 IN MONTGOMERY COUNTY, TEXAS AND
ESTABLISHING CONDITIONS APPLICABLE TO THE CREATION OF THE DISTRICT.

WHEREAS, on or about May 6, 2022, REDBIRD MEADOW DEVELOPMENT LLC, (the "Landowner") acting pursuant to the provisions of Chapters 49 and 54, Texas Water Code, as amended, (the "Enabling Legislation") did petition the City of Montgomery, Texas (the "City") in writing (the "Petition") for consent to the creation of a municipal utility district to be known as MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 215 (the "District") and the inclusion in the District of approximately 388.5055 acres of land, which land is more particularly described in Exhibit A-1, Exhibit A-2, Exhibit A-3 and Exhibit A-4 attached to the Petition (the "District Tract"), which is attached hereto and incorporated herein by this reference; and

WHEREAS, 279.29 acres of the District lies wholly within the extraterritorial jurisdiction of the City, 98.9115 acres of the District lies outside of the corporate boundaries or the extraterritorial jurisdiction of the City, and 10.304 acres of the District lies wholly within the corporate boundaries of the City; and

WHEREAS, the Landowner has voluntarily petitioned the City to annex portions of the District Tract located outside the corporate boundaries of the City pursuant to Subchapter C-3, Chapter 43, Texas Local Government Code, and the City has initiated and intends to complete such annexation such that the entirety of the District Tract is located within the corporate boundaries of the City; and

WHEREAS, the City Council of the City has considered the Petition and is willing to consent to the creation of the District upon the terms and conditions hereinafter provided;

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

Section 1. All of the matters and facts set out in the preamble hereof are true and correct and are adopted as findings of the City Council.

Section 2. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Texas Government Code, Chapter 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 thereof has 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 3. The City Council of the City of Montgomery, Texas, hereby consents to the creation of the District and the inclusion within the District of the territory described by metes and bounds in Exhibit A to the Petition attached hereto. Subject to the provisions of this Ordinance, the District may be organized for such purposes as are set forth in the Petition and for the accomplishment of such purposes shall have the powers permitted to districts organized under the terms and provisions of Article III, Section 52 and Article XVI, Section 59 of the Constitution of Texas and Chapters 49 and 54, Texas Water Code, together with all amendments and additions thereto. In addition, the District shall have and may exercise any other powers granted to the District under the terms of any enabling legislation authorizing the creation of the District.

Section 4. In addition to the rights and remedies provide by the laws of the state, in the event the District violates the terms and provisions of the City's written consent, the City shall be entitled to injunctive relief or a writ of mandamus issued by a court of competent jurisdiction restraining, compelling, or requiring the District and its officials to observe and comply with the terms and conditions of this Ordinance.

Section 5. This Ordinance shall be effective immediately upon adoption.

PASSED AN APPROVED this the ___ day of 2022.

SARA COUNTRYMAN, Mayor

APPROVED:

ATTEST:

ALAN P. PETROV, Attorney

NICOLA BROWE, City Secretary

PETITION FOR CREATION OF
MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 215

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

REDBIRD MEADOW DEVELOPMENT, LLC, a Texas limited liability company, holding title to a majority in value of the land described in **Exhibit A-1, Exhibit A-2, Exhibit A-3, and Exhibit A-4**, attached hereto and incorporated herein for all purposes, as indicated by the certificates of ownership provided by the Montgomery Central Appraisal District (herein the "Petitioners"), and acting pursuant to the provisions of Chapters 49 and 54, Texas Water Code, together with all amendments and additions thereto, respectfully petitions the Commissioners of the Texas Commission on Environmental Quality (the "TCEQ") for the creation of a municipal utility district, and in support thereof would respectfully show the following:

I.

The name of the proposed District shall be MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 215 (herein the "District"). There is no other conservation and reclamation district in Montgomery County, Texas, with the same name.

II.

The District shall be created and organized under the terms and provisions of Article XVI, Section 59 of the Texas Constitution and Chapters 49 and 54, Texas Water Code, together with all amendments and additions thereto.

III.

The District shall have all the rights, powers, privileges, authority and functions conferred by and be subject to all duties imposed by the Texas Water Code and the general laws relating to municipal utility districts. The District shall contain an area of 388.5055 acres of land, more or less, situated in Montgomery County, Texas, described by metes and bounds in **Exhibit A-1, Exhibit A-2, Exhibit A-3, and Exhibit A-4**, attached hereto and made a part hereof for all purposes (the "Land"). All of the land proposed to be included within the District is within the corporate boundaries of the City of Montgomery. All of the land proposed to be included may properly be included in the District.

IV.

The Petitioner owns fee simple title to the Land. The Petitioner hereby represents that it owns a majority in value of the Land which is proposed to be included in the District, as indicated by the certificate of ownership provided by the Montgomery Central Appraisal District.

V.

The Petitioner represents that there are no lienholders on the Land other than Conservative Investments, Inc. and that there are no residents on the Land.

VI.

The general nature of the work proposed to be done by the District at the present time is the purchase, design, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of a waterworks and sanitary sewer system for residential and commercial purposes, and the construction, acquisition, improvement, extension, maintenance and operation of works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the District, and to control, abate and amend local storm waters or other harmful excesses of waters, and such other purchase, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of such additional facilities, including roads, parks and recreation facilities, systems, plants, and enterprises as shall be consistent with all of the purposes for which the District is created (the "Project").

VII.

There is, for the following reasons, a necessity for the above-described work. The area proposed to be within the District is urban in nature, is within the growing environs of the City, and is in close proximity to populous and developed sections of Montgomery County, Texas. There is not now available within the area, which will be developed for single family residential and commercial, an adequate waterworks system, sanitary sewer system, or drainage and storm sewer system, or roads, or parks and recreational facilities. The health and welfare of the present and future inhabitants of the area and of the territories adjacent thereto require the purchase, design, construction, acquisition, ownership, operation, repair, improvement and extension of an adequate waterworks system, sanitary sewer system, and drainage and storm sewer system, roads, or parks and recreational facilities. A public necessity, therefore, exists for the creation of the District, to provide for the purchase, design, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of such waterworks system, sanitary sewer system, and drainage and storm sewer system,

roads, and parks and recreational facilities to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VIII.

The Petitioner, by submission of this Petition, requests the City's consent to the creation of the District containing the Land.

IX.

A preliminary investigation has been made to determine the cost of the proposed District's waterworks system, sanitary sewer system, and drainage and storm sewer system projects, and it is now estimated by the Petitioner, from such information as it has at this time, that such cost will be approximately \$44,200,000.

X.

A preliminary investigation has been made to determine the cost of the proposed District's road projects, and it is now estimated by the Petitioner, from such information as it has at this time, that such cost will be approximately \$29,200,000.

XI.

A preliminary investigation has been made to determine the cost of the proposed District's park and recreational facilities, and it is now estimated by the Petitioner, from such information as it has at this time, that such cost will be approximately \$21,000,000.

XII.

The total cost of the proposed District's projects is estimated by the Petitioner to be approximately \$94,400,000.

WHEREFORE, the Petitioner prays that this petition be heard and that the City Council duly pass and approve an ordinance or resolution granting the consent to the creation of the District and authorizing the inclusion of the Land within the District.

[EXECUTION PAGES FOLLOW]

RESPECTFULLY SUBMITTED this 31st day of January, 2022.

REDBIRD MEADOW DEVELOPMENT, LLC
a Texas limited liability company

By: [Signature]
Name: Ronnie Matthews
Title: Member/Manager

THE STATE OF TEXAS §
 §
COUNTY OF Harris §

31st This instrument was acknowledged before me, the undersigned authority, this January, 2022, by Ronnie Matthews, Member/Mgr of REDBIRD MEADOW DEVELOPMENT, LLC, a Texas limited liability company, on behalf of said limited liability company.

[Signature: Marlene L Brown]
Notary Public, State of Texas

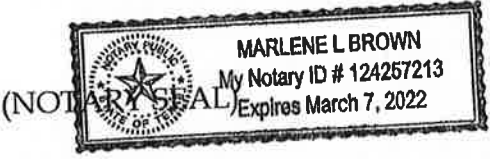


EXHIBIT A-1

METES AND BOUNDS DESCRIPTION
279.29 ACRES OUT OF THE
ZACHARIAH LANDRUM SURVEY, A-22
MONTGOMERY COUNTY, TEXAS

A tract of land containing 279.29 acres (12,166,237 square feet) out of the Zachariah Landrum Survey, Abstract No. 22, Montgomery County, Texas, being a portion of a 388.5 acre tract, conveyed to Redbird Development, LLC, as recorded under Clerk's File (C.F.) No. 2021049974 of the Official Public Records Montgomery County (O.P.R.M.C.), said 279.29 acres being more particularly described by metes and bounds as follows with all bearings be based on the Texas Coordinate System, Central Zone, NAD 83, 2001 Adjustment:

BEGINNING at a north corner of the herein described tract, being the intersection of the approximate centerline of said Old Dobbin Road and the approximate centerline of Old Plantersville Road;

THENCE with and adjoining said approximate centerline of Old Plantersville Road, the following five (5) courses and distances:

1. SOUTH 50 degrees 02 minutes 03 seconds EAST, 484.20 feet, to a northerly corner of the herein described tract;
2. SOUTH 49 degrees 34 minutes 13 seconds EAST, 603.77 feet, to a northerly corner of the herein described tract;
3. SOUTH 49 degrees 43 minutes 52 seconds EAST, 594.81 feet, to a northerly corner of the herein described tract;
4. SOUTH 49 degrees 49 minutes 14 seconds EAST, 503.40 feet, to a northerly corner of the herein described tract;
5. EASTERLY along a curve to the left, through a central angle of 40 degrees 04 minutes 17 seconds, to a northerly corner of the herein described tract, lying in a westerly line of the City of Montgomery City Limit, said curve having a radius of 1,540.00 feet an arc length of 1,077.04 feet, and a long chord bearing and distance of SOUTH 69 degrees 51 minutes 23 seconds EAST, 1,055.23 feet;

THENCE SOUTH 01 degree 33 minutes 44 seconds EAST, 511.01 feet, with and adjoining said westerly line of the City of Montgomery City Limit, to a northerly corner of the herein described tract;

EXHIBIT A-1

THENCE NORTH 88 degrees 26 minutes 15 seconds EAST, 797.59 feet, with and adjoining a southerly line of the City of Montgomery City Limit, to the northeast corner of the herein described tract;

THENCE SOUTH 03 degrees 00 minute 07 seconds EAST, 1,215.74 feet, with and adjoining the east right-of-way line of Womack Cemetery Road, to the northeast corner of a called 18.43 acre tract conveyed to Van Stovall and Jeanne Stovall as recorded under Clerk's File No. 99050272 of the Official Public Records of Real Property, Montgomery County, Texas (O.P.R.R.P.M.C.), lying at the intersection to the east right-of-way line and the south right-of-way line of Womack Cemetery Road, lying in the west line of a called 10.758 acre tract conveyed to Ford Hal Bazar as recorded under Clerk's File No. 2001-040245 of the O.P.R.R.P.M.C., for the southeast corner of the herein described tract;

THENCE with and adjoining the south right-of-way of Womack Cemetery Road, the following six (6) courses and distances:

1. SOUTH 71 degrees 44 minutes 11 seconds WEST, 497.65 feet, to the northwest corner of said called 18.43 acre tract, also being the northeast corner of a called 8.0793 acre tract conveyed to Samuel Scheler and wife Tanya Scheler as recorded under Clerk's File No. 2013100439 of the O.P.R.M.C., for a southerly corner of the herein described tract;
2. SOUTH 71 degrees 58 minutes 44 seconds WEST, 493.64 feet, along the north line of said called 8.0793 acre tract and the north line of a called 9.434 acre tract conveyed to Micah D. Tomlinson and spouse Diane Tomlinson, as recorded under Clerk's File No. 2006-009043 of the O.P.R.R.P.M.C., to a southerly corner of the herein described tract;
3. SOUTH 75 degrees 35 minutes 39 seconds WEST, 604.23 feet, along the north line of said called 9.434 acre tract and the north line of a called 15.1045 acre tract conveyed to Lester W. Gallatin and wife Cynthia Gallatin as recorded under Clerk's File No. 2003-152894 of the O.P.R.R.P.M.C., to a southerly corner of the herein described tract;
4. SOUTH 59 degrees 21 minutes 52 seconds WEST, 55.10 feet, to a north corner of a called 2.221 acre tract conveyed to 11845 Womack Cemetery Road Joint Venture as recorded under Clerk's File No. 2018057068 of the O.P.R.M.C., also being a southerly corner of the herein described tract;
5. SOUTH 35 degrees 03 minutes 48 seconds WEST, 625.59 feet, to a southwest corner of said called 2.221 acre tract, lying in the north line of said called 49.956 acre tract, also being a southerly corner of the herein described tract;
6. SOUTH 87 degrees 25 minutes 18 seconds WEST, 373.13 feet, to a non-tangent curve and southerly corner of the herein described tract, lying in a southerly line of the City of Montgomery Extraterritorial Jurisdiction;

EXHIBIT A-1

THENCE NORTHWESTERLY along a curve to the right, through a central angle of 03 degrees 40 minutes 37 seconds, to a southerly line of said 388.5 acre tract, said curve having a radius of 2,640.00 feet, an arc length of 169.42 feet, and a long chord bearing and distance of NORTH 54 degrees 55 minutes 37 seconds WEST, 169.40 feet;

THENCE NORTH 00 degree 05 minutes 49 seconds EAST, 894.74 feet, with and adjoining said southerly line of the 388.5 acre tract, to a southerly corner of the herein described tract;

THENCE SOUTH 87 degrees 23 minutes 22 seconds WEST, 677.53 feet, with and adjoining said southerly line of the 388.5 acre tract, to a southerly corner of the herein described tract;

THENCE SOUTH 12 degrees 17 minutes 49 seconds WEST, 86.97 feet, with and adjoining said southerly line of the 388.5 acre tract, to a non-tangent curve and southerly corner of the herein described tract, lying in a westerly line of the City of Montgomery Extraterritorial Jurisdiction;

THENCE NORTHERLY along a curve to the right, with and adjoining a westerly line of the City of Montgomery Extraterritorial Jurisdiction, through a central angle of 18 degrees 03 minutes 22 seconds, to a non-tangent curve and southerly corner of the herein described tract, said curve having a radius of 2,640.00 feet, an arc length of 831.97 feet, and a long chord bearing and distance of NORTH 21 degrees 16 minutes 18 seconds WEST, 828.53 feet;

THENCE WESTERLY along a curve to the right, with and adjoining a westerly line of the City of Montgomery Extraterritorial Jurisdiction, through a central angle of 55 degrees 07 minutes 41 seconds, to the southwest corner of the herein described tract, lying in a westerly line of said 388.5 acre tract, said curve having a radius of 2,638.90 feet, an arc length of 2,539.06 feet, and a long chord bearing and distance of NORTH 82 degrees 17 minutes 39 seconds WEST, 2,442.25 feet;

THENCE NORTH 07 degrees 47 minutes 11 seconds WEST, 604.15 feet, with and adjoining said westerly line of the 388.5 acre tract, to a westerly corner of the herein described tract;

THENCE NORTH 86 degrees 39 minutes 25 seconds EAST, 1,710.81 feet, with and adjoining the southerly line of a 44.201 acre tract, conveyed to Promocon USA, LLC as recorded under Clerk's File No. 2019008141 of the O.P.R.M.C., to the southeast corner of said 44.201 acre tract;

THENCE NORTH 03 degrees 01 minute 49 seconds WEST, 1,436.78 feet, with and adjoining an east line of said 44.201 acre tract, to the northwest corner of the herein described tract, lying in the approximate centerline of Old Dobbin Road:

EXHIBIT A-1

THENCE with and adjoining the approximate centerline of said Old Dobbin Road, the following three (3) courses and distances:

1. NORTH 63 degrees 02 minutes 56 seconds EAST, 319.69 feet, to a northerly corner of the herein described tract;
2. NORTH 65 degrees 05 minutes 57 seconds EAST, 303.42 feet, to a northerly corner of the herein described tract;
3. NORTH 62 degrees 20 minutes 23 seconds EAST, 242.77 feet, to the POINT OF BEGINNING, containing 279.30 acres (12.166,237 square feet) of land.

This document was prepared from record information only and was prepared under the authority of Stephen P. Matovich, RPLS 5347, on December 6, 2021. This document is not to be relied upon as a complete survey and has not been monumented.

This document was prepared under 22 TAC §138.95, 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.



EXHIBIT A-2

METES AND BOUNDS DESCRIPTION
98.75 ACRES OUT OF THE
ZACHARIAH LANDRUM SURVEY, A-22
MONTGOMERY COUNTY, TEXAS

A tract of land containing 98.75 acres (4,301,583 square feet) out of the Zachariah Landrum Survey, Abstract No. 22, Montgomery County, Texas, being a portion of a 388.5 acre tract, conveyed to Redbird Development, LLC, as recorded under Clerk's File (C.F.) No. 2021049974 of the Official Public Records Montgomery County (O.P.R.M.C.), said 98.75 acres being more particularly described by metes and bounds as follows with all bearings be based on the Texas Coordinate System, Central Zone, NAD 83, 2001 Adjustment:

BEGINNING at a southwesterly corner of said 388.5 acre tract, also being the southeast corner of a 29.510 acre tract conveyed to Eco World Construction LLC by deed as recorded under Clerk's File No. 2017075464 of the O.P.R.M.C., lying in the northerly line of a called 251.96 acre tract conveyed of Steven L. Havens as recorded under Clerk's File No. 9403259 of the Official Public Records of Real Property, Montgomery County, Texas (O.P.R.R.P.M.C.);

THENCE NORTH 01 degree 03 minutes 09 seconds WEST, 936.63 feet, with and adjoining the east line of said 29.510 acre tract, to the northeast corner of said 29.510 acre tract, also being the southeast corner of a 18.285 acre tract conveyed to Cullan Morris Cotton and spouse Angela Carolyn Cotton, as recorded under Clerk's File No. 2013123600 of the O.P.R.M.C.;

THENCE NORTH 01 degree 18 minutes 35 seconds WEST, 538.33 feet, with and adjoining the east line of said 18.285 acre tract, to the northeast corner of said 12.285 acre tract;

THENCE with and adjoining the north line of said called 18.285 acre tract, the following two (2) courses and distances:

1. SOUTH 86 degrees 44 minutes 07 seconds WEST, 713.98 feet, to a northerly corner of said 18.285 acre tract;
2. SOUTH 84 degrees 52 minutes 41 seconds WEST, 788.26 feet, westerly corner of the herein described tract lying in the approximate centerline of Spring Branch Road;

EXHIBIT A-2

THENCE NORTH 07 degrees 58 minutes 17 seconds WEST, 60.07 feet, with and adjoining said approximate centerline of Spring Branch Road, to a westerly corner of the herein described tract;

THENCE NORTH 84 degrees 52 minutes 41 seconds EAST, 792.22 feet, with and adjoining a westerly line of said 388.5 acre tract, at 53.58 feet passing the southwest corner of a called 5.74 acre tract conveyed to Ty Russell as recorded under Clerk's File No. 2002-029580 of the O.P.R.R.P.M.C., to the southeast corner of said 5.74 acre tract, also being the southwest corner of a called 14.929 acre tract conveyed to Carl M Wilson, Jr. as recorded under Clerk's File No. 2012019241 of the O.P.R.M.C.;

THENCE NORTH 86 degrees 44 minutes 07 seconds EAST, 717.13 feet, with and adjoining the south line of said 14.929 acre tract, to the southeast corner of said 14.929 acre tract and a westerly corner of the herein described tract;

THENCE NORTH 07 degrees 47 minutes 11 seconds WEST, 560.93 feet, with and adjoining a westerly line of said 388.5 acre tract, to a non-tangent curve and southerly line of the City of Montgomery Extraterritorial Jurisdiction and northwest corner of the herein described tract;

THENCE EASTERLY along a curve to the left, through a central angle of 55 degrees 07 minutes 41 seconds, with and adjoining said southerly line of City of Montgomery Extraterritorial Jurisdiction, to a non-tangent curve and northeast corner of the herein described tract, said curve having a radius of 2,638.90 feet, an arc length of 2,539.06 feet, and a long chord bearing and distance of SOUTH 82 degrees 17 minutes 39 seconds EAST, 2,442.25 feet;

THENCE SOUTHERLY along a curve to the left, through a central angle of 18 degrees 03 minutes 22 seconds, with and adjoining said southerly line of City of Montgomery Extraterritorial Jurisdiction, to an easterly corner of the herein described tract, lying in a southerly line of said 388.5 acre tract, said curve having a radius of 2,640.00 feet, an arc length of 831.97 feet, and a long chord bearing and distance of SOUTH 21 degrees 16 minutes 18 seconds EAST, 828.53 feet;

THENCE SOUTH 12 degrees 17 minutes 49 seconds WEST, 941.97 feet, with and adjoining said southerly line of the 388.5 acre tract, to a southerly corner of the herein described tract, lying in said northerly line of the 251.96 acre tract;

EXHIBIT A-2

THENCE SOUTH 88 degrees 19 minutes 34 seconds WEST, 2,414.45 feet, with and adjoining said northerly line of the 251.96 acre tract, to the POINT OF BEGINNING, containing 98.75 acres (4,301,583 square feet) of land. This document was prepared from record information only and was prepared under the authority of Stephen P. Matovich, RPLS 5347, on December 6, 2021.

This document was prepared under 22 TAC §138.95, 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.



EXHIBIT A-3

METES AND BOUNDS DESCRIPTION
0.1615 ACRE OUT OF THE
ZACHARIAH LANDRUM SURVEY, A-22
MONTGOMERY COUNTY, TEXAS

A tract of land containing 0.1615 acre (7,036 square feet) out of the Zachariah Landrum Survey, Abstract No. 22, Montgomery County, Texas, being a portion of a 388.5 acre tract, conveyed to Redbird Development, LLC, as recorded under Clerk's File (C.F.) No. 2021049974 of the Official Public Records Montgomery County (O.P.R.M.C.), said 0.1615 acre being more particularly described by metes and bounds as follows with all bearings be based on the Texas Coordinate System, Central Zone, NAD 83, 2001 Adjustment:

BEGINNING at a southerly corner of said 388.5 acre tract, lying in the southerly line of Womack Cemetery Road, lying in a northerly line of a 49.956 acre tract conveyed to Scott T. Kammerer and wife, Kimberly K. Kammerer, as recorded under Clerk's File No. 2006-111859 of the Official Public Records of Real Property, Montgomery County, Texas (O.P.R.R.P.M.C.), from which the northwest corner of said 49.956 acre tract bears SOUTH 87 degrees 25 minutes 18 seconds WEST, 743.11 feet;

THENCE NORTH 00 degree 05 minutes 49 seconds EAST, 103.59 feet, with and adjoining a southerly line of said 388.5 acre tract, to a southerly line of the City of Montgomery Extraterritorial Jurisdiction boundary;

THENCE SOUTHEASTERLY along a curve to the left, through a central angle of 03 degrees 40 minutes 37 seconds, with and adjoining a southerly boundary line of the City of Montgomery Extraterritorial Jurisdiction boundary, to the southeast corner of the herein described tract, lying in said southerly line of Womack Cemetery Road, said curve having a radius of 2,640.00 feet, an arc length of 169.42 feet, and a long chord bearing and distance of SOUTH 54 degrees 55 minutes 37 seconds EAST, 169.40 feet;

THENCE SOUTH 87 degrees 25 minutes 18 seconds WEST, 138.95 feet, with and adjoining said southerly line of Womack Cemetery Road, to the POINT OF BEGINNING, containing 0.1615 acre (7,036 square feet) of land. This document was prepared from record information only and does not reflect an on the ground survey and was prepared under the authority of Stephen P. Matovich, RPLS 5347, on December 6, 2021.

This document was prepared under 22 TAC §138.95, 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.



EXHIBIT A-4

METES AND BOUNDS DESCRIPTION
10.304 ACRES OUT OF THE
ZACHARIAH LANDRUM SURVEY, A-22
MONTGOMERY COUNTY, TEXAS

A tract of land containing 10.304 acres (488,834 square feet) out of the Zachariah Landrum Survey, Abstract No. 22, Montgomery County, Texas, being a portion of a 388.5 acre tract, conveyed to Redbird Development, LLC, as recorded under Clerk's File No. 2021049974 of the Official Public Records Montgomery County (O.P.R.M.C.), said 10.308 acres being more particularly described by metes and bounds as follows with all bearings be based on the Texas Coordinate System, Central Zone, NAD 83, 2001 Adjustment:

BEGINNING at the northeast corner of the herein described tract, also being the northeast corner of said 388.50 acre tract, at the intersection of the approximate centerline of Old Plantersville Road and the east right-of-way line of Womack Cemetery Road;

THENCE SOUTH 03 degrees 00 minute 07 seconds EAST, 697.38 feet, with and adjoining the east right-of-way line of Womack Cemetery Road, to the intersection with the southerly city limit line of the City of Montgomery;

THENCE SOUTH 88 degrees 26 minutes 15 seconds WEST, 797.59 feet, with and adjoining the southerly city limit line of the City of Montgomery to a southwest corner of the herein described tract, also being the southeast corner of the City of Montgomery city limits;

THENCE NORTH 01 degree 33 minutes 44 seconds WEST, 511.01 feet, with and adjoining the City of Montgomery city limit line, to a non-tangent curve and the approximate centerline of Old Plantersville Road, also being a northerly line of said 388.5 acre tract, for the northwest corner of the herein described tract;

THENCE EASTERLY along a curve to the left, with and adjoining the approximate centerline of Old Plantersville Road, also being said northerly line of said 388.5 acre tract, through a central angle of 30 degrees 11 minutes 07 seconds, to the POINT OF BEGINNING, containing 10.304 acres (448,834 square feet) of land, said curve having a radius of 1,540.00 feet an arc length of 811.32 feet, and a long chord bearing and distance of NORTH 75 degrees 00 minute 55 seconds EAST, 801.97 feet. This document was prepared from record information only and does not reflect an on the ground survey and was prepared under the authority of Stephen P. Matovich, RPLS 5347, on December 8, 2021.

This document was prepared under 22 TAC §138.95, 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.

Project: LJAS001-2980-2102.300

