

City of Houston, Texas, Ordinance No. 2009-1323

A MUNICIPAL SETTING DESIGNATION ORDINANCE PROHIBITING THE USE OF DESIGNATED GROUNDWATER BENEATH SEVERAL TRACTS OF LAND CONTAINING APPROXIMATELY 53.3516 ACRES, COMMONLY KNOWN AS 1400 FULTON STREET, HOUSTON, HARRIS COUNTY, TEXAS, INCLUDING PARTS OF THE RIGHTS-OF-WAY OF NORTH MAIN STREET, BURNETT ROAD, LEONA STREET, ELYSIAN STREET, HARDY STREET, MAURY STREET, CONTI STREET, MAFFITT STREET, HIGH STREET, CHAPMAN STREET, TRENTON STREET, DALY STREET, NAYLOR STREET, MCKEE STREET, OPELOUSAS STREET AND BROOKS STREET, HOUSTON, HARRIS COUNTY, TEXAS; AND SUPPORTING ISSUANCE OF A MUNICIPAL SETTING DESIGNATION BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, Subchapter W, "Municipal Setting Designations," of Chapter 361, "Solid Waste Disposal Act," of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality ("TCEQ") to create municipal setting designations; and

WHEREAS, on August 22, 2007, by Ordinance No. 2007-959, the City Council adopted Article XIII, of Chapter 47, Code of Ordinances, Houston, Texas, to provide a process for establishing municipal setting designation ordinances; and

WHEREAS, Sections 47-765(f) and 47-767(a) of the Code of Ordinances, Houston, Texas, authorize municipal setting designation ordinances that prohibit the use of designated groundwater as potable water and thereby enable the TCEQ to certify a municipal setting designation for designated property; and

WHEREAS, on May 26, 2009, CR V Hardy Yards L.P. ("Applicant") applied to the Director of the Public Works and Engineering Department,

requesting that the City Council support a municipal setting designation ordinance for property it owns at the 1400 Fulton Street Site located in Houston, Texas 77009; and

WHEREAS, on November 5, 2009, the Director of the Public Works and Engineering Department conducted a public meeting as required by section 47-764, notified the community when the City Council public hearing would occur and notified the community that there would be second public meeting and when the second meeting would occur; and

WHEREAS, on November 13, 2009, the Director of the Public Works and Engineering Department received information from Union Pacific Railroad Company that it owned property contiguous to that owned by CR V Hardy Yards, L.P., and that it wished to join the application submitted by CR V Hardy Yards, L.P.; and

WHEREAS, on December 3, 2009, the Director of the Public Works and Engineering Department received information from Gulf States Investments Corporation that it owned property contiguous to that owned by CR V Hardy Yards, L.P., and that it also wished to join the application submitted by CR V Hardy Yards, L.P.;

WHEREAS, on December 7, 2009, the Director of the Public Works and Engineering Department conducted a second public meeting as required by section 47-764, and notified the community when the City Council public hearing would occur; and

WHEREAS, City Council conducted a public hearing on December 9, 2009; and

WHEREAS, the City Council finds that:

(1) the application meets the eligibility criteria of Section 361.803 of the Texas Health and Safety Code;

(2) the municipal setting designation will not have an adverse effect on the current or future water resource needs or obligations of the City of Houston;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) this Municipal Setting Designation Ordinance is necessary because the concentration of contaminants of concern exceeds human ingestion protective concentration levels, and the establishment of a municipal setting designation will allow the property to be brought back into productive use; and

WHEREAS, City Council finds that the Director of the Public Works and Engineering Department on behalf of City Council, in accordance with the Charter of the City of Houston, state law, and the ordinances of the City of Houston, has given the required notices, City Council has held the required public hearing regarding this Municipal Setting Designation Ordinance and all procedural requirements have been satisfied; **NOW THEREFORE;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON:

Section 1. That for purposes of this Municipal Setting Designation Ordinance, the "designated property" means the several tracts described in Exhibit A, attached to this Ordinance and incorporated by reference herein.

Section 2. That for purposes of this Municipal Setting Designation Ordinance, "designated groundwater" means groundwater beneath the designated property to a depth not to exceed 200 feet that is prohibited from use as potable water by this Ordinance.

Section 3. That use of the designated groundwater from beneath the designated property as potable water, as that term is defined in section 47-761 of the Code of Ordinances, Houston, Texas, is prohibited.

Section 4. That the use of the designated groundwater from beneath public rights-of-way immediately adjacent to the designated property as potable water, as that term is defined in section 47-761 of the Code of Ordinances, Houston, Texas, is prohibited,

Section 5. That the designated property must receive a certificate of completion or other analogous documentation issued by the TCEQ or the United States Environmental Protection Agency ("EPA") showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the TCEQ or EPA within the time period required by them.

Section 6. That the City Council supports the application to the TCEQ for a municipal setting designation on the designated property, with the following comment:

(1) The TCEQ and the EPA, as agencies charged to protect human health and the environment, are requested to thoroughly review the conditions on the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

Section 7. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations and all ordinances, rules, and regulations of the City of Houston. The City Council's approval of a municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

Section 8. That approval of this Municipal Setting Designation Ordinance shall not be construed to subject the City of Houston to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

Section 9. That within 30 days after adoption of this Municipal Setting Designation Ordinance, the Applicant shall provide the Director of the Public Works and Engineering Department with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the City's geographic information system and its integrated land management system, and shall provide an electronic file showing the location of the designated property and the designated groundwater to the Harris County Appraisal District in a format compatible with its system.

Section 10. That within 30 days after adoption of this Municipal Setting Designation Ordinance, the Director of the Public Works and Engineering Department shall send a certified copy of this ordinance to the Applicant, TCEQ and EPA.

Section 11. That the Applicant shall provide the Director of the Public Works and Engineering Department with a copy of the municipal setting designation certificate issued by the TCEQ pursuant to section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

Section 12. That within 30 days after receipt of the municipal setting designation certificate from the TCEQ, the Director of the Public Works and Engineering Department shall file a certified copy of this Municipal Setting Designation Ordinance in the deed records of Harris County.

Section 13. That if any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their applicability to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 14. There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the

Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 16th day of December, 2009.

APPROVED this _____ day of _____, 2009.

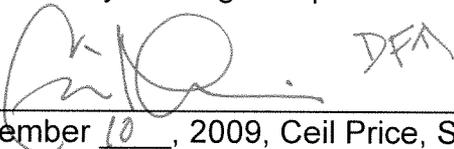
Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is DEC 22 2009.



City Secretary

Prepared by the Legal Department

 DPA

December 10, 2009, Ceil Price, Senior Assistant City Attorney

Requested by Michael Marcotte, P.E., D.WRE, BCEE, Director,
Public Works and Engineering Department
L.D. File No. 0800900066001

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CAPTION PUBLISHED IN DAILY COURT
REVIEW
DATE: DEC 22 2009

AYE	NO	
✓		MAYOR WHITE
••••	••••	COUNCIL MEMBERS
✓		LAWRENCE
✓		JOHNSON
✓		CLUTTERBUCK
✓		ADAMS
	ABSENT	SULLIVAN
✓		KHAN
✓		HOLM
✓		GONZALEZ
✓		RODRIGUEZ
✓		BROWN
✓		LOVELL
✓		NORIEGA
✓		GREEN
✓		JONES
CAPTION	ADOPTED	

EXHIBIT A

PROPERTY OWNED BY CR V HARDY YARDS

TRACT 1

Being a 41.933 acre tract of land located in the John Austin Survey, Abstract-I, In Harris County, Texas; said 41.933 acre tract being all of a called 8.1226 acre tract and a portion of a called 35.0258 acre tract both recorded in the name of Hardy Street Partners, L.P., in Harris County Clerk's File (H.C.C.F.) numbers V435947, V545732 and V545733; said 41.933 acre tract being more particularly described by metes and bounds as follows: (bearings are referenced to the Texas State Plane Coordinate System, South Central Zone-4204, N.A.D.83):

BEG1NNING at a 5/8-inch iron rod found at the intersection of the easterly right-of-way (R.O.W.) line of North Main Street (width varies) and the southerly R.O.W. line of Burnett Road (60 feet wide), for the northwest corner of said 8.1226 acre tract for the northwest corner and Point of Beginning of the herein described tract;

Thence, with the southerly R.O.W. line of said Burnett Street and the northerly lines of said 8.1226 acre tract and said 35.0258 acre tract the following three (3) courses:

North 65° 32' 15" East, passing at a distance of 757.68 feet a 5/8-inch iron rod set for the northeast corner of said 8.1226 acre tract, being the northwest corner of said 35.0258 acre tract, passing at a distance of 773.81 feet a 5/8-inch iron rod found for the northeast corner of a called 8.299 acre lease area last defined and amended under H.C.C.F. number W406318, continuing for a total distance of 1730.29 feet to a 5/8-inch iron rod set for an angle point;

North 72 ° 32' 32" East, a distance of 269.39 feet to a 5/8-inch iron rod set for an angle point;

North 87° 42' 48" East, a distance of 430.50 feet to a 5/8-inch iron rod found for the northwest corner of a called 1.2155 acre tract recorded in the name of Burnett 1.2155 Acres, L.P., H.C.C.F. number Y144031, being the most northerly northeast corner of the herein described tract;

Thence, with the west and south lines of said 1.2155 acre tract of the following two (2) courses:

South 02° 17' 12" East, a distance of 151.50 feet to a 5/8-inch iron rod set for the southwest corner of said 1.2155 acre tract and an interior corner of the herein described tract;

North 87° 42' 48" East, for a distance of 349.50 feet to a 5/8-inch rod set on the westerly R.O.W. line of Hardy Street (60 feet wide per S.F. Noble's Addition as described in Volume 5, Page 69, of the Harris County Deed Records (H.C.D.R.)), for the southeast corner of said 1.2155 acre tract and an interior corner of the herein described tract;

Thence, with the westerly R.O.W. line of said Hardy Street and an easterly line of said 35.0258 acre tract, South 02° 17' 12" East, a distance of 208.50 feet to a 5/8-inch iron rod found for the southwest intersection of the west R.O.W. line of said Hardy Street and the south R.O.W. line of Leona Street (60 feet wide per said S.F. Noble's Addition), being an interior corner of the herein described tract;

Thence, with the southerly R.O.W. line of said Leona Street and the northerly line of said 35.0258 acre tract, North 87° 42' 48" East, passing at a distance of 260.00 feet a 5/8-inch iron rod set at the intersection of the south R.O.W. line of said Leona Street and the west R.O.W. line of Elysian Street (60 feet wide per said S.F. Noble's Addition), passing at a distance of 320.00 feet a 5/8-inch iron rod set at the intersection of the south R.O.W. line of said Leona Street and the east R.O.W. line of said Elysian Street and continuing for a total distance of 482.11 feet to a 5/8-inch

iron rod found for the most easterly corner of said 35.0258 acre tract and the herein described tract;

Thence, with the southerly lines of said 35.0258 acre tract and said 8.1226 acre tract the following seventeen (17) courses:

South 61° 25' 19" West, a distance of 740.68 feet to a 5/8-inch iron rod found for an angle point;

South 62° 07' 41" West, a distance of 148.69 feet to a 5/8-inch iron rod set for an angle point;

South 50° 36' 00" West, a distance of 23.20 feet to a 5/8-inch iron rod set for an angle point;

South 62° 07' 41" West, a distance of 200.00 feet to a 5/8-inch iron rod set for an angle point;

South 73° 39' 21" West, a distance of 23.20 feet to a 5/8-inch iron rod set for an angle point;

South 62° 07' 41" West, a distance of 71.69 feet to a 5/8-inch iron rod set for the beginning of a non-tangent curve to the right;

299.91 feet along the arc of said curve to the right, having a central angle of 22° 54' 41", a radius of 750.00 feet and a chord that bears South 73° 35' 01" West, a distance of 297.92 feet to a 5/8-inch iron rod set for the beginning of a compound curve to the left;

279.91 feet along the arc of said curve to the left, having a central angle of 02° 36' 48", a radius of 6137.05 feet and a chord that bears South 83° 43' 58" West, a distance of 279.89 feet to a 5/8-inch iron rod set for the beginning of a compound curve to the right;

133.85 feet along the arc of said curve to the right, having a central angle of 03° 23' 36", a radius of 2260.00 feet and a chord that bears South 84° 07' 22" West, a distance of 133.83 feet to a 5/8-inch iron rod set for an angle point;

South 85° 49' 10" West, a distance of 576.55 feet to a 5/8-inch iron rod set for the southwest corner of aforesaid 35.0258 acre tract and an angle point for the herein described tract;

North 25° 41' 37" West, a distance of 49.16 feet to a 5/8-inch iron rod set for an angle point;

South 64° 39' 51" West, a distance of 117.88 feet to a 5/8-inch iron rod set for an angle point;

South 67° 57' 27" West, a distance of 28.81 feet to a 5/8-inch iron rod set for the beginning of a non-tangent curve to the right;

305.57 feet along the arc of said curve to the right, having a central angle of 20° 35' 50", a radius of 850.00 feet and a chord that bears South 78° 15' 21" West, a distance of 303.92 feet to a 5/8-inch iron rod set for the most southerly corner of said 8.1226 acre tract and an angle point for the herein described tract;

North 24° 27' 45" West, a distance of 19.41 feet to a 5/8-inch iron rod set for an angle point;

North 09° 15' 19" West, a distance of 18.62 feet to a 5/8-inch iron rod set for the beginning of a non-tangent curve to the right,

171.85 feet along the arc of said curve to the right, having a central angle of 22° 03' 23", a radius of 446.41 feet and a chord that bears South 87° 01' 10" West, a distance of 170.79 feet to a 5/8-inch iron rod set on the easterly R.O.W. line of aforesaid North Main Street, for the southwest corner of aforesaid 8.1226 acre tract and the herein described tract;

Thence, with the east R.O.W. line of said North Main Street, North 24° 27' 45" West, a distance of 336.46 feet to the Point of Beginning and containing 41.933 acre of land. SAVE AND EXCEPT TRACT 1A AND TRACT 1B, described as follows:

TRACT 1A

Being a 0.1307 acre tract of land located in the John Austin Survey, Abstract-1, in Harris County, Texas; said 0.1307 acre tract being all of the R.O.W. of Elysian Street (60 feet wide per S.F. Noble's Addition as described in Volume 5, Page 69, H.C.D.R.) located in the aforementioned 35.0258 acre tract; said 0.1307 acre tract being more particularly described by metes and bounds as follows; (s arc referenced to the Texas State Plane Coordinate System, South Central Zone-4204, N.A.D. 83):

Beginning at a 5/8-inch iron rod set at the intersection of the south R.O.W. line of Leona Street (60 feet wide per said S.F. Noble's Addition) and the west R.O.W. line of Elysian Street (60 feet wide per said S.F. Noble's Addition), for the northwest corner of the herein described tract;

Thence, with the south line said Leona Street, crossing said Elysian Street, North 87° 42' 48" East, a distance of 60.00 feet a 5/8-inch iron rod set at the intersection of the south R.O.W. line of said Leona Street and the east R.O.W. line of said Elysian Street for the northeast corner of the herein described tract;

Thence, through and across said 35.0258 acre tract and with the east R.O.W. line of said Elysian Street, South 02° 17' 12" East, a distance of 80.09 feet to a 5/8-inch iron rod set on the south line of said 35.0258 acre tract for the southeast corner of the herein described tract;

Thence, with the southerly line of said 35.0258 acre tract and across said Elysian Street, South 61° 25' 19" West, a distance of 66.92 feet 5/8-inch iron rod set on the westerly R.O.W. of said Elysian Street for the southwest corner of the herein described tract;

Thence, through and across said 35.0258 acre tract and with the west R.O.W. line of said Elysian Street, North 02° 17' 12" West, a distance of 109.73 feet to the POINT OF BEGINNING and containing 0.1307 acre of land.

TRACT 1B

Description of a 9.7987 acre (426,832 square feet) parcel of land being all of a called 8.1226 acre tract and part of a called 35.0258 acre tract described in a Special Warranty Deed to Hardy Street Partners, L.P. filed for record under Harris County Clerk's File No. V545732, out of the John Austin Survey, Abstract No. 1, in the City of Houston, Harris County, Texas, said 9.7987 acre tract being more particularly described as follows (All bearings are based on the North American Datum of 1983 (NAD83), Texas State Plane Coordinate System, South Central Zone. All distances and bearings are surface and may be converted to grid by multiplying by a scale factor of 0.999893351):

Beginning at a chiseled "X" (X = 3,123,492.61, Y = 13,847,839.63) in a concrete wall found for the intersection of the easterly right-of-way line of North Main Street (width varies) and the southerly right-of-way line of Burnett Street (60 feet wide), said point being the northwest corner of said called 8.1226 acre tract and of the herein described parcel;

THENCE, North 65°32'45" East, along the southerly right-of-way line of Burnett Street, passing at a distance of 757.68 feet a point for the northeast corner of the said 8.1226 acre tract and the northwest corner of the said 35.0258 acre tract, and continuing along said southerly right-of-way line passing at a distance of 773.74 feet a found 5/8-inch iron rod with cap and continuing along

said southerly right-of-way line for a total distance of 794.99 feet to a 5/8-inch iron rod with cap set for the northeast corner of the herein described parcel;

THENCE, South 24°27'15" East, a distance of 446.94 feet to a 5/8-inch iron rod set for corner of the herein described parcel;

THENCE, South 79°11'30" East, a distance of 216.63 feet to a 5/8-inch iron rod set for corner of the herein described parcel;

THENCE, North 87°36'39" East, a distance of 122.58 feet to a 5/8-inch iron rod set for a southeasterly corner of the herein described parcel;

THENCE, South 04°10'20" East, a distance of 106.82 feet to a 5/8-inch iron rod set for the most southerly corner of the herein described parcel;

THENCE, South 85°49'40" West, a distance of 480.00 feet to a 5/8-inch iron rod found for corner of the herein described parcel;

THENCE, North 25°41'07" West, a distance of 49.16 feet to 5/8-inch iron rod found for the most westerly southwest corner of said 35.0258 acre tract, same being an interior corner of the herein described parcel;

THENCE, South 64°40'21" West, along the southerly line of the said 8.1226 acre tract, a distance of 117.88 feet to a 5/8 inch iron rod with cap found for an angle point of the herein described parcel;

THENCE, South 67°57'57" West, a distance of 28.81 feet to a 5/8-inch iron rod with cap found for the point of curvature of a tangent curve to the right;

THENCE, southwesterly, along said curve to the right, having a radius of 850.00 feet, through a central angle of 20°35'49" (the chord bears South 78°15'51" West, a distance of 303.92 feet) an arc distance of 305.56 feet to a 5/8-inch iron rod cap set for an angle point of the herein described parcel;

THENCE, North 24°27'15" West, a distance of 19.41 feet to a 5/8-inch iron rod with cap set for an angle point of the herein described parcel;

THENCE, North 09°14'49" West, a distance of 18.62 feet to a 5/8-inch iron rod with cap found for an interior corner of the herein described parcel, said point being in a non-tangent curve to the right;

THENCE, southwesterly, along said non-tangent curve to the right, having a radius of 446.41 feet, through a central angle of 22°03'23" (the chord bears South 87°01'40" West, a distance of 170.79 feet) an arc distance of 171.85 feet to a 5/8-inch iron rod set in the easterly right-of-way line of the aforementioned North Main Street, said point being the most westerly southwest corner of the herein described parcel;

THENCE, North 24°27'15" West, along the easterly right-of-way line of said North Main Street, a distance of 336.46 feet to the POINT OF BEGINNING and containing a computed area of 9.7987 acres (426,832 square feet) of land.

TRACT 2

Being a 1.2155 acre tract of land located in the John Austin Survey, Abstract-1, in Harris County, Texas; said 1.2155 acre tract being part of a called 35.0258 acre tract recorded in the name of Hardy Street Partners, L.P., in Harris County Clerk's File (H.C.C.F.) numbers V435947, V545732

and V545733 and all of a called 1.2155 acre tract recorded in the name of Burnett 1.2155 Acres, L.P., H.C.C.F. number Y144031; said 1.2155 acre tract being more particularly described by metes and bounds as follows; (bearings are referenced to the Texas State Plane Coordinate System, South Central Zone- 4204, N.A.D.83):

COMMENCING at a 5/8-inch iron rod found at the intersection of the easterly right-of-way (R.O.W.) line of North Main Street (width varies) and the southerly R.O.W. line of Burnett Road (60 feet wide), for the northwest corner of a called 8.1226 acre tract recorded in the name of Hardy Street Partners, L.P., in H.C.C.F. numbers V435947, V545732 and V545733;

Thence, with the southerly R.O.W. line of said Burnett Street and the northerly line of said 8.1226 acre tract and said 35.0258 acre tract the following three (3) courses:

North 65° 32' 15" East, passing at a distance of 757.68 feet a 5/8-inch iron rod set for the northeast corner of said 8.1226 acre tract, being the northeast corner of said 35.0258 acre tract, passing at a distance of 773.81 feet a 5/8-inch iron rod found for the northeast corner of a called 8.299 acre lease area last defined and amended under H.C.C.F. number W406318, continuing for a total distance of 1730.29 feet to a 5/8-inch iron rod set for an angle point;

North 72° 32' 32" East, a distance of 269.39 feet to a 5/8- inch iron rod set for an angle point;

North 87° 42' 48" East, a distance of 430.50 feet to a 5/8-inch iron rod found for the northwest corner of said 1.2155 acre tract and POINT OF BEGINNING of the herein described tract;

Thence, continuing with the southerly R.O.W. line of said Burnett Street and the northerly line of said 1.2155 acre tract, North 87° 42' 48" East, a distance of 349.50 feet to an "X" out in concrete found at the intersection of the south R.O.W. line of said Burnett Street and the west R.O.W. line of Hardy Street (60 feet wide per S.F. Noble's Addition as described in Volume 5, Page 69, of the Harris County Deed Records (H.C.D.R.)), for the northeast corner of said 1.2155 acre tract and the herein described tract;

Thence, with the west R.O.W. line of said Hardy Street and the east line of said 1.2155 acre tract, South 02° 17' 12" East, a distance of 151.50 feet to a 5/8-inch rod set for the southeast corner of said 1.2155 acre tract and the herein described tract;

Thence, with the south and west lines of said 1.2155 acre tract the following two (2) courses:

South 87° 42' 48" West, for a distance of 349.50 feet to a 5/8-inch iron rod set for the southwest corner of said 1.2155 acre tract and the herein described tract;

North 02° 17' 12" West, a distance of 151.50 feet to the Point of Beginning and containing 1.2155 acres of land.

TRACT 3

Description of a 1.3774 acre (60,000 square feet) tract of land located in the John Austin Survey, Abstract Number 1, in the City of Houston, Harris County, Texas, said 1.3774 acre tract being more particularly described as follows (with bearing are referenced to the Texas State Plane Coordinate System, South Central Zone, NAD27).

Beginning at a 5/8 inch iron rod with plastic cap set for the intersection of the easterly right-of-way line of Maury Street (60 feet wide) and the southerly right-of-way line of Brooks Street (60 feet wide), said point being the northwest corner of the herein described tract;

THENCE, North 87°43'18" East, along the southerly right-of-way line of Brooks Street, a distance of 200.0 feet to a 5/8 inch iron rod with plastic cap set in the westerly right-of-way line of Maffitt Street (width varies) for the northeast corner of the herein described tract;

THENCE, South 02°16'42" East, along the westerly right-of-way line of said Maffitt Street, a distance of 300.00 feet to a 5/8 inch iron rod with plastic cap set in the northerly right-of-way line of Burnett Street (60 feet wide) for the southeast corner of the herein described tract;

THENCE, South 87°43'18" West, along the northerly right-of-way line of said Burnett Street, a distance of 200.00 feet to a 5/8 inch iron rod with plastic cap set in the easterly right-of-way line of said Maury Street for the southwest corner of the herein described tract;

THENCE, North 02°16'42" West, along the easterly right-of-way line of said Maury Street, a distance of 300.00 feet to the POINT OF BEGINNING and containing a computed area of 1.3774 acres (60,000 square feet) of land.

TRACT 4

Description of a 1.377 acre (60,000 square feet) tract of land being all of Block 63 according to the plat thereof recorded under Volume 5, Page 69 of the S.F. NOBLES ADDITION, NORTHSIDE OF BUFFALO BAYOU Harris County Deed Records and being the same 1.3774 acre tract described in a deed to Rubber Applicators, Inc. as recorded under Harris County Clerk's File No. H047380, located in the John Austin Survey, Abstract Number 1, in the City of Houston, Harris County, Texas, said 1.377 acre tract being more particularly described as follows (with bearing are referenced to the Texas State Plane Coordinate System, South Central Zone, NAD27).

BEGINNING at a 5/8 inch iron rod with plastic cap found at the intersection of the westerly right-of-way line of Maury Street (60 feet wide as recorded under Vol. 5, Pg. 69 of said F.S. NOBLES ADDITION NORTHSIDE OF BUFFALO BAYOU) and the southerly right-of-way line of Burnett Street (60 feet wide, as recorded under Vol. 5, Pg. 69 of said F.S. NOBLES ADDITION NORTHSIDE OF BUFFALO BAYOU)), for the northeast corner of this herein described tract;

THENCE, South 02°16'42" East, along the westerly right-of-way line of said Maury Street, and the easterly line of said Block 63, a distance of 300.00 feet to a 5/8 inch iron rod with plastic cap set in the northerly right-of-way line of Leona Street (60 feet width as recorded under Vol. 5, Pg. 69 of said F.S. NOBLES ADDITION NORTHSIDE OF BUFFALO BAYOU) for the southeast corner of this herein described tract;

THENCE, South 87°43'18" West, along the northerly right-of-way line of said Leona Street, a distance of 200.00 feet to a 5/8 inch iron rod with plastic cap set in the easterly right-of-way line of Elysian Street (60 feet wide as recorded under Vol. 5, Pg. 69 of said F.S. NOBLES ADDITION NORTHSIDE OF BUFFALO BAYOU) for the southwest corner of this herein described tract;

THENCE, North 02°16'42" West, along the easterly right-of-way line of said Elysian Street, a distance of 300.00 feet to a 5/8 inch iron rod with plastic cap set in the southerly right-of-way line of aforesaid Burnett Street for the northeast corner of this herein described tract;

THENCE, North 87°43'18" East, along the southerly right-of-way line of the aforesaid Burnett Street, a distance of 200.00 feet to the POINT OF BEGINNING and containing a computed area of 1.377 acres (60,000 square feet) of land.

TRACT 5

Description of a 0.9474 acre (41,267 square feet) tract of land located in the John Austin Survey, Abstract Number 1, in the City of Houston, Harris County, Texas, said 0.9474 acre tract being

more particularly described as follows (with bearing are referenced to the Texas State Plane Coordinate System, South Central Zone, NAD27).

Beginning at a 5/8 inch iron rod with plastic cap set for the intersection of the easterly right-of-way line of Maury Street (60 feet wide) and the southerly right-of-way line of Burnett Street (60 feet wide), said point being the northwest corner of the herein described tract;

THENCE, North $87^{\circ}43'18''$ East, along the southerly right-of-way line of Burnett Street, a distance of 202.50 feet to a point in the westerly right-of-way line of Maffitt Street (width varies) for the northeast corner of the herein described tract;

THENCE, South $11^{\circ}49'18''$ West, a distance of 105.79 feet to an angle point for the herein described tract;

THENCE, South $24^{\circ}53'50''$ West, a distance of 82.17 feet to a 5/8 inch iron rod with plastic cap set for beginning of a non-tangent curve to the right;

THENCE, southwesterly, along said curve to the right having a radius of 342.78 feet through a central angle of $31^{\circ}35'15''$ (the chord bears South $45^{\circ}58'01''$ West, a distance of 186.59 feet) an arc distance of 188.98 feet to a 5/8 inch iron rod with plastic cap set in the easterly right-of-way line of said Maury Street for the southwest corner of the herein described tract;

THENCE, North $02^{\circ}16'42''$ West, along the easterly right-of-way line of said Maury Street, a distance of 299.96 feet to the POINT OF BEGINNING and containing a computed area of 0.9474 acres (41,267 square feet) of land.

PROPERTY OWNED BY GULF STATES INVESTMENTS CORPORATION

TRACT 1

Description of a 2.723 acre (118,621 square feet) tract of land being all of a called 0.472 acre tract recorded in File Number 20090238635 of the Harris County Official Public Records of Real Property (H.C.O.P.R.R.P.), all of a called 57,439 square feet tract recorded in Volume 6350, Page 319 of the Harris County Deed Records (H.C.D.R.) and the residue of a called 50,706 square feet tract recorded in Volume 6343, Page 25 of said H.C.D.R. and situated in the John Austin Survey, Abstract No. 1, in Harris County, Texas, said 2.723 acre tract being more particularly described as follows (with bearings referenced to the Texas Coordinate System of 1983, South Central Zone):

BEGINNING at a $\frac{3}{4}$ " iron pipe found at the intersection of the westerly right-of-way line of Chapman Street (a 60 feet wide right-of-way) and the north right-of-way line of Conti Street (a 60 feet wide right-of-way) and the southeast corner of said 57,439 square feet tract;

THENCE, South 57°05'39" West, along the northerly right-of-way line of said Conti Street, a distance of 478.51 feet to a point for the southwest corner of said 50,706 square feet tract in the easterly right-of-way line of High Street (a 40 feet wide right-of-way);

THENCE, North 18°36'36" West, along the easterly right-of-way line of said High Street, a distance of 131.04 feet to a PK nail set for the southwest corner of a called 0.234 acre tract recorded in File Number 20090238634 of said H.C.O.P.R.R.P.;

THENCE, North 57°04'02" East, along the southerly line of said 0.234 acre tract, a distance of 102.52 feet to an "X" in concrete set for the southeast corner of said 0.234 acre tract;

THENCE, North 18°40'02" West, along the easterly line of said 0.234 acre tract, passing at a distance of 98.00 feet an "X" in concrete set for the northeast corner of said 0.234 acre tract and the southwest corner of said 0.472 acre tract, and continuing along the westerly line of said 0.472 acre tract for a total distance of 173.24 feet to a $\frac{5}{8}$ " iron rod with plastic cap stamped "SURVCON INC" set for the northwest corner of said 0.472 acre tract;

THENCE, North 62°09'12" East, along the northerly line of said 0.472 acre tract, a distance of 197.28 feet to an angle point from which a $\frac{1}{2}$ " iron rod bears South 14°03' East, a distance of 0.81 feet;

THENCE, North 62°29'12" East, continuing along the northerly line of said 0.472 acre tract, a distance of 80.61 feet to a point for the northeast corner of said 0.472 acre tract and the most northerly northwest corner of said 57,439 square feet tract from which a found $\frac{5}{8}$ " iron rod bears North 26°17' West, a distance of 1.81 feet;

THENCE, North 62°08'24" East, along a northerly line of said 57.439 square feet tract, a distance of 97.92 feet to a point for the northeast corner of said 57.439 square feet tract in the westerly right-of-way line of said Chapman Street, from which a found $\frac{3}{4}$ " iron pipe bears North 20°57' West, a distance of 1.05 feet;

THENCE, South 17°14'36" East, along the westerly right-of-way line of said Chapman Street, a distance of 271.44 feet to the POINT OF BEGINNING, and containing a computed area of 2.723 acres (118,621 square feet).

PROPERTY OWNED BY UNION PACIFIC RAILROAD

TRACT 1

All that certain tract or parcel containing 1.4576 acres of land known as Tract 1, same being comprised of Lots 1, 2, 3, 4, 5A, 6, 7A, 9, 10, 11, 12 & 15 in Block 2, Tracts 1 and 8 in Block 3 and Tracts 13 and 14 in Block 5, each in Trenton Addition, an unrecorded subdivision situated in the John Austin Survey, A-1 in Harris County, Texas, said Tract 1 also being comprised of all or part of those certain tracts of land as described in Volume 20, Page 262, Volume 53, Page 368, Volume 100, Page 173, Volume 131, Page 192, Volume 131, Page 194, Volume 795, Page 5 and Volume 964, Page 86 of the Harris County Deed Records and being more particularly described by metes and bounds as follows:

COMMENCING at a rail road spike in asphalt (found) marking the intersection of the Northeast right-of-way line of Daly Street, (variable width), with the Southeast right-of-way line of Trenton Street, (aka Burnett Street, variable width), same point marking the Westerly corner of that certain call 0.7868 acre tract of land out of Block 5 in said Trenton Addition as described in a deed filed for record under Harris County Clerk's File No. H-697906;

THENCE N 17°43'52" E, a distance of 74.94 feet, (call N 19°54'00" E, 75.00 feet), along the Southeast right-of-way line of said Trenton Street and the Northwest line of said 0.7868 acre tract of land to a 5/8" iron rod in asphalt (found) marking the Northerly corner of said 0.7868 acre tract of land and the most Westerly corner and POINT OF BEGINNING of the herein described Tract 1;

THENCE N 15°24'23" E, a distance of 1.75 feet along the Southeast right-of-way line of said Trenton Street to a rail road spike in asphalt (found) for angle point marking an interior corner of the herein described Tract 1;

THENCE N 65°32'47" E, a distance of 92.86 feet along the Southeast right-of-way line of said Trenton Street to a 5/8" iron rod with G. S. cap (found) for angle point marking an interior corner of the herein described Tract 1;

THENCE S 24°27'01" E, a distance of 15.39 feet along the Southeast right-of-way line of said Trenton Street to a p.k. nail with Terra Surveying Shiner (found) for angle point marking an interior corner of the herein described Tract 1;

THENCE N 62°10'32" E, a distance of 261.79 feet along the Southeast right-of-way line of said Trenton Street to a 5/8" iron rod with G. S. cap (found) marking the intersection of the Southeast right-of-way line of said Trenton Street with the Southwest right-of-way line of North Main Street, (variable width), same point marking the Northerly corner of the herein described Tract 1;

THENCE S 30°33'40" E, a distance of 368.71 feet along the Southwest right-of-way line of said North Main Street to a 5/8" iron rod with G. S. cap (found) marking the intersection of the Northeast right-of-way line of said Daly Street with the Southwest right-of-way line of said North Main Street, same point marking the Easterly corner of the herein described Tract 1;

THENCE N 66°57'34" W, a distance of 12.74 feet along the Northeast right-of-way line of said Daly Street to a 5/8" iron rod with G. S. cap (found) for angle point marking an interior corner of the herein described Tract 1;

THENCE S 78°14'55" W, a distance of 78.15 feet along the Northeast right-of-way line of said Daly Street to a 5/8" iron rod with G. S. cap (found) in the Southeast line of said 0.7668 acre tract of land marking the Southerly corner of the herein described Tract 1;

THENCE N 17°45'53" E, (call N 19°54'00" E), a distance of 43.17 feet along the Southeast line of said 0.7668 acre tract of land to a 5/8" iron rod with G. S. cap (found) marking the Easterly corner of said 0.7668 acre tract of land and an interior corner of the herein described Tract 1;

THENCE N 72°17'25" W, a distance of 457.03 feet, (call N 70°06'00" W, 475.00 feet), along the Northeast line of said 0.7668 acre tract of land to the POINT OF BEGINNING and containing 1.4576 acres of land.

TRACT 2

All that certain tract or parcel containing 6.4436 acres of land known as Tract 2 in the John Austin Survey, A-1 in Harris County, Texas, said Tract 2 also being comprised of all of Tracts 1E-1 and R-1 out of those certain tracts of land as described in Volume 18, Page 149, Volume 18, Page 155 both in the Harris County Deed Records and under Clerk's File No. B-422875, said Tract 2 being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod (found) in the Northeast right-of-way line of North Main Street, (variable width), marking the Southwest corner of that certain call 41.933 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. Y-922883 and the Northwest corner of the herein described Tract 2, same point being in a curve to the left having a radius of 446.41 feet;

THENCE Easterly, along the common line of said 41.933 acre tract of land and said Tract 2, with said curve to the left through a central angle of 22°03'32", (call 22°03'24"), a chord bearing and distance of N 87°04'26" E, 170.81 feet, (call N 87°01'40" E, 170.79 feet), an arc distance of 171.87 feet, (call 171.85 feet), to a 5/8" iron rod with Clark Geogram cap (found) marking an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 2;

THENCE S 09°29'38" E, a distance of 18.56 feet, (call S 09°15'19" E, 18.62 feet), along the common line of said 41.933 acre tract of land and said Tract 2 to a 5/8" iron rod with Clark Geogram cap (found) for angle point of said 41.933 acre tract of land and an angle point of the herein described Tract 2;

THENCE S 24°19'25" E, (call S 24°27'45" E), a distance of 19.41 feet along the common line of said 41.933 acre tract of land and said Tract 2 to a 5/8" iron rod with Clark Geogram cap (found) marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 2, same point being in a curve to the left having a radius of 850.00 feet;

THENCE Easterly, along the common line of said 41.933 acre tract of land and said Tract 2, with said curve to the left through a central angle of 20°35'47", (call 20°35'49"), a chord bearing and distance of N 78°13'33" E, 303.91 feet, (call N 78°15'21" E, 303.92 feet), an arc distance of 305.55 feet, (call 305.56 feet), to a 5/8" iron rod with Clark Geogram cap (found) for angle point marking an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 2;

THENCE N 68°11'14" E, a distance of 28.85 feet, (call N 67°57'27" E, 28.81 feet), along the common line of said 41.933 acre tract of land and said Tract 2 to a 5/8" iron rod with Clark Geogram cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 2;

THENCE N 64°28'01" E, a distance of 117.90 feet, (call N 64°39'51" E, 117.88 feet), along the common line of said 41.933 acre tract of land and said Tract 2 to a 5/8" iron rod with Clark Geogram cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 2;

THENCE S 25°45'18" E, a distance of 49.45 feet, (call S 25°41'37" E, 49.16 feet), along the common line of said 41.933 acre tract of land and said Tract 2 to a 5/8" iron rod with Clark Geogram cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 2;

THENCE N 85°49'04" E, (call N 85°49'10" E), a distance of 469.45 feet along the common line of said 41.933 acre tract of land and said Tract 2 to a 5/8" iron rod with EIC cap (set) (found) marking the Northeast corner of the herein described Tract 2 and the Northwest corner of that certain 4.7470 acre tract of land known as Tract 3, said Tract 3 being comprised of Tract 1 in Block 49 of the S. F. Nobles Subdivision, a subdivision in said Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, and Tracts R4, R7A and R7B situated in said John Austin Survey, A-1, said Tract 3 also being out those certain tracts of land as described in said Volume 18, Page 149, said Volume 18, Page 155, Volume 21, Page 539, Volume 21, Page 540, Volume 21, Page 639 and Volume 26, Page 461 of said Harris County Deed Records;

THENCE S 04°14'51" E, (call S 01°57'46" E), a distance of 232.16 feet along the common line of said Tracts 2 and 3 to a 3/8" iron rod (found bent) marking the Northeast corner of that certain call 1.6444 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. M-662374 and the Easterly-Southeast corner of the herein described Tract 2;

THENCE S 85°43'20" W, a distance of 737.81 feet, (call S 88°02'14" W, 737.80 feet), along the common line of said Tract 2 and said 1.6444 acre tract of land to an "x" in concrete (found) marking the Northwest corner of said 1.6444 acre tract of land and an interior corner of the herein described Tract 2, from this point a punch mark in concrete (found) bears S 30°03'59" W, 0.41 feet;

THENCE S 17°49'39" W, a distance of 29.62 feet, (call S 20°17'43" W, 29.65 feet), along the common line of said Tract 2 and said 1.6444 acre tract of land to a 5/8" iron rod with G. S. cap (found) marking an interior corner of said 1.6444 acre tract of land and an interior corner of the herein described Tract 2, same point being in a curve to the right having a radius of 214.66 feet;

THENCE Southeasterly, along the common line of said 1.6444 acre tract of land and said Tract 2, with said curve to the right through a central angle of 16°28'41", (call 16°28'17"), a chord bearing and distance of S 63°49'39" E, 61.52 feet, (call S 61°28'08" E, 61.50 feet), an arc distance of 61.73 feet, (call 61.71 feet), to an "x" in concrete (found) marking a point of tangency, an interior corner of said 1.6444 acre tract of land and an interior corner of the herein described Tract 2;

THENCE S 55°12'21" E, a distance of 78.73 feet, (call S 53°14'00" E, 78.76 feet), along the common line of said Tract 2 and said 1.6444 acre tract of land to an "x" in concrete (found) for angle point marking an interior corner of said 1.6444 acre tract of land and an interior corner of the herein described Tract 2, same point marking the being of a curve to the right having a radius of 385.84 feet;

THENCE Southeasterly, along the common line of said 1.6444 acre tract of land and said Tract 2, with said curve to the right through a central angle of 07°13'34", a chord bearing and distance of S 51°57'07" E, (call S 49°37'13" E), 48.63 feet, an arc distance of 48.66 feet to an "x" in concrete (found) marking a point of tangency, an interior corner of said 1.6444 acre tract of land and an interior corner of the herein described Tract 2;

THENCE S 48°20'20" E, (call S 46°00'26" E), a distance of 100.78 feet along the common line of said Tract 2 and said 1.6444 acre tract of land to an "x" in concrete (found) for angle point marking an interior corner of said 1.6444 acre tract of land and an interior corner of the herein described Tract 2, same point marking the being of a curve to the right having a radius of 471.64 feet;

THENCE Southeasterly, along the common line of said 1.6444 acre tract of land and said Tract 2, with said curve to the right through a central angle of 08°47'08", a chord bearing and distance of S 43°56'45" E, (call S 41°36'51" E), 72.25 feet, an arc distance of 72.32 feet to an "x" in concrete (found) in the Northwest right-of-way line of Naylor Street, a 60.00 foot right-of-way for street, road and highway purposes as described in an instrument filed for record in Volume 2047, Page 146 of said Harris County Deed Records marking the Southwest corner of said 1.6444 acre tract of land and the Southerly-Southeast corner of the herein described Tract 2;

THENCE S 65°46'35" W, (call S 68°09'30" W), a distance of 84.31 feet along the Northwest right-of-way line of said Naylor Street and the Southerly line of said Tract 2 to a 5/8" iron rod with G. S. cap (found) marking the most Southeasterly corner of Restricted Reserve "B" in Block 1 of Telecom Subdivision, a subdivision in said Harris County, Texas according to the map or plat thereof filed for record under Film Code No. 484135 of the Harris County Map Records and the Southerly-Southwest corner of the herein described Tract 2, from which point a P.K. nail with shiner (found) marking the Southwesterly corner of said Restricted Reserve "B" bears

S 65°55'33" W, 185.59 feet, (call S 68°16'53" W, 185.42 feet);

THENCE N 42°18'59" W, a distance of 275.00 feet, (call N 39°55'15" W, 275.05 feet), along the common line of said Restricted Reserve "B" and said Tract 2 to a 3/4" iron rod with Maverick Engineering cap (found) for angle point marking an interior corner of said Restricted Reserve "B" and an interior corner of the herein described Tract 2, from which point a 1/2" iron pipe (found) for reference bears S 52°26'21" W, 1.11 feet;

THENCE N 59°27'03" W, (call N 57°05'43" W), a distance of 91.64 feet along the common line of said Restricted Reserve "B" and said Tract 2 to a 3/4" iron rod with Maverick Engineering cap (found) for angle point marking an interior corner of said Restricted Reserve "B" and an interior corner of the herein described Tract 2;

THENCE S 66°25'46" W, (call S 65°47'06" W), a distance of 12.93 feet along the common line of said Restricted Reserve "B" and said Tract 2 to a p.k. nail with shiner (found) for angle point marking an interior corner of said Restricted Reserve "B" and an interior corner of the herein described Tract 2;

THENCE N 61°26'43" W, (call N 59°05'23" W), a distance of 65.94 feet along the common line of said Restricted Reserve "B" and said Tract 2 to a 5/8" iron rod with Prejean cap (found) for angle point marking an interior corner of said Restricted Reserve "B" and an interior corner of the herein described Tract 2;

N 61°18'49" W, (call N 58°57'29" W), a distance of 89.26 feet along the common line of said Restricted Reserve "B" and said Tract 2 to a p.k. nail with shiner (found) for angle point marking an interior corner of said Restricted Reserve "B" and an interior corner of the herein described Tract 2;

THENCE N 67°32'52" W, (call N 65°11'32" W), a distance of 116.47 feet along the common line of said Restricted Reserve "B" and said Tract 2 to a 5/8" iron rod with Prejean cap (found) for angle pointing the east right-of-way line of said North main Street marking the Northerly corner of said Restricted Reserve "B" and the Westerly-Southwest corner of the herein described Tract 2;

THENCE N 26°55'56" W, a distance of 135.37 feet to the POINT OF BEGINNING and containing 6.4436 acres of land.

TRACT 3

All that certain tract or parcel containing 4.7470 acres of land known as Tract 3, said Tract 3 being comprised of Tract 1 in Block 49 of the S. F. Nobles Subdivision, a subdivision in Harris

County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, and Tracts R4, R7A and R7B situated in the John Austin Survey, A-1 in said Harris County, Texas, said Tract 3 also being out those certain tracts of land as described in Volume 18, Page 149, Volume 18, Page 155, Volume 21, Page 539, Volume 21, Page 540, Volume 21, Page 639 and Volume 26, Page 461 of said Harris County Deed Records and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with G. S. cap (found) in the Easterly line of that certain call 1.6444 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. M-662374 marking the Northwest corner of that certain call 1.7298 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. N-469053 and the Southwest corner of the herein described Tract 3;

THENCE N 04°14'51" W, (call N 01°56'46" W), along the common line of said 1.7928 and said 1.6444 acre tracts of land, passing at 2.10 feet a 3/8" iron rod (found bent) marking the Northeast corner of said 1.6444 acre tract of land and the Easterly-Southeast corner of that certain 6.4436 acre tract of land known as Tract 2 in said John Austin Survey, A-1 in Harris County, Texas, said Tract 2 also being comprised of all of Tracts 1E-1 and R-1 out of those certain tracts of land as described in said Volume 18, Page 149, said Volume 18, Page 155 both in the Harris County Deed Records and under Clerk's File No. B-422875, a total distance of 234.26 feet to a 5/8" iron rod with EIC cap (set) in the Southerly line of that certain call 41.933 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. Y-922883 marking the Northeast corner of said Tract 2 and the Northwest corner of the herein described Tract 3;

THENCE N 85°49'04" E, (call N 85°49'10" E), a distance of 107.17 feet along the common line of said 41.933 acre tract of land and said Tract 3 to a 5/8" iron rod with Miller Surveying cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 3, same point marking the beginning of a curve to the left having a radius of 2,260.00 feet;

THENCE Easterly, along the common line of said 41.933 acre tract of land and said Tract 3, with said curve to the left through a central angle of 03°23'29", (call 03°23'36"), a chord bearing and distance of N 84°06'20" E, 133.75 feet, (call N 84°07'22" E, 133.83 feet), an arc distance of 133.17 feet, (call 133.85 feet), to a 5/8" iron rod with Miller Surveying cap (found) marking an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 3, same point marking the beginning of a compound curve to the left having a radius of 6,137.05 feet;

THENCE continuing Easterly, along the common line of said 41.933 acre tract of land and said Tract 3, with said curve to the left through a central angle of 02°36'46", (call 02°36'48"), a chord bearing and distance of N 83°44'13" E, 279.83 feet, (call N 83°43'58" E, 279.89 feet), an arc distance of 279.85 feet, (call 279.91 feet), to a 5/8" iron rod with Miller Surveying cap (found) marking an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 3, same point marking the beginning of a compound curve to the left having a radius of 750.00 feet;

THENCE continuing Easterly, along the common line of said 41.933 acre tract of land and said Tract 3, with said curve to the left through a central angle of 22°54'37", (call 22°54'41"), a chord bearing and distance of N 73°34'52" E, 297.90 feet, (call N 73°35'01" E, 297.92 feet), an arc distance of 299.89 feet, (call 299.91 feet), to a 5/8" iron rod with Miller Surveying cap (found) marking a point of tangency, an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 3;

THENCE N 62°09'50" E, (call N 62°07'41" E), a distance of 71.69 feet along the common line of said 41.933 acre tract of land and said Tract 3 to a 5/8" iron rod with EIC Surveying cap (found)

for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 3;

THENCE N 73°41'31" E, (call N 73°39'21" E), a distance of 23.20 feet along the common line of said 41.933 acre tract of land and said Tract 3 to a 5/8" iron rod with Miller Surveying cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 3;

THENCE N 62°09'50" E, (call N 62°07'41" E), a distance of 157.19 feet along the common line of said 41.933 acre tract of land and said Tract 3 to a 5/8" iron rod with EIC Surveying cap (set) for angle point marking interior corner of said 41.933 acre tract of land and the Northerly-Northeast corner of the herein described Tract 3 and the Northwest corner of that certain 0.1665 acre tract of land known as Tract 4 out of Lot 6 in Block 47 of said S. F. Nobles Subdivision, said Tract 4 also being that same tract of land as described in a deed filed for record in Volume 21, Page 633 of said Harris County Deed Records;

THENCE S 02°12'28" E, a distance of 61.29 feet along the common line of said Tracts 3 and 4 to a point for corner on old rail road track marking the Southwest corner of said Tract 4 and an interior corner of the herein described Tract 3;

THENCE N 62°10'05" E, a distance of 125.95 feet along the common line of said Tracts 3 and 4 to a point for corner on old rail road track in the West right-of-way line of McKee Street, (60.00 feet in width), marking the Southeast corner of said Tract 4 and the Easterly-Northeast corner of the herein described Tract 3;

THENCE S 02°12'28" E, a distance of 71.40 feet along the West right-of-way line of said McKee Street to a 1" iron pipe (found) marking the Northeast corner of Lot 12 in said Block 47 and the Northeast corner of that certain call 1.7652 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. E-735759;

THENCE S 62°27'18" W, (call S 64°51'00" W), along the common line of said Lot 12, said 1.7652 acre tract of land and said Tract 3, passing at 125.65 feet the Northwest corner of said Lot 12 and the Northeast corner of Lot 1 in Block 4 of the W. E. Champions Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume X, Page 788 of the Harris County Deed Records, and passing at 450.72 feet a 5/8" iron rod with G. S. cap (found) in the East right-of-way line of Chapman Street, (60.00 feet in width), marking the Northwest corner of Lot 6 in said Block 4 and the Northwest corner of said 1.7652 acre tract of land, a total distance of 511.69 feet to a 5/8" iron rod (found) in the West right-of-way line of said Chapman Street, the East line of Lot 1 in Block 3 of said W. E. Champions Subdivision and the East line of that certain call 57,439 square foot tract of land as described in a deed filed for record under Harris County Clerk's File No. C-3005200 marking an interior corner of the herein described Tract 3;

THENCE N 17°19'21" W, (call N 14°53'00" W), a distance of 12.27 feet along the West right-of-way line of said Chapman Street, the East line of said Lot 1 in Block 3 and the common line of said Tract 3 and said 57,439 square foot tract of land to a 1" iron pipe (found) marking the Northeast corner of said Lot 1 in Block 3, the Northeast corner of said 57,439 square foot tract of land and an interior corner of the herein described Tract 3;

THENCE S 62°35'50" W, a distance of 97.85 feet, (call S 64°30'00" W, 97.94 feet), along the common line of said Lot 1 in Block 3, said Tract 3 and said 57,439 square foot tract of land to 5/8" iron rod (found bent) for angle point marking the Northwest corner of Lot 2 in said Block 3, an interior corner of said 57,439 square foot tract of land, the Northeast corner of said 1.7298 acre tract of land and an interior corner of the herein described Tract 3;

THENCE S 60°38'46" W, a distance of 80.86 feet, (call S 64°50'00" W, 80.61 feet), along the common line of said Tract 3 and said 1.7298 acre tract of land to a ½" iron rod (found bent) for angle point marking an interior corner of said 1.7298 acre tract of land and an interior corner of the herein described Tract 3;

THENCE S 61°57'09" W, a distance of 321.61 feet, (call S 64°30'00" W, 325.84 feet), along the common line of said Tract 3 and said 1.7298 acre tract of land to a 5/8" iron rod (found bent) for angle point marking an interior corner of said 1.7298 acre tract of land and an interior corner of the herein described Tract 3;

THENCE N 04°03'58" W, a distance of 68.15 feet, (call N 01°52'46"E, 68.32 feet), along the common line of said Tract 3 and said 1.7298 acre tract of land to a ½" iron rod (found bent) for angle point marking an interior corner of said 1.7298 acre tract of land and an interior corner of the herein described Tract 3;

THENCE S 85°45'01" W, a distance of 224.90 feet, (call S 88°02'14" W, 224.86 feet), along the common line of said Tract 3 and said 1.7298 acre tract of land to the POINT OF BEGINNING and containing 4.4740 acres of land.

TRACT 4

All that certain tract or parcel containing 0.1665 acres of land known as Tract 4, said Tract 4 being comprised of Tract 6 in Block 47 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, said Tract 4 also being that same tract of land as described in Volume 21, Page 633 of the Harris County Deed Records and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8" iron rod with G. S. cap (found) in the Easterly line of that certain call 1.6444 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. M-662374 marking the Northwest corner of that certain call 1.7298 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. N-469053 and the Southwest corner of that certain 4.7470 acre tract of land known as Tract 3, said Tract 3 being comprised of Tract 1 in Block 49 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, and Tracts R4, R7A and R7B situated in the John Austin Survey, A-1 in said Harris County, Texas, said Tract 3 also being out those certain tracts of land as described in Volume 18, Page 149, Volume 18, Page 155, Volume 21, Page 539, Volume 21, Page 540, Volume 21, Page 639 and Volume 26, Page 461 of said Harris County Deed Records;

THENCE N 04°14'51" W, (call N 01°56'46" W), along the common line of said 1.7928 and said 1.6444 acre tracts of land, passing at 2.10 feet a 3/8" iron rod (found bent) marking the Northeast corner of said 1.6444 acre tract of land and the Easterly-Southeast corner of that certain 6.4436 acre tract of land known as Tract 2 in said John Austin Survey, A-1 in Harris County, Texas, said Tract 2 also being comprised of all of Tracts 1E-1 and R-1 out of those certain tracts of land as described in said Volume 18, Page 149, said Volume 18, Page 155 both in the Harris County Deed Records and under Clerk's File No. B-422875, a total distance of 234.26 feet to a 5/8" iron rod with EIC cap (set) in the Southerly line of that certain call 41.933 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. Y-922883 marking the Northeast corner of said Tract 2 and the Northwest corner of said Tract 3;

THENCE N 85°49'04" E, (call N 85°49'10" E), a distance of 107.17 feet along the common line of said 41.933 acre tract of land and said Tract 3 to a 5/8" iron rod with Miller Surveying cap (found) for angle point marking an interior corner of said 41.933 acre tract of land and an interior corner of said Tract 3, same point marking the beginning of a curve to the left having a radius of 2,260.00 feet;

THENCE Easterly, along the common line of said 41.933 acre tract of land and said Tract 3, with said curve to the left through a central angle of $03^{\circ}23'29''$, (call $03^{\circ}23'36''$), a chord bearing and distance of $N 84^{\circ}06'20'' E$, 133.75 feet, (call $N 84^{\circ}07'22'' E$, 133.83 feet), an arc distance of 133.17 feet, (call 133.85 feet), to a $5/8''$ iron rod with Miller Surveying cap (found) marking an interior corner of said 41.933 acre tract of land and an interior corner of said Tract 3, same point marking the beginning of a compound curve to the left having a radius of 6,137.05 feet;

THENCE continuing Easterly, along the common line of said 41.933 acre tract of land and said Tract 4, with said curve to the left through a central angle of $02^{\circ}36'46''$, (call $02^{\circ}36'48''$), a chord bearing and distance of $N 83^{\circ}44'13'' E$, 279.83 feet, (call $N 83^{\circ}43'58'' E$, 279.89 feet), an arc distance of 279.85 feet, (call 279.91 feet), to a $5/8''$ iron rod with Miller Surveying cap (found) marking an interior corner of said 41.933 acre tract of land and an interior corner of said Tract 3, same point marking the beginning of a compound curve to the left having a radius of 750.00 feet;

THENCE continuing Easterly, along the common line of said 41.933 acre tract of land and said Tract 4, with said curve to the left through a central angle of $22^{\circ}54'37''$, (call $22^{\circ}54'41''$), a chord bearing and distance of $N 73^{\circ}34'52'' E$, 299.89 feet, (call $N 73^{\circ}35'01'' E$, 297.92 feet), an arc distance of 299.89 feet, (call 299.91 feet), to a $5/8''$ iron rod with Miller Surveying cap (found) marking a point of tangency, an interior corner of said 41.933 acre tract of land and an interior corner of said Tract 3;

THENCE $N 62^{\circ}09'50'' E$, (call $N 62^{\circ}07'41'' E$), a distance of 71.69 feet along the common line of said 41.933 acre tract of land and said Tract 4 to a $5/8''$ iron rod with EIC Surveying cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of said Tract 3;

THENCE $N 73^{\circ}41'31'' E$, (call $N 73^{\circ}39'21'' E$), a distance of 23.20 feet along the common line of said 41.933 acre tract of land and said Tract 4 to a $5/8''$ iron rod with Miller Surveying cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of said Tract 3;

THENCE $N 62^{\circ}09'50'' E$, (call $N 62^{\circ}07'41'' E$), a distance of 157.19 feet along the common line of said 41.933 acre tract of land and said Tract 3 to a $5/8''$ iron rod with EIC Surveying cap (set) for angle point in the West line of said Block 47 marking an interior corner of said 41.933 acre tract of land, the Northerly-Northeast corner of said Tract 3 and the Northwest corner and POINT OF BEGINNING the herein described Tract 4;

THENCE $N 62^{\circ}09'50'' E$, (call $N 62^{\circ}07'41'' E$), a distance of 43.01 feet along the common line of said 41.933 acre tract of land and said Tract 4 to a $5/8''$ iron rod with EIC Surveying cap (found) for angle point marking an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 4;

THENCE $N 50^{\circ}38'10'' E$, (call $N 50^{\circ}38'08'' E$), a distance of 23.20 feet along the common line of said 41.933 acre tract of land and said Tract 4 to a $5/8''$ iron rod with EIC Surveying cap (found) for angle point marking an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 4;

THENCE $N 62^{\circ}09'50'' E$, (call $N 62^{\circ}07'41'' E$), a distance of 62.43 feet along the common line of said 41.933 acre tract of land and said Tract 4 to a $5/8''$ iron rod with EIC Surveying cap (set) in the West right-of-way line of McKee Street, (60.00 feet in width) marking the Northeast corner of the herein described Tract 4;

THENCE $S 02^{\circ}12'28'' E$, a distance of 66.44 feet along the West right-of-way line of said McKee Street and the East line of said Tract 4 to a point for corner on old rail road track in the Northwest right-of-way line of an existing Southern Pacific Rail Road Company Easement, (50.00 feet in

width), as shown on the plat of said S. F. Nobles Subdivision marking the Southeast corner of the herein described Tract 4 and the Easterly-Northeast corner of said Tract 3;

THENCE S 62°10'05" W, a distance of 125.95 feet along the Northwest line of said Southern Pacific Rail Road Company Easement and the common line of said Tracts 3 and 4 to a point for corner on old rail road track marking the Southwest corner of the herein described Tract 4 and an interior corner of said Tract 3;

THENCE N 02°12'26" W, a distance of 61.29 feet along the common line of said Tracts 3 and 4 to the POINT OF BEGINNING and containing 0.1665 acre of land.

TRACT 5

All that certain tract or parcel containing 0.0450 acre of land known as Tract 5 out of Lot 6 in Block 46 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, said Tract 5 being that same tract of land as described in a deed filed for record in Volume 41, Page 423 of the Harris County Deed Records and being more particularly described by metes and bounds as follows:

COMMENCING at a ½" iron rod (found) marking the intersection of the North right-of-way line of Opelousas Street with the West right-of-way line of Maury Street, (both 60.00 feet in width), same point marking the Southeast corner of Lot 12 in Block 56 of said S. F. Nobles Subdivision, from this point a 5/8" iron rod with G. S. cap (found) bears N 15°50'48" W, 0.20 feet;

THENCE S 02°16'50" E, a distance of 60.00 feet to a point for corner marking the intersection of the West right-of-way line of said Maury Street with the South right-of-way line of said Opelousas Street, same point marking the Northeast corner of Lot 7 in Block 44 of said S. F. Nobles Subdivision, from this point an axle (found bent) bears N 38°39'50" E, 0.23 feet;

THENCE S 87°44'36" W, along the South right-of-way line of said Opelousas Street, passing at 260.00 feet the intersection of the West right-of-way line of Elysian Street, (60.00 feet in width), with the South right-of-way line of said Opelousas Street, same point marking the Northeast corner of Lot 7 in Block 45 of said S. F. Nobles Subdivision, from this point a 1" iron bar (found) bears N 87°44'34"E, 0.60 feet, and passing at 460.00 feet the intersection of the West right-of-way line of Hardy Street, (variable width), with the South right-of-way line of said Opelousas Street, same point marking the Northeast corner of Lot 7 in Block 46 of said S. F. Nobles Subdivision, from this point a 5/8" iron rod with G. S. cap (found) bears S 02°16'50" E, 3.27 feet, a total distance of 628.99 feet to a 5/8" iron rod with EIC cap (set) in the North line of said Lot 6 and in the Northwest right-of-way line of an existing Southern Pacific Rail Road Company Easement, (50.00 feet in width), as shown on the plat of said S. F. Nobles Subdivision marking the Northeast corner and POINT OF BEGINNING of the herein described Tract 5;

THENCE S 62°10'05" W, a distance of 100.32 feet along the Northwest line of said Southern Pacific Rail Road Company Easement and the South line of said Tract 5 to a point for corner on old rail road track in the East right-of-way line of McKee Street, (60.00 feet in width), and the West line of said Lot 6 marking the Southwest corner of the herein described Tract 5;

THENCE N 02°12'28" W, a distance of 43.31 feet along the East right-of-way line of said McKee Street and the West line of said Lot 6 to a point for corner on old rail road track marking the intersection of the East right-of-way line of said McKee Street with the South right-of-way line of said Opelousas Street, the Northwest corner of said Lot 6 and the Northwest corner of the herein described Tract 5;

THENCE N 87°44'36" E, a distance of 90.46 feet along the South right-of-way line of said Opelousas Street to the POINT OF BEGINNING and containing 0.0450 acre of land.

TRACT 6

All that certain tract or parcel containing 0.0877 acre of land known as Tract 6 out of Lots 1, 11 and 12, each in Block 54 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, said Tract 6 being that same tract of land as described in a deed filed for record in Volume 30, Page 288 of the Harris County Deed Records and being more particularly described by metes and bounds as follows:

COMMENCING at a ½" iron rod (found) marking the intersection of the North right-of-way line of Opelousas Street with the West right-of-way line of Maury Street, (both 60.00 feet in width), same point marking the Southeast corner of Lot 12 in Block 56 of said S. F. Nobles Subdivision, from this point a 5/8" iron rod with G. S. cap (found) bears N 15°50'48" W, 0.20 feet;

THENCE S 87°44'36" W, along the North right-of-way line of said Opelousas Street, passing at 200.00 feet a 5/8" iron rod (found) marking the intersection of the East right-of-way line of Elysian Street, (60.00 feet in width), with the North right-of-way line of said Opelousas Street, same point marking the Southwest corner of Lot 1 in said Block 56, a total distance of 520.00 feet to a point for corner in old rail road track marking the intersection of the West right-of-way line of Hardy Street, (variable width), with the North right-of-way line of said Opelousas Street, same point marking the Southeast corner of said Lot 12 and the Southeast corner and POINT OF BEGINNING of the herein described Tract 6;

THENCE continuing S 87°44'36" W, along the North right-of-way line of said Opelousas Street, passing at 100.00 feet the Southwest corner of said Lot 12 and the Southeast corner of said Lot 1, a total distance of 124.28 feet to a 5/8" iron rod with EIC cap (set) in the Southerly line of that certain call 41.933 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. Y-922883 marking the Southwest corner of the herein described Tract 6;

THENCE N 61°25'48" E, (call N 61°25'19" E), a distance of 138.65 feet along the common line of said 41.933 acre tract of land and said Tract 6 to a 5/8" iron rod with EIC cap (set) in the East line of said Lot 11 and the West right-of-way line of said Hardy Street marking the Northeast corner of the herein described Tract 6;

THENCE S 02°15'10" E, along the West right-of-way line of said Hardy Street and the East line of said Lot 11, passing at 11.46 feet the Southeast corner of said Lot 11 and the Northeast corner of said Lot 12, a total distance of 61.46 feet to the POINT OF BEGINNING and containing 0.0877 acre of land.

TRACT 7

All that certain tract or parcel containing 0.3299 acre of land known as Tract 7 out of Lots 1, 2, 3, 9, 10 and 11, each in Block 55 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, said Tract 7 being that same tract of land as described in deeds filed for record in Volume 26, Page 240 Volume 26, Page 492 and Volume 28, Page 211, each in the Harris County Deed Records, said Tract 7 being more particularly described by metes and bounds as follows:

COMMENCING at a ½" iron rod (found) marking the intersection of the North right-of-way line of Opelousas Street with the West right-of-way line of Maury Street, (both 60.00 feet in width), same

point marking the Southeast corner of Lot 12 in said Block 55, from this point a 5/8" iron rod with G. S. cap (found) bears N 15°50'48" W, 0.20 feet;

THENCE S 87°44'36" W, along the North right-of-way line of said Opelousas Street, passing at 200.00 feet a 5/8" iron rod (found) marking the intersection of the East right-of-way line of Elysian Street, (60.00 feet in width), with the North right-of-way line of said Opelousas Street, same point marking the Southwest corner of Lot 1 in said Block 56, a total distance of 260.00 feet to a 5/8" iron rod with EIC cap (set) marking the intersection of the West right-of-way line of Elysian Street, (60.00 feet in width), with the North right-of-way line of said Opelousas Street, same point marking the Southeast corner of said Lot 12 in said Block 55;

THENCE N 02°16'52" W, a distance of 116.55 feet to a point for corner on old rail road track in the Northwest right-of-way line of an existing Southern Pacific Rail Road Company Easement, (50.00 feet in width), as shown on the plat of said S. F. Nobles Subdivision in the West right-of-way line of said Elysian Street and the East line of said Lot 10 marking the Southeast corner and POINT OF BEGINNING of the herein described Tract 7;

THENCE S 62°10'05" W, a distance of 221.67 feet along the Northwest line of said Southern Pacific Rail Road Company Easement to a point for corner on old rail road track in the East right-of-way line of said Hardy Street, (variable width), and the West line of said Lot 1 marking the Southwest corner of the herein described Tract 7;

THENCE N 02°15'10" W, along the East right-of-way line of said Hardy Street and the West line of said Lot 1, passing at 29.14 feet the Northwest corner of said Lot 1 and the Southwest corner of said Lot 2, a total distance of 70.28 feet to a 5/8" iron rod with EIC cap (set) in the Southerly line of that certain call 41.933 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. Y-922883 marking the Northwest corner of the herein described Tract 7;

THENCE N 61°25'48" E, (call N 61°25'19" E), a distance of 223.03 feet along the common line of said 41.933 acre tract of land and said Tract 7 to a 5/8" iron rod with Miller Surveying cap (found) in the East line of said Lot 9 and the West right-of-way line of said Elysian Street marking the Northeast corner of the herein described Tract 7;

THENCE S 02°16'52" E, along the West right-of-way line of said Elysian Street and the East line of said Lot 11, passing at 39.99 feet the Southeast corner of said Lot 9 and the Northeast corner of said Lot 10, a total distance of 73.44 feet to the POINT OF BEGINNING and containing 0.3299 acre of land.

TRACT 8

All that certain tract or parcel containing 0.3408 acre of land known as Tract 8 out of Lots 3, 4, 5, 6, 7, 8 and 9, each in Block 56 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, said Tract 8 being that same tract of land as described in a deed filed for record in Volume 18, Page 431 of the Harris County Deed Records and being more particularly described by metes and bounds as follows:

COMMENCING at a ½" iron rod (found) marking the intersection of the North right-of-way line of Opelousas Street with the West right-of-way line of Maury Street, (both 60.00 feet in width), same point marking the Southeast corner of Lot 12 in Block 56 of said S. F. Nobles Subdivision, from this point a 5/8" iron rod with G. S. cap (found) bears N 15°50'48" W, 0.20 feet;

THENCE N 02°16'50" W, a distance of 240.96 feet along the West right-of-way line of said Maury Street to a 5/8" iron rod with EIC cap (set) marking the intersection of the West right-of-way line of

said Maury Street with Northwest right-of-way line of an existing Southern Pacific Rail Road Company Easement, (50.00 feet in width), as shown on the plat of said S. F. Nobles Subdivision, same point being in the East line of said Lot 8 marking the Southeast corner and POINT OF BEGINNING of the herein described Tract 8;

THENCE S 62°10'05" W, a distance of 221.68 feet along the Northwest line of said Southern Pacific Rail Road Company Easement to a 5/8" iron rod with EIC cap (set) in the East right-of-way line of Elysian Street, (60.00 feet in width), and the West line of said Lot 3 marking the Southwest corner of the herein described Tract 8;

THENCE N 02°16'52" W, along the East right-of-way line of said Hardy Street and the West line of said Lot 1, passing at 4.84 feet the Northwest corner of said Lot 3 and the Southwest corner of said Lot 4, and passing at 54.84 feet the Northwest corner of said Lot 4 and the Southwest corner of said Lot 5, a total distance of 74.40 feet to a 5/8" iron rod with Miller Surveying cap (found) in the Southerly line of that certain call 41.933 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. Y-922883 marking the Northwest corner of the herein described Tract 8;

THENCE N 61°25'48" E, (call N 61°25'19" E), a distance of 180.81 feet along the common line of said 41.933 acre tract of land and said Tract 8 to a 5/8" iron rod (found) in the South right-of-way line of Leona Street, (60.00 feet in width), and the North line of said Lot 7 marking the most Easterly corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 8;

THENCE N 87°43'08" E, (call N 87°42'48" E), a distance of 37.89 feet along the South right-of-way line of said Leona Street to a 5/8" iron rod with EIC cap (set) marking the intersection of the South right-of-way line of said Leona Street with the West right-of-way line of said Maury Street, same point marking the Northeast corner of said Lot 7 and the Northeast corner of the herein described Tract 8, from this point a 5/8" iron rod (found) bears N 54°29'46" W, 0.49 feet;

THENCE S 02°16'50" E, along the West right-of-way line of said Maury and the East line of said Lot 7 passing at 50.00 the Southeast corner of said Lot 7 and the Northeast corner of said Lot 8 a total distance of 58.87 to the POINT OF BEGINNING and containing 0.3408 acre of land.

TRACT 9

All that certain tract or parcel containing 0.0896 acre of land known as Tract 9 out of Lots 1, 11 and 12, each in Block 55 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, said Tract 9 being that same tract of land as described in deeds filed for record in Volume 26, Page 240 Volume 26, Page 492 and Volume 28, Page 211, each in the Harris County Deed Records, said Tract 9 being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron rod (found) marking the intersection of the North right-of-way line of Opelousas Street with the West right-of-way line of Maury Street, (both 60.00 feet in width), same point marking the Southeast corner of Lot 12 in Block 56 of said S. F. Nobles Subdivision, from this point a 5/8" iron rod with G. S. cap (found) bears N 15°50'48" W, 0.20 feet;

THENCE S 87°44'36" W, along the North right-of-way line of said Opelousas Street, passing at 200.00 feet a 5/8" iron rod (found) marking the intersection of the East right-of-way line of Elysian Street, (60.00 feet in width), with the North right-of-way line of said Opelousas Street, same point marking the Southwest corner of Lot 1 in said Block 56, a total distance of 260.00 feet to a 5/8" iron rod with EIC cap (set) marking the intersection of the West right-of-way line of Elysian Street, (60.00 feet in width), with the North right-of-way line of said Opelousas Street, same point marking the Southeast corner of said Lot 12 and the Southeast corner and POINT OF BEGINNING of the herein described Tract 9;

THENCE continuing S 87°44'36" W, along the North right-of-way line of said Opelousas Street, passing at 100.00 feet the Southwest corner of said Lot 12 and the Southeast corner of said Lot 1, a total distance of 127.76 feet to a 5/8" iron rod with EIC cap (set) marking the intersection of the North right-of-way line of said Opelousas Street with the Southeast right-of-way line of an existing Southern Pacific Rail Road Company Easement, (50.00 feet in width), as shown on the plat of said S. F. Nobles Subdivision, same point marking the Southwest corner of the herein described Tract 9;

THENCE N 62°10'05" E, a distance of 141.61 feet along the Southeast right-of-way line of said Southern Pacific Rail Road Company Easement to a 5/8" iron rod with EIC cap (set) in the east line of said Lot 11 marking the intersection of the West right-of-way line of said Elysian Street with the Southeast right-of-way line of said Southern Pacific Rail Road Company Easement, same point marking the Northeast corner of the herein described Tract 9;

THENCE S 02°16'52" E, along the West right-of-way line of said Elysian Street, passing at 11.13 feet the Southeast corner of said Lot 11 and the Northeast corner of said Lot 12, a total distance of 61.13 feet to the POINT OF BEGINNING and containing 0.0896 acre of land.