



# The State of Texas

**SECRETARY OF STATE**

**CERTIFICATE OF RESTATED ARTICLES  
OF INCORPORATION  
OF**

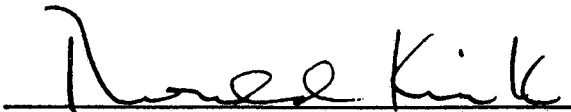
**TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION  
CHARTER NO. 514295-1**

The undersigned, as Secretary of State of Texas, hereby certifies that Restated Articles of Incorporation of the above corporation duly executed pursuant to the provisions of the Texas Non-Profit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law, hereby issues this Certificate of Restated Articles of Incorporation and attaches hereto a copy of the Restated Articles of Incorporation.

Dated: November 28, 1994



 <sup>pac</sup>  
Secretary of State



RESOLUTION NO. 94-14

NOV 28 1994

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, AMENDING AND RESTATING THE ARTICLES OF INCORPORATION OF THE TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION; AUTHORIZING AND DIRECTING THE EXECUTION AND FILING OF SUCH AMENDED AND RESTATED ARTICLES BY THE MAYOR AND CITY SECRETARY; AUTHORIZING THE CORPORATION TO ACT ON BEHALF OF THE CITY FOR CERTAIN PURPOSES; PROVIDING FOR THE EFFECTIVE DATE AND OTHER RELATED MATTERS.

\* \* \* \* \*

WHEREAS, the TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION ("the corporation") is an industrial development corporation formed under the auspices of the City of Tomball, Texas, pursuant to The Development Corporation Act of 1979, as amended ("the Act"); and

WHEREAS, subsequent to the formation of such corporation, the qualified voters of the City did authorize the imposition of a sales and use tax at the rate of one-half of one percent to be imposed within the City in accordance with the provisions of Section 4B of the Act; and

WHEREAS, the governing body of the City, under whose auspices the corporation was created, is authorized to amend and restate the Articles of Incorporation in order to satisfy the requirements of Section 4B of the Act and to empower the corporation to receive and utilize the proceeds of such tax in conformity with Section 4B of the Act; NOW THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

Section 1. Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article II of the Articles of Incorporation of the Tomball Industrial Development Corporation is amended by insertion of the following language in underline text:

## ARTICLE II

The Corporation is a nonprofit corporation, and is an industrial development corporation organized under the Development Corporation Act of 1979, and governed by Sec. 4B of the Act. In the event of any conflict between any provision of these Articles of Incorporation and the Act, then the provisions of the Act shall control.

**Section 2.** Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article IV of the Articles of Incorporation of the Tomball Industrial Development Corporation is amended by deletion of the following language in ~~strikeout~~ text and insertion of the language in underline text:

## ARTICLE IV

The Corporation is organized and may issue bonds on behalf of the ~~Unit~~ City, and expend the proceeds of any sales and use tax levied for the benefit of the Corporation for the specific public purpose of the promotion and development of commercial, industrial, and manufacturing enterprises to promote and encourage employment and the public welfare, and to promote or develop new or expanded business enterprises, including public facilities, as enumerated in the Act, pursuant to Sec. 4B of the Development Corporation Act of 1979. The Corporation is authorized to act on behalf of the City as provided in these Articles of Incorporation; however, the Corporation is not a political subdivision or political corporation of the State of Texas within the meaning of its constitution and laws, including without limitation Article III, Section 52, of said Constitution, and no agreements, bonds, debts or obligations of the Corporation are or shall ever been deemed to be the agreements, bonds, debts or obligations, or the lending of credit, or a grant of public money or thing of value, of or by the City, or any other political corporation,

subdivision or agency of the State of Texas, or a pledge of the faith and credit of any of them.

**Section 3.** Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article VII of the Articles of Incorporation of the Tomball Industrial Development Corporation is amended by insertion of the following language in ~~strikeout~~ text and insertion of the language in underline text:

#### ARTICLE VII

The street address of the ~~initial~~ present registered office of the Corporation is 401 W. Market Street, Suite C, Tomball, Texas, and the name of its ~~initial~~ present registered agent at such address is ~~Shirley England, City Secretary, or her successor~~ Warren Driver, City Manager.

**Section 4.** Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article VIII of the Articles of Incorporation of the Tomball Industrial Development Corporation is amended by deletion of the following language in ~~strikeout~~ text and insertion of the language in underline text:

#### ARTICLE VIII

The affairs of the Corporation shall be managed by a Board of Directors consisting of seven (7) directors appointed by the Governing Body of the City for two (2) year terms of office. The terms of the directors may be staggered by the Governing Body. Three (3) directors shall be persons who are not employees, officers, or members of the Governing Body of the City. The number of directors constituting the initial Board of Directors of the Corporation is five (5); and The names and street addresses of the persons who are to presently serve as the initial directors and the dates of expiration of their present terms as directors are as follows:

| <u>Name</u> | <u>Address</u> | <u>Expiration of Term</u> |
|-------------|----------------|---------------------------|
| _____       | _____          | May 2, 1996               |
| _____       | _____          | May 2, 1995               |
| _____       | _____          | May 2, 1996               |
| _____       | _____          | May 2, 1995               |
| _____       | _____          | May 2, 1996               |
| _____       | _____          | May 2, 1996               |
| _____       | _____          | May 2, 1995               |

Each director must reside within the City. Directors are removable by the Governing Body of the City at any time without cause. The directors shall serve as such without compensation, except that they shall be reimbursed for their actual expenses incurred in the performance of their duties as directors. Any vacancy occurring on the Board of Directors through death, resignation, or otherwise shall be filled by appointment by the Governing Body of the City to hold office until the expiration of the term.

**Section 5.** Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article IX of the Articles of Incorporation of the Tomball Industrial Development Corporation is deleted in its entirety.

**Section 6.** Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article X of the Articles of Incorporation of the Tomball Industrial Development Corporation is renumbered to be Article IX, and said Article IX is amended by deletion of the following language in strikeout text and insertion of the language in underline text:

**ARTICLE X-IX**

The Governing Body of the ~~Unit~~ City has specifically authorized the Corporation by Resolution to act on its behalf to further the ~~specific~~ public purposes ~~of the promotion and development of commercial, industrial, and manufacturing enterprises to promote and encourage employment and the public welfare~~ stated in this Resolution and these Articles of Incorporation, and the City has by said Resolution approved these Articles of Incorporation.

**Section 7.** Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, the following Article X of the Articles of Incorporation of the Tomball Industrial Development Corporation is added as shown below in underline text:

**ARTICLE X**

No dividends shall ever be paid by the Corporation and no part of its net earnings remaining after payment of its expenses shall be distributed to or inure to the benefit of its directors or officers or any individual, firm, corporation or association, except that in the event the Board of Directors shall determine that sufficient provision has been made for the full payment of the expenses, bonds and other obligations of the Corporation, then any net earnings of the Corporation thereafter accruing shall be paid to the City. No part of the Corporation's activities shall be carrying on propaganda, or otherwise attempting to influence legislation, and it shall not participate in, or intervene in, (including the publishing or distributing of statements),

any political campaign on behalf of or in opposition to any candidate for public office.

**Section 8.** Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, the following new Article XI of the Articles of Incorporation of the Tomball Industrial Development Corporation is added as shown below in underline text:

#### **ARTICLE XI**

If the Corporation ever should be dissolved when it has, or is entitled to, any interest in any funds or property of any kind, real, personal or mixed, such funds or property or rights thereto shall not be transferred to private ownership, but shall be transferred and delivered to the City after satisfaction or provision for satisfaction of debts and claims.

**Section 9.** Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article X of the Articles of Incorporation of the Tomball Industrial Development Corporation is renumbered to be Article XII, and said Article XII is amended by deletion of the following language in strikeout text and insertion of the language in underline text:

#### **ARTICLE XII**

These Articles of Incorporation may at any time and from time to time be amended by the ~~Board of Directors or by~~ Governing Body, subject to such restrictions and in accordance with such procedures as may be provided in the ~~Bylaws of the Corporation; so long as the Articles of Incorporation as amended contain only such provisions as are lawful under the Act.~~

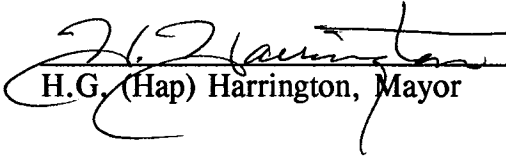
**Section 10.** The Restated Articles of Incorporation of Tomball Industrial Development Corporation, the form of which is attached hereto as Exhibit "A", are hereby approved and adopted in accordance with the provision of Sec. 20 of the Act, and the Mayor and City Secretary of the City of Tomball, Texas, are hereby authorized and directed to execute multiple

original copies of such Restated Articles of Incorporation and to cause same to be filed with the Secretary of State in accordance with the provisions of the Act. Prior to execution, the City Secretary is authorized and directed to conform such Restated Articles of Incorporation to include the names and addresses of those persons presently serving as directors of the corporation.

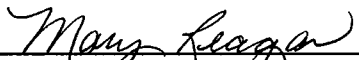
**Section 11.** The corporation is hereby expressly authorized to act on behalf of the City in furtherance of the public purposes of the Act and in conformity with such Restated Articles of Incorporation.

**Section 12.** This resolution shall be effective immediately upon its adoption.

PASSED, APPROVED, AND RESOLVED this 19th day of September, 1994.

  
H.G. (Hap) Harrington, Mayor

ATTEST:

  
Mary Reagan, City Secretary

APPROVED AS TO FORM:

  
Mario L. Dell'Osso  
Olson & Olson  
Attorneys for the City of Tomball

**RESTATED ARTICLES OF INCORPORATION**  
**OF**  
**TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION**

THE STATE OF TEXAS           §  
                                          §  
COUNTY OF HARRIS           §

WE, H.G. "HAP" HARRINGTON and MARY REAGAN, being the presiding officer and secretary of the Governing Body of the City of Tomball, Texas, (the "City"), the unit of government under whose auspices was heretofore created the **TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION**, ("the Corporation"), a nonprofit industrial development corporation organized under Article 5190.6, V.T.C.S. ("The Development Corporation Act of 1979"), acting herein with the approval and at the direction of the Governing Body of the City, do hereby make and subscribe these Restated Articles of Incorporation as follows:

**ARTICLE ONE**

Pursuant to Sec. 17(b) and Sec. 20 of the Development Corporation Act of 1979, the Governing Body of the City of Tomball, Texas, hereby adopts Restated Articles of Incorporation for the **TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION** which accurately copy the Articles of Incorporation and all amendments thereto that are in effect to date and as further amended by such Restated Articles of Incorporation as hereinafter set forth and which contain no other change in any provision thereof except that the number, names, and addresses of the persons presently serving as directors of the corporation, as well as the name of the present

[08/31/94]

RESTATED ARTICLES OF INCORPORATION  
OF  
TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION

EXHIBIT "A"

registered agent of the Corporation have been inserted in lieu of similar information concerning the initial Board of Directors and registered agent, and the names and addresses of the incorporators have been omitted.

## ARTICLE TWO

The following amendments to the Articles of Incorporation were adopted by the Governing Body of the City on September 6, 1994.

**2.1. Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article II of the Articles of Incorporation of the Tomball Industrial Development Corporation was amended by insertion of the following language in underline text:**

### ARTICLE II

The Corporation is a nonprofit corporation, and is an industrial development corporation organized under the Development Corporation Act of 1979, and governed by Sec. 4B of the Act. In the event of any conflict between any provision of these Articles of Incorporation and the Act, then the provisions of the Act shall control.

**2.2. Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article IV of the Articles of Incorporation of the Tomball Industrial Development Corporation was amended by deletion of the following language in strikeout text and insertion of the language in underline text:**

### ARTICLE IV

The Corporation is organized and may issue bonds on behalf of the ~~Unit~~ City, and expend the proceeds of any sales and use tax levied for the benefit of the Corporation for the specific

public purpose of the promotion and development of commercial, industrial, and manufacturing enterprises to promote and encourage employment and the public welfare, and to promote or develop new or expanded business enterprises, including public facilities, as enumerated in the Act, pursuant to Sec. 4B of the Development Corporation Act of 1979. The Corporation is authorized to act on behalf of the City as provided in these Articles of Incorporation; however, the Corporation is not a political subdivision or political corporation of the State of Texas within the meaning of its constitution and laws, including without limitation Article III, Section 52, of said Constitution, and no agreements, bonds, debts or obligations of the Corporation are or shall ever been deemed to be the agreements, bonds, debts or obligations, or the lending of credit, or a grant of public money or thing of value, of or by the City, or any other political corporation, subdivision or agency of the State of Texas, or a pledge of the faith and credit of any of them.

**2.3. Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article VII of the Articles of Incorporation of the Tomball Industrial Development Corporation was amended by insertion of the following language in ~~strikeout~~ text and insertion of the language in underline text:**

#### **ARTICLE VII**

The street address of the ~~initial~~ present registered office of the Corporation is 401 W. Market Street, Suite C, Tomball, Texas, and the name of its ~~initial~~ present registered agent at such address is ~~Shirley England, City Secretary, or her successor~~ Warren Driver, City Manager.

**2.4. Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article VIII of the Articles of Incorporation of the Tomball Industrial Development Corporation**

was amended by deletion of the following language in ~~strikeout~~ text and insertion of the language in underline text:

#### ARTICLE VIII

The affairs of the Corporation shall be managed by a Board of Directors consisting of seven (7) directors appointed by the Governing Body of the City for two (2) year terms of office. The terms of the directors may be staggered by the Governing Body. Three (3) directors shall be persons who are not employees, officers, or members of the Governing Body of the City. The number of directors constituting the initial Board of Directors of the Corporation is five (5); and The names and street addresses of the persons who are to presently serve as the initial directors and the dates of expiration of their present terms as directors are as follows:

| <u>Name</u>           | <u>Address</u>                            | <u>Expiration of Term</u> |
|-----------------------|-------------------------------------------|---------------------------|
| Larry Doerre          | 506 N. Peach<br>Tomball, Texas 77375      | May 16, 1996              |
| H.G. "Hap" Harrington | 619 Magnolia<br>Tomball, Texas 77375      | May 2, 1995               |
| Stephen Hohl          | 31111 Alice<br>Tomball, Texas 77375       | May 2, 1996               |
| Earle Oldham          | 610 Inwood<br>Tomball, Texas 77375        | May 2, 1995               |
| Steven Vaughan        | 13322 Wildwood<br>Tomball, Texas 77375    | May 2, 1996               |
| Mary Lu Wiley         | 14120 Carnes Wood<br>Tomball, Texas 77375 | May 2, 1996               |

Bill Wilson

31222 Stella Lane  
Tomball, Texas 77375

May 2, 1995

Each director must reside within the City. Directors are removable by the Governing Body of the City at any time without cause. The directors shall serve as such without compensation, except that they shall be reimbursed for their actual expenses incurred in the performance of their duties as directors. Any vacancy occurring on the Board of Directors through death, resignation, or otherwise shall be filled by appointment by the Governing Body of the City to hold office until the expiration of the term.

**2.5 . Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article IX of the Articles of Incorporation of the Tomball Industrial Development Corporation was deleted in its entirety.**

**2.6. Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, Article X of the Articles of Incorporation of the Tomball Industrial Development Corporation was renumbered to be Article IX, and said Article IX was amended by deletion of the following language in strikeout text and insertion of the language in underline text:**

**ARTICLE ~~X~~IX**

The Governing Body of the ~~Unit~~ City has specifically authorized the Corporation by Resolution to act on its behalf to further the ~~specific public purposes of the promotion and development of commercial, industrial, and manufacturing enterprises to promote and encourage employment and the public welfare~~ stated in this Resolution and these Articles of Incorporation, and the City has by said Resolution approved these Articles of Incorporation.

[08/31/94]

RESTATED ARTICLES OF INCORPORATION  
OF  
TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION

EXHIBIT "A"

**2.7. Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, the following new Article X of the Articles of Incorporation of the Tomball Industrial Development Corporation was added as shown below in underline text:**

**ARTICLE X**

No dividends shall ever be paid by the Corporation and no part of its net earnings remaining after payment of its expenses shall be distributed to or inure to the benefit of its directors or officers or any individual, firm, corporation or association, except that in the event the Board of Directors shall determine that sufficient provision has been made for the full payment of the expenses, bonds and other obligations of the Corporation, then any net earnings of the Corporation thereafter accruing shall be paid to the City. No part of the Corporation's activities shall be carrying on propaganda, or otherwise attempting to influence legislation, and it shall not participate in, or intervene in, (including the publishing or distributing of statements), any political campaign on behalf of or in opposition to any candidate for public office.

**2.8. Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, the following new Article XI of the Articles of Incorporation of the Tomball Industrial Development Corporation was added as shown below in underline text:**

**ARTICLE XI**

If the Corporation ever should be dissolved when it has, or is entitled to, any interest in any funds or property of any kind, real, personal or mixed, such funds or property or rights thereto shall not be transferred to private ownership, but shall be transferred and delivered to the City after satisfaction or provision for satisfaction of debts and claims.

2.9. Pursuant to Sec. 17(b) of the Development Corporation Act of 1979, the original Article X of the Articles of Incorporation of the Tomball Industrial Development Corporation is renumbered to be Article XII, and said Article XII was amended by deletion of the following language in ~~strikeout text~~ and insertion of the language in underline text:

#### ARTICLE XII

These Articles of Incorporation may at any time and from time to time be amended by the ~~Board of Directors or by~~ Governing Body, subject to such restrictions and in accordance with such procedures as may be provided in the ~~Bylaws of the Corporation; so long as the Articles of Incorporation as amended contain only such provisions as are lawful under the Act.~~

#### ARTICLE THREE

The Articles of Incorporation and all amendments and supplements thereto are hereby superseded by the following Restated Articles of Incorporation which accurately copy the entire text thereof and as amended as above set forth.

#### ARTICLE I

The name of the Corporation is "TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION".

#### ARTICLE II

The Corporation is a nonprofit corporation, and is an industrial development corporation organized under the Development Corporation Act of 1979, and governed by Sec. 4B of the Act. In the event of any conflict between any provision of these Articles of Incorporation and the Act, then the provisions of the Act shall control.

### **ARTICLE III**

The duration of the Corporation shall be perpetual.

### **ARTICLE IV**

The Corporation is organized and may issue bonds on behalf of the City, and expend the proceeds of any sales and use tax levied for the benefit of the Corporation for the specific public purpose of the promotion and development of commercial, industrial and manufacturing enterprises to promote and encourage employment and the public welfare, and to promote or develop new or expanded business enterprises, including public facilities, as enumerated in the Act, pursuant to Sec. 4B of the Development Corporation Act of 1979. The Corporation is authorized to act on behalf of the City as provided in these Articles of Incorporation; however, the Corporation is not a political subdivision or political corporation of the State of Texas within the meaning of its constitution and laws, including without limitation Article III, Section 52, of said Constitution, and no agreements, bonds, debts or obligations of the Corporation are or shall ever been deemed to be the agreements, bonds, debts or obligations, or the lending of credit, or a grant of public money or thing of value, of or by the City, or any other political corporation, subdivision or agency of the State of Texas, or a pledge of the faith and credit of any of them.

### **ARTICLE V**

The Corporation has no members and is a nonstock corporation.

### **ARTICLE VI**

The Corporation's internal affairs shall be regulated by a set of Bylaws, not inconsistent with the laws of this State, which have been approved by the City Council of the Unit (the

"Governing Body"), under whose auspices the Corporation is created.

#### ARTICLE VII

The street address of the present registered office of the Corporation is 401 W. Market Street, Suite C, Tomball, Texas, and the name of its present registered agent at such address is Warren Driver, City Manager.

#### ARTICLE VIII

The affairs of the Corporation shall be managed by a Board of Directors consisting of seven (7) directors appointed by the Governing Body of the City for two (2) year terms of office. The terms of the directors may be staggered by the Governing Body. Three (3) directors shall be persons who are not employees, officers, or members of the Governing Body of the City. The names and street addresses of the persons who presently serve as directors and the dates of expiration of their present terms as directors, are as follows:

| <u>Name</u>           | <u>Address</u>                         | <u>Expiration of Term</u> |
|-----------------------|----------------------------------------|---------------------------|
| Larry Doerre          | 506 N. Peach<br>Tomball, Texas 77375   | May 16, 1996              |
| H.G. "Hap" Harrington | 619 Magnolia<br>Tomball, Texas 77375   | May 2, 1995               |
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Mary Lu Wiley

14120 Carnes Wood  
Tomball, Texas 77375

May 2, 1996

Bill Wilson

31222 Stella Lane  
Tomball, Texas 77375

May 2, 1995

Each director must reside within the City. Directors are removable by the Governing Body of the City at any time without cause. The directors shall serve as such without compensation except that they shall be reimbursed for their actual expenses incurred in the performance of their duties as directors. Any vacancy occurring on the Board of Directors through death, resignation or otherwise shall be filled by appointment by the Governing Body of the City to hold office until the expiration of the term.

#### **ARTICLE IX**

The City has specifically authorized the Corporation by Resolution to act on its behalf to further the public purposes stated in said Resolution and these Articles of Incorporation, and the City has by said Resolution approved these Articles of Incorporation.

#### **ARTICLE X**

No dividends shall ever be paid by the Corporation and no part of its net earnings remaining after payment of its expenses shall be distributed to or inure to the benefit of its directors or officers or any individual, firm, corporation or association, except that in the event the Board of Directors shall determine that sufficient provision has been made for the full payment of the expenses, bonds and other obligations of the Corporation, then any net earnings of the Corporation thereafter accruing shall be paid to the City. No part of the Corporation's

activities shall be carrying on propaganda, or otherwise attempting to influence legislation, and it shall not participate in, or intervene in, (including the publishing or distributing of statements), any political campaign on behalf of or in opposition to any candidate for public office.

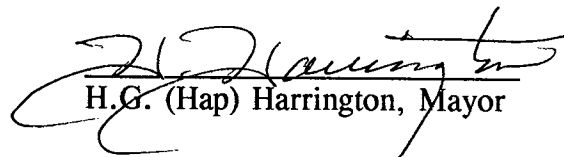
#### ARTICLE XI

If the Corporation ever should be dissolved when it has, or is entitled to, any interest in any funds or property of any kind, real, personal or mixed, such funds or property or rights thereto shall not be transferred to private ownership, but shall be transferred and delivered to the City after satisfaction or provision for satisfaction of debts and claims.

#### ARTICLE XII

These Articles may at any time and from time to time be amended by the Governing Body, subject to such restrictions and in accordance with such procedures as may be provided in the Act.

Signed this 7th day of November, 1994.

  
H.G. (Hap) Harrington, Mayor

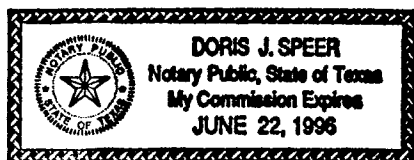
ATTEST:

  
Mary Reagan, City Secretary

STATE OF TEXAS           §  
                                     §  
COUNTY OF HARRIS       §

Before me, a notary public, on this day personally appeared H.G. (HAP) HARRINGTON and MARY REAGAN, known to me to be the persons whose names are subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

Given under my hand and seal of office this 7<sup>th</sup> day of November, 1994.



  
Notary Public, State of Texas

[08/31/94]

RESTATED ARTICLES OF INCORPORATION  
OF  
TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION

EXHIBIT "A"

RESOLUTION NO. 94-15

A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, APPROVING AMENDED BYLAWS OF THE TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION, PROVIDING FOR THE EFFECTIVE DATE, AND OTHER RELATED MATTERS.

\* \* \* \* \*

WHEREAS, the TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION (the "Corporation") functions under the auspices of the City of Tomball, Texas, pursuant to Section 4B of THE DEVELOPMENT CORPORATION ACT OF 1979, as amended (the "Act"); and

WHEREAS, the Corporation has obtained the approval of the City Council and is filing amended and restated Articles of Incorporation, and in this connection the Corporation is also updating and amending its Bylaws; and

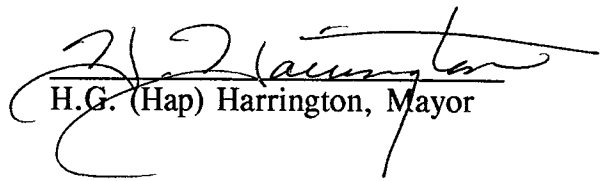
WHEREAS, the City Council, under whose auspices the Corporation was created, desires to approve the amended Bylaws of the Corporation; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

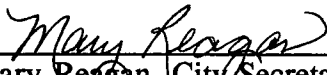
Section 1. The City Council of the City of Tomball, Texas, hereby approves the amended Bylaws of the Tomball Industrial Development Corporation, the form of which is attached to this Resolution as Exhibit "A".

Section 2. This resolution shall be effective immediately upon its adoption.

PASSED, APPROVED, AND RESOLVED this 19th day of September, 1994.

  
H.G. (Hap) Harrington, Mayor

ATTEST:

  
\_\_\_\_\_  
Mary Reagan, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Mario L. Dell'Osso  
Olson & Olson  
Attorneys for the City of Tomball

