AN ORDINANCE DESIGNATING A CONTIGUOUS GEOGRAPHIC AREA WITHIN THE CITY OF HOUSTON LOCATED IN THE MEDICAL CENTER OF HOUSTON AND GENERALLY BOUNDED BY MAIN STREET ON THE NORTHWEST, HERMANN BOULEVARD ON THE NORTHEAST, ALMEDA ROAD ON THE SOUTHEAST, AND OLD SPANISH TRAIL ON THE SOUTH; A GENERAL AREA BOUNDED BY HOLCOMBE BOULEVARD ON THE NORTH, MAIN STREET ON THE SOUTHEAST, AND MONTCLAIR DRIVE ON THE WEST; AND A GENERAL AREA BOUNDED BY DIXIE DRIVE ON THE NORTHEAST, GRAND BOULEVARD ON THE SOUTHEAST, LOCKETT STREET ON THE SOUTH, AND ALMEDA ROAD ON THE NORTHWEST, AS REINVESTMENT ZONE NUMBER TWENTY-EIGHT, CITY OF HOUSTON, TEXAS (MEDICAL CENTER AREA ZONE), FOR TAX INCREMENT FINANCING PURPOSES PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE; CREATING A BOARD OF DIRECTORS FOR SUCH ZONE; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

\* \* \* \* \* \* \*

WHEREAS, pursuant to Chapter 311 of the Texas Tax Code, as amended ("Code"), the City may designate a contiguous or noncontiguous area within the City as a reinvestment zone if the area satisfies the requirements of certain sections of the Code; and

WHEREAS, the City has prepared a preliminary reinvestment zone financing plan for the designation of a proposed reinvestment zone within a contiguous area of the City known as the "Medical Center Area Zone" ("proposed zone") which provides that City of Houston ad valorem taxes are to be deposited into the tax increment fund; and

WHEREAS, a notice of the December 14, 2022 public hearing on the designation of the proposed zone was published on December 2, 2022 in the Houston Chronicle, a newspaper of general circulation in the City; and

**WHEREAS**, at the public hearing on December 14, 2022, interested persons were allowed to speak for or against the designation of the proposed zone, its boundaries, or the concept of tax increment financing; and

WHEREAS, evidence was received and presented at the public hearing in favor of the designation of the proposed zone and its proposed boundaries pursuant to the provisions of the Code; and

**WHEREAS**, no owner of real property in the proposed zone protested the inclusion of his property in the proposed zone; and

WHEREAS, the City has done all things required by the Code or other law as a condition to the designation of the proposed zone; and

WHEREAS, the total appraised value of taxable real property in the proposed zone and all other reinvestment zones previously designated by the City is approximately \$64,091,451,679; and

**WHEREAS**, the total appraised value of taxable real property in the City and in the industrial districts created by the City is approximately \$269,215,547,889; and

**WHEREAS**, the total area within the proposed zone is approximately 1,332 acres; and

WHEREAS, less than thirty percent (30%) of the property in the proposed zone is currently used for residential purposes, as that term is defined in Code Section 311.006(d); and

WHEREAS, the City intends to participate in the proposed zone by contributing tax increment to the tax increment fund for the proposed zone from taxes levied and

collected by the City at one hundred percent (100%) of its tax rate for the Thirty (30) years of the proposed zone; **NOW**, **THEREFORE**,

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

## Section 1. Findings.

- (a) That the findings and recitals contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are adopted as part of this Ordinance for all purposes.
- (b) That the City Council further finds and declares that the proposed improvements in the proposed zone will significantly enhance the value of all taxable real property in the proposed zone and will be of general benefit to the City.
- (c) That the City Council further finds and declares that the proposed zone meets the criteria and requirements of Code Section 311.005 because the area substantially arrests and impairs the sound growth of the City, retards the provision of housing accommodations and constitutes an economic and social liability, and is a menace to the public health, safety, morals and welfare in its present condition and use because of the presence of:
  - (1) A substantial number of substandard, slum, deteriorated, and deteriorating structures;
  - (2) The predominance of defective or inadequate sidewalk or street layout;
  - (3) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

- (4) Unsanitary and unsafe conditions;
- (5) The deterioration of site and other improvements; and
- (6) Conditions that endanger life or property by fire or other cause.
- (d) That the City Council further finds and declares that the proposed zone meets the criteria and requirements of Code Section 311.005 because the area is predominately open and undeveloped, and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impairs or arrests the sound growth of the City.
- (e) That the City Council, pursuant to the requirements of the Code, further finds and declares:
  - (1) That the proposed zone is a contiguous geographic area located wholly within the corporate limits of the City of Houston;
  - (2) That less than thirty percent (30%) of the property in the proposed zone is used for residential purposes within the meaning of Code Section 311.006(d);
  - (3) That the total appraised value of taxable real property in the proposed zone and in the City's existing reinvestment zones does not exceed twenty-five percent (25%) of the total appraised value of taxable real property in the City and the industrial districts created by the City; and
  - (4) That development or redevelopment of the property within the boundaries of the proposed zone will not occur solely through private investment in the reasonably foreseeable future.

Section 2. <u>Exception to Guidelines</u>. That the City hereby excepts the proposed zone from compliance with any City tax increment reinvestment zone guidelines established by the City pursuant to Resolution No. 90-203 that are applicable to and not satisfied by the proposed zone. Section 1 of Resolution No. 90-203 specifically authorizes the City Council to grant exceptions on a zone-by-zone basis.

Section 3. <u>Designation of Zone</u>. That the City, acting pursuant to the provisions of the Code, specifically Section 311.005(a), does hereby designate as a reinvestment zone the area described in Exhibit "A" attached hereto and depicted on the map attached hereto as Exhibit "B" to promote the redevelopment of the area. The reinvestment zone shall hereafter be named for identification as Reinvestment Zone Number Twenty-Eight, City of Houston, Texas ("Zone").

Section 4. <u>Board of Directors</u>. That there is created a Board of Directors for the Zone, which shall consist of seven (7) members appointed by the City. Any other taxing unit that levies taxes on real property in the Zone and has approved the payment of all or part of the tax increment produced by the taxing unit into the tax increment fund for the Zone may appoint one director. Any taxing unit that appoints a director shall be assigned a Board position number in the order the appointment is received by the City. Failure of a taxing unit to appoint a director by January 1, 2024, shall be deemed a waiver of the right to appoint a director, and the City shall be entitled to appoint persons to the position, which shall be filled as provided below. If more than two (2) taxing units that levy taxes on real property in the Zone and have approved the payment of all or part of the tax increment produced by the taxing unit into the tax increment fund for the Zone appoint a director, the number of directors on the Board of Directors shall be increased

by one (1) for each taxing unit above two (2) that appoints a director to the Board, provided, if more than four (4) taxing units that levy taxes on real property in the Zone and have approved the payment of all or part of the tax increment produced by the taxing unit into the tax increment fund for the Zone appoint a director, the number of directors on the Board of Directors shall be increased by two (2) for each taxing unit above four (4) that appoints a director to the Board, provided further that the maximum number of directors shall not exceed fifteen (15). The City shall be entitled to appoint a person to one (1) position of each of the two (2) positions created as a result of more than four (4) taxing units appointing directors, which position shall be filled as provided below.

The Mayor is hereby authorized to nominate and appoint the directors to Positions One through Seven of the Board of Directors, any position unfilled on January 1, 2024, and any City position created by the appointment of a director by more than two taxing units that levy taxes on real property in the Zone and have approved the payment of all or part of the tax increment produced by the taxing unit into the tax increment fund for the Zone, subject to the consent and approval of the City Council. The directors appointed to odd-numbered positions shall be appointed for two-year terms, beginning January 1, 2023, while the directors appointed to even-numbered positions shall be appointed to one-year terms, beginning January 1, 2023. All subsequent appointments shall be for two-year terms. The Mayor shall annually nominate and appoint, subject to City Council approval, a director to serve as chair for a term of one year beginning January 1st of the following year. The City Council authorizes the Board of Directors to elect from its members a vice chairman and such other officers as the Board of Directors deem appropriate.

The Board of Directors shall make recommendations to the City Council concerning the administration of the Zone. The Board of Directors shall prepare or cause to be prepared and adopted a project plan and a reinvestment zone financing plan for the Zone as described in Code Section 311.011, and shall submit such plans to the City Council for approval. The City, pursuant to Code Section 311.010(a), hereby authorizes the Board of Directors to exercise all of the City's powers necessary to administer, manage, or operate the Zone and to prepare the project plan and reinvestment zone financing plan, including the power to employ consultants, legal counsel, and financial advisors, or enter into any reimbursement agreements with consultants, legal counsel, and financial advisors payable solely from the tax increment fund established pursuant to Section 8 of this Ordinance that may be reasonably necessary or convenient to assist the Board of Directors in the administration, management, or operation of the Zone and the preparation of the project plan and reinvestment zone financing plan, or to implement the project plan and reinvestment zone financing plan.

Notwithstanding the foregoing, the Board of Directors shall not be authorized to issue bonds, impose taxes or fees, exercise the power of eminent domain, or give final approval to the project plan and reinvestment zone financing plan. The Board of Directors of the Zone may not exercise any power granted to the City by Code Section 311.008 without additional authorization from the City.

Section 5. <u>Duration of the Zone</u>. That the Zone shall take effect immediately upon the passage and approval of this Ordinance, and termination of the operation of the Zone shall occur on December 31, 2052, or at an earlier or later time designated by subsequent ordinance, or at such time, subsequent to the issuance of tax increment

bonds, if any, that all project costs, tax increment bonds, and the interest thereon, have been paid in full, in accordance with Code Section 311.017.

Section 6. <u>Tax Increment Base</u>. That the tax increment base of the City or any other taxing unit participating in the Zone for the Zone is the total appraised value of all real property taxable by the City or other taxing unit participating in the Zone and located in the Zone, determined as of January 1st of the year in which the Zone is designated as a reinvestment zone ("Tax Increment Base").

Section 7. <u>Approval of the City's Level of Participation in the Zone</u>. That the City will participate in the Zone by contributing tax increment to the tax increment fund for the Zone from taxes levied and collected by the City at the rates and in the amounts reflected in the project plan and reinvestment zone financing plan for the Zone, which rates may be amended from time to time, beginning on January 1, 2023.

Section 8. Tax Increment Fund. That there is hereby created and established a Tax Increment Fund for the Zone which may be divided into subaccounts as authorized by subsequent ordinances. All Tax Increments, as defined below, shall be deposited into the Tax Increment Fund. The Tax Increment Fund and any subaccount shall be maintained at the depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. The annual Tax Increment shall equal the property taxes levied and collected by the City and any other taxing unit participating in the Zone for that year on the captured appraised value, as defined in Code Section 311.012, of real property located in the Zone that is taxable by the City or any other taxing unit participating in the Zone, less any amounts that are to be allocated from the Tax Increment pursuant to the Code. All revenues from the sale of any tax increment bonds,

notes, or other obligations hereafter issued by the City for the benefit of the Zone, if any; revenues from the sale of property acquired as part of the project plan and reinvestment zone financing plan, if any; and other revenues to be used in the Zone shall be deposited into the Tax Increment Fund. Prior to the termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs for the Zone, as defined by the Code, to satisfy the claims of holders of tax increment bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the project plan and reinvestment zone financing plan and achieve their purpose pursuant to Code Section 311.010(b).

Section 9. Severability. 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 provisions of this Ordinance or their application to other persons or set of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or regulations connected herein shall become inoperative or fail by reason of any unconstitutionality, voidness, or invalidity of any portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

Section 10. Open Meetings. It is hereby found, determined, and declared that a sufficient written notice of the date, hour, place, and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Tex.

Gov't Code Ann., Ch. 551 (Vernons Supp. 2009), and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof have been discussed, considered, and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

Section 11. <u>Emergency</u>. 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 of its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTE	ED this <u>///////</u> day of <i>Le</i>	<u>cember</u> , 2022.
APPROVED this	day of	, 2022.
	Mayor of the City	of Houston
Pursuant to Article VI, S foregoing Ordinance is	Section 6, Houston City Cha	arter, the effective date of the
	JAT	Honiel
	City Secretary	
(Prepared by Legal Department	Mary Swaim	<b>)</b>

(MS:ems , December 6, 2022

L.D. 0000000694

(Requested by Andrew F. Icken, Chief Development Officer)

Senior Assistant City Attorney)

Meeting 12/14/2022

Aye	No	
<b>✓</b>		Mayor Turner
	1411	Council Members
✓		Peck
✓		Jackson
✓		Kamin
✓		Evans-Shabazz
✓		Martin
✓		Thomas
<b>✓</b>		Huffman
✓		Cisneros
<b>✓</b>		Gallegos
<b>✓</b>		Pollard
✓		Castex-Tatum
✓		Knox
✓		Robinson
Absent on personal business		Kubosh
<b>√</b>		Plummer
✓		Alcorn
Caption	Adopted	

Captions Published in DAILY COURT REVIEW

Date: 12/20/2022

## **EXHIBIT "A"**

1 2 3 4	JURISDICTIONAL BOUNDARY DESCRIPTION TEXAS MEDICAL CENTER TAX INCREMENT REINVESTMENT ZONE CITY OF HOUSTON, HARRIS COUNTY
5 6 7	The Texas Medical Center (TMC) Tax Increment Reinvestment Zone is +/- 1,477.41 acres situated in the TMC with <b>point of beginning</b> being the intersection of west right-of-way (ROW) of Almeda Rd and south ROW of Hermann Dr, same being boundary of City of Houston TIRZ No. 7 Old Spanish Trl/Almeda;
8 9	Then generally south by west along west ROW of Almeda RD and boundary of City of Houston TIRZ No. 7 Old Spanish Trl/Almeda to a point in line with south ROW of Dixie Dr;
10 11	Then generally east southeast across ROW of Almeda Rd along south ROW of Dixie Dr and boundary of City of Houston TIRZ No. 7 Old Spanish Trl/Almeda to east ROW of Grand Blvd;
12 13 14	Then generally south by west along east ROW of Grand Blvd, and boundary of City of Houston TIRZ No. 7 Old Spanish Trl/Almeda to south corner of DUDLEY PLACE LTS 19 & 20 BLK 4 BL (IGN) HOU TO ROSH (HCAD: 0670890040040);
15 16	Then generally west by south across ROW of Grand Blvd to northeast corner of CENTRAL CITY LT 10 & TR 9 BLK 4, same being south ROW of Lockett St;
17	Then generally west by north along south ROW of Lockett St to north corner of CENTRAL CITY LT 13 BLK 2;
18	Then north by east across ROW of Lockett St to west corner of CENTRAL CITY LT 2 BLK 1;
19 20	Then east by south along south boundary of said LT 2 BLK 1, same being north ROW of Lockett St to south corner of said LT 2 BLK 1;
21	Then north by east along east boundary of said LT 2 BLK 1 to east corner of said lot;
22 23 24	Then west by north along north boundary of said LT 2 BLK 1, and CENTRAL CITY LT 1 BLK 1 to north corner of said LT 1 BLK 1, same being east ROW of Almeda Rd and boundary of City of Houston TIRZ No. 7 Old Spanish Trl/Almeda;
25 26 27	Then generally south southwest along east ROW of Almeda Rd, and boundary of City of Houston TIRZ No. 7 Old Spanish Trl/Almeda to south ROW of Old Spanish Trl, northwest corner of CLINTON - OLD TRS 3A & 3B BLK 10;
28	Then west by south along south ROW of Old Spanish Trl to east ROW of Cambridge St;
29	Then generally south along east ROW of Cambridge St to north ROW of Holly Hall St;
30	Then east along north ROW of Holly Hall St to west ROW of Almeda Rd;
31	Then generally north by east along west ROW of Almeda Rd to a point in line with south ROW of Corder St;
32 33	Then generally east southeast across ROW of Almeda Rd to north corner of INSTITUTE PLACE LTS 5 & 6 & TRS 5A & 6A BLK 8, same being intersection of east ROW of Almeda Rd and south ROW of Corder St;
34	Then generally south by west along east ROW of Almeda Rd to north ROW of Holly Hall St;
35 36 37	Then generally east along north ROW of Holly Hall St to west ROW of southbound access road to State Highway 288, same being southeast corner of ABST 645 P W ROSE TR 1 & TR 1D BLK 1 ARDMORE INDUSTRIAL DIST SEC 1 (South Union Church of Christ);
38 39	Then south along west ROW of southbound access road to State Highway 288 across ROW of Holly Hall St to east corner of HOLLY HALL T/H CONDO, same being south ROW of Holly Hall St;
40	Then generally west along south ROW of Holly Hall St to east ROW of Almeda Rd;

- Then south by west along east ROW of Almeda Rd to west corner of ABST 645 P W ROSE TR G;
- Then generally west across ROW of Almeda Rd to southeast corner of KNIGHTS MAIN STREET LTS 1 2 3 4 & 7
- 43 BLK 48 & LTS 1 & 2 BLK 49, same being west ROW of Almeda Rd and boundary of City of Houston TIRZ No.
- 44 24 Greater Houston;
- Then generally north by east along west ROW of Almeda Rd, and boundary of City of Houston TIRZ No. 24
- 46 Greater Houston to south ROW of Holly Hall St;
- Then west along south ROW of Holly Hall St, and boundary of City of Houston TIRZ No. 24 Greater Houston to
- 48 east Row of Cambridge St;
- Then south along east ROW of Cambridge St, and boundary of City of Houston TIRZ No. 24 Greater Houston to
- 50 southwest corner of LT 3 BLK 10 KNIGHTS MAN STREET RES B & (IMPS ONLY) (POLLUTION
- 51 CONTROL);
- 52 Then west across ROW of Cambridge St, and boundary of City of Houston TIRZ No. 24 Greater Houston to
- 53 southeast corner of PLAZA DEL ORO SEC 4 RES A & A1, same being west ROW of Cambridge St;
- Then north along west ROW of Cambridge to south ROW of Holly Hall St;
- Then west along south ROW of Holly Hall St, and boundary of City of Houston TIRZ No. 24 Greater Houston to
- 56 east ROW of Fannin St;
- 57 Then north along east ROW of Fannin St to north ROW of Holly Hall St;
- Then generally east along north ROW of Holly Hall St to southeast corner of ASTRODOME OAKS SEC 1-2 R/P
- TR 1 (BLDGS 1 THRU 25) & TR 1 (BLDGS 16 THRU 32), same being west ROW of Knight Rd;
- Then northeast by east across ROW of Knight Rd to east ROW of Knight Rd, same being southwest corner of ABST
- 61 645 P W ROSE TR 1P-2 KNIGHTS LANDING APARTMENTS, same being north ROW of Holly Hall St;
- Then east along north ROW of Holly Hall St to west ROW Cambridge St;
- Then generally north along west ROW Cambridge St to south ROW of Old Spanish Trl;
- Then west by south along south ROW of Old Spanish Trl and continuing southwest along S Main St to north corner
- 65 of ABST 645 P W ROSE TR 1K-2 (8767 MAIN ST);
- Then west northwest across ROW of S Main St to south corner of BRAESMAIN PLAZA SEC 1 R/P RES C BLK 1
- 67 (8504 MAIN ST);
- Then northeast by north along west ROW of S Main St/Main St to south corner of ABST 645 P W ROSE TRS 17
- 69 18 21 & 21A (2151 W HOLCOMBE BLVD), same being east ROW of Montclair Dr;
- 70 Then generally northwest and north along east ROW of Montclair Dr to north ROW of W Holcombe Blvd;
- 71 Then east along north ROW of W Holcombe Blvd to west ROW of Main St;
- 72 Then northeast by north and north by east along west ROW of Main St to east corner of TWO REMINGTON LANE
- 73 LT 1 (Mecom Fountain Traffic Circle), same being south corner of SHADYSIDE LOT V R/P TR 1B BLK 1 (5750
- 74 MAIN ST);
- 75 Then southeast by east across ROW of Main St along projected line of south ROW of Hermann Dr continuing
- across ROW of Fannin St, to east ROW of San Jacinto St, and boundary of City of Houston TIRZ No. 2 Midtown;
- 77 Then generally west southwest along east ROW of San Jacinto St, and boundary of City of Houston TIRZ No. 2
- 78 Midtown to east ROW of Hermann Loop Dr/Hermann Park Dr;

- Then east southeast along east ROW of Hermann Loop Dr/Hermann Park Dr, and boundary of City of Houston 79
- TIRZ No. 2 Midtown to east ROW of Caroline St; 80
- Then generally north along east ROW of Caroline St, and boundary of City of Houston TIRZ No. 2 Midtown to 81
- south ROW of Hermann Dr; 82
- Then generally southeast by east and southeast by south along south ROW of Hermann Dr to west ROW of Almeda 83
- Dr, same being boundary of City of Houston TIRZ No. 7 Old Spanish Trl/Almeda, and point of beginning of +/-84
- 1,477,41 acre tract. 85

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- Save and Except Tract No. 1 is +/- 1.15 acres located northeast of intersection of Main St and Old Spanish Trl 86
- with point of beginning being intersection of east right-of-way of Main St and west ROW of Old Spanish Trl/Main 87
- St Connector, same being north corner of ABST 645 P W ROSE TR 12; 88

89 Then generally south by east along west ROW of Old Spanish Trl/Main St Connector to north ROW of Old Spanish 90 Trl, same being east corner of said ABST 645 P W ROSE TR 12; 91

Then west by south along north ROW of Old Spanish Trl to intersection with south ROW of Main St, same being southwest corner of ABST 645 P W ROSE 12A;

Then northeast by north along south ROW of Main St to west ROW of Old Spanish Trl/Main St Connector, same being north corner of said ABST 645 P W ROSE TR 12 and point of beginning of +/- 1.15 acre Save and Except Tract No. 1.

Save and Except Tract No. 2 is +/- 3.92 acres located south of intersection of Main St and Kirby Dr with point of beginning being east ROW of Main St and west ROW of Kirby Dr;

Then south southeast along west ROW of Kirby Dr to north corner of ABST 645 P W ROSE TR 2Z (1113 OLD SPANISH TRL);

Then west southwest, south and west along boundary of said TR 2Z to northwest corner of said TR;

Then south along boundary of said TR 2Z to southwest corner of said TR, same being north ROW of Old Spanish Trl:

Then west by south along north ROW of Old Spanish Trl to east ROW of Main St/Old Spanish Trl connector;

Then generally north along east ROW of Main St/Old Spanish Trl connector to east ROW of Main St;

Then northeast along east ROW of Main St to west ROW of Kirby Dr, same being point of beginning of +/- 3.92 acre Save and Except Tract No. 2.

Save and Except Tract No. 3 is +/- 41.14 acres located east of intersection of Main St and Kirby Dr with point of beginning being south right-of-way of S Braeswood Blvd and west ROW of N Stadium Dr;

Then south by east along west ROW of N Stadium Dr to north ROW of Old Spanish Trl;

Then west by south along north ROW of Old Spanish Trl to east ROW of Kirby Dr;

Then north by west along east ROW of Kirby Dr to east ROW of Main St;

Then east northeast along east ROW of Main St to south ROW of S Braeswood Blvd; 127 128 Then generally east along south ROW of S Braeswood Blvd to west ROW of N Stadium Dr, same being point of

129 beginning of +/- 41.14 acre Save and Except Tract No. 3. 130 131

- Save and Except Tract No. 4 is +/- 16.98 acres located northwest of intersection of Fannin St and Old Spanish Trl 132 with point of beginning being southeast corner of 0.8188 acre ABST 645 P W ROSE TR 11B, same being north 133 134 ROW of Old Spanish Trl; 135
- Then generally west by south along north ROW of Old Spanish Trl to southwest corner of +/- 2.62 acre THE 136 VALENCIA CONDO (1711 OLD SPANISH TRL); 137
- 138 Then west by north along west boundary of said +/- 2.62 acre THE VALENCIA CONDO to northwest corner of 139 140 said CONDO;
- 141 Then east by north along north boundary of said +/- 2.62 acre THE VALENCIA CONDO, and 1.8487 acre ABST 142 645 P W ROSE TR 11C to southeast corner of +/- 0.9185 acre MEDCENTER PARK II RES A BLK 1; 143
- 144 Then north by west along east boundary of said +/- 0.9185 acre tract to northeast corner of said tract, same being 145 146 south ROW of Colonnade Dr;

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- Then east by north along south ROW of Colonnade Dr, curving north by west along east ROW of Phoenix Dr to southwest corner of +/- 9.3044 acre MEDCENTER PARK RES A B & C1 BLK 1 & TR 4A ABST 645 P W ROSE; 149
  - Then east by north along south boundary of said +/- 9.3044 acre tract to southeast corner of said tract, same being west ROW of Fannin St;
- 153 Then south by east along west ROW of Fannin St to northeast corner of +/- 1.872 acre ABST 645 P W ROSE TR 154 155 156
- Then west by south along north boundary of said +/- 1.872 acre tract to northwest corner of said tract; 157 158
- Then south by east along west boundary of said +/- 1.872 acre tract, and +/- 0.0413 acre ABST 645 P W ROSE TR 159 160 11E to southwest corner of said TR 11E;
- 161 Then east by north along south boundary of said TR 11E, and said +/- 1.872 acre TR 11 to southeast corner of said 162 TR 11, same being west ROW of Fanning St; 163
  - Then generally south by east along west ROW of Fannin St to southeast corner of +/- 0.8188 acre ABST 645 P W ROSE TR 11B, same being north ROW of Old Spanish Trl and point of beginning of +/- 16.98 acre Save and Except Tract No. 4.
  - Save and Except Tract No. 5 is +/- 5.79 acres located northwest of intersection of Colonnade Dr and Phoenix Dr with point of beginning being east corner of +/- 3.4674 acre TEXAS MEDICAL CENTER GARAGE NO 19 RES A BLK 1 (HCAD: 1290080010001, 1919 S BRAESWOOD BLVD), same being west ROW of Phoenix Dr;
- Then south southeast and south by east along west ROW of Phoenix Dr and curving west by south along north 173 ROW of Colonnade Dr to southeast corner of +/- 4.7371 acre TEXAS MEDICAL CENTER GARAGE NO 19 RES 174 175 BBLK 1; 176
- Then generally north by west and north northwest along east boundary of said +/- 4.7371 acre tract and said +/-177 3.4674 acre TEXAS MEDICAL CENTER GARAGE NO 19 RES A BLK 1 to interior corner of said +/- 3.4674 178 179 acre tract;
- 180 Then northeast by east along boundary of said +/- 3.4674 acre tract to east corner of said tract, same being point of 181 beginning of +/- 5.79 acre Save and Except Tract No. 5. 182
- 183 Save and Except Tract No. 6 is 9.053 acre ABST 645 P ROSE TRS 3F & 35 GREENBRIAR PLACE APTS 184 185 (HCAD: 0440920010200, 7777 GREENBRIAR DR); 186

- Save and Except Tract No. 7 is +/- 0.715 acres located at northeast corner of intersection of Fannin St and Old
  Spanish Trail and containing the following tracts: +/- 0.3286 acre OLD SPANISH TRAIL CENTER RES A BLK 1
  (HCAD: 1325860010001, 1801 OLD SPANISH TRL) and +/- 0.3885 acre HYATT PLACE RESERVE RES A
  BLK 1 (HCAD: 1396960010001, 1803 OLD SPANISH TRL);
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   192 Save and Except Tract No. 8 is +/- 0.2959 acre STEM CELL RESERVE RES A BLK 1 (HCAD: 1363350010001, 7301 FANNIN ST).
- Save and Except Tract No. 9 is +/- 1.718 acres located at southeast corner of Fannin St and Swanson St with point of beginning being east ROW of Fannin St and south ROW of Swanson St;
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  198 Then east along south ROW of Swanson St to northeast corner of +/- 0.3444 acre MEDICAL CENTER VILLAGE
  199 INN RES A BLK 1 (HCAD: 1231760010001);
- Then south along east boundary of said +/- 0.344 acre tract to southeast corner of said tract;
- Then west along south boundary of said +/- 0.344 acre tract to northwest corner of +/- 0.4591 acre UNIVERSITY PARK LTS 14 THRU 18 BLK 5;
- Then south along west boundary of said +/- 0.4591 tract to southwest corner of said tract, same being north ROW of Earle St;
- Then west along north ROW of Earle St to east ROW of Fannin St; 210

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- Then north by west along east ROW of Fannin St to south ROW of Swanson St, and point of beginning of +/-1.718 acre Save and Except Tract No. 9.
  - Save and Except Tract No. 10 is +/- 0.919 acres located at the southeast corner of Fannin St and St Agnes St and t containing the following two tracts: +/- 0.8188 acre UNIVERSITY PARK LTS 5 & 24 & TRS 1 2 3 & 4 BLK 4 (HCAD: 0511100040002, 7205 FANNIN ST) and +/- 0.1148 acre UNIVERSITY PARK LT 23 BLK 4 (HCAD: 0511100040023, 1018 SAINT AGNES ST).
  - Save and Except Tract No. 11 is +/- 0.46 acres located east of intersection of Fannin St and St Agnes St and containing two tracts: +/- 0.1127 acre ST AGNES COMPLEX RESERVE RES A BLK 1 (HCAD: 1341870010001 1026 ST AGNES ST), and MEDICAL CENTER LODGE R/P RES A BLK 1 (HCAD: 1258180010001,1025 SWANSON ST).
  - Save and Except Tract No. 12 is 0.2533 acre UNIVERSITY PARK TRS 3 & 4 BLK 3 (HCAD: 0511100030003, 7121 FANNIN ST).
  - Save and Except Tract No. 13 is +/- 1.95 acres located southwest of intersection of Bertner Ave and Lehall St with point of beginning being south right-of-way of Lehall St and west ROW of Bertner Ave;
- Then south along west ROW of Bertner Ave to north ROW of St Agnes St;
- Then west along north ROW of St Agnes St to southeast corner of UNIVERSITY PARK LT 20 BLK 3;
- Then north along east boundary of said LT 20 to northeast corner said lot;
- Then west along north boundary of said LT 20, and LTS 21-21, and to northwest corner of UNIVERSITY PARK LT 22 BLK 3;
- Then south along west boundary of said LT 22 to southwest corner of said lot, same being north ROW of St Agnes St;
- Then west along north ROW of St Agnes St, same being south boundary of VILLA ELISA LTS 1 & 2 BLK 1, and
- FANNIN MEDICAL CENTER RES A BLK 1 to southwest corner of said RES A BLK 1;

Then north along west boundary of said RES A BLK 1, and ARIA AT MEDICAL CENTER RES A BLK 1 to northwest corner of said lot, same being south ROW of Lehall St;

Then east along south ROW of Lehall St to west ROW of Bertner Ave, same being point of beginning of +/- 1.95 acre Save and Except Tract No. 13.

Save and Except Tract No. 14 is 0.1148 acre UNIVERSITY PARK LT 19 BLK 2 (HCAD: 0511090020019, 1123 LEHALL ST).

Save and Except Tract No. 15 is 0.2296 acre UNIVERSITY PARK LTS 7 & 8 BLK 2 (HCAD: 0511090020007, 1100 LYNDON ST).

Save and Except Tract No. 16 is 0.3225 acre UNIVERSITY PARK LTS 17 & 18 BLK 1 (HCAD: 0511090010018, 1023 LYNDON ST).

Save and Except Tract No. 17 is +/- 3.847 acres located at northeast corner of Fannin St and S Braeswood Blvd with point of beginning being northwest corner of +/- 1.0983 acre M SANDERS PAR R/P RES A BLK 1;

Then northeast by north and generally east along north boundary of said 1.0983 acre tract, and +/- 2.75 acre MEDCENTER HOTEL RES A BLK 1 to northeast corner of said tract;

Then south along east boundary of said +/- 2.75 acre tract to southeast corner of said tract, same being north ROW of S Braeswood Blvd;

Then generally west along south boundary of said +/- 2.75 acre tract, same being north ROW of S Braeswood Blvd to southwest corner of said +/- 1.0983 acre tract;

Then generally north along west boundary of said 1.0983 acre tract to northwest corner of said tract, same being point of beginning of +/- 3.847 acre Save and Except Tract No. 17.

Save and Except Tract No. 18 is +/- 9.924 acres located northeast of intersection of Main St and N Braeswood Blvd, with point of beginning being east ROW of Main St and north ROW of N Braeswood Blvd;

Then northeast by north along east ROW of Main St to west/south ROW of Greenbriar Dr, same being corner of +/-4.105 acre BRAESWOOD ADDITION SEC 1B RES A BLK 1;

Then southeast by east along west/south ROW of Greenbriar Dr to east corner of said +/- 4.105 acre tract (channel easement for Brays Bayou);

Then generally south along east boundary of said +/- 4.105 acre tract, BRAESWOOD R/P 25 25A & 26 and 19 20A 21A 22A & 23C BLK 9, and +/- 1.234 acre MAIN STREET PLAZA RES A BLK 1 to southeast corner of said +/- 1.234 acre tract, same being north ROW of N Braeswood Blvd;

Then west by north along north ROW of N Braeswood Blvd to east ROW of Main St, same being point of beginning of +/- 9.924 acre Save and Except Tract No. 18.

Save and Except Tract No. 19 is 2.043 acre DOCTORS CENTER SEC 1 (HCAD: 1065760000001, 7000 FANNIN ST).

Save and Except Tract No. 20 is +/- 29.656 acres located at the southwest corner of intersection of Holcombe Blvd and Cambridge St with point of beginning being south right-of-way of Holcombe Blvd and west ROW of Cambridge St, same being northeast corner of 0.0808 acre tract DEVONSHIRE PLACE – HOUSTON TRS 1J 1K 2F 2G-2 & 2H BLK C;

Then generally south southwest along west ROW of Cambridge St to north ROW of Wyndale St;

Then generally west northwest along north ROW of Wyndale St to southwest corner of +/- 4.225 acre PREMIER

AT TEXAS MEDICAL CENTER RES A BLK 1;

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of Main St;

Then northwest by west along boundary of said 1.3795 acre tract to west corner of said tract, same being east ROW

TOWER 2ND AMEND (TCH 6624 FANNIN CONDO);

355	Then northeast by north along east ROW of Main St to south ROW of Dryden Rd, same being north corner of
356	1.2769 acre ABST 645 P W ROSE TR 16 and beginning point of +/- 2.656 acre Save and Except Tract No. 22.
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358	Save and Except Tract No. 23 is +/- 2.57 acres located between Main and Fannin Streets with point of beginning
359	being north corner of 2.0266 acre TMH MEDICAL OFFICE BLDG CONDO 22ND AMEND SCURLOCK
360	TOWER, same being intersection of east right-of-way (ROW) of Main St and south ROW of University Blvd;
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362	Then southeast by east along south ROW of University Blvd to west ROW of Fannin St;
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364	Then southwest by south along west ROW of Fannin St to north ROW of Dryden Rd;
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366	Then northwest by west along north ROW of Dryden Rd to east ROW of Main St;

Then generally northeast by north along east ROW of Main St to south ROW of University Blvd, same being north corner of 2.0266 acre TMH MEDICAL OFFICE BLDG CONDO 22ND AMEND SCURLOCK TOWER and beginning point of +/- 2.57 acre Save and Except Tract No. 23.

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Save and Except Tract No. 24 is 0.8556 acre ABST 645 P W ROSE TR 7 (HCAD: 0440970000075, 6441 MAIN ST).

Save and Except Tract No. 25 is 2.0165 acre MEMORIAL HERMANN MEDICAL PLAZA RES A BLK 1 (HCAD: 1251460010001, 6400 FANNIN ST).

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378 Save and Except Tract No. 26 is +/- 1.4707 acre TMH MEDICAL OFFICE BLDG CONDO 22ND AMEND
379 SMITH TOWER (HCAD: 1176260020001, 6550 FANNIN ST).

## EXHIBIT "B"

