



NOTICE OF A SPECIAL MEETING
Brenham Community Development Corporation
Thursday, July 7, 2022 @ 7:30 a.m.
City Hall – 2nd Floor Conference Room
200 W. Vulcan St.
Brenham, Texas

1. **Call Meeting to Order**

WORK SESSION

2. **Discussion Related to 2022 Meeting Schedule**

REGULAR SESSION

3. **Discuss and Possibly Act Upon a Resolution Approving a Variance to Section VIII, Annexation of Additional Property, of the Declaration of Covenants, Conditions and Restrictions of Southwest Industrial Park, Section Three, and Authorize the President to Execute Any Necessary Documentation**
4. **Discuss and Possibly Act Upon a Resolution Approving the Annexation of Additional Property to the Declaration of Covenants, Conditions and Restrictions of Southwest Industrial Park, Section Three, and Authorize the President to Execute Any Necessary Documentation**

EXECUTIVE SESSION

5. **Texas Government Code Section 551.072 - Real Property: Deliberation Regarding the Possible Sale, Exchange, Transfer and/or Acquisition of Real Property, in the Brenham Business Center, in the City of Brenham, Texas**
6. **Texas Government Code Section 551.072 - Real Property: Deliberation Regarding the Possible Lease of Approximately 28.7 Acres of Land Located in the Southwest Industrial Park, Section III, in the City of Brenham, Texas**

RE-OPEN REGULAR SESSION

7. **Discuss and Possibly Act Upon the Possible Sale, Exchange, Transfer and/or Acquisition of Real Property, in the Brenham Business Center, in the City of Brenham, Texas and Authorize the President to Negotiate and Execute Any Necessary Documentation**

8. Discuss and Possibly Act Upon a Lease Agreement with Irby Construction Company for the Lease of Approximately 28.7 Acres of Land Located in the Southwest Industrial Park, Section III, in the City of Brenham, Texas and Authorize the President to Negotiate and Execute Any Necessary Documentation

Adjourn

CERTIFICATION

I certify that a copy of the agenda of items to be considered by the Brenham Community Development Corporation (BCDC) on Thursday, July 7, 2022 was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on Friday, July 1, 2022 at 1:30 P.M.

Jeana Bellinger, TRMC. CMC
City Secretary/BCDC Secretary

Executive Sessions: The Brenham Community Development Corporation (BCDC) reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, including but not limited to §551.071 – Consultation with Attorney, §551.072 – Real Property, §551.073 – Prospective Gifts, §551.074 - Personnel Matters, §551.076 – Security Devices, §551.086 - Utility Competitive Matters, and §551.087 – Economic Development Negotiations.

Disability Access Statement: This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan Street entrance to the City Administration Building. Accessible parking spaces are located adjoining the entrance. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested twenty-four (24) hours before the meeting) by calling (979) 337-7567 for assistance.

I certify that this notice and agenda of items to be considered by the Brenham Community Development Corporation (BCDC) was removed by me from the City Hall bulletin board on _____ at _____.

Signature



To: BCDC Board Members
From: Jeana Bellinger
Subject: Meeting Dates for Remainder of Calendar Year 2022
Date: June 30, 2022

The BCDC Board usually meets quarterly; however due to all the recent economic development projects in Brenham, and compressed timelines, we have had to schedule Special meetings to address various real estate, development and/or incentive requests.

In an effort to establish some consistency, we recommend that the Board meet monthly until the end of the calendar year. The meetings would remain on Thursday's at 7:30 a.m. and the dates being recommended are:

- August 18th
- September 8th
- October 13th
- November 10th
- December 8th

At the December 8th meeting the Board can reevaluate the meeting schedule for 2023.

MEMORANDUM

To: BCDC Board of Directors

From: Susan S. Cates

Subject: Gurrech Tract Annexation into SWIP3 Covenants

Date: June 30, 2022

Washington County Appraisal District property tract R12359 was acquired by Brenham Community Development Corporation (BCDC) in 2017. This +/- 44-acre tract is commonly referred to as the Gurrech Tract. As we prepared the option agreement for Project Color Guard we realized that BCDC had not officially adopted the same Covenants, Conditions and Restrictions (CCR) that cover the other land tracts in Southwest Industrial Park (SWIP).

In discussion with Cary Bovey, we determined that the most efficient way to cover the Gurrech Tract with the same CCR would be to annex the tract into the existing CCR for SWIP Section Three. To accomplish this, there are two agenda items on the BCDC Agenda for July 7, 2022.

1. Section VIII of the Declaration of Covenants, Conditions and Restrictions of Southwest Industrial Park, Section Three limits annexation up to a maximum of thirty acres. The Gurrech Tract being 44 acres will require that BCDC approve a variance allowing the annexation of the full tract.
2. Once the variance is approved, the Board can then vote to annex the Gurrech Tract into the CCR for SWIP Section Three. This action will result in codifying the intended uses of the property and having only one Property Owners Association for all of SWIP providing cohesive long-term management.

I welcome any questions Board members may have regarding this action.



*Brenham Community
Development Corporation*

June 30, 2022

Mr. Charles Moser, Chairman
Brenham Community Development Corporation, Declarant
P.O. Box 1059
Brenham, TX 77844

**RE: Variance to the Declaration of Covenants, Conditions and Restrictions
of Southwest Industrial Park (SWIP), Section III**

Dear Chairman Moser,

The Brenham Community Development Corporation (“BCDC”) is the owner of 44.068 acres of land (“Property”), commonly referred to as the Gurrech tract, which the BCDC desires to be annexed into the Southwest Industrial Park, Section III to be subject to the Declaration of Covenants, Conditions and Restrictions of SWIP, Section III (“Declaration”). Section VIII of the Declaration authorizes the Declarant to annex additional property, but only up to a maximum of thirty (30) acres.

However, Section V (6) of the Declaration provides that the Declarant, for so long as the Declarant owns any portion of any property subject to the Declaration, retains sole authority to consider and grant variances to the provisions set forth in the Declaration. The Declarant is the current owner of certain property subject to the Declaration, and accordingly the BCDC respectfully requests that the Declarant approve the variance to Section VIII and annex the Property to be subject to the terms of the Declaration.

Regards,

Carolyn D. Miller
President

BRENHAM COMMUNITY DEVELOPMENT CORPORATION

RESOLUTION

WHEREAS, the Brenham Community Development Corporation (hereafter sometimes referred to as “BCDC”) is the “Declarant” of the Declaration of Covenants, Conditions and Restrictions of Southwest Industrial Park, Section Three as set forth in an instrument dated December 14, 2010, executed by Brenham Community Development Corporation, recorded in Volume 1359, Page 23, Official Records of Washington County, Texas (“Declaration”), as amended by an instrument dated February 11, 2015 annexing a 2.099 acre tract, recorded in Volume 1495, Page 0583, Official Records of Washington County, Texas; and as further amended by an instrument dated August 21, 2017 annexing a 8.500 acre tract, recorded in Volume 1597, Page 493, Official Records of Washington County, Texas.; and as further amended by an instrument dated December 27, 2017 annexing a 3.0 acre tract, recorded in Volume 1613, Page 801, Official Records of Washington County, Texas; and

WHEREAS, Section V (6) of the Declaration provides that the Declarant, for so long as the Declarant owns any portion of any Lot subject to the Declaration, the Declarant retains sole authority to consider and grant variances to the provisions set forth in the Declaration; and

WHEREAS, the Declarant is the current owner of certain property subject to the Declaration; and

WHEREAS, Section VIII of the Declaration authorizes the Declarant to annex additional property, up to a maximum of thirty (30) acres, to be subject to the terms of the Declaration; and

WHEREAS, the BCDC is the current owner of all that certain tract or parcel of land, lying and being situated in Washington County, Texas, part of the Phillip Coe Survey, A-31, containing 44.068 acres of land, being more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes pertinent (“Property”); and

WHEREAS, the BCDC, as owner of the Property, desires have the Property annexed to be subject to the terms of the Declaration; and

WHEREAS, the BCDC has submitted a written request for a variance from the enforcement of the provisions of Section VIII of the Declaration limiting the Declarant to annexation of parcels of property no larger than thirty (30) acres, said request for variance being attached hereto as Exhibit “B” and incorporated herein for all purposes pertinent; and

WHEREAS, the Declarant, after review and consideration of the request for variance submitted by BCDC, hereby finds that granting the requested variance will allow

development consistent with the overall objectives and spirit of the Declaration; Now Therefore,

The Board of Directors of the Brenham Community Development Corporation hereby approves the following resolutions:

It is resolved that BCDC's written request for a variance and waiver of the enforcement of the provisions of Section VIII of the Declaration limiting the Declarant to annexation of parcels of property no larger than thirty (30) acres, said request for variance being attached hereto as Exhibit "B" and incorporated herein for all purposes pertinent, is hereby granted to waive enforcement of the provisions of Section VIII of the Declaration limiting the Declarant to annexation of parcels of property no larger than thirty (30) acres in order to allow the Declarant's annexation of the Property owned by the BCDC, consisting of 44.068 acres and being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes pertinent.

It is further resolved that the President of the Brenham Community Development Corporation, Carolyn D. Miller, is hereby authorized to execute any and all documents and instruments necessary and appropriate for the grant of the variance as approved herein.

Adopted and resolved by the Board of Directors on this 7th day of July, 2022.

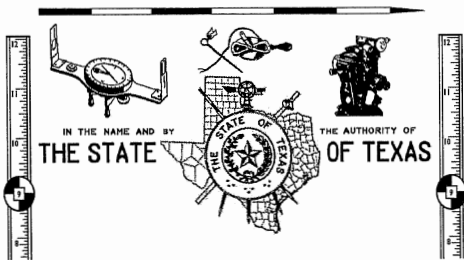
Declarant:

Brenham Community Development Corporation

Carolyn D. Miller, President

Attest:

Secretary



HODDE & HODDE
LAND SURVEYING, INC.
Registered Professional Land Surveying
613 E. Blue Bell Road
Brenham, Texas 77833-2411

OFFICE PHONE: (979) 836-5681
FAX: (979) 836-5683
www.hoddesurveying.com
TEXAS FIRM REGISTRATION NO. 10018800

W. O. No. 7218

EXHIBIT "A"

THE STATE OF TEXAS

COUNTY OF WASHINGTON

SURVEYOR'S LEGAL DESCRIPTION

44.068 ACRES

All that certain tract or parcel of land, lying and being situated in Washington County, Texas, part of the Phillip Coe Survey, A-31, being part of the same land described as 8.835 acres in the deed from W. C. Beerwinkel to Ethel Witte Gurrech, dated October 13, 1976, as recorded in Volume 349, Page 183, in the Deed Records of Washington County, Texas, and being the residue of the same land described as 45.21 acres, less 8.835 acres, in the deed from Harry K. Lesser, et al, Independent Executors of the Estate of W. C. Beerwinkel, Deceased, to Ethel Witte Gurrech, dated July 30, 1980, as recorded in Volume 398, Page 560, in the Deed Records of Washington County, Texas, and being more fully described by metes and bounds as follows, To-Wit:

BEGINNING at a 5/8 inch iron rod set with Id. cap (Hodde & Hodde Land Surveying) on a South right-of-way line of F. M. Highway No. 389 for the Northeast corner hereof and of said original tract called 45.21 acres, a 1/2 inch iron rod found for the Northwest corner of the Adolph C. Wehmeyer tract called 1.000 acre, as recorded in Volume 303, Page 305, in said Deed Records of Washington County, Texas bears N 17°35'05" W 1.11 feet;

THENCE along the East line hereof, being along a portion of the East line of said original tract called 45.21 acres and along a portion of the East line of said original tract called 8.835 acres, common with a West line of the Country Side Manufactured Home Community (Subdivision), Section 1, Lot 1 called 8.848 acres, a map or plat of said Subdivision being of record in Plat Cabinet File Slide No. 634-B, in the Plat Records of Washington County, Texas, and common with a portion of the West line of the Country Side Manufactured Home Community (Subdivision), Section 2, Lot 1 called 7.000 acres, a map or plat of said Subdivision being of record in Plat Cabinet File Slide No. 657-A, in the Plat Records of Washington County, Texas, being partly along or near an existing fence, S 17°35'05" E, at 206.94 feet pass a 1/2 inch iron rod found for the Southwest corner of said Wehmeyer tract called 1.000 acre, common with a Northwest corner of said Country Side Manufactured Home Community (Subdivision), Section 1, Lot 1, at 1458.24 feet pass a 5/8 inch iron rod found with Id. cap (Jones & Carter) for the Southwest corner of said Country Side Manufactured Home Community, Section 1, Lot 1 called 8.848 acres, common with the Northwest corner of said Country Side Manufactured Home Community, Section 2, Lot 1 called 7.000 acres, and at a total distance of 2505.58 feet to a 1/2 inch iron rod found with Id. cap (RPLS 2835) at an 8 inch treated fence corner post on a North margin of Industrial Boulevard for

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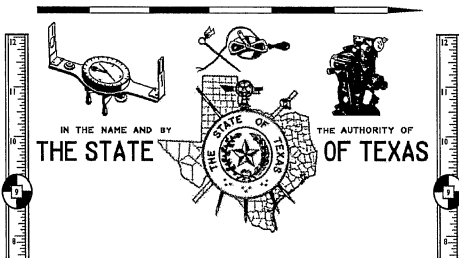


EXHIBIT "A"

the Southeast corner hereof, being on the West line of said Country Side Manufactured Home Community, Section 2, Lot 1 called 7.000 acres, and being the Northeast corner of the Washington County tract called 0.2951 acre, as recorded in Volume 1408, Page 356, in the Official Records of Washington County, Texas;

THENCE along North margins of said Industrial Boulevard, common with North lines of said Washington County tract called 0.2951 acre, for South lines hereof, being along or near an existing fence, S 72°36'17" W 498.14 feet to a 5/8 inch iron rod found with Id. cap (RPLS 2835) at a 7 inch treated fence post for an exterior angle point of said Washington County tract called 0.2951 acre, being an interior angle point hereof, and S 71°05'19" W 248.56 feet to a 5/8 inch iron rod found with Id. cap (RPLS 2835) near a 7 inch treated fence corner post on a North margin of said Industrial Boulevard at its intersection with a curved portion of an East right-of-way line of F. M. Highway No. 332 for the Northwest corner of said Washington County tract called 0.2951 acre, being the Southwest corner hereof;

THENCE along a curved portion of an East right-of-way line of said F. M. Highway No. 332 for a West line hereof, being partly along or near an existing fence, being a curve to the left, through a central angle of 16°43'14", having a radius of 358.37 feet, an arc length of 104.58 feet and a chord of N 11°26'44" W 104.21 feet to a broken off concrete monument (highway right-of-way marker) found at the end of said curved portion of an East right-of-way line of said F. M. Highway No. 332;

THENCE along East right-of-way lines of said F. M. Highway No. 332 for West lines hereof, being partly along or near an existing fence, N 19°48'21" W, at 347.8 feet pass a 1/2 inch iron rod found and a 3/8 inch iron rod found 0.4 feet West of this line for the Northwest corner of said original tract called 8.835 acres, and at a total distance of 753.26 feet to a broken off concrete monument (highway right-of-way marker) found, N 18°35'21" W 715.10 feet to a 5/8 inch iron rod set with Id. cap (Hodde & Hodde Land Surveying), a 3/8 inch iron rod found (disturbed) bears N 17°20'30" W 2.57 feet, N 16°42'21" W 893.80 feet to an "X" marked in concrete on a telecom equipment slab at a flare in the East right-of-way line of said F. M. Highway No. 332 for and exterior angle point hereof, being the South corner of the State of Texas tract called 0.043 acre, as recorded in Volume 201, Page 561, in said Deed Records of Washington County, Texas, the Southwest corner of said slab bears S 18°37' W 2.8 feet, and N 18°23'24" E 87.31 feet to a broken off concrete monument (highway right-of-way marker) found on an East right-of-way line of said F. M. Highway No. 332 at the end of said flare, at its intersection with a South right-of-way line of said F. M. Highway No. 389 for an exterior corner hereof, being the Northeast corner of said State of Texas tract called 0.043 acre;

THENCE along South right-of-way lines of said F. M. Highway No. 389 for North lines hereof, N 74°43'37" E 644.36 feet to a broken off concrete monument (highway right-of-way marker) found and N 72°23'22" E 68.39 feet to the Place of Beginning and containing 44.068 acres of land.

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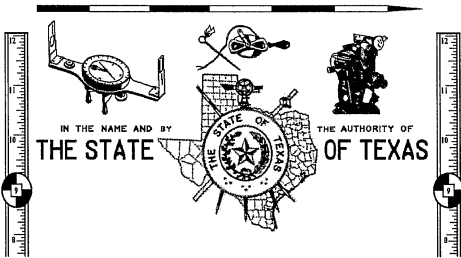


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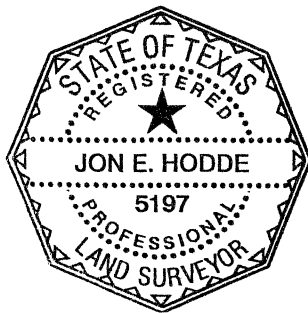
The bearings stated herein are relative to the Texas State Plane Grid System, NAD-83, Central Zone 4203, based on the Lower Colorado River Authority (LCRA) Monument A-424, having published grid coordinates of N: 10,039,046.481 - E: 3,532,398.742. Distances stated herein are ground distances. Convergence angle at N: 10,039,046.481 - E: 3,532,398.742 is 2°00'51.03", combined scale factor is 0.99999195.

There was a separate survey map prepared in conjunction with this metes and bounds description. This description is based on the Land Title Survey and plat made by Jon E. Hodde, Registered Professional Land Surveyor No. 5197 on April 3, 2017, and revised on April 19, 2017.

I, Jon E. Hodde, Registered Professional Land Surveyor No. 5197 of the State of Texas, do hereby certify that the foregoing legal description describing 44.068 acres of land is true and correct in accordance with an actual survey made on the ground under my personal direction and supervision.

Dated this the 3rd day of April, 2017, A. D.
Revised April 19, 2017, A. D.

Jon E. Hodde
Registered Professional
Land Surveyor No. 5197





*Brenham Community
Development Corporation*

June 30, 2022

Exhibit "B"

Mr. Charles Moser, Chairman
Brenham Community Development Corporation, Declarant
P.O. Box 1059
Brenham, TX 77844

**RE: Variance to the Declaration of Covenants, Conditions and Restrictions
of Southwest Industrial Park (SWIP), Section III**

Dear Chairman Moser,

The Brenham Community Development Corporation ("BCDC") is the owner of 44.068 acres of land ("Property"), commonly referred to as the Gurrech tract, which the BCDC desires to be annexed into the Southwest Industrial Park, Section III to be subject to the Declaration of Covenants, Conditions and Restrictions of SWIP, Section III ("Declaration"). Section VIII of the Declaration authorizes the Declarant to annex additional property, but only up to a maximum of thirty (30) acres.

However, Section V (6) of the Declaration provides that the Declarant, for so long as the Declarant owns any portion of any property subject to the Declaration, retains sole authority to consider and grant variances to the provisions set forth in the Declaration. The Declarant is the current owner of certain property subject to the Declaration, and accordingly the BCDC respectfully requests that the Declarant approve the variance to Section VIII and annex the Property to be subject to the terms of the Declaration.

Regards,

Carolyn D. Miller
President

BRENHAM COMMUNITY DEVELOPMENT CORPORATION

RESOLUTION

WHEREAS, the Brenham Community Development Corporation (hereafter sometimes referred to as “BCDC”) is the “Declarant” of the Declaration of Covenants, Conditions and Restrictions of Southwest Industrial Park, Section Three as set forth in an instrument dated December 14, 2010, executed by Brenham Community Development Corporation, recorded in Volume 1359, Page 23, Official Records of Washington County, Texas (“Declaration”); as amended by an instrument dated February 11, 2015 annexing a 2.099 acre tract, recorded in Volume 1495, Page 0583, Official Records of Washington County, Texas; and as further amended by an instrument dated August 21, 2017 annexing a 8.500 acre tract, recorded in Volume 1597, Page 493, Official Records of Washington County, Texas; and as further amended by an instrument dated December 27, 2017 annexing a 3.0 acre tract, recorded in Volume 1613, Page 801, Official Records of Washington County, Texas; and

WHEREAS, Section VIII of the Declaration authorizes the Declarant to annex additional property, up to a maximum of 30 acres, to be subject to the terms of the Declaration; and

WHEREAS, the BCDC is the current owner of all that certain tract or parcel of land, lying and being situated in Washington County, Texas, part of the Phillip Coe Survey, A-31, containing 44.068 acres of land, being more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes pertinent (“Property”); and

WHEREAS, the BCDC, as owner of the Property, desires have the Property annexed to be subject to the terms of the Declaration, and this Resolution shall be deemed, in part, to be a written request by the owner for annexation of the Property pursuant to Section VIII and an acknowledgement by the owner that the Property will be subject to the terms of the Declaration upon annexation; and

WHEREAS, the Declarant desires to annex the Property to be subject to the Declaration and has granted a variance to Section VIII of the Declaration limiting annexed parcels to thirty (30) acres, and the Declarant further deems it appropriate to annex said Property pursuant to Section VIII of the Declaration; Now therefore,

The Board of Directors of the Brenham Community Development Corporation hereby approves the following resolution:

That the Property is hereby annexed to be subject to the Declaration, and the annexed Property shall hereafter be deemed a part of the Properties for all purposes of the Declaration, and the owner of the annexed Property shall be deemed an Owner for all purposes of the Declaration. The President of the Brenham Community Development Corporation, Carolyn D. Miller, is hereby authorized to execute any and all documents and instruments necessary and appropriate for the annexation of the Property to be subject to the Declaration including, without limitation, the Notice of Annexation of

Land to Declaration of Covenants, Conditions and Restrictions of Southwest Industrial Park, Section Three (“Notice of Annexation”), attached hereto as Exhibit “B” and incorporated herein for all purposes pertinent. Upon proper execution by the Declarant and owner, the President shall cause said Notice of Annexation to be filed in the Official Records of Washington County, Texas.

Adopted and resolved by the Board of Directors on this _____ day of _____, 2022.

Declarant:

Brenham Community Development Corporation

Carolyn D. Miller, President

Attest:

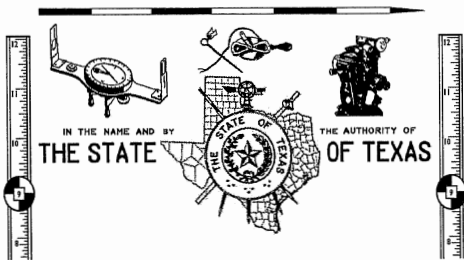
Secretary

Acknowledged and Agreed:

Property Owner Requesting Annexation:

Brenham Community Development Corporation

Carolyn D. Miller, President



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Exhibit "A"

THE STATE OF TEXAS

COUNTY OF WASHINGTON

SURVEYOR'S LEGAL DESCRIPTION

44.068 ACRES

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THENCE along the East line hereof, being along a portion of the East line of said original tract called 45.21 acres and along a portion of the East line of said original tract called 8.835 acres, common with a West line of the Country Side Manufactured Home Community (Subdivision), Section 1, Lot 1 called 8.848 acres, a map or plat of said Subdivision being of record in Plat Cabinet File Slide No. 634-B, in the Plat Records of Washington County, Texas, and common with a portion of the West line of the Country Side Manufactured Home Community (Subdivision), Section 2, Lot 1 called 7.000 acres, a map or plat of said Subdivision being of record in Plat Cabinet File Slide No. 657-A, in the Plat Records of Washington County, Texas, being partly along or near an existing fence, S 17°35'05" E, at 206.94 feet pass a 1/2 inch iron rod found for the Southwest corner of said Wehmeyer tract called 1.000 acre, common with a Northwest corner of said Country Side Manufactured Home Community (Subdivision), Section 1, Lot 1, at 1458.24 feet pass a 5/8 inch iron rod found with Id. cap (Jones & Carter) for the Southwest corner of said Country Side Manufactured Home Community, Section 1, Lot 1 called 8.848 acres, common with the Northwest corner of said Country Side Manufactured Home Community, Section 2, Lot 1 called 7.000 acres, and at a total distance of 2505.58 feet to a 1/2 inch iron rod found with Id. cap (RPLS 2835) at an 8 inch treated fence corner post on a North margin of Industrial Boulevard for

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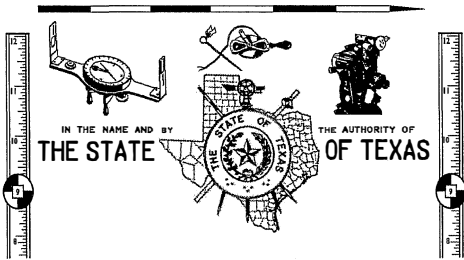


Exhibit "A"

the Southeast corner hereof, being on the West line of said Country Side Manufactured Home Community, Section 2, Lot 1 called 7.000 acres, and being the Northeast corner of the Washington County tract called 0.2951 acre, as recorded in Volume 1408, Page 356, in the Official Records of Washington County, Texas;

THENCE along North margins of said Industrial Boulevard, common with North lines of said Washington County tract called 0.2951 acre, for South lines hereof, being along or near an existing fence, S 72°36'17" W 498.14 feet to a 5/8 inch iron rod found with Id. cap (RPLS 2835) at a 7 inch treated fence post for an exterior angle point of said Washington County tract called 0.2951 acre, being an interior angle point hereof, and S 71°05'19" W 248.56 feet to a 5/8 inch iron rod found with Id. cap (RPLS 2835) near a 7 inch treated fence corner post on a North margin of said Industrial Boulevard at its intersection with a curved portion of an East right-of-way line of F. M. Highway No. 332 for the Northwest corner of said Washington County tract called 0.2951 acre, being the Southwest corner hereof;

THENCE along a curved portion of an East right-of-way line of said F. M. Highway No. 332 for a West line hereof, being partly along or near an existing fence, being a curve to the left, through a central angle of 16°43'14", having a radius of 358.37 feet, an arc length of 104.58 feet and a chord of N 11°26'44" W 104.21 feet to a broken off concrete monument (highway right-of-way marker) found at the end of said curved portion of an East right-of-way line of said F. M. Highway No. 332;

THENCE along East right-of-way lines of said F. M. Highway No. 332 for West lines hereof, being partly along or near an existing fence, N 19°48'21" W, at 347.8 feet pass a 1/2 inch iron rod found and a 3/8 inch iron rod found 0.4 feet West of this line for the Northwest corner of said original tract called 8.835 acres, and at a total distance of 753.26 feet to a broken off concrete monument (highway right-of-way marker) found, N 18°35'21" W 715.10 feet to a 5/8 inch iron rod set with Id. cap (Hodde & Hodde Land Surveying), a 3/8 inch iron rod found (disturbed) bears N 17°20'30" W 2.57 feet, N 16°42'21" W 893.80 feet to an "X" marked in concrete on a telecom equipment slab at a flare in the East right-of-way line of said F. M. Highway No. 332 for and exterior angle point hereof, being the South corner of the State of Texas tract called 0.043 acre, as recorded in Volume 201, Page 561, in said Deed Records of Washington County, Texas, the Southwest corner of said slab bears S 18°37' W 2.8 feet, and N 18°23'24" E 87.31 feet to a broken off concrete monument (highway right-of-way marker) found on an East right-of-way line of said F. M. Highway No. 332 at the end of said flare, at its intersection with a South right-of-way line of said F. M. Highway No. 389 for an exterior corner hereof, being the Northeast corner of said State of Texas tract called 0.043 acre;

THENCE along South right-of-way lines of said F. M. Highway No. 389 for North lines hereof, N 74°43'37" E 644.36 feet to a broken off concrete monument (highway right-of-way marker) found and N 72°23'22" E 68.39 feet to the Place of Beginning and containing 44.068 acres of land.

HODDE & HODDE
LAND SURVEYING, INC.
Registered Professional Land Surveying
613 E. Blue Bell Road
Brenham, Texas 77833-2411

OFFICE PHONE: (979) 836-5681
FAX: (979) 836-5683
www.hoddesurveying.com
TEXAS FIRM REGISTRATION NO. 10018800

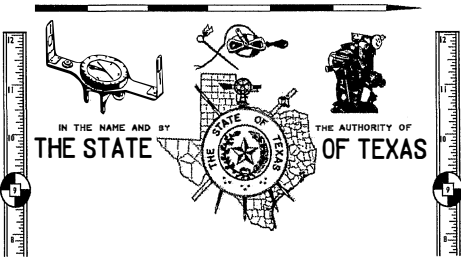


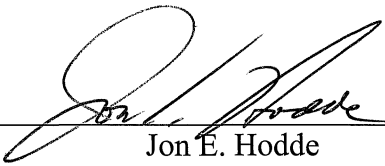
Exhibit "A"

The bearings stated herein are relative to the Texas State Plane Grid System, NAD-83, Central Zone 4203, based on the Lower Colorado River Authority (LCRA) Monument A-424, having published grid coordinates of N: 10,039,046.481 - E: 3,532,398.742. Distances stated herein are ground distances. Convergence angle at N: 10,039,046.481 - E: 3,532,398.742 is 2°00'51.03", combined scale factor is 0.99999195.

There was a separate survey map prepared in conjunction with this metes and bounds description. This description is based on the Land Title Survey and plat made by Jon E. Hodde, Registered Professional Land Surveyor No. 5197 on April 3, 2017, and revised on April 19, 2017.

I, Jon E. Hodde, Registered Professional Land Surveyor No. 5197 of the State of Texas, do hereby certify that the foregoing legal description describing 44.068 acres of land is true and correct in accordance with an actual survey made on the ground under my personal direction and supervision.

Dated this the 3rd day of April, 2017, A. D.
Revised April 19, 2017, A. D.



Jon E. Hodde
Registered Professional
Land Surveyor No. 5197



Exhibit “B”

NOTICE OF ANNEXATION OF LAND TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SOUTHWEST INDUSTRIAL PARK, SECTION THREE

Declarant: Brenham Community Development Corporation

Cross reference to Declaration of Covenants, Conditions and Restrictions of Southwest Industrial Park, Section Three as set forth in an instrument dated December 14, 2010, executed by Brenham Community Development Corporation, recorded in Volume 1359, Page 23, Official Records of Washington County, Texas; as amended by an instrument dated February 11, 2015 annexing a 2.099 acre tract, recorded in Volume 1495, Page 0583, Official Records of Washington County, Texas; and as further amended by an instrument dated August 21, 2017 annexing a 8.500 acre tract, recorded in Volume 1597, Page 493, Official Records of Washington County, Texas.; and as further amended by an instrument dated December 27, 2017 annexing a 3.0 acre tract, recorded in Volume 1613, Page 801, Official Records of Washington County, Texas.

**NOTICE OF ANNEXATION OF LAND TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF SOUTHWEST INDUSTRIAL PARK, SECTION THREE**

This Notice of Annexation of Land to the Declaration of Covenants, Conditions and Restrictions of Southwest Industrial Park, Section Three (“Notice of Annexation”) is made and executed by the Brenham Community Development Corporation, as Declarant, and is joined by current owner of the property being annexed, the Brenham Community Development Corporation, as owner.

1. Purpose: This Notice of Annexation is filed with respect to all that certain tract or parcel of land, lying and being situated in Washington County, Texas, part of the Phillip Coe Survey, A-31, containing 44.068 acres of land, being more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes pertinent (“Annexed Property”).

2. Authority: Section VIII of the Declaration of Covenants, Conditions and Restrictions of Southwest Industrial Park, Section Three as set forth in an instrument dated December 14, 2010, executed by Brenham Community Development Corporation, recorded in Volume 1359, Page 23, Official Records of Washington County, Texas (“Declaration”), authorizes the Declarant to annex additional property to be subject to the terms of the Declaration.

3. Annexation of Property: The Annexed Property is hereby made subject to the terms of the Declaration, and said Annexed Property is to be developed and used in accordance with the terms of the Declaration. The Annexed Property shall hereafter be deemed a part of the Properties for all purposes of the Declaration, and the owner of the annexed Property shall be deemed an Owner for all purposes of the Declaration.

4. Interpretation: Any capitalized terms used and not otherwise defined in this Notice of Annexation shall have the meaning set forth in the Declaration.

[Signature Page Follows]

EXECUTED this the _____ day of _____, 2022.

Declarant:

Brenham Community Development Corporation

Carolyn D. Miller, President

STATE OF TEXAS §
 §
COUNTY OF WASHINGTON §

This instrument was acknowledged before me on this _____ day of _____, 2022, by Carolyn D. Miller, President of **BRENHAM COMMUNITY DEVELOPMENT CORPORATION**, on behalf of said corporation as Declarant.

Notary Public in and for the State of Texas

Owner of Annexed Property:

Brenham Community Development Corporation

Carolyn D. Miller, President

STATE OF TEXAS §
 §
COUNTY OF WASHINGTON §

This instrument was acknowledged before me on this _____ day of _____, 2022, by Carolyn D. Miller, President of **BRENHAM COMMUNITY DEVELOPMENT CORPORATION**, on behalf of said corporation as the owner of the Annexed Property.

Notary Public in and for the State of Texas