

H. B. T. C. R. R.

K. RUBB
A-533

WM. N. GODFREY
A-514

ANNIE M. LAWRENCE
A-519

H. B. T. C. R. R.

E. D. RYEL
A-502

FRANK HILLEBRANT
A-515

CHAS. S. W. MORSEMAN
A-518

D. W. GARTEN
A-513

T. B. N. O. R. R.
A-208
3-31-93-01
4/6/1998

T. B. N. O. R. R.
A-201

H. B. T. C. R. R.

ARTHUR L. HUNTER
A-517

ABNER TOWN
A-512

R. H. DANNER
A-508

W. PICKETT ET AL

HONAGE MARTIN
A-511

JAS. MARTIN
A-510

T. B. N. O. R. R.
A-202

H. B. T. C. R. R.

ARCHIE MIDDLETON
A-499

H. T. & B. R. R.

H. G. SANDY
A-516

E. MOSS
A-498

H. B. T. C. R. R.

H. T. & B. R. R.
A-193

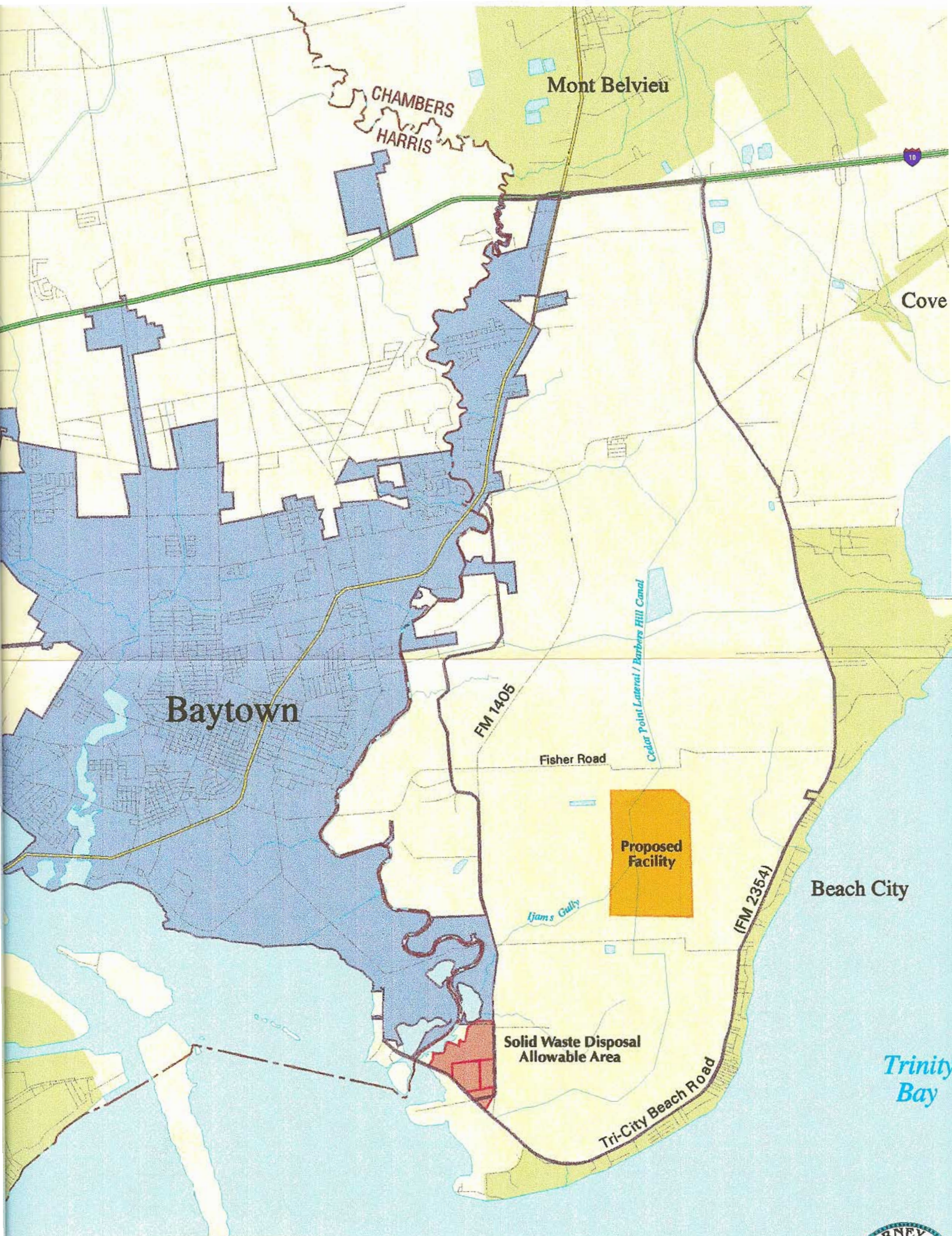
A. D. HALL
A-509

H. B. T. C. R. R.

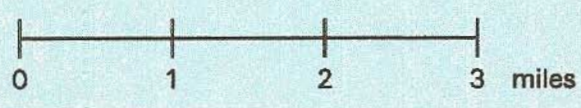
ARCHIE MIDDLETON
A-498

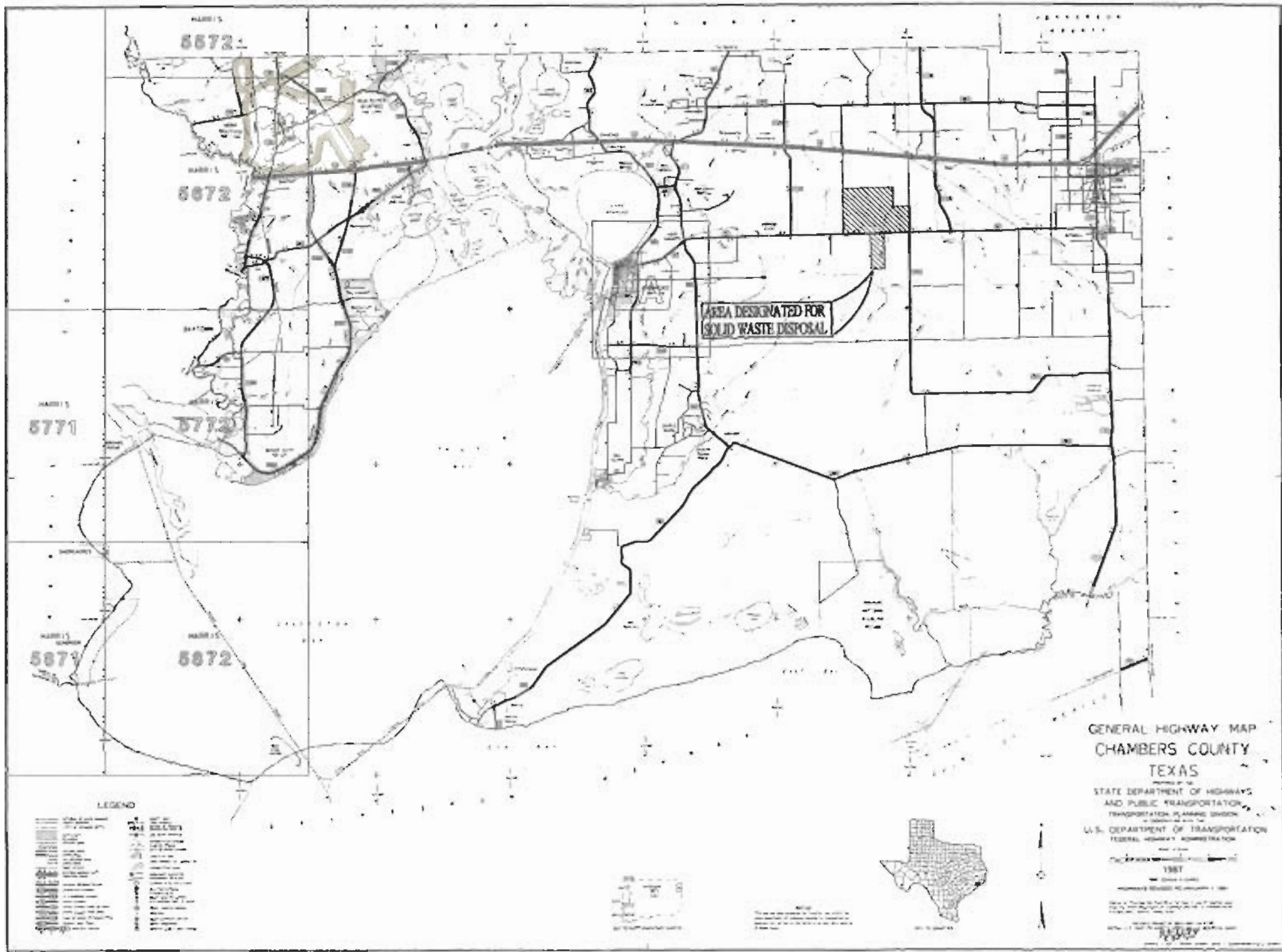
H. T. & B. R. R.
A-188

O. S. LARS
A-507



Baytown Corporate Limits
and
Proposed Solid Waste Facility
City Limits Represented by Heavy Green Line





AREA DESIGNATED FOR
SOLID WASTE DISPOSAL

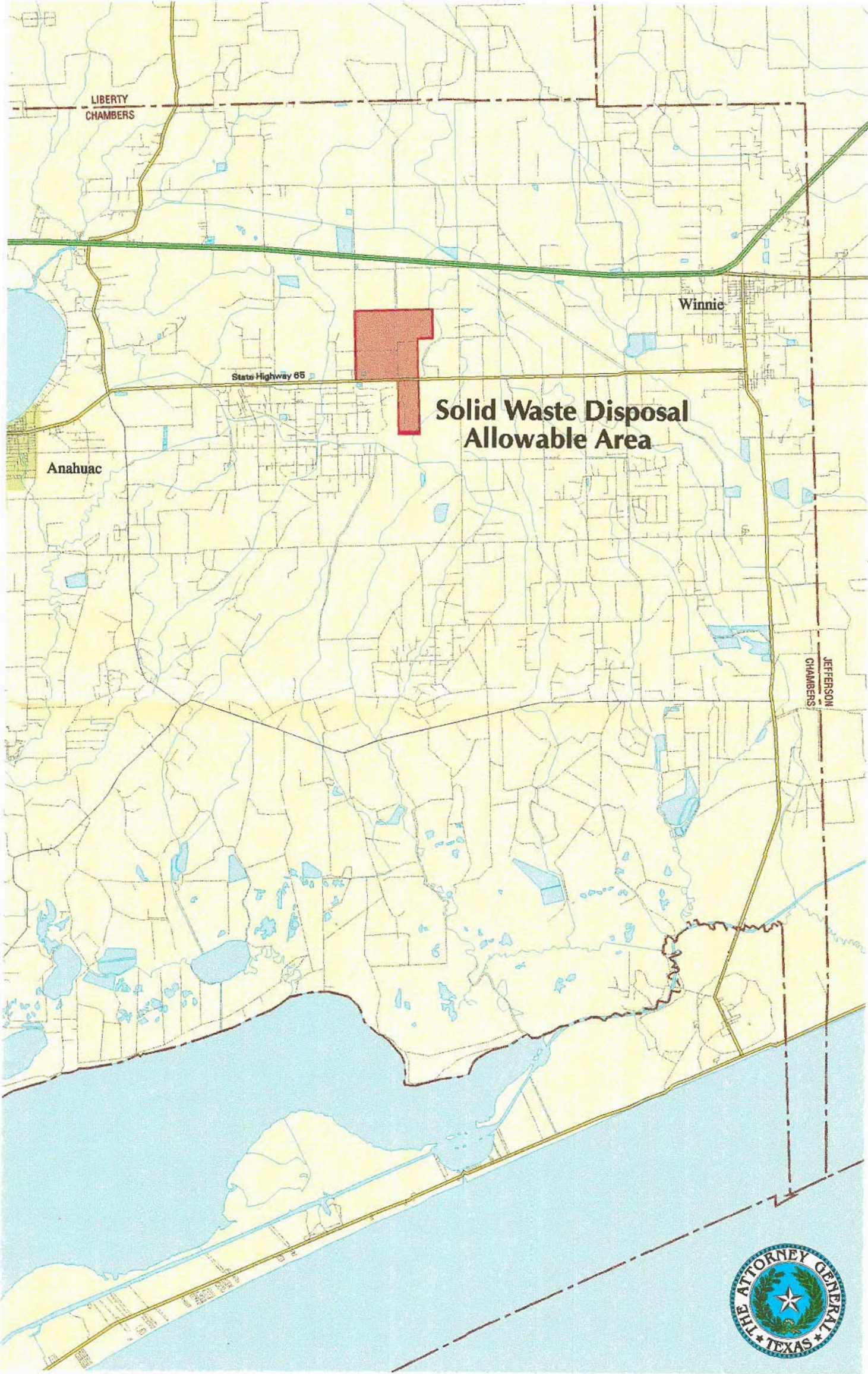
LEGEND

[Symbol] Interstate Highway
 [Symbol] State Highway
 [Symbol] County Road
 [Symbol] Local Road
 [Symbol] Railroad
 [Symbol] Waterway
 [Symbol] Airport
 [Symbol] School
 [Symbol] Church
 [Symbol] Cemetery
 [Symbol] Public Building
 [Symbol] Industrial Building
 [Symbol] Residential Building
 [Symbol] Commercial Building
 [Symbol] Public Utility
 [Symbol] Telephone Office
 [Symbol] Fire Station
 [Symbol] Police Station
 [Symbol] Post Office
 [Symbol] Gas Station
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 [Symbol] Bus Stop
 [Symbol] Ferry Stop
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 [Symbol] Power Line
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 [Symbol] Easement
 [Symbol] Right-of-Way
 [Symbol] Survey Line
 [Symbol] Section Line
 [Symbol] Township Line
 [Symbol] Range Line
 [Symbol] Meridian Line
 [Symbol] Section Corner
 [Symbol] Township Corner
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 [Symbol] Range Corner Monument
 [Symbol] Meridian Corner Monument
 [Symbol] Section Corner Monument
 [Symbol] Township Corner Monument
 [Symbol] Range Corner Monument
 [Symbol] Meridian Corner Monument

**GENERAL HIGHWAY MAP
CHAMBERS COUNTY
TEXAS**

PREPARED BY THE
 STATE DEPARTMENT OF HIGHWAYS
 AND PUBLIC TRANSPORTATION
 TRANSPORTATION PLANNING DIVISION
 U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION
 1987
 MAP SCALE: 1" = 1 MILE
 CHAMBERS COUNTY, TEXAS
 COUNTY COMMISSIONERS
 COUNTY CLERK
 COUNTY ENGINEER
 COUNTY JUDGE
 COUNTY ATTORNEY
 COUNTY SHERIFF
 COUNTY CONSTABLE
 COUNTY TARRANT
 COUNTY CLERK
 COUNTY ENGINEER
 COUNTY JUDGE
 COUNTY ATTORNEY
 COUNTY SHERIFF
 COUNTY CONSTABLE
 COUNTY TARRANT





Solid Waste Disposal Allowable Area



TAKINGS IMPACT ASSESSMENT

Proposed Action: The County proposes to adopt an amended ordinance prohibiting solid waste disposal in certain locations in Chambers County, and providing civil and criminal penalties.

County Department: Commissioners Court

Contact Person: County Judge Jimmy Sylvia Phone: (409) 267-8295

I. Stated Purpose

The purpose of the proposed action is to re-define the areas of the county in which solid waste disposal will be allowed in order to protect citizens and their property in the affected area, as well as the area's natural resources, from the potential threats to public health and welfare which can result from solid waste disposal operations. The county is already overburdened with solid waste disposal, and it is the judgment of the Commissioners Court that disposal in the area prohibited by the ordinance would present a threat of harm to citizens, property and natural resources, and could also be detrimental to economic development.

II. The Nature of the Action

A takings impact assessment is required only for two types of governmental of actions. State whether the proposed action is one of the following:

- 1) the adoption or issuance of an ordinance, rule, regulatory requirement, resolution, policy, guideline, or similar measure; or
- 2) an action that imposes a physical invasion or requires a dedication of private real property;

Yes. The proposed course of action is the adoption of an ordinance.

III. Potential Effect on Private Property

1. Does the county action require a physical invasion, occupation or dedication of real property?

Yes _____ No x

2. Does the county action limit or restrict a real property right, even partially or temporarily?

Yes _____ No x

The proposed action does prohibit the use of property for solid waste disposal. However, under Texas law there is no right to dispose of solid waste without a permit. The disposal of solid waste is prohibited unless a permit has been granted by the Texas Natural Resource Conversation Commission. There are no property owners affected by the proposed ordinance who have a permit to dispose of solid waste. Because no affected owners have a permit to dispose of solid waste, and because a property owner has no right to dispose of waste without a permit, there is no existing property right limited or restricted by the proposed action. Therefore, the proposed action does not appear to impact existing private property rights.

IV. Exemptions

After consideration, the Commissioners Court finds that the proposed action is:

1. taken to prohibit or restrict a public or private nuisance;
2. taken to prevent a grave and immediate threat to life or property;
3. a) taken in response to a real and substantial threat to public health and safety, b) designed to significantly advance the health and safety purpose, and c) does not impose a greater burden than necessary to achieve the health and safety purpose; and

4. taken pursuant to the county's statutory authority to prevent waste or protect rights of owners of interest in groundwater.

Based upon the above findings, the proposed action is exempt from the provisions of the Texas

Real Property Rights Preservation Act.

V. Analysis of Purpose, Burdens and Benefits

Referring to the purpose of the county action in Section I above, state how the action achieves or advances its purpose.

As stated, the purpose of the proposed action is to protect citizens, property and natural resources in the affected area from the dangers attendant to solid waste disposal operations, as well as to further the economic development of the affected area. This purpose is furthered by preventing solid waste disposal in the affected area, an action which eliminates the threat of harm.

Describe the benefits to society resulting from the county action.

The benefits include 1) reducing the threat of contamination of groundwater and other natural resources; 2) reducing the threat of harm to persons and property which could result from solid waste disposal operations; 3) preventing the unnecessary reduction of property values in the affected area; 4) providing for orderly and appropriate development; and 5) protecting neighboring landowners right to full use and enjoyment of their property.

Discussion of the burdens that may be imposed on private real property by the county action.

After consideration, the Commissioners Court finds as follows:

1. The proposed action will not result indirectly or directly in a permanent or temporary physical occupation of private real property;
2. The proposed action does not requires a property owner to dedicate property or grant an easement;

3. The proposed action does not deprive the owner of all economically viable use of his property;

4. The proposed action does not deny any owner the right to possess his real property, enjoy it, exclude others from it or sell it; and

5. It is unclear whether the proposed action will reduce the market value of any owner's property. It appears, in light of the fact that no owner affected by the ordinance presently has a right to engage in solid waste disposal, that there will be no reduction in the market value of any owner's property.

Additional discussion of potential burdens:

The proposed action does not restrict any property owner's right to use and enjoy his property. The proposed action does not, and is not intended to, prohibit development of property. Under this ordinance, property may be put to any economically beneficial use other than solid waste disposal. Presently, there are no landowners with a right to dispose of waste on their property who will be affected by this ordinance. Therefore, no existing property rights will be impinged and market value should not be affected.

VI. Alternatives

Describe alternative actions that could accomplish the same purpose as the proposed action.

After consideration, the Commissioners Court finds that there are no alternatives which would effectively accomplish the same purpose.

B. Would these alternatives impose a lesser burden on the property which is the subject of the proposed action?

This section is inapplicable in light of the response to V(A.).

VII. Potential Impact on Value

A. Will the county action reduce the market value of any parcel of private real property by 25% or more?

Yes _____ No x

No owner affected by the ordinance presently has a right to engage in solid waste disposal; therefore there will be no reduction in the market value of any owner's property. In addition, the ordinance does not prevent any use of the property other than solid waste disposal. The Commissioners Court finds that there are other, more profitable, uses available for the property.

VIII. Conclusion:

_____	Not a Covered Action
<u> x </u>	No Impact on Private Real Property
<u> x </u>	Proposed Action is Exempt
<u> x </u>	Proposed Action Fully Assessed for Potential Impact on Private Property

location, installation, operation and maintenance of municipal, industrial and hazardous solid waste disposal sites, cannot ensure that such sites will not contaminate, spoil and pollute areas surrounding and distant to said disposal sites;

This Court further finds that if the substances contained within a landfill, especially in a hazardous or industrial landfill, escape into the air or waterways, including subsurface waterways, significant threats to the public health, safety and welfare will exist; and

This Court finds that the soils of Chambers County consist primarily of montmorillonite clay underlain by intermittent lens of sandy layers and that clay soils are subject to expansion and contraction (with open cracking deep into the vertical column).

This Court finds that Chambers County is also subject to active soft-sediment faulting which have been activated in this century by subsidence brought about by the subsurface extraction of water and hydrocarbons. These soil conditions along with its low elevation contribute to substantial lateral surface and subsurface movement of water;

This Court further finds that subsurface groundwater movement in Chambers County is generally from its landmass toward Trinity Bay and its coastal wetlands; and

This Court further finds that the Trinity River estuary, Trinity Bay and vast areas of fragile coastal wetlands are within Chambers County's borders and are extremely valuable locally and nationally and are very vulnerable to pollution such as could result from solid waste disposal; and

This Court further finds that many citizens of Chambers County, especially in western Chambers County, obtain their drinking water from private wells drilled into local aquifers; and

This Court further finds that Chambers County's average elevation above sea level is low and is very susceptible to flooding and severe wind damage from frequent tropical storms and hurricanes; and

This Court further finds that solid waste disposal activities in the affected area could hamper economic development in the affected area; and

This Court further finds the currently permitted and active solid waste disposal facilities in the County pose possible threat to the public health safety and welfare, and that additional solid waste disposal facilities will pose a greater and unacceptable risk and threat to the public health, safety and welfare because of the increased and unacceptable risk from the contamination of the public's drinking water due to the county's soil characteristics and ground nature; because of the increased and unacceptable risk from contamination of the surface due to tropical storms and

hurricanes; the increased and unacceptable risk and threat from contamination to the county's abundant and valuable natural resources and the increased and unacceptable risk and threat to the county's property values; and

This Court finds that adequate solid waste disposal already exists in this county and that no others are needed in the affected area; and

The Court finds that the prohibition of solid waste disposal as provided in this ordinance is necessary to prevent a grave and immediate threat to life and property; and

The Court finally finds that such a prohibition is a necessary response to a real and substantial threat to public health and safety, that such a prohibition will significantly advance the health and safety of the public and that the prohibition does not impose a greater burden than necessary to protect the public health and safety under the circumstance;

SECTION 2. SUBSTANTIVE PROVISIONS AND DEFINITIONS

For the above reasons, and pursuant to the provisions of Section 364.012 of the Texas Health and Safety Code, the Chambers County Commissioners Court hereby **ORDAINS, RESOLVES, ORDERS and ESTABLISHES** the following **ORDINANCE**:

IT IS ORDAINED AND ORDERED that the disposal of solid waste within Chambers County, Texas is not prohibited in the following areas:

AREA ONE

Beginning at the Northwest corner of the H.&T.C.R.R.-45 Survey, Abstract A-115, and proceeding South along the Western Boundary of said survey to a point at the Northwest corner of the C.W. Norsman-46 Survey, Abstract A-526, then continuing South along the Western boundary of the C.W. Norsman-46 Survey and the Western boundary of the Arthur L. Hunter-46 Survey, Abstract A-617 to a point at which the Western boundary of said survey intersects the Northern boundary of the right of way of State Highway 65, thence generally East following the Northern boundary of the right of way of Highway 65 to a point where the Northern boundary of the right of way of Highway 65 intersects the Western boundary of the right of way of North Pear Orchard Road, thence generally North following the Western boundary of the right of way of North Pear Orchard Road to a point at which the Western boundary of the right of way of North Pear Orchard Road intersects the northeast corner of the T.&O.R.R.-65 Survey, Abstract A-282, thence generally West along the Northern boundary of said survey to a point at which the Northern boundary of said survey intersects the Southeast corner of the E.D. Ryel Survey, Abstract A-592, thence generally North along the Eastern boundary of the E.D. Ryel Survey (which is also the Western boundary of the Wm. N. Godfrey-66 Survey,) Abstract A-611, to a point at which the Eastern

boundary of the E.D. Ryel Survey intersects the Northeast corner of said survey, thence generally Westward along the northern boundary of the E.D. Ryel survey to the point at which said boundary intersects the northeast corner of the H.&T.C.R.R.-45 Survey, then continuing West along the northern boundary of the H.&T.C.R.R. Survey to the point of beginning at the northwest corner of the H.&T.C.R.R. Survey.

AREA TWO

TRACT 1

407.082 Acres

Being that certain 407.082 Acre Tract situated in the T.&N.O.R.R. Section #67, A-425, and being that same tract of land conveyed to H.H. Franzen and Martin Robert Franzen as recorded in Volume 280 at Page 303 of the Deed Records of Chambers County, Texas and being more particularly described by metes and bounds as follows: Beginning at the Southwest corner of the abovementioned T.&N.O.R.R. Section #67, A-245, marked by 2" I.P. situated in a small irrigation Lateral, at the Northwest corner of the Archie Middleton Survey, A-445, and in the East line of the H.&T.C.R.R. Section #49, A-113, and Southwest corner of tract here-in described: Thence, North $00^{\circ}00'40''$ West, with the West line of said T.&N.O.R.R., Section #67, A-245, and the East line of said H.&T.C.R.R. Section #49, A-113, at 5160.33 feet pass 2" L.P. situated at the Northeast corner of said H.&T.C.R.R. Section #49, A-113, and the Southeast corner of the Oscar Kimble Survey, A-619, and continuing with the East line of said Oscar Kimble Survey, A-619, in all a total distance of 6655.00 feet for corner marked by 2" I.P. situated in the South right-of-way line of State Highway #65 (based on a width of 120 feet); Thence, North $89^{\circ}48'$ East, with the South right-of-way line of said State Highway #65 (as occupied), a distance of 2661.02 feet for corner situated in a drainage ditch and in the East line of said T.&N.O.R.R. Section #67, A-245, and being S $00^{\circ}01'$ E-60.00 feet of the Northwest corner of the Abner Toran Survey, A-488, and being the Northeast corner of tract here-in described; Thence, South $00^{\circ}01'14''$ East, with the East line of said T.&N.O.R.R. Section #67, A-245, and the West line of said Abner Toran Survey, A-488, the West line of the Horace Martin Survey, A-569, and West line of the Jas. Martin Survey, A-568, a distance of 5219.75 feet for corner marked by $\frac{1}{2}$ " I.R. set for the North west corner of the H.T. & B.R.R. Section #87, A-145; Thence, South $00^{\circ}05'06''$ East, with the West line of said H.T. & B.R.R. Section #87, A-145, and the East line of said T.&N.O.R.R. Section #67, A-245, at 890 feet pass the centerline of Oyster Bayou and continuing in all a total distance of 1449.39 feet for corner marked by 2" I.P. situated in a field dirt road and Southeast corner of said T.&N.O.R.R., Section #67, A-245, and the Northeast corner of the Archie Middleton Survey, A-445; Thence, North $89^{\circ}56'54''$ West, with the South line of said T.&N.O.R.R. Section #67, A-245, and the North line of said Archie Middleton Survey, A-445, at 500 feet pass the centerline of side Oyster Bayou and continuing in all a total distance of 2663.70 feet to the Point of Beginning enclosing a tract of land containing 407.082 Acres more or less.

TRACT 2

14.777 Acres

Being that certain 14.777 Acre Tract situated in the Archie Middleton Survey A-445, and being more particularly described by metes and bounds as follows:
Beginning at the Northwest corner of the abovementioned Archie Middleton Survey, A-445, marked by 2" I.P., situated at the Southwest corner of the T. & N.O.R.R. Section #67, A-245, and Northwest corner of tract here-in described; Thence, South 89°56'54" East, with the South line of said T. & N.O.R.R. Section #67, A-245, and the North line of said Archie Middleton Survey, A-445, at 2163.70 feet pass the centerline of Oyster Bayou and continuing in all a total distance of 2663.70 feet for corner marked by 2" I.P. situated at the Southeast corner of said T. & N.O.R.R. Section #67, A-245, and Northeast corner of said Archie Middleton Survey, A-445, and in the West line of the H. T. & B.R.R. Section #87, A-145, and Northeast corner of tract here-in described; Thence, South 00° 05' 06" East, with the East line of said Archie Middleton Survey, A-445, and the West line of said H. T. & B.R.R. Section #87, A-145, and also in a field dirt road, a distance of 270.05 feet for corner marked by ½" I.R. situated at the Southeast corner of tract here-in described;
 Thence, North 88° 43' 26" West, at 17 feet pass old fence corner and continuing with old fence line (in poor repair), at 670 feet pass centerline of Oyster Bayou and continuing with said old fence line in good repair (as occupied), in all a total distance of 2664.72 feet for corner marked by ½" I.R. and being S 88° 43' 26" E-22.3 feet from fence corner and situated in the West line of said Archie Middleton Survey, A-445, and West line of the Archie Middleton Survey, A-443; Thence, North 00° 00' 40" West, with the West line of said Archie Middleton Survey, A-445, at 77.12 feet pass the Northeast corner of said Archie Middleton Survey, A-443, and the Southeast corner of the H. & T.C.R.R. Section #49, A-113, and continuing in all a total distance of 213.23 feet to the Point of Beginning enclosing a tract of land containing 14.777 Acres more or less.

IT IS FURTHER ORDAINED AND ORDERED that the disposal of only municipal solid waste, Class III industrial solid waste, Class II industrial solid waste, Class I industrial solid waste which is Class I only because of asbestos content and special waste as defined in T.A.C. §330.2 is not prohibited within the 259.4 acres site in Chambers County at located generally at 4791 Tri-City Beach Road, Baytown, Texas, approximately 0.25 miles northwest of the junction of FM 1405 and FM 2354 (Tri-City Beach Road), consisting of six tracts, more particularly described as follows::

ALL BEARINGS REFER TO THE STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 5300 a OF THE REVISED CIVIL STATUTES OF THE STATE OF TEXAS.

TRACT 1:
8.044 Acres

FIELD NOTES of a 8.044 acre tract of land situated in the JOHN HAMS LEAGUE, Abstract No. 15, Chambers County, Texas, being the same 8.056 acre tract of land called TRACT III conveyed by USX CORPORATION to HAZELWOOD ENTERPRISES/JOHNNIE & ROSE MARY JENNINGS by Deed Dated April 14, 1987, recorded in Volume 10, Page 641 of the Official Public Records of Chambers County, Texas, said 8.044 acre tract of land being more particularly described by metes and bounds as follows, to wit:

BEGINNING at a 5/8 inch iron rod found at the intersection of the South right of way line of Plato Road (discontinued) with the Northeast right of way line of Tri-City Beach Road being the Northwest corner of said TRACT III and the Northwest corner of this tract:

THENCE North $77^{\circ}06'36''$ East (called $N 77^{\circ}07'26''E$) with the North line of this tract, the North line of said TRACT III and the South line of Plato Road (discontinued) a distance of 1019.26 (called 1020.06) feet to a 5/8 inch iron rod found at the intersection of the South right of way line of said Plato Road (discontinued) with the West right of way line of State F.M. Highway No. 1405 for the Northeast corner of said TRACT III and the Northeast corner of this tract;

THENCE in a Southwesterly direction with the East line of this tract, the East line of said TRACT III and the West right of line of said F.M. No. 1405, being a curve to the right having a radius of 2023.48 feet, a central angle of $13^{\circ}33'14''$ (called $13^{\circ}33'28''$), a length of 478.67 (called 478.81) feet and a chord bearing and distance of South $23^{\circ}56'53''$ West-477.56 feet to a concrete right of way monument found at the end of said curve;

THENCE South $30^{\circ}40'30''$ West (called $S 30^{\circ}48'14''W$) with the East line of this tract, the East line of said TRACT III and the West right of way line of said F.M. 1405 a distance of 273.02 (called 273.10) feet to a concrete right of way monument found at an angle point in said right of way line and the Southeast corner of said TRACT III and the Southeast corner of this tract;

THENCE South $80^{\circ}55'20''$ West (called $S 81^{\circ}06'35'' W$) with the South line of this tract, the South line of said TRACT III and the North right of way line of said F.M. 1405 a distance of 124.09 feet to a concrete right of way monument found at and angle point in said right of way line;

THENCE South $35^{\circ}13'51''$ West (called $S 35^{\circ}02'36''W$) with the South line of this tract, the South line of said TRACT III and the West right of way line of said F.M. 1405 a distance of 25.49 (called 25.78) feet to a 5/8 inch iron rod found at the intersection of the West right of way line of said F.M. 1405 with the Northeast right of

way line of Tri-City Beach Road found for the Southwest corner of this tract and the Southwest corner of said TRACT III;

THENCE North 47°12'47" West (called N 47°14'18" W) with the East line of the tract, the East line of said TRACT III and the Northeast right of way line and Tri-City Beach Road a distance of 712.93 feet to the POINT OF BEGINNING containing 8.044 acres of land.

TRACT 2:
1.440 Acres

FIELD NOTES of a 1.440 acre tract of land situated in the JOHN JAMS LEAGUE, Abstract No. 15, Chambers County, Texas, being formerly known as PLATO ROAD, said 1.440 acre tract of land being more particularly described by metes and bounds as follows, to wit:

BEGINNING at a 5/8 inch iron rod found at the intersection of the Northeast right of way line of Tri-City Beach Road with the South right of way line of said PLATO ROAD, being the Northwest corner of a 8.056 acre tract called TRACT III conveyed by USX CORPORATION to HAZELWOOD ENTERPRISE/JOHNNIE & ROSE MARY JENNINGS by Deed Dated April 14, 1987, recorded in Volume 10, Page 641 of the Official Public Records of Chambers County, Texas and the Southwest corner and POINT OF BEGINNING of this tract;

THENCE North 44°42'55" West with the West line of this tract a distance of 71.03 feet to an iron rod found at the intersection of the Northeast right of way line of Tri-City Beach Road with the North right of way line of said PLATO ROAD for the Southwest corner of a 17.753 acre tract called TRACT II conveyed by USX CORPORATION to HAZELWOOD ENTERPRISES/JOHNNIE & ROSE MARY JENNINGS by Deed Dated April 14, 1987, recorded in Volume 10, Page 641 of the Official Public Records of Chambers County, Texas and the Northwest corner of this tract;

THENCE North 77°11'59" East with the North line of this tract, the North line of said PLATO ROAD and the South line of said TRACT II a distance of 1089.38 feet to a 5/8 inch iron rod found at the intersection of the North right of way line of said PLATO ROAD with the West right of way line of State F.M. Highway No. 1405 for the Southeast corner of said TRACT II and the Northeast corner of this tract;

THENCE in a Southwesterly direction with the West right of line of said F.M. No. 1405 and the East line of this tract, being a curve to the right of having a radius of 2023.48 feet, a central angle of 01°54'03", a length of 67.13 feet and a chord bearing and distance of South 16°13'15" West - 67.12 feet to an iron rod found at the intersection of the said West right of way line with the South right of way line of said PLATO ROAD for the Northeast corner of said TRACT III and the Southeast corner of

this tract;

THENCE South 77°06'36" West with the South line of this tract and the North line of said TRACT III a distance of 1019.26 feet to the POINT OF BEGINNING; containing 1.440 acres of land.

TRACT 3:

17.749 Acres

FIELD NOTES of a 17.749 acre tract of land situated in the JOHN JAMS LEAGUE, Abstract No. 15, Chambers County, Texas, being the same 17.753 acre tract of land called TRACT II conveyed by USX CORPORATION to HAZELWOOD ENTERPRISES/JOHNNIE & ROSE MARY JENNINGS by Deed Dated April 14, 1987, recorded in Volume 10, Page 641 of the Official Public Records of Chambers County, Texas, said 17.749 acre tract of land being more particularly described by metes and bounds as follows, to wit:

BEGINNING at 5/8 inch iron rod found at the intersection of the North right of way line of Plato Road (discontinued) with the Northeast right of way line of Tri-City Beach Road being the Southwest corner of said TRACT II and the Southeast corner and POINT OF BEGINNING of this tract;

THENCE in a Northwesterly direction with the Southwest line of this tract, the Southwest line of said TRACT II and the Northeast right of way line of said Tri-City Beach Road as follows:

North 46°42'14" West (called N 46°37'11"W) a distance of 120.05 (called 120.11) feet to an iron rod at an angle point,

North 47°06'11" West (called N 47°07'12"W) a distance of 200.13 (called 200.25) feet to an iron rod at an angle point,

North 46°58'15" West (called N 46°57'14"W) a distance of 137.76 feet to an iron pipe at an angle point,

and North 47°05'59" West (called N 47°05'23"W) a distance of 226.41 feet to an iron pipe found for the Northwest corner of said TRACT II, the Northwest corner of this tract and the Southwest corner of a called 71.57 acre tract conveyed by P.J. FISHER and ANNIE FISHER to ROSE MARY JENNINGS by Deed dated July 25, 1956 and recorded in Volume 178, Page 579 of the Deed Records of Chambers County, Texas;

THENCE North 77°55'55" East (called N 77°55'42") with the North line of this tract, the North line of said TRACT II and the South line of said 71.57 acre tract of 838.9 feet pass the Southeast corner of said 71.57 acre tract and the Southwest corner of a called 40 acre tract conveyed by HAZEL FISHER to JOHNNIE G. JENNINGS by Deed dated December 6, 1965 and recorded in Volume 270, Page 35 of the Deed Records of Chambers County, Texas and continue for a total distance of 1670.79

(called 1670.53) feet to an iron rod found in the West right of way line of State F.M. Highway No. 1405 for the Northeast corner of said TRACT II and the Northeast corner of this tract;

THENCE in a Southwesterly direction with the East line of this tract, the East line of said TRACT II and the West right of lien of said F.M. No. 1405, being a curve to the right having a radius of 2023.48 feet, a central angle of $16^{\circ}27'05''$ (called $16^{\circ}26'05''$), a length of 581.01 (called 580.86) feet and a chord bearing and distance of South $07^{\circ}02'41''$ West - 579.01 feet to an iron rod found at the intersection of the West right of way line of said F.M. 1405 with the North line of Plato Road (discontinued) for the Southeast corner of said TRACT II and the Southeast corner of this tract;

THENCE South $77^{\circ}11'59''$ West (called S $77^{\circ}11'26''$ W) with the South line of this tract, the South line of said TRACT II and the North line of Plato Road (discontinued) a distance of 1089.38 (called 1088.89) feet to the POINT OF BEGINNING, containing 17.749 acres of land.

TRACT 4:

142.154 Acres

FIELD NOTES of a 142.154 acre tract of land situated in the JOHN JAMS LEAGUE Abstract No. 15, Chambers County, Texas, being a 95.7206 acre tract of land called TRACT I conveyed by USX CORPORATION to HAZELWOOD ENTERPRISES/JOHNNIE & ROSE MARY JENNINGS by Deed Dated April 14, 1987, recorded in Volume 10, Page 641 of the Official Public Records of Chambers County, Texas, a 5.043 acre tract of land conveyed by UNITED STATES STEEL CORPORATION to HAZELWOOD ENTERPRISES, INC. by deed dated April 28, 1986 and recorded in Volume 605, Page 1 of the Deed Records of Chambers County, Texas and a 41.931 acre tract conveyed by WINFRED B. HIRSCH et al, to JOHNNIE JENNINGS and GENE B. HAZELWOOD by deed dated October 5, 1984 and recorded in Volume 564, Page 504 of the Deed Records of Chambers County, Texas, said 142.1154 acre tract of land being more particularly described by metes and bounds as follows, to wit:

BEGINNING at an iron rod found in the West right of way line of State F.M. Highway No. 1405 at the Southeast corner of TRACT TWO described in Deed conveyed by JONES & LAUGHLIN STEEL CORPORATION to UNITED STATES STEEL CORPORATION dated December 28, 1966 and recorded in Volume 281, Page 128 of the Deed Records of Chambers County, Texas, the Northeast corner of said 95.7206 and the Northeast corner and POINT OF BEGINNING of this tract;

THENCE South $03^{\circ}00'06''$ East (called South $03^{\circ}00'04''$ E) with said West right of way line, the East line of said TRACT I and the East line of this tract a distance of 1653.48 (called 1655.29) feet to a concrete right of way monument found at an angle point in said West right of way line;

THENCE South $02^{\circ}29'57''$ East continuing with the said West right of way line, the East line of said TRACT I and the East line of this tract a distance of 622.89 feet to and iron rod found for the Southeast corner of said TRACT 1 and the Southeast corner of this tract;

THENCE South $82^{\circ}30'15''$ West with the South line of this tract and the South line of said TRACT I a distance of 2462.24 feet to a point in the East line of said 41.931 acre tract and the West line of a called 71.57 acre tract conveyed by P. J. FISHER and ANNIE FISHER to ROSE MARY JENNINGS by Deed dated July 25, 1956 and recorded in Volume 178, Page 579 of the Deed Records of Chambers County, Texas for an angle point in said line;

THENCE South $01^{\circ}57'30''$ East with the East line of said 41.931 acre tract and the West line of said 71.57 acre tract a distance of 890.79 feet to an iron rod found in the Northeast right of way line of Tri-City Beach Road for the Southeast corner of said 41.931 acre tract, the Western most Southwest corner of said 71.57 acre tract and the Southern most corner of this tract;

THENCE North $47^{\circ}02'35''$ West (called N $47^{\circ}05'13''$ W) with the Northeast right of way line of said Tri-City Beach Road, the South line of said 41.931 acre and the Southwest line of this tract a distance of 166.31 (called 168.47) feet to the point of curvature of a curve to the left;

THENCE continuing with said curve to the left in the said Northeast right of way line, the South line of said 41.931 and the Southwest line of this tract having a central angle of $20^{\circ}07'50''$, a radius of 1040 feet, a length of 365.40 (called 364.84) feet, and a chord bearing and distance of North $57^{\circ}06'30''$ West - 363.52 feet to the point of tangency of said curve;

THENCE North $67^{\circ}10'25''$ West (called N $67^{\circ}11'13''$ W) continuing with the said Northeast right of way line, the South line of said 41.931 acre tract, the Southwest line of said 5.043 acre tract and the Southwest line of this tract a distance of 1082.79 feet to an iron rod found for the Western most Southwest corner of this tract, the Southwest corner of said 41.931 acre tract and the Southeast corner of a 8.57 acre tract of land conveyed by HARRY LAWRENCE MYERS to ROBERT R. CRAWLEY by Deed dated October 20, 1988 and recorded in Volume 60, Page 521 of the Official Public Records of Chambers County, Texas;

THENCE North $32^{\circ}36'10''$ East (called N $32^{\circ}33'47''$ E) with the West line of said 41.931 acre tract, the West line of this tract and the East line of said 8.57 acre tract a distance of 362.74 (called 362.80) feet to an iron pipe found for an angle point in said line;

THENCE North $31^{\circ}54'24''$ East (called N $31^{\circ}45'47''$ W) continuing with the West line

(called 1670.53) feet to an iron rod found in the West right of way line of State F.M. Highway No. 1405 for the Northeast corner of said TRACT II and the Northeast corner of this tract;

THENCE in a Southwesterly direction with the East line of this tract, the East line of said TRACT II and the West right of lien of said F.M. No. 1405, being a curve to the right having a radius of 2023.48 feet, a central angle of $16^{\circ}27'05''$ (called $16^{\circ}26'05''$), a length of 581.01 (called 580.86) feet and a chord bearing and distance of South $07^{\circ}02'41''$ West - 579.01 feet to an iron rod found at the intersection of the West right of way line of said F.M. 1405 with the North line of Plato Road (discontinued) for the Southeast corner of said TRACT II and the Southeast corner of this tract;

THENCE South $77^{\circ}11'59''$ West (called S $77^{\circ}11'26''$ W) with the South line of this tract, the South line of said TRACT II and the North line of Plato Road (discontinued) a distance of 1089.38 (called 1088.89) feet to the POINT OF BEGINNING, containing 17.749 acres of land.

TRACT 4:

142.154 Acres

FIELD NOTES of a 142.154 acre tract of land situated in the JOHN DAVIS LEAGUE Abstract No. 15, Chambers County, Texas, being a 95.7206 acre tract of land called TRACT I conveyed by USX CORPORATION to HAZELWOOD ENTERPRISES/JOHNNIE & ROSE MARY JENNINGS by Deed Dated April 14, 1987, recorded in Volume 10, Page 641 of the Official Public Records of Chambers County, Texas, a 5.043 acre tract of land conveyed by UNITED STATES STEEL CORPORATION to HAZELWOOD ENTERPRISES, INC. by deed dated April 28, 1986 and recorded in Volume 605, Page 1 of the Deed Records of Chambers County, Texas and a 41.931 acre tract conveyed by WINFRED B. HIRSCH et al, to JOHNNIE JENNINGS and GENE B. HAZELWOOD by deed dated October 5, 1984 and recorded in Volume 564, Page 504 of the Deed Records of Chambers County, Texas, said 142.1154 acre tract of land being more particularly described by metes and bounds as follows, to wit:

BEGINNING at an iron rod found in the West right of way line of State F.M. Highway No. 1405 at the Southeast corner of TRACT TWO described in Deed conveyed by JONES & LAUGHLIN STEEL CORPORATION to UNITED STATES STEEL CORPORATION dated December 28, 1966 and recorded in Volume 281, Page 128 of the Deed Records of Chambers County, Texas, the Northeast corner of said 95.7206 and the Northeast corner and POINT OF BEGINNING of this tract;

THENCE South $03^{\circ}00'06''$ East (called South $03^{\circ}00'04''$ E) with said West right of way line, the East line of said TRACT I and the East line of this tract a distance of 1653.48 (called 1655.29) feet to a concrete right of way monument found at an angle point in said West right of way line;

THENCE South $02^{\circ}29'57''$ East continuing with the said West right of way line, the East line of said TRACT I and the East line of this tract a distance of 622.89 feet to and iron rod found for the Southeast corner of said TRACT 1 and the Southeast corner of this tract;

THENCE South $82^{\circ}30'15''$ West with the South line of this tract and the South line of said TRACT I a distance of 2462.24 feet to a point in the East line of said 41.931 acre tract and the West line of a called 71.57 acre tract conveyed by P. J. FISHER and ANNIE FISHER to ROSE MARY JENNINGS by Deed dated July 25, 1956 and recorded in Volume 178, Page 579 of the Deed Records of Chambers County, Texas for an angle point in said line;

THENCE South $01^{\circ}57'30''$ East with the East line of said 41.931 acre tract and the West line of said 71.57 acre tract a distance of 890.79 feet to an iron rod found in the Northeast right of way line of Tri-City Beach Road for the Southeast corner of said 41.931 acre tract, the Western most Southwest corner of said 71.57 acre tract and the Southern most corner of this tract;

THENCE North $47^{\circ}02'35''$ West (called N $47^{\circ}05'13''$ W) with the Northeast right of way line of said Tri-City Beach Road, the South line of said 41.931 acre and the Southwest line of this tract a distance of 166.31 (called 163.47) feet to the point of curvature of a curve to the left;

THENCE continuing with said curve to the left in the said Northeast right of way line, the South line of said 41.931 and the Southwest line of this tract having a central angle of $20^{\circ}07'50''$, a radius of 1040 feet, a length of 365.40 (called 364.84) feet, and a chord bearing and distance of North $57^{\circ}06'30''$ West - 363.52 feet to the point of tangency of said curve;

THENCE North $67^{\circ}10'25''$ West (called N $67^{\circ}11'13''$ W) continuing with the said Northeast right of way line, the South line of said 41.931 acre tract, the Southwest line of said 5.043 acre tract and the Southwest line of this tract a distance of 1082.79 feet to an iron rod found for the Western most Southwest corner of this tract, the Southwest corner of said 41.931 acre tract and the Southeast corner of a 8.57 acre tract of land conveyed by HARRY LAWRENCE MYERS to ROBERT R. CRAWLEY by Deed dated October 20, 1988 and recorded in Volume 60, Page 521 of the Official Public Records of Chambers County, Texas;

THENCE North $32^{\circ}36'10''$ East (called N $32^{\circ}33'47''$ E) with the West line of said 41.931 acre tract, the West line of this tract and the East line of said 8.57 acre tract a distance of 362.74 (called 362.80) feet to an iron pipe found for an angle point in said line;

THENCE North $31^{\circ}54'24''$ East (called N $31^{\circ}45'47''$ W) continuing with the West line

of said 41.931 acre tract, the West line of this tract and the East line of said 8.57 acre tract a distance of 99.92 (called 100.00) feet to an iron pipe found for an angle point in said line;

THENCE N 03°27'51" West (called N 03°32'13"W) continuing with the West line of said 41.931 acre tract and the West line of this tract a distance of 378.11 feet to a 5/8 inch iron rod found for the Northwest corner of said 41.931 acre tract and the Western most Northwest corner of this tract;

THENCE South 35°30'07" East with the Northwest line of this tract a distance of 42.08 feet to a point on the vegetation line and Southeast shoreline of Cedar Bayou;

THENCE with the meanders of said vegetation line and the Southeast shoreline of Cedar Bayou the following courses of distance;

South 83°08'09" East a distance of 135.24 feet

North 82°50'36" East a distance of 423.87 feet

North 58°38'33" East a distance of 106.78 feet

North 22°03'32" East a distance of 79.48 feet

North 08°11'06" West a distance of 33.09 feet

North 22°40'32" East a distance of 71.01 feet

North 35°03'41" East a distance of 68.51 feet

North 03°19'23" East a distance of 149.74 feet

North 05°42'46" East a distance of 52.52 feet

North 17°56'35" East a distance of 97.25 feet

North 43°51'25" East a distance of 33.62 feet

North 63°16'15" East a distance of 65.49 feet

North 79°50'35" East a distance of 71.41 feet

South 80°34'53" East a distance of 114.22 feet

South 70°10'12" East a distance of 84.35 feet

South 67°23'47" East a distance of 247.18 feet

South 66°37'39" East a distance of 181.81 feet

North 08°59'07" East a distance of 22.44 feet

North 05°15'41" West a distance of 88.40 feet

North 14°52'37" East a distance of 96.57 feet

North 15°12'00" West a distance of 73.88 feet

North 07°12'54" East a distance of 62.30 feet

North 46°01'51" East a distance of 57.81 feet

South 35°16'19" East a distance of 106.35 feet

and South 89°12'14" East a distance of 82.44 feet to the East line of said 41.931 acre tract and the West line of said 95.7206 acre tract, and continuing with the said meanders of said vegetation line and the Southeast shoreline of Cedar Bayou,

South 79°24'59" East a distance of 129.11 feet

North 38°56'20" East a distance of 80.34 feet

North 15°53'11" East a distance of 210.79 feet

North 00°36'21" West a distance of 205.45 feet
 North 15°15'18" East a distance of 124.99 feet
 North 14°06'10" East a distance of 119.26 feet
 North 11°57'11" West a distance of 103.27 feet
 North 16°16'39" East a distance of 56.48 feet
 North 68°21'42" East a distance of 80.47 feet
 North 24°52'55" East a distance of 95.92 feet
 North 50°10'48" East a distance of 203.16 feet
 North 62°49'00" East a distance of 58.42 feet

and North 60°47'21" East a distance of 264.19 feet to a point for the Northwest corner of this tract in the North line of said 95.7206 acre tract and the South line of said TRACT TWO;

THENCE North 88°27'20" East with the North line of said TRACT I, the North line of this tract and the South line of said TRACT TWO a distance of 914.37 feet to the POINT OF BEGINNING, containing 142.154 acres of land.

TRACT 5:

58.149 Acres

FIELD NOTES of a 58.149 acre tract of land situated in the JOHN DAMS LEAGUE, Abstract No. 15, Chambers County, Texas, being the residue of a called 71.57 acre tract conveyed by P.J. FISHER and ANNIE FISHER to ROSE MARY JENNINGS by Deed dated July 25, 1956 and recorded in Volume 178, Page 579 of the Deed Records of Chambers County, Texas, said 58.149 acre tract of land being more particularly described by metes and bounds as follows, to wit:

COMMENCING at an iron rod found in the West right of way line of State F.M. Highway No. 1405 for the Southeast corner of a 95.7206 acre tract of land called TRACT I conveyed by USX CORPORATION to HAZELWOOD ENTERPRISE/JOHNNIE & ROSE MARY JENNINGS by Deed Dated April 14, 1987, recorded in Volume 10, Page 641 of the Official Public Records of Chambers County, Texas;

THENCE South 82°30'15" West with the South line of said TRACT I a distance of 827.20 feet to a point in the East line of said 71.57 acre tract and the West line of a called 40 acre tract conveyed by HAZEL FISHER to JOHNNIE G. JENNINGS by Deed dated December 6, 1965 and recorded in Volume 270, Page 35 of the Deed Records of Chambers County, Texas for the Northeast corner and POINT OF BEGINNING of this tract;

THENCE South 02°36'22" East with the East line of this tract, the East line of said 71.57 acre tract and the West line of said 40 acre tract a distance of 1719.99 feet to a point on the North line of a called 17.753 acre tract of land called TRACT II conveyed

by USX CORPORATION to HAZELWOOD ENTERPRISE/JOHNNIE & ROSE MARY JENNINGS by Deed Dated April 14, 1987, recorded in Volume 10, Page 641 of the Official Public Records of Chambers County, Texas, for the Southeast corner of this tract, the Southeast corner of said 71.57 acre tract and the Southwest corner of said 40 acre tract;

THENCE South $77^{\circ}55'55''$ West with the South line of this tract, the South line of said 71.57 acre tract and the North line of said 17.753 acre tract a distance of 838.9 feet to an iron pipe found in the Northeast right of way line of Tri-City Beach Road for the Northwest corner of said 17.753 acre tract, the South corner of this tract and the South corner of said 71.57 acre tract;

THENCE North $47^{\circ}02'35''$ West with the said Northeast right of way line, the Southwest line of this tract and the Southwest line of said 71.57 acre tract a distance of 1159.33 feet to an iron rod found for the Southwest corner of this tract, the Southwest corner of said 71.57 acre tract and the Southeast corner of 41.931 acre tract conveyed by WINFRED B. HIRSCH et al, to JOHNNIE JENNINGS and GENE B. HAZELWOOD by Deed dated October 5, 1984 and recorded in Volume 564, Page 504 of the Deed Records of Chambers County, Texas;

THENCE North $01^{\circ}57'30''$ West with the West line of this tract, the west line of said 71.57 acre tract and the East line of said 41.931 acre tract a distance of 890.79 feet to a point for the Northwest corner of this tract and the Southwest corner of said TRACT I;

THENCE North $82^{\circ}30'15''$ East with the South line of said TRACT I and the North line of this tract a distance of 1635.04 feet to the POINT OF BEGINNING, containing 58.149 acres of land.

TRACT 6:

31.852 Acres

FIELD NOTES of a 31.852 acre tract of land situated in the JOHN JAMS LEAGUE, Abstract No. 15, Chambers County, Texas, being the residue of a called 40 acre tract conveyed by HAZEL FISHER to JOHNNIE G. JENNINGS by Deed dated December 6, 1965 and recorded in Volume 270, Page 35 of the Deed Records of Chambers County, Texas said 31.852 acre tract of land being more particularly described by metes and bounds as follows, to wit:

COMMENCING at an iron rod found in the West right of way line of State F.M. Highway No. 1405 for the Southeast corner of a 95.7206 acre tract of land called TRACT I conveyed by USX CORPORATION to HAZELWOOD ENTERPRISE/JOHNNIE & ROSE MARY JENNINGS by Deed Dated April 14, 1987, recorded in Volume 10, Page 641 of the Official Public Records of Chambers County, Texas, and the Northeast corner of this tract;

THENCE South 02°29'57" East with said West right of way line and the East line of this tract a distance of 1609.38 feet to a concrete right of way monument found at the point of curvature of a curve to the right in said right of way line;

THENCE in a Southeasterly direction with said curve to the right, and the East line of this tract having a central angle of 01°15'23", a radius of 2023.48 feet, a length of 44.37 feet and a chord bearing and distance of South 01°48'33" East - 44.37 feet to 44.37 feet to an iron rod round for the Southeast corner of this tract and the Northeast corner a 17.753 acre tract of land called TRACT II conveyed by USX CORPORATION to HAZELWOOD ENTERPRISES/JOHNNIE & ROSE MARY JENNINGS by Deed Dated April 14, 1987, recorded in Volume 10, Page 641 of the Official Public Records of Chambers County, Texas;

THENCE South 77°55'55" West with the South line of this tract and the North line of said TRACT II a distance of 831.89 feet to a point for the Southwest corner of this tract, the Southwest corner of said 40 acre tract and the Southeast corner of a called 71.57 acre tract conveyed by P. J. FISHER and ANNIE FISHER to ROSE MARY JENNINGS by Deed dated July 25, 1956 and recorded in Volume 178, Page 579 of the Deed Records of Chambers County, Texas;

THENCE North 02°36'22" West with the West line of this tract, the West line of said 40 acre tract and the East line of said 71.57 acre tract a distance of 1719.99 feet to a point in the South line of said TRACT I for the Northwest corner of this tract;

THENCE North 82°30'15" East with the North line of this tract and the South line of said TRACT I a distance of 827.20 feet to the POINT OF BEGINNING, containing 31.852 acres of land.

IT IS FURTHER ORDAINED AND ORDERED that the disposal of solid waste is **PROHIBITED** in all other areas of Chambers County, Texas.

DEFINITIONS IN THIS ORDINANCE:

"Solid Waste" means, subject to the limitations of 42 U.S.C. §6903(27) and 40 C.F.R. § 261.4(a), garbage, rubbish, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, municipal, commercial, mining, and agricultural operations and from community and institutional activities. The term:

(A) does not include

- (i) solid or dissolved material in domestic sewage, or solid or dissolved material in irrigation return flows, or industrial discharges subject to regulation by permit issued under Chapter 26, Water Code;
- (ii) soil, dirt, rock, sand, and other natural or man-made inert solid materials used to fill land if the object of the fill is to make the land suitable for the construction of surface improvements; or
- (iii) waste materials that result from activities associated with the exploration, development, or production of oil or gas or geothermal resources and other substance or material regulated by Railroad Commission of Texas under Section 91.101, Natural Resources Code, unless the waste, substance, or material results from activities associated with gasoline plants, natural gas liquids processing plants, pressure maintenance plants, or repressurizing plants and is hazardous waste as defined by the administrator of the United States Environmental Protection Agency under the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, as amended (42 U.S.C. Section 6901 et seq.); and

(B) does include hazardous substances

"Municipal Solid Waste" means solid waste resulting from or incidental to municipal, community, commercial, institutional, or recreational activities, and includes garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and other solid waste other than industrial solid waste.

"Industrial Solid Waste" means solid waste resulting from or incidental to a process of industry or manufacturing, or mining or agricultural operations.

"Solid Waste Facility" means all contiguous land, including structures, appurtenances, and other improvements on the land, used for processing, storing, or disposing of solid waste. The term includes a publicly or privately owned solid waste facility consisting of processing, storage, or disposal operational units such as one or more landfills, surface impoundments, or a combination of units.

"Affected Area" refers to the area of the County in which solid waste disposal is prohibited.

SECTION 3. CIVIL REMEDIES AND PENALTIES

Any violation of this ordinance is subject to a civil penalty of \$10,000.00. for each violation, such penalty to be forfeited to Chambers County, Texas. Each day that a violation continues constitutes a separate ground for recovery.

The Commissioners Court of Chambers County, Texas, may bring a legal action to enjoin violations of this ordinance and seek judgment for any civil penalties.

SECTION 4. CRIMINAL PENALTY

Disposal of solid waste in violation of this ordinance constitutes a class C misdemeanor punishable by a fine not to exceed \$500.00.

Each day that a violation continues constitutes a separate offense under this ordinance.

SECTION 5. SEVERABILITY

If any portion of this ordinance is deemed to be in violation of the statutes or the constitution of this state or the United States by a court of competent jurisdiction, said portion shall be severed, and the remaining portions of the ordinance shall remain in full force and effect.

SECTION 6. REPEAL AND SAVINGS

The Ordinance adopted February 17, 1998, which also prohibits solid waste disposal in certain areas of the county, is hereby repealed. Notwithstanding the provisions of Section 5, above, if Section 2 of this Ordinance is declared invalid in whole or any part for any reason, Section 2 of the ordinance adopted on February 17, 1997, is revived, reinstated and effective for all purposes.

SECTION 7. EFFECTIVE DATE


This ordinance shall become effective immediately upon adoption.

Read and adopted this 6 day of April, 1998, by a vote of 4 ayes and 0 nays.



County Judge

ATTEST:



County Clerk



PASSED.

THE STATE OF TEXAS)(
COUNTY OF CHAMBERS)(

I, NORMA W. ROWLAND, the undersigned Clerk of Commissioners' Court of Chambers County, Texas, do hereby CERTIFY that the within and foregoing is a true and correct copy of an Order, an excerpt taken from the Commissioners' Court Minutes of a Special Called Meeting held on the 6th day of April, A. D., 1998.

This certified copy having been made before same was recorded.

WITNESS MY HAND AND SEAL OF OFFICE this the 20th day of April, A. D., 1998.

NORMA W. ROWLAND, CLERK OF THE COMMISSIONERS' COURT, CHAMBERS COUNTY, TEXAS.

BY [Signature] DEPUTY
Yvonne R. Morgan