RESOLUTION NO. 88-178

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO NEGOTIATE, EXECUTE AND DELIVER A CONTRACT WITH PRICE, WATERHOUSE AND COMPANY TO DEVELOP A LONG-RANGE PLAN FOR MANAGEMENT INFORMATION SYSTEMS; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO's current management information systems were developed when METRO was a smaller operation; and

WHEREAS, METRO's current and future management information systems requirements exceed the ability of the current system to adequately respond; and

WHEREAS, the Board of Directors is of the opinion that it is appropriate to engage an experienced advisor to review METRO's management information system requirements and to develop a long-range plan for meeting those requirements;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized and directed to negotiate, execute and deliver an agreement with Price, Waterhouse and Company for development of a long-range plan for management information systems at a cost not to exceed $284,600.
Section 2. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988.
APPROVED this 19th day of December, 1988.

ATTEST:

[Signature]
Assistant Secretary

[Signature]
Robert C. Lanier
Chairman
A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO NEGOTIATE, EXECUTE AND DELIVER A CONTRACT WITH UNISYS, INC. FOR ACQUISITION OF A MINICOMPUTER AND PERIPHERALS FOR METRO'S PARATRANSIT ROUTING AND SCHEDULING SYSTEM; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO's Unisys mainframe computer system is operating at the upper limit of its capacity; and

WHEREAS, increased requirements for computer processing of the METROLift routing and scheduling information is exceeding the available resources on the mainframe computer; and

WHEREAS, the acquisition of a minicomputer and peripherals compatible with the software used for METROLift routing and scheduling is desirable; and

WHEREAS, the General Manager has submitted written justification to acquire a Unisys 201 minicomputer and associated peripherals on a sole-source basis in order to avoid the expense of software conversion;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized and directed to negotiate, execute and deliver a contract with Unisys, Inc. for the acquisition of a Unisys 201 minicomputer and associated peripherals for use by METRO's paratransit routing and scheduling system in an amount not to exceed $185,000.
Section 2. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988.
APPROVED this 19th day of December, 1988.

ATTEST:

[Signature]
Assistant Secretary

[Signature]
Robert C. Lanier
Chairman
RESOLUTION NO. 88-180

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO NEGOTIATE, EXECUTE AND DELIVER A CONTRACT WITH DELOITTE, HASKINS AND SELLS FOR DEVELOPMENT OF A DATA COLLECTION SYSTEM IMPLEMENTATION PLAN TO AUTOMATE THE MAINTENANCE AND MATERIALS INVENTORY ACTIVITIES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO issued a request for proposals to solicit firms' qualifications for providing a data collection system implementation plan to automate the vehicle maintenance and materials inventory data entry and retrieval activities; and

WHEREAS, the firm of Deloitte, Haskins and Sells submitted the most satisfactory response to this request;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized and directed to negotiate, execute and deliver a contract with the firm of Deloitte, Haskins and Sells to develop a data collection system implementation plan to automate the vehicle maintenance and materials inventory data entry and retrieval activities at a cost not to exceed $88,000.

Section 2. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988.
APPROVED this 19th day of December, 1988.

ATTEST:

[Signatures]

Assistant Secretary

Robert C. Lanier
Chairman
RESOLUTION NO. 88-181

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO EXECUTE AND DELIVER A CONTRACT WITH BRITE DAY LAWN CARE, INC. FOR LANDSCAPE MAINTENANCE AT ELEVEN METRO PARK & RIDE LOTS; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO invited bids for the provision of landscape maintenance services at eleven park & ride lots; and

WHEREAS, the firm of Brite Day Lawn Care, Inc. submitted the lowest responsive and responsible bid;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized and directed to execute and deliver a contract with Brite Day Lawn Care, Inc. for landscape maintenance services at eleven park & ride lots at a cost not to exceed $103,328.96.

Section 2. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988.
APPROVED this 19th day of December, 1988.

ATTEST:

Assistant Secretary

Chairman
RESOLUTION NO. 88-182

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO EXECUTE AND DELIVER A CONTRACT WITH THE FLXIBLE CORPORATION TO PROVIDE BONDED BRAKE SHOES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO invited bids for the provision of bonded brake shoes for METRO's bus fleet for a one-year period; and

WHEREAS, the firm of The Flxible Corporation submitted the lowest responsive and responsible bid;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized and directed to execute and deliver a contract with The Flxible Corporation to provide bonded brake shoes for METRO's bus fleet for a one-year period at a cost not to exceed $712,530.92.

Section 2. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988.
APPROVED this 19th day of December, 1988.

ATTEST:

Assistant Secretary

Chairman

Robert C. Lanier
A RESOLUTION

DESIGNATING CERTAIN PROJECTS FOR CONSTRUCTION UNDER THE GENERAL MOBILITY PROGRAM IN COOPERATION WITH HARRIS COUNTY; AUTHORIZING THE GENERAL MANAGER TO ENTER INTO SUCH AGREEMENTS WITH HARRIS COUNTY AS ARE APPROPRIATE TO IMPLEMENT THE DESIGNATED GENERAL MOBILITY PROJECTS; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, by way of Resolution No. 88-164 adopted on October 27, 1988, the Board of Directors designated certain candidate general mobility projects for which funding agreements with other governmental agencies were to be pursued; and

WHEREAS, funding arrangements for certain of those candidate general mobility projects have been negotiated with Harris County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby designates as general mobility projects for construction in cooperation with Harris County those projects specified in Exhibit A attached hereto.

Section 2. The General Manager be and he is hereby authorized and directed to enter into an appropriate agreement or agreements with Harris County for the design and construction of the designated general mobility projects, said agreements to provide for funding contributions and limits as specified in Exhibit A.
Section 3. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988.
APPROVED this 19th day of December, 1988.

ATTEST:

[Signature]
Assistant Secretary

[Signature]
Robert C. Lanier
Chairman
<table>
<thead>
<tr>
<th>SEQUENCE NUMBER</th>
<th>PROJECT</th>
<th>OPENING DAY ADT</th>
<th>PRIVATE SECTOR CONTRIBUTION</th>
<th>METRO REIMBURSABLE AMOUNT</th>
<th>METRO CONTRIBUTION</th>
<th>HARRIS COUNTY CONTRIBUTION</th>
<th>TOTAL ESTIMATED PUBLIC COST</th>
<th>TOTAL ESTIMATED COST</th>
<th>SCORE</th>
<th>B/C RATIO</th>
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</thead>
<tbody>
<tr>
<td>G42</td>
<td>LAKE HOUSTON PARKWAY: FM 1960 TO BELTWAY 8 ** CONSTRUCT A NEW 4-LANE CONCRETE CURB &amp; GUTTER ROADWAY FOR A DISTANCE OF 8.0 MILES WHERE NO ROADWAY CURRENTLY EXISTS. INCLUDES GRADE SEPARATION OVER MPRR. (METRO COST $13.5 MILLION, COUNTY $5.5 MILLION, PRIVATE SECTOR $3.0 MILLION) ADT 8,500, RECOMMENDED BY HUMBLE AREA CHAMBER OF COMMERCE (PRECINCT 442)</td>
<td>8,500</td>
<td>$2,868,000</td>
<td>$0</td>
<td>$13,551,000</td>
<td>$5,500,000</td>
<td>$19,051,000</td>
<td>$22,019,000</td>
<td>210</td>
<td>25.05</td>
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<tr>
<td>G43</td>
<td>WEST GULF BANK: ELLA TO WEST MONTGOMERY ** CONSTRUCT A NEW 4-LANE CONCRETE CURB &amp; GUTTER ROADWAY FOR A DISTANCE OF 1.1 MILES. (METRO COST $2.9 MILLION) ADT 20,000, RECOMMENDED BY HARRIS COUNTY (PRECINCT 1)</td>
<td>20,000</td>
<td>0</td>
<td>0</td>
<td>$2,908,000</td>
<td>$1,432,000</td>
<td>$4,338,000</td>
<td>$4,338,000</td>
<td>150</td>
<td>15.34</td>
</tr>
<tr>
<td>G44</td>
<td>CYPRESSWOOD: ELLA TO ENCHANTED OAKS CONSTRUCT NEW SEGMENTS OF DISCONTINUOUS 4-LANE CONCRETE CURB &amp; GUTTER ROADWAY FOR A TOTAL DISTANCE OF 0.9 MILES. (METRO COST $2.0 MILLION) ADT 4,000, RECOMMENDED BY NORTH HOUSTON ASSOCIATION (PRECINCT 4)</td>
<td>4,000</td>
<td>$500,000*</td>
<td>0</td>
<td>$2,000,000</td>
<td>$4,000,000</td>
<td>$4,000,000</td>
<td>195</td>
<td>10.85</td>
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<tr>
<td>G45</td>
<td>GESSNER: NORTH BELT TO FM 148 ** CONSTRUCT A NEW 4-LANE CONCRETE CURB AND GUTTER ROADWAY FOR A DISTANCE OF 2.0 MILES. (METRO COST $4.4 MILLION) ESTIMATED ADT 10,000, RECOMMENDED BY WEST HOUSTON ASSOCIATION (PRECINCT 4)</td>
<td>10,000</td>
<td>$2,100,000*</td>
<td>0</td>
<td>$4,397,000</td>
<td>$4,397,000</td>
<td>$4,397,000</td>
<td>210</td>
<td>9.78</td>
<td></td>
</tr>
<tr>
<td>G46</td>
<td>WEST MONTGOMERY: FM 148 TO WEST GULF BANK Widen and reconstruct from a 2-lane asphalt open ditch roadway to a 4-lane concrete curb &amp; gutter roadway for a distance of 2.0 MILES. (METRO COST $4.4 MILLION) CURRENT ADT 18,542, RECOMMENDED BY HARRIS COUNTY PRECINCT 4 &amp; 5,</td>
<td>18,542</td>
<td>0</td>
<td>0</td>
<td>$4,408,000</td>
<td>$7,239,000</td>
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<td>235</td>
<td>8.53</td>
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<tr>
<td>G48</td>
<td>WEST GULF BANK: FM 1960 TO SPRING CYPRESS CONSTRUCT A NEW 4-LANE CONCRETE CURB &amp; GUTTER ROADWAY, A DISTANCE OF 7.8 MILES. (METRO COST $3.2 MILLION, HARRIS COUNTY $11.0 MILLION, PRIVATE 1.1 MILLION) ADT 12,000, (PRECINCT 3 &amp; 4)</td>
<td>12,000</td>
<td>$1,100,000</td>
<td>$8,815,000</td>
<td>$3,198,961</td>
<td>$13,250,000</td>
<td>$14,320,200</td>
<td>215</td>
<td>13.08</td>
<td></td>
</tr>
</tbody>
</table>

*ESTIMATED VALUE OF ROAD ACQUIRED FROM OR COMMITTED BY THE PRIVATE SECTOR PRIOR TO METRO INVOLVEMENT. BECAUSE OF THIS ACTION, SUCH VALUES ARE NOT INCLUDED IN PROJECT TOTALS.

**METRO PROJECT MANAGER
RESOLUTION NO. 88-184

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO NEGOTIATE, EXECUTE AND DELIVER CONTRACTS WITH UNIVERSAL FIELD SERVICES, INC. AND COATES FIELD SERVICES, INC. FOR REAL ESTATE ACQUISITION-RELATED SERVICES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, the Real Estate Division of the Department of Engineering, Construction and Real Estate requires assistance of outside firms in the areas of appraisal, appraisal review, title preparation and examination, acquisition, relocation, negotiation, and property management; and

WHEREAS, the firms of Universal Field Services, Inc. and Coates Field Services, Inc. are qualified to provide these services;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized and directed to negotiate, execute and deliver contracts with Universal Field Services, Inc. and Coates Field Services, Inc. for real estate acquisition-related activities on an "as required" basis. The contracts are to be for a one-year period with the option to extend performance for two (2) additional one-year periods. The cost of each of the contracts is not to exceed $100,000 per year.
Section 2. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988.
APPROVED this 19th day of December, 1988.

ATTEST:

[Signature]
Assistant Secretary

[Signature]
Robert C. Lanier
Chairman
RESOLUTION NO. 88-185

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO MODIFY THE CONTRACT WITH TEXAS TRANSPORTATION INSTITUTE FOR TRANSPORTATION ANALYSIS SERVICES BY EXTENDING THE PERIOD OF PERFORMANCE FOR ONE YEAR AND INCREASING THE MAXIMUM AUTHORIZED CONTRACT EXPENDITURE; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, pursuant to Board authorization, the General Manager entered into a contract with Texas Transportation Institute to provide various transportation analyses; and

WHEREAS, a requirement exists to continue these analyses in support of METRO's Phase 2 mobility program; and

WHEREAS, the contract with Texas Transportation Institute has an option to extend the performance for an additional year;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized and directed to modify the contract with Texas Transportation Institute to exercise the option to extend the performance period of the contract for an additional year and to increase the maximum authorized expenditures under the contract by $250,000.

Section 2. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988. APPROVED this 19th day of December, 1988.

ATTEST:

[Signature]
Assistant Secretary

[Signature]
Robert C. Lanier
Chairman
RESOLUTION NO. 88-186

A RESOLUTION

ADOPTING THE FIFTH AMENDMENT TO THE METROPOLITAN TRANSIT AUTHORITY'S NON-UNION PENSION PLAN AND TRUST EFFECTIVE JANUARY 1, 1989; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, the Tax Reform Act of 1986 changed the employee pension vesting requirements under the Employee Retirement Income Security Act to either full vesting within five years of service or graded vesting by 20% per year from the third year through the seventh year of service; and

WHEREAS, while not required by law to do so, METRO has consistently followed the provisions of the Employee Retirement Income Security Act; and

WHEREAS, the Non-union Pension Committee recommends that METRO's non-union pension plan vesting requirements be changed to provide for full vesting upon completion of five years of service; and

WHEREAS, the Board of Directors is of the opinion that this is an appropriate change to make in METRO's Non-union Pension Plan and Trust;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The fifth amendment to the Metropolitan Transit Authority's Non-union Pension Plan and Trust to provide for full vesting after five years of service as set out in the amendment attached hereto is hereby adopted to be effective January 1, 1989.
Section 2. The General Manager is authorized to execute the fifth amendment to the Metropolitan Transit Authority's Non-union Pension Plan and Trust and to undertake all actions to implement this change as are reasonable and necessary.

Section 3. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988.
APPROVED this 19th day of December, 1988.

ATTEST:

Robert C. Lanier
Chairman

Assistant Secretary
RESOLUTION NO. 88-187

A RESOLUTION

ADOPTING A DRUG AND ALCOHOL POLICY GUIDELINE; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, it is METRO's goal to operate a drug-free, safe transportation system; and

WHEREAS, one way to achieve this goal is to prohibit the use of drugs and alcohol by METRO employees and to provide for various forms of testing to enforce this prohibition; and

WHEREAS, the Urban Mass Transportation Administration has issued a drug abuse policy (49 CFR Part 653) requiring grantees to adopt a drug abuse policy; and

WHEREAS, the Board of Directors is of the opinion that it is appropriate to revise METRO's current policy to be in full compliance with the Urban Mass Transportation Administration regulation;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The drug and alcohol abuse policy guideline attached hereto as Exhibit A is hereby adopted as the policy of the Metropolitan Transit Authority.

Section 2. The General Manager be and he is hereby authorized and directed to undertake all steps reasonable and necessary to implement the drug and alcohol abuse policy adopted herein.
Section 3. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988.
APPROVED this 19th day of December, 1988.

ATTEST:

[Signature]
Assistant Secretary

[Signature]
Robert C. Lanier
Chairman
GUIDELINE ON
USE OR POSSESSION OF ALCOHOL
OR CONTROLLED SUBSTANCES

Introduction

Among METRO's goals are to ensure a safe and healthy work environment and provide a safe transit system for the public.

As one means to accomplish these goals, METRO has for some time had a policy guideline prohibiting the unlawful use or possession of controlled substances and the abuse of alcohol by METRO employees. This guideline provided for enforcement of prohibited activities through clinical testing in certain circumstances. The Federal Government has now addressed drug and alcohol abuse in the mass transportation industry through issuance of a comprehensive regulation applicable to recipients of Federal financial assistance (see 49 Code of Federal Regulations Part 653) effective December 21, 1988. METRO's drug and alcohol policy guideline of March 20, 1987 complies with this Urban Mass Transportation Administration (UMTA) regulation in most respects; however, to insure complete compatibility, METRO's policy by this Personnel Guideline is revised and restated in conformance with the UMTA regulation.
Definitions

As used in this Guideline, the following terms shall have the meaning set out herein. All other words and phrases shall have their customary meaning unless the context clearly indicates otherwise.

(a) "Controlled substances" are those defined by Article 4476-15, Texas Revised Civil Statutes, which include but are not limited to narcotics, barbituates, inhalants, stimulants, hallucinogens and marijuana. The term also includes those substances specified in Schedule I or Schedule II of the Controlled Substances Act, 21 U.S.C. 801.812.

(b) "Drug Testing Procedures" means the procedures specified in the Interim Final Rule issued by the U.S. Department of Transportation and published in 53 Fed. Reg. 47002 (November 21, 1988).

(c) "Random tests" means the testing of employees who are selected by chance and in accordance with no particular order for the purpose of ascertaining the use of alcohol or controlled substances in violation of this Guideline. Random tests shall be unannounced and the total number of such tests conducted annually shall equal or exceed a specified (up to 50) percent of the total number of employees.
(d) "Reasonable cause" means METRO acting through its supervisory personnel reasonably believes that the appearance and/or conduct of the employee on duty are indicative of being under the influence of or impaired by alcohol or a controlled substance based upon specified observations. The questioned conduct must be witnessed and documented by at least two employees, each of whom is in a supervisory capacity.

(e) "METRO property" shall include any property owned or leased by METRO, METRO work sites, METRO vehicles or private vehicles parked on METRO premises or METRO work sites.

(f) "Under the influence of alcohol" means having a concentration of alcohol in a person's blood or breath of 0.04 percent measured in grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

Except as modified herein, the definitions set out in 49 CFR Part 653 shall apply to this Guideline.

Prohibited Employee Conduct

(1) No employee shall use, possess, sell, transfer or purchase alcoholic beverages while on duty or on METRO property.

(2) No employee shall unlawfully use, possess, sell, transfer or purchase controlled substances while on duty or on METRO property.
(3) No employee shall report to work, present oneself on METRO property or perform work while having a prohibited drug in his or her system or while under the influence of alcohol.

(4) No employee shall use any controlled substances, except as prescribed by a licensed medical practitioner who has considered the employee's medical history and has determined such use to be consistent with the employee's assigned duties and that the level was at the prescribed dosage.

Inspection and Testing

Employees and their personal property, whether in METRO-furnished desks, lockers, cabinets or otherwise and vehicles on METRO property, are subject to inspection and search when there is reason to suspect that an employee is in violation of this Guideline.

Employees are subject to post-accident, reasonable cause, and random and return-to-work testing for alcohol and drugs as follows:

(a) In the event of an accident involving a METRO vehicle, the driver of that vehicle will be subject to a complete physical examination, including a drug and alcohol screen analysis, at the discretion of supervisory personnel when the employee's performance either contributed to the accident or cannot be completely discounted as a contributing factor to the accident.
In all accidents involving a fatality, the METRO vehicle driver shall be tested for drug or alcohol use. "Fatal accident" means an accident which leads to the death of a human being within 24 hours after the accident.

Employees to be tested under this subparagraph shall report or be transported to a collection site and give a urine sample as soon as possible, but not later than 32 hours following an accident.

(b) In the event that reasonable cause as defined herein exists, an employee shall be tested for use of controlled substances and alcohol.

(c) Employees will be subject to random testing. Random testing as defined herein shall be performed to ascertain whether the employee has engaged in drug or use prohibited by this Guideline. Those employees selected at random by a computerized process must report to a designated location where a body fluid sample will be given.

(d) Employees who have been absent from duty on sick leave or injury leave for a period of seven (7) consecutive days or more shall be given a physical examination, including a drug and alcohol screen analysis, before being permitted to return to work.
All drug testing shall conform to the Drug Testing Procedure prescribed by 49 CFR Part 40 and 49 CFR Part 653. Additionally, positive drug test results will be confirmed by a second test to insure the accuracy of the results. All results of drug and alcohol screen analyses conducted under this Guideline shall be reviewed by the designated METRO medical review officer. If the medical review officer, after considering all relevant biomedical information, concludes that an employee did not pass a drug or alcohol test administered under this Guideline, the employee may not return to duty and will be subject to disciplinary action. Discharge may occur based on a positive test result if the test is administered as a result of an accident, reasonable cause, random or return-to-work test. Failure or refusal to submit to a search or drug and alcohol screen analysis as provided by this Guideline may also be grounds for discharge. Relevant medical documentation may be submitted by the employee for consideration prior to final action.

Supervisory Responsibilities

If an employee is on METRO property while impaired or incapacitated due to the use of alcohol or controlled substances, the immediate supervisor must arrange for the employee to be safely transported to his or her residence or their appropriate destination.

Disciplinary Action

Violation of this Guideline shall be grounds for disciplinary action up to and including discharge.
Employee Assistance Program

In order to fulfill METRO's goals of providing a safe and healthy work environment and a safe transit system for the public, an Employee Assistance Program (EAP) has been established. This program provides assistance to employees who have medical, behavioral or emotional problems. Employees may be referred to the EAP by management or employees may self refer and voluntarily seek to participate in the assistance program.

For purposes of the Guideline, an employee who voluntarily enrolls in the EAP drug program prior to being positively tested for drug or alcohol use shall have one rehabilitation opportunity without being subject to disciplinary action. Upon completion of rehabilitation, an employee will be tested to verify his or her fitness for duty. METRO will retain or rehire an employee who:

(1) Has successfully completed his or her first rehabilitation program after voluntary enrollment;

(2) Has not failed a drug test administered upon completion of the EAP; and

(3) Has received a recommendation from the EAP medical review officer for return to duty as a result of that rehabilitation program.

Except as provided above, participation in the EAP will not avoid the imposition of disciplinary action under this Guideline nor will persons in violation of this Guideline be retained or rehired because of participation in the EAP.
Application

This Guideline is applicable to all METRO employees, hourly and salaried, and is intended to be read and interpreted in harmony with all applicable provisions of the Employee Performance Code and Work Rules as they apply to members of the bargaining unit.

Compliance with Federal Regulations

In administering this Guideline, METRO management shall conduct such educational and training programs and perform such record-keeping and reporting functions as required by 49 CFR Part 653.
FIFTH AMENDMENT TO
METROPOLITAN TRANSIT AUTHORITY
NON-UNION PENSION PLAN AND TRUST

THIS AGREEMENT between Metropolitan Transit Authority of Harris County, Texas, a governmental body politic and corporation (the "Employer"), and NCNB Texas National Bank, a national banking corporation with its office in Houston, Harris County, Texas, as Trustee,

W I T N E S S E T H:

WHEREAS, effective January 1, 1984, the Employer amended and restated the Plan and Trust Agreement known as "Metropolitan Transit Authority Non-Union Pension Plan and Trust" (the "Plan") with RepublicBank Houston, N.A. as trustee; and

WHEREAS, through subsequent reorganization, the name of RepublicBank Houston, N.A. has been changed to NCNB Texas National Bank (the "Trustee"); and

WHEREAS, the Employer retained the right in section 14.01 of the Plan to amend the Plan from time to time; and

WHEREAS, the Board of Directors of the Employer approved resolutions on the ___ day of December, 1988, to amend the Plan;

NOW, THEREFORE, the parties hereto agree that sections 5.02 and 8.04 of the Plan are hereby completely
amended, effective as of January 1, 1989 to provide as set forth in the substitute pages attached hereto which shall be inserted into the Plan in place of the above-described original sections.

IN WITNESS WHEREOF, the Employer and the Trustee have executed this Agreement.

METROPOLITAN TRANSIT AUTHORITY
OF HARRIS COUNTY, TEXAS

By ______________________________
Employer

ATTEST:

______________________________
Secretary

NCNB TEXAS NATIONAL BANK

By ______________________________
Trust Officer

______________________________
Trustee
ARTICLE V

TERMINATION OF EMPLOYMENT

5.01 Vesting on or After Normal Retirement Date. An Employee who is a Participant in the Plan at his Normal Retirement Date shall have a fully vested interest in the pension to which he would have been entitled if he had retired as of such date; provided, however, that if his employment continues beyond his Normal Retirement Date, he shall continue to be a Participant until his employment is terminated, and upon such termination of his employment for any reason other than death, he shall become a Retired Participant as of the first day of the month following the month in which his employment is terminated and shall be entitled to a pension as provided in Section 4.02.

5.02 Vesting Before Normal Retirement Date. If a Participant terminates his employment prior to his Normal Retirement Date, other than as a result of his early retirement, death or disability, after he has completed five or more Years of Service he shall have a vested interest in a deferred pension benefit commencing at his Normal Retirement Date equal to the portion of his Accrued Benefit attributable to his own contributions to the Plan plus the applicable percentage of his Accrued Benefit attributable to the Employer's contributions to the Plan in accordance with the table set forth below:

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Vested Interest in Employer Derived Accrued Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than five years</td>
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</tr>
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<td>5</td>
<td>100%</td>
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</tbody>
</table>

If the present value of such Participant's vested Accrued Benefit attributable to the Employee's and the Employer's contributions to the Plan is $1,750 or less ($3,500 or less on or after January 1, 1985), such present value, together with the present value of the Participant's Accrued Benefit attributable to his contributions to the Plan shall be distributed to the Participant in a lump sum as soon as administratively feasible after such Participant's termination of employment. If the present value of such Participant's vested Accrued Benefit attributable to the Employee's and the Employer's contributions to the Plan is more than $1,750 ($3,500 on or after January 1, 1985) and the Participant has not reached his Early Retirement Date, the Participant may elect by written request to the Committee to have the present value of his Accrued Benefit attributable to his contributions to the Plan paid in a lump sum as soon as administratively feasible after such Participant's termination of employment. The distribution of the present value of the Participant's vested Accrued Benefit pursuant to this Section shall be made no later than the end of the second Plan Year following the Plan Year in which the Participant terminates his employment. If a former Participant in the Plan is reemployed by the Employer and does not recontribute to the Plan the present value of his vested Accrued Benefit distributed pursuant to this Section in accordance with the provisions of Section 5.04, then the Years of Service attributable to the present value
of the Accrued Benefit distributed to him pursuant to this Section shall not be counted in determining the number of Years of Service for the purpose of accrual of benefits under the Plan. The preceding sentence notwithstanding, if a Participant receives a distribution of only the present value of his Accrued Benefit attributable to his contributions to the Plan and is reemployed by the Employer, he is not required to recontribute such distribution to the Plan, but in determining his benefit under the Plan thereafter, the portion of such benefit based upon his Years of Service for which he received a distribution shall be based only on the portion of his Accrued Benefit attributable to the Employer’s contribution to the Plan. If a Participant does not receive the full present value of his vested Accrued Benefit at the time of severance in accordance with the provisions of this Section, he shall receive a deferred pension benefit equal to his vested Accrued Benefit commencing at his Normal Retirement Date in accordance with the provisions of Sections 4.04, 4.05 and 4.06. The present value of a Participant’s Accrued Benefit shall be determined pursuant to the provisions of Section 4.03 if the Participant is eligible for early retirement at the date of his termination of employment with the Employer. All such present values shall be determined based on a 7% interest rate, the 1971 Group Annuity Mortality Table, and the assumption that the Participant is female, regardless of the actual sex of the Participant.

5.03 Termination of Employment Before Vesting. If a Participant terminates his employment prior to his Normal Retirement Date for any reason other than his early retirement, disability or death, and before he has completed five Years of Service, he shall receive in a lump sum as soon as administratively feasible following his termination of employment the amount of his contributions to the Plan together with interest on such amounts at the rate of 5% per annum compounded annually, and he shall thereupon forfeit any right to the portion of his Accrued Benefit attributable to the Employer’s contributions to the Plan. The distribution of such amount to the terminated Participant shall be made no later than the end of the second Plan Year following the Plan Year in which the Participant terminates his employment. The Participant shall have the right to the restoration of his Accrued Benefit attributable to the Employer’s contribution to the Plan if he recontributes the amount of his distribution hereunder plus accrued interest to the Plan in accordance with the provisions of Section 5.04.

5.04 Reconstruction of Severance Distribution. If a distribution is made to a Participant under Section 5.02 or Section 5.03, such distribution may be recontributed to the Plan plus interest at the rate of 5% per annum (or such other rate of interest as shall be required from time to time under Treasury Regulations in effect as of the date of such recontribution) compounded annually from the date of payment of such distribution to the date of recontribution of such distribution. The recontribution of such distribution shall be made to the Plan not later than the end of five consecutive one-year Breaks in Service. This Section shall not apply to a Participant who was 100% vested in his Accrued Benefit which was distributed to him pursuant to Section 5.02.

5.05 Allocation of Accrued Benefit Between Employer and Participant Contributions. A Participant’s Accrued Benefit derived from the Employer’s contributions to the Plan as of any applicable date shall be the excess, if any, of (a) the Participant’s total Accrued Benefit
under the Plan as of such date over (b) the Participant's total Accrued Benefit derived from contributions made by the Participant under the Plan as of such date. The Accrued Benefit derived from the Participant's contributions under the Plan as of any applicable date is the annual benefit, in the form of a single life annuity (without ancillary benefits) commencing at his Normal Retirement Date, equal to the amount of his contributions to the Plan plus interest at 5% per annum compounded annually multiplied by a conversion factor of 100/10010 (or such other conversion factor as may be required by the Secretary of Treasury or his delegate from time to time); provided, however, that the Participant's Accrued Benefit derived from his contributions under the Plan shall not exceed the greater of (a) the Participant's total Accrued Benefit or (b) the Participant's Accrued Benefit derived from his own contributions to the Plan determined without regard to interest credited to such contributions.

5.06 Eligibility for Early Retirement after Termination of Employment. A Participant who terminates his service after satisfying the service requirement for early retirement set forth in Section 1.16 but prior to satisfying the age requirement for early retirement set forth in Section 1.16, shall, upon satisfying such age requirement and giving written notice to the Committee, be entitled to receive a monthly pension benefit commencing upon his Early Retirement Date (or the last day of any month thereafter, but not later than his Normal Retirement Date). Such monthly pension benefit shall be calculated in accordance with the provisions of Section 4.03.

5.07 Payment of Severance Benefits. All severance benefits payable pursuant to this Article V shall be paid by the Trustee, acting pursuant to the instructions of the Committee, in accordance with Sections 4.04, 4.05 and 4.06. However, if a Participant who terminated employment dies after becoming eligible for a severance benefit hereunder, but prior to commencement of payment of such severance benefit, then the surviving spouse, if any, shall receive the qualified preretirement survivor annuity required under Section 4.04(a)(ii) unless the Participant, with the proper consent of the spouse, elected not to have it applicable or was not eligible for it in which event the Participant's Designated Beneficiary shall receive a lump sum equal to the Participant's contribution to the Plan plus interest at 5% per annum compounded annually. No severance benefit and no death benefit shall be payable prior to the commencement of the severance benefit other than the preretirement survivor annuity, if any, described in the preceding sentence.

Commencing on January 1, 1985, all severance benefits payable pursuant to this Article V must begin not later than April 1 of the calendar year following (i) the calendar year in which the employee attains age 70½, or (ii) in the case of an employee other than a five percent (5%) owner (as described in Section 416(i)(1) of the Internal Revenue Code of 1954, as amended) with respect to the fiscal year ending in the calendar year in which the employee attains age 70½, the calendar year in which the employee retires, whichever of (i) or (ii) is later. In addition, no benefits payable pursuant to the Article V shall exceed the life of the Participant or the life of the Participant and his designated beneficiary, or in the case of a period certain, the life expectancy of the Participant or the life expectancy of the Participant and his designated beneficiary.
contribution plans included in that group, exceeds 60% of a similar sum determined for all 
employees. The present value of the cumulative accrued benefit of any employee or the amount 
of the account of any employee shall include the aggregate distributions made with respect 
to that employee under the Plan during the five-year period ending on the determination 
date. However, no rollover contributions initiated by an employee and made after 
December 31, 1983, shall be taken into account, and if the employee is a non-key employee 
for any Plan Year but was a key employee for a prior Plan Year, the accrued benefit (and/or 
account, as the case may be) for that employee shall not be taken into account. With respect 
to Plan Years beginning after December 31, 1984, if any individual has not received any 
compensation from the Employer or any affiliated employer maintaining any qualified plan 
(other than benefits under the Plan) at any time during the 5-year period ending on the 
determination date, any accrued benefit or account balance of any such individual shall be 
disregarded. The valuation date for determining the present value of cumulative accrued 
benefits under the Plan shall be the same valuation date used for computing plan costs for 
minimum funding.

8.04 Restrictions if Plan Becomes Top-heavy: Notwithstanding any other provision of this 
Plan to the contrary, if the Plan is a top-heavy plan for a given Plan Year beginning after 
December 31, 1983, the following provisions will be applicable for that Plan Year:

(a) Vesting: The following vesting schedule will be used instead of the vesting 
schedule set forth in Section 5.02.

VESTING SCHEDULE FOR DEFERRED MONTHLY SEVERANCE BENEFIT

<table>
<thead>
<tr>
<th>Full Years of Credited Service Completed</th>
<th>Vested Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than two years</td>
<td>0%</td>
</tr>
<tr>
<td>Two years, but less than three years</td>
<td>20%</td>
</tr>
<tr>
<td>Three years, but less than four years</td>
<td>40%</td>
</tr>
<tr>
<td>Four years, but less than five years</td>
<td>60%</td>
</tr>
<tr>
<td>Five years, or more</td>
<td>100%</td>
</tr>
</tbody>
</table>

This vesting schedule will apply to each Participant who has at least one hour of service 
during the Plan Year during which the Plan is a top-heavy plan. If the Plan ceases to 
be a top-heavy plan, this vesting schedule will become inapplicable and the vesting schedule 
in Section 5.02 of the Plan will be applicable to all subsequent benefit accruals derived 
from Employer contributions; provided, that if the terms of the Plan are deemed to be 
amended by changing the vesting schedule to that provided in Section 5.02, the change 
in the vesting schedule will be subject to the application of Section 15.02 of the Plan.
(b) **Benefit Accrual**: The accrued benefit derived from Employer contributions of each Participant who is a non-key employee, when expressed as an annual retirement benefit, will not be less than the lesser of two percent multiplied by the number of years of service with the Employer or twenty percent of the Participant's average compensation for years within the testing period set out in Section 416(c)(1) of the Internal Revenue Code of 1954, as amended. If a Participant who is a non-key employee is also a participant in a defined contribution plan maintained by the Employer, the special rules of this subsection B shall not apply to the extent that, using a comparability analysis or such other rules as may be prescribed under Section 416(c) of the Internal Revenue Code of 1954, as amended, such special allocation procedures are not necessary to maintain the qualified status of the Plan under Section 401 of the Internal Revenue Code of 1954, as amended.

(c) **Average Compensation**: A Participant's eligible earnings shall not exceed the first $200,000 (as may be adjusted from time to time for increases in the cost of living in accordance with the provisions of Section 416(d) of the Internal Revenue Code of 1954, as amended), of the member's average compensation.

(d) **Social Security and Like Benefits Not Included**: The requirements of subsections (b) and (c) of this Section 8.04 must be met without taking into account contributions or taxes under Chapter 2 (relating to tax on self-employment income), Chapter 21 (relating to the Federal Insurance Contributions Act), Title II of the Social Security Act, or any other Federal or State law.

8.05 **Restrictions if Plan Becomes Super Top-heavy**: The Plan is a super Top-heavy Plan if as of the determination date the Plan would continue to meet the test specified in Section 8.03 for being a Top-heavy Plan, if ninety percent (90%) were substituted for sixty percent (60%). In any fiscal year that the Plan is a super Top-heavy Plan the limitations in Section 415 of the Internal Revenue Code of 1954, as amended, as applied to Section 4.04 of this Plan shall be applied by substituting the number "1.00" for the number "1.25" wherever it appears therein. Such substitution shall not cause a reduction in any accrued benefit attributable to contributions for a Plan Year prior to the Plan Year in which the Plan is a super Top-heavy Plan.
RESOLUTION NO. 88-188

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO ACQUIRE CERTAIN REAL PROPERTY AND EASEMENTS FOR EXPANSION OF THE KUYKENDAHL PARK & RIDE LOT AND CONSTRUCTION OF A DIRECT ACCESS RAMP FROM THE NORTH FREEWAY TRANSITWAY INTO THE KUYKENDAHL PARK & RIDE LOT; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, expansion of the existing Kuykendahl Park & Ride lot and construction of a direct access ramp between the park & ride lot and the North Freeway Transitway is part of the Phase IV North Freeway Transitway project; and

WHEREAS, METRO staff has undertaken to obtain appraisals and do the other preliminary work in order to acquire the required real property and easements as a site for construction of these project elements; and

WHEREAS, the Board of Directors is of the opinion that it is appropriate to authorize the General Manager to acquire these parcels of real property or interests in real property for construction of these project elements;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized and directed to negotiate, execute and deliver such agreements as are appropriate to acquire the real property or interests in real property described in Exhibit A attached hereto. The General Manager is authorized to negotiate and to acquire said properties at the just compensation values set out in Exhibit A.
RESOLUTION NO. 88-188 (Page 2)

Section 2. The General Manager may delegate the authority conferred by this resolution for the purposes of conducting negotiations and executing such agreements as are necessary to complete the acquisition of the properties.

Section 3. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988.
APPROVED this 19th day of December, 1988.

ATTEST:

[Signature]
Assistant Secretary

Robert C. Lanier
Chairman
Property Description

METES AND BOUNDS DESCRIPTION
Taking Parcel
Grundenmeyer Tract
PR-KY-M-F-86-1

Being 1.519 acre tract of land situated in the P. Sullivan Survey, Abstract 750, Harris County, Texas, and being all of a 1.5117 acre tract as described in deed and recorded in the Official Public Records of Real Property under Film Code No. 134-81-0505, County Clerk's File No. G166024, said 1.519 acre tract of land more particularly described by metes and bounds as follows:

Beginning at a 5/8-inch iron rod set for the northwest corner of a 20,000 acre tract as described in deed and recorded in the Official Public Records of Real Property under Film Code No. 126-83-0008, and County Clerk's File No. G053628, being in the south line of Restricted Reserve H of Dominion Park, a subdivision as shown on map or plat and recorded in the Map Records of Harris County in Volume 328, page 65, known as the San Antonio Savings tracts as described in deed recorded in the Official Public Records of Real Property, under Film Code No. 019-96-0124, County Clerk's File No. H530665, said 5/8-inch iron rod located N 44° 35' 13" W, a distance of 4004.83 feet from a City of Houston Monument No. 5266-0904;

THENCE, S 02° 48' 03" E, at a distance of 2.46 feet passing a 5/8-inch iron rod with cap found for the northeast corner of the 1.5117 acre tract and the northwest corner of the Kuykendahl Park and Ride, as shown on map or plat recorded in the Map Records of Harris County in Volume 318, page 23, and continuing a total distance of 404.22 feet to a 5/8-inch iron rod with cap found in the northeasterly right-of-way line of Kuykendahl Road (based on a width of 100 feet) and being the south corner of the 1.5117 acre tract and the most westerly southwest corner of the 20,000 acres and the Kuykendahl Park and Ride;

THENCE, N 46° 19' 22" W, along the northeasterly right-of-way line of Kuykendahl Road a distance of 342.79 feet to a 3/8-inch iron rod found for corner;

THENCE, N 03° 08' 05" W, along the west line of said 1.5117 acre tract, a distance of 155.93 feet to a 1/2-inch iron pipe found for an internal corner of said Dominion Park;

THENCE, N 87° 15' 48" E, along the south line of Dominion Park, a distance of 236.96 feet to the POINT OF BEGINNING and containing 1.519 acre (66,182 sq. ft.) of land.

NOTE: The bearings in this description are based on City of Houston Monuments 5266-0904 and 5266-1205 having a Texas State Plane South Central Zone, Grid Bearing of S 89° 20' 40" E, and all distances are surface and can be converted to grid by multiplying a combined scale factor of 0.999918980.

Registered Public Surveyor #4098

16e/6/5/87
Property Description

SAN ANTONIO SAVINGS ASSOCIATION

METES AND BOUNDS DESCRIPTION

OF 2.909 ACRES OUT OF DOMINION PARK

RP-KY-M-F-86-1

Being 2.909 acre tract of land situated in the P. Sullivan Survey, Abstract 750, Harris County, Texas and being a portion of Restricted Reserves D, E, F, G, H and I of Dominion Park, a subdivision as shown on map or plat recorded in the Map Records of Harris County in Volume 328, page 65, known as San Antonio Savings tracts as described in deed and recorded in the Official Public Records of Real Property under Film Code No. 019-96-0014, and County Clerk's File No. H530665 said 2.909 acre tract of land more particularly described by metes and bounds as follows:

Beginning at a 3/8-inch iron rod found for the most southerly corner of said Reserve I, and being the southwest corner of a 1.5117 acre tract as described in deed and recorded in the Official Public Records of Real Property under Film Code No. 134-81-0505, and County Clerk's File No. G166024, and being in the northeasterly right-of-way line of Kuykendahl Road (based on a width of 100 feet), said 3/8-inch iron rod located N 48° 32' 31" W, a distance of 4055.72 feet from a City of Houston Monument No. 5266-0904,

THENCE, N 46° 25' 15" W, along the northeast right-of-way line of Kuykendahl Road a distance of 113.50 feet to a 5/8-inch iron rod set for corner;

THENCE, N 43° 34' 45" E, at a distance of 106.91 feet passing a 1/2-inch iron pipe found for the northwest corner of said 1.5117 acre tract and continuing a total distance of 193.78 feet to a 5/8-inch iron rod set for corner;

THENCE, N 87° 15' 48" E, at a distance of 1291.70 feet passing a 5/8-inch iron rod set in the westerly line of a 50 foot Drainage Fee Strip as described in deed and recorded in the Deed Records of Harris County in Volume 3500, page 428, at 1350.35 feet passing a 5/8-inch iron rod set in the easterly line of said 50 foot Drainage Fee Strip, at 1638.62 feet passing a 5/8-inch iron rod set in westerly right-of-way line of Blue Ash Drive (based on a width of 60 feet), at a distance of 1698.59 feet to a 5/8-inch iron rod set in the easterly right-of-way line of said Blue Ash Drive, and continuing a total distance of 2094.32 feet to a 5/8-inch iron rod set in the westerly right-of-way line of Interstate 45, known as the North Freeway;

THENCE, S 10° 43' 46" E, along the westerly right-of-way line of the North Freeway a distance of 60.59 feet to a disturbed axle rod found for the northeast corner of the residue of a tract as described in deed and recorded in the Official Public Records of Real Property under Film Code No. 155-24-2352, County Clerk's File No. D770044, and being the southeast corner of said Dominion Park;
THENCE, S 87° 15' 48" W, along the south line of Dominion Park, at a distance of 404.05 feet passing a 5/8-inch iron rod with cap set in the easterly right-of-way line of Blue Ash Drive, at a distance of 464.05 feet to a 5/8-inch iron rod with cap set in the westerly right-of-way line of Blue Ash Drive, at a distance of 789.12 passing a 5/8-inch iron rod set in the easterly line of said 50 foot Drainage Fee Strip, at a distance of 847.75 feet passing a one-inch galvanized iron pipe found in the westerly right-of-way line of the 50 foot Drainage Easement, and continuing a total distance of 2165.56 feet to said 1/2-inch iron pipe found for the northwest corner of the 1.5117 acre tract;

THENCE, S 03° 08' 05" E, along the west line of the 1.5117 acre tract a distance of 155.93 feet to the POINT OF BEGINNING and containing 3.073 acres (133,864 sq. ft.) of land.

Save and except the two tracts of land being 0.081 acres (3,518 sq.ft.) tract of land being a portion of said 50 foot Drainage Fee Strip and 0.083 acres (3,599 sq.ft.) tract of land being a portion of said Blue Ash Drive and leaving a net acreage of 2.909 acres (126,747 sq. ft.) of land.
Property Description

PROPOSED 10' H.L.&P. CO. GROUND EASEMENT
0.499 AC.
SAN ANTONIO SAVINGS ASSOCIATION

Being 0.499 acre of land situated in the P. Sullivan Survey, Abstract 750, Harris County, Texas, and being a portion of Restricted Reserves D, E, F, G, H, and I of Dominion Park, a subdivision as shown on map or plat recorded in the Map Records of Harris County in Volume 328, page 65, known as San Antonio Savings tracts as described in deed and recorded in the Official Public Records of Real Property under Film Code No. 019-96-0124, and County Clerk's File No. H530665, said 0.499 acre of land more particularly described by metes and bounds as follows:

Commencing at a 3/8-inch iron rod found for the most southerly corner of Reserve I, being the southwest corner of a 1.5117 acre tract as described in deed and recorded in the Official Public Records of Real Property under Film Code No. 134-81-0505, and County Clerk's File No. G166024, and being in the northeasterly right-of-way line of Kuykendahl Road (based on a width of 100 feet), said 3/8-inch iron rod located N 48° 32' 31" W, a distance of 4055.72 feet from a City of Houston Monument No. 5266-0904;

THENCE, N 46° 25' 15" W, along the northeast right-of-way line of Kuykendahl Road a distance of 113.50 feet to the POINT OF BEGINNING of the herein described tract;

THENCE, N 46° 25' 15" W, continuing along the northeast right-of-way line of Kuykendahl Road a distance of 10.00 feet to a point for corner;

THENCE, N 43° 34' 45" E, a distance of 197.79 feet to a point for corner;

THENCE, N 87° 15' 48" E, a distance of 2096.92 feet to a point in the westerly right-of-way line of Interstate 45, known as the North Freeway;

THENCE, S 10° 43' 46" E, along the westerly right-of-way line of the North Freeway a distance of 10.10 feet to a 5/8-inch iron rod set for corner;

THENCE, S 87° 15' 48" W, a distance of 2094.32 feet to a 5/8-inch iron rod set for corner;

THENCE, S 43° 34' 45" W, a distance of 193.78 feet to the POINT OF BEGINNING and containing 0.526 acre (22,914 sq. ft.) of land.

Save and except the two tracts of land being 0.014 acre (586 sq. ft.) tract of land being a portion of a 50' Drainage Fee Strip as described in deed and record in the Harris County Deed Records in Volume 3500, page 428, and a 0.014 acre (600 sq. ft.) tract of land being a portion of Blue Ash Drive (based on a width of 60 feet) as shown on map or plat of said of Dominion Park, and leaving a net acreage of 0.499 acre (21,728 sq. ft.) of land.
Property Description

METES AND BOUNDS DESCRIPTION OF PROPOSED 10' AERIAL H.L. & P. CO. EASEMENT OVER THE SAN ANTONIO SAVINGS ASSOCIATION TRACT

Being 0.500 acre of land situated in the P. Sullivan Survey, Abstract 750, Harris County, Texas, and being a portion of Restricted Reserves D, E, F, G, H, and I of Dominion Park, a subdivision as shown on map or plat recorded in the Map Records of Harris County in Volume 328, page 65, known as San Antonio Savings tracts as described in deed and recorded in the Official Public Records of Real Property under Film Code No. 019-96-0124, and County Clerk's File No. H530665, said 0.500 acre of land more particularly described by metes and bounds as follows:

Commencing at a 3/8-inch iron rod found for the most southerly corner of Reserve I, being the southwest corner of a 1.5117 acre tract as described in deed and recorded in the Official Public Records of Real Property under Film Code No. 134-81-0505, and County Clerk's File No. G166024, and being in the northeasterly right-of-way line of Kuykendahl Road (based on a width of 100 feet), said 3/8-inch iron rod located N 48° 32' 31" W, a distance of 4055.72 feet from a City of Houston Monument No. 5266-0904;

THENCE, N 46° 25' 15" W, along the northeast right-of-way line of Kuykendahl Road a distance of 123.50 feet to the POINT OF BEGINNING of the herein described tract;

THENCE, N 46° 25' 15" W, continuing along the northeast right-of-way line of Kuykendahl Road a distance of 10.00 feet to a point for corner;

THENCE, N 43° 34' 45" E, a distance of 201.80 feet to a point for corner;

THENCE, N 87° 15' 48" E, a distance of 2099.53 feet to a point in the westerly right-of-way line of Interstate 45, known as the North Freeway;

THENCE, S 10° 43' 46" E, along the westerly right-of-way line of the North Freeway a distance of 10.10 feet to a point for corner, from which a 5/8-inch iron rod bears S 10° 43' 46" E, a distance of 10.10 feet;

THENCE, S 87° 15' 48" W, a distance of 2096.92 feet to a point for corner, from which a 5/8-inch iron rod bears S 24° 34' 43" E, a distance of 10.77 feet;

THENCE, S 43° 34' 45" W, a distance of 197.79 feet to the POINT OF BEGINNING and containing 0.528 acre (22,980 sq. ft.) of land.

Save and except the two tracts of land being 0.014 acre (586 sq. ft.) tract of land being a portion of a 50' Drainage Fee Strip as described in deed and record in the Harris County Deed Records in Volume 3500, page 428, and a 0.014 acre (600 sq. ft.) tract of land being a portion of Blue Ash Drive (based on a width of 60 feet) as shown on map or plat of said of Dominion Park, and leaving a net acreage of 0.500 acre (21,794 sq. ft.) of land.
Property Description

METES AND BOUNDS
OF A PORTION OF 50' DRAINAGE FEE STRIP
STATE OF TEXAS
RP-KY-M-F-86-2

Being a 0.081 acre tract of land situated in the P. Sullivan Survey, Abstract 750, Harris County, Texas, and being a portion of a 1.454 acre tract being a 50 foot Fee Strip as described in deed and recorded in the Deed Records of Harris County in Volume 3500, page 428, said 0.081 acre tract of land more particularly described by metes and bounds as follows:

Beginning at a one-inch galvanized iron pipe found for the southwest corner of the 1.454 acre tract, being the southeast corner of Reserve F, of Dominion Park, a subdivision as shown on map or plat and recorded in the Map Records of Harris County in Volume 328, page 65, and being in the north line of a 20,000 acre tract as described in deed and recorded in the Official Public Records of Real Property under Film Code No. 126-83-0008, County Clerk's File No. G03628, and being the northwest corner of a 0.7567 acre tract, being a 50 foot Drainage Easement as described in deed recorded in the Deed Records of Harris County in Volume 3613 page 33, said one-inch galvanized iron pipe located N 30° 48' 38" W, a distance of 3380.97 feet from a City of Houston Monument No. 5266-0904;

THENCE, N 28° 43' 40" E, along the common line of the 50 foot Drainage Fee Strip and Reserve F, a distance of 70.34 feet to a 5/8-inch iron rod set for corner;

THENCE, N 87° 15' 48" E, a distance of 58.65 feet to a 5/8-inch iron rod set in the east line of the 50 foot Drainage Fee Strip and being in the west line of restricted Reserve E of said Dominion Park;

THENCE, S 28° 44' 13" W, along common line of the 50 foot Drainage Strip and Reserve E, a distance of 70.35 feet to a 5/8-inch iron rod set for the northwest corner of said 50 foot Drainage Easement and the southeast corner of the 1.454 acre tract, being the southwest corner of Reserve E, and being in the north line of the 20,000 acre tract;

THENCE, S 87° 15' 48" W, along the north line of the 20,000 acre tract, the north line of the 50 foot Drainage Easement, and the south line of the 50 foot Fee Strip a distance of 58.63 feet to the POINT OF BEGINNING and containing 0.081 acre (3,518 sq. ft.) of land.

NOTE: The bearings in this description are based on City of Houston Monuments 5266-0904 and 5266-1205 having a Texas State Plane South Central Zone, Grid Bearing of S 89° 20' 40" E, and all distances are surface and can be converted to grid by multiplying a combined scale factor of 0.999918980.
Property Description

PROPOSED 10' H.L.&P. CO. GROUND EASEMENT

0.014 AC.

STATE OF TEXAS

Being a 0.014 acre tract of land situated in the P. Sullivan Survey, Abstract 750, Harris County, Texas, and being a portion of a 1.454 acre tract being a 50 foot Fee Strip as described in deed and recorded in the Deed Records of Harris County in Volume 3500, page 428, said 0.014 acre tract of land more particularly described by metes and bounds as follows:

Commencing at a one-inch galvanized iron pipe found for the southwest corner of the 1.454 acre tract, being the southeast corner of Reserve F, of Dominion Park, a subdivision as shown on map or plat and recorded in the Map Records of Harris County in Volume 328, page 65, and being in the north line of a 20.000 acre tract as described in deed and recorded in the Official Public Records of Real Property under Film Code No. 126-83-0008, County Clerk's File No. G053628, and being the northwest corner of a 0.7567 acre tract, being a 50 foot Drainage Easement as described in deed recorded in the Deed Records of Harris County in Volume 3613 page 33, said one-inch galvanized iron pipe located N 30° 48' 38" W, a distance of 3380.97 feet from a City of Houston Monument No. 5266-0904;

THENCE, N 28° 43' 40" E, along the common line of the 50 foot Drainage Fee Strip and Reserve F, a distance of 70.34 feet to a 5/8-inch iron rod set for the POINT OF BEGINNING of the herein described tract;

THENCE, N 28° 43' 40" E, continuing along the common line of the 50 foot Drainage Fee Strip and Reserve F, a distance of 11.73 to a point for corner, from which the most northerly angle point of the 0.526 acre proposed H.L.& P. Co. easement bears S 87° 15' 48" W, a distance of 1301.83 feet;

THENCE, N 87° 15' 48" E, a distance of 58.65 feet to a point in the east line of the 50 foot Drainage Fee Strip and being in the west line of restricted Reserve E of said Dominion Park, from which the northeast corner of 0.526 acre proposed H.L. & P Co. easement bears N 87° 15' 48" E, a distance of 736.44 feet;

THENCE, S 28° 44' 13" W, along common line of the 50 foot Drainage Strip and Reserve E, a distance of 11.73 feet to a 5/8-inch iron rod set for corner;

THENCE, S 87° 15' 48" W, a distance of 58.65 feet to the POINT OF BEGINNING and containing 0.014 acre (586 sq. ft.) of land.
Property Description

PROPOSED 10' AERIAL H.L.&P. CO. EASEMENT

METES AND BOUNDS DESCRIPTION

OF 0.014 ACRE OUT OF 50' DRAINAGE FEE STRIP

STATE OF TEXAS

Being a 0.014 acre tract of land situated in the P. Sullivan Survey, Abstract 750, Harris County, Texas, and being a portion of a 1.454 acre tract being a 50 foot Fee Strip as described in deed and recorded in the Deed Records of Harris County in Volume 3500, page 428, said 0.014 acre tract of land more particularly described by metes and bounds as follows:

Commencing at a one-inch galvanized iron pipe found for the southwest corner of the 1.454 acre tract, being the southeast corner of Reserve F, of Dominion Park, a subdivision as shown on map or plat and recorded in the Map Records of Harris County in Volume 328, page 65, and being in the north line of a 20,000 acre tract as described in deed and recorded in the Official Public Records of Real Property under Film Code No. 126-83-0008, County Clerk's File No. G053628, and being the northwest corner of a 0.7567 acre tract, being a 50 foot Drainage Easement as described in deed recorded in the Deed Records of Harris County in Volume 3613 page 33, said one-inch galvanized iron pipe located N 30° 48' 38" W, a distance of 3380.97 feet from a City of Houston Monument No. 5266-0904;

THENCE, N 28° 43' 40" E, along the common line of the 50 foot Drainage Fee Strip and Reserve F, a distance of 82.07 feet to the POINT OF BEGINNING of the herein described tract;

THENCE, N 28° 43' 40" E, continuing along the common line of the 50 foot Drainage Fee Strip and Reserve F, a distance of 11.73 to a point for corner, from which the most northerly angle point of the 0.528 acre proposed H.L.& P. Co. easement bears S 87° 15' 48" W, a distance of 1311.96 feet;

THENCE, N 87° 15' 48" E, a distance of 58.65 feet to a point in the east line of the 50 foot Drainage Fee Strip and being in the west line of restricted Reserve E of said Dominion Park, from which the northeast corner of 0.528 acre proposed aerial easement bears N 87° 15' 48" E, a distance of 728.92 feet;

THENCE, S 28° 44' 13" W, along common line of the 50 foot Drainage Strip and Reserve E, a distance of 11.73 feet to a point for corner;

THENCE, S 87° 15' 48" W, a distance of 58.65 feet to the POINT OF BEGINNING and containing 0.014 acre (586 sq. ft.) of land.
Property Description

METES AND BOUNDS DESCRIPTION
OF 0.083 ACRES OUT OF BLUE ASH DRIVE
RP-KY-M-F-86-3
HARRIS COUNTY

Being 0.083 acre tract of land situated in the P. Sullivan Survey, Abstract 750, Harris County, Texas, and being a portion of Blue Ash Drive (based on a width of 60 feet) as shown on the map or plat of Dominion Park a subdivision recorded in the map records of Harris County in Volume 328 page 65, of said 0.083 acre tract of land more particularly described by metes and bounds as follows:

Beginning at a 5/8-inch iron rod with cap set in the west right-of-way line of said Blue Ash Drive, and being the northeast corner of a 20,000 acre tract as described in deed recorded in the Official Public Records of Real Property under Film Code No. 126-83-0008, and County Clerk's File No. G053628, and being the southeast corner of Restricted Reserve E of said Dominion Park said 5/8-inch iron rod with cap located N 24° 46' 19" W, a distance of 3218.26 feet from a City of Houston Monument No. 5266-0904;

THENCE, N 02° 48' 30" W, along the west right-of-way line of Blue Ash Drive and the east line of Reserve E, a distance of 60.00 feet, to a 5/8-inch iron rod set for corner;

THENCE, N 87° 15' 48" E, a distance of 59.97 feet to a 5/8-inch iron rod set in the east right-of-way line of Blue Ash Drive and the west line of Restricted Reserve D of said Dominion Park;

THENCE, S 02° 50' 19" E, along the east right-of-way line of Blue Ash Drive and the west line of Reserve D, a distance of 60.00 feet to a 5/8-inch iron rod with cap set for the southwest corner of Reserve D, and being the northwest corner of a residue tract of land as described in deed recorded in the Official Public Records of Real Property under Film Code No. 155-24-2352, County Clerk's File No. D770044;

THENCE, S 87° 15' 48" W, along the south line of said Dominion Park, a distance of 60.00 feet to the POINT OF BEGINNING and containing 0.083 acre (3,599 sq. ft.) of land.

NOTE: The bearings in this description are based on City of Houston Monuments 5266-0904 and 5266-1205 having a Texas State Plane South Central Zone, Grid Bearing of S 89° 20' 40" E, and all distances are surface and can be converted to grid by multiplying a combined scale factor of 0.999918980.
Being 0.014 acre tract of land situated in the P. Sullivan Survey, Abstract 750, Harris County, Texas, and being a portion of Blue Ash Drive (based on a width of 60 feet) as shown on the map or plat of Dominion Park a subdivision recorded in the map records of Harris County in Volume 328 page 65, of said 0.014 acre tract of land more particularly described by metes and bounds as follows:

Commencing at a 5/8-inch iron rod with cap set in the west right-of-way line of said Blue Ash Drive, and being the northeast corner of a 20,000 acre tract as described in deed recorded in the Official Public Records of Real Property under Film Code No. 126-83-0008, and County Clerk's File No. 6053628, and being the southeast corner of Restricted Reserve E of said Dominion Park said 5/8-inch iron rod with cap located N 24° 46' 19" W, a distance of 3218.26 feet from a City of Houston Monument No. 5266-0904;

THENCE, N 02° 48' 30" W, along the west right-of-way line of Blue Ash Drive and the east line of Reserve E, a distance of 70.00 feet, to the POINT OF BEGINNING of the herein described tract;

THENCE, N 02° 48' 30" W, continuing along the west right-of-way line of Blue Ash Drive and the east line of Reserve E, a distance of 10.00 feet to a point for corner, from which the most northerly angle point of the 0.528 acre proposed aerial easement bears S 87° 15' 48" W, a distance of 1646.61 feet;

THENCE, N 87° 15' 48" E, a distance of 59.97 feet to a point in the east right-of-way line of Blue Ash Drive and the west line of Restricted Reserve D of said Dominion Park, from which the northeast corner of the 0.528 acre proposed aerial easement bears N 87° 15' 48" E, a distance of 392.96 feet;

THENCE, S 02° 50' 19" E, along the east right-of-way line of Blue Ash Drive and the west line of Reserve D, a distance of 10.00 feet to a point for corner;

THENCE, S 87° 15' 48" W, a distance of 59.97 feet to the POINT OF BEGINNING and containing 0.014 acre (600 sq. ft.) of land.

NOTE: The bearings in this description are based on City of Houston Monuments 5266-0904 and 5266-1205 having a Texas State Plane South Central Zone, Grid Bearing of S 89° 20' 40" E, and all distances are surface and can be converted to grid by multiplying a combined scale factor of 0.9999918980.
Property Description

PROPOSED 10' H.L.&P. CO. GROUND EASEMENT
0.014 AC.
HARRIS COUNTY

Being 0.014 acre tract of land situated in the P. Sullivan Survey, Abstract 750, Harris County, Texas, and being a portion of Blue Ash Drive (based on a width of 60 feet) as shown on the map or plat of Dominion Park a subdivision recorded in the map records of Harris County in Volume 328 page 65, of said 0.014 acre tract of land more particularly described by metes and bounds as follows:

Commencing at a 5/8-inch iron rod with cap set in the west right-of-way line of said Blue Ash Drive, and being the northeast corner of a 20,000 acre tract as described in deed recorded in the Official Public Records of Real Property under Film Code No. 126-83-0008, and County Clerk's File No. G053628, and being the southeast corner of Restricted Reserve E of said Dominion Park said 5/8-inch iron rod with cap located N 24° 46' 19" W, a distance of 3218.26 feet from a City of Houston Monument No. 5266-0904;

THENCE, N 02° 48' 30" W, along the west right-of-way line of Blue Ash Drive and the east line of Reserve E, a distance of 60.00 feet, to the POINT OF BEGINNING of the herein described tract;

THENCE, N 02° 48' 30" W, continuing along the west right-of-way line of Blue Ash Drive and the east line of Reserve E, a distance of 10.00 feet to a point for corner, from which the most northerly angle point of the 0.526 acre proposed H.L. & P Co. easement bears S 87° 15' 48" W, a distance of 1642.61 feet;

THENCE, N 87° 15' 48" E, a distance of 59.97 feet to a point in the east right-of-way line of Blue Ash Drive and the west line of Restricted Reserve D of said Dominion Park, from which the northeast corner of the 0.526 acre proposed H.L. & P. easement bears N 87° 15' 48" E, a distance of 394.35 feet;

THENCE, S 02° 50' 19" E, along the east right-of-way line of Blue Ash Drive and the west line of Reserve D, a distance of 10.00 feet to a 5/8-inch iron rod set for corner;

THENCE, S 87° 15' 48" W, a distance of 59.97 feet to the POINT OF BEGINNING and containing 0.014 acre (600 sq. ft.) of land.

NOTE: The bearings in this description are based on City of Houston Monuments 5266-0904 and 5266-1205 having a Texas State Plane South Central Zone, Grid Bearing of S 89° 20' 40" E, and all distances are surface and can be converted to grid by multiplying a combined scale factor of 0.999918980.
RESOLUTION NO. 88-189

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO CONTRACT WITH GEORGE JOHNSON, III FOR ACQUISITION OF APPROXIMATELY 2.367 ACRES OF LAND AS A SITE FOR THE ACRES HOMES TRANSIT CENTER; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, the Board of Directors has previously authorized the General Manager to negotiate for the acquisition of approximately 2.367 acres of land as a site for the Acres Homes Transit Center with the owner, George Johnson, III; and

WHEREAS, the owner has accepted METRO's offer of just compensation for this property;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized and directed to execute and deliver an agreement for the acquisition of approximately 2.367 acres of land from George Johnson, III as a site for the Acres Homes Transit Center at a cost of $207,145.

Section 2. The General Manager, or his designee, is hereby authorized to undertake all administrative actions reasonable and necessary to complete this property acquisition.
RESOLUTION NO. 88-189 (Page 2)

Section 3. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988.
APPROVED this 19th day of December, 1988.

ATTEST:

Assistant Secretary

Robert C. Lanier
Chairman
FIELD NOTES FOR 103,125.00 SQUARE FEET OR 2.367 ACRES OF LAND MORE OR LESS, BEING LOT 64, BLOCK 4, OF HIGHLAND ACRES HOMES, ASRecorded IN VOLUME 3, PAGE 45 OF THE HARRIS COUNTY MAP RECORDS, BEING IN THE JAMES LOVE SURVEY, ABSTRACT-258, HARRIS COUNTY, TEXAS:

BEGINNING: At a found 2-inch iron pipe at the intersection of the North line of West Little York Road, (60-foot right-of-way) and the common line between Lots 64 and 65 of said Highland Acres Homes; from said iron pipe a found 5/8-inch iron rod bears N 74°39'50" W, 0.73 feet, and City of Houston Survey Marker 5262-1202 bears N 70°57'50" E, 3,855.30 feet; said corner also being the Southeast corner of the herein described tract of land;

THENCE: S 87°55'03" W, along the North line of West Little York Road, a distance of 165.00 feet to a set 5/8-inch iron rod for corner; said corner being on the common line between Lots 63 and 64 of said Highland Acres Homes; said corner also being the Southwest corner of the herein described tract of land;

THENCE: N 02°04'57" W, along the said common line between Lots 63 and 64, a distance of 625.00 feet to a set 5/8-inch iron rod for corner; from said corner a found 3/4-inch pipe bears S 54°00'46" E, 0.71 feet; said corner being the common corner for Lots 63, 64, 6 and 2 of said Highland Acres Homes; said corner also being the Northwest corner of the herein described tract of land;

THENCE: N 87°55'03" E, along the common line between Lots 64 and 2; of said Highland Acres Homes, a distance of 165.00 feet to a set 5/8-inch iron rod for corner; from said corner a found 5/8-inch iron rod bears N 87°57'13" W, 1.84 feet; said corner being the common corner for Lots 64 and 65, Northeast and Northwest, respectively, and being the Northeast corner of the herein described tract of land;

THENCE: S 02°04'57" E, along the common line between Lots 64 and 65 of said Highland Acres Homes, a distance of 625.00 feet to the point of beginning and containing 103,125.00 square feet or 2.367 acres of land more or less.

H. PLATT THOMPSON
ENGINEERING COMPANY, INC.

3 November, 1988

JOSE H. GONZALEZ, R.P.S.
Reg. Public Surveyor No. 4478

EBA: tam
A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO CONTRACT WITH THE CITY OF WEST UNIVERSITY PLACE FOR THE ACQUISITION OF APPROXIMATELY 0.1496 ACRES OF LAND FOR THE EXTENSION OF WESTPARK DRIVE BETWEEN EDLOE AND KIRBY; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, the Board of Directors has previously authorized the General Manager to negotiate for the acquisition of approximately 0.1496 acres of land from the city of West University Place as a portion of the right-of-way required to extend Westpark Drive between Edloe and Kirby; and

WHEREAS, the city of West University Place has authorized sale of this property to METRO at a cost of $126,522.80;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY:

Section 1. The General Manager be and he is hereby authorized and directed to execute and deliver a contract with the city of West University Place for acquisition of approximately 0.1496 acres of land needed as a portion of the right-of-way for extension of Westpark Drive from Edloe to Kirby at a cost of $126,522.80.

Section 2. The General Manager, or his designee, is hereby authorized to undertake all administrative actions that are reasonable and necessary to complete this acquisition.
Section 3. This resolution is effective immediately upon passage.

PASSED this 19th day of December, 1988.
APPROVED this 19th day of December, 1988.

ATTEST:

[Signature]
Assistant Secretary

Robert C. Lanier
Chairman
DESCRIPTION
ST-WP-J-L-87-4

0.1446 acres of land situated in the A.C. Reynolds Survey, Abstract 61, Harris County, Texas and out of that certain 0.783 acre tract being called 0.7839 acres or 34,144.57 square feet conveyed to City of West University Place as described in the Official Public Records of Real Property of Harris County, Texas under Film Code No. 128-30-1302 and County Clerk's File No. D320943, the subject 0.1446 acre tract being in conformance with the Texas State Plane Coordinate System South Central Zone and more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8 inch iron rod marking the intersection of the Easterly right-of-way line of Wakeforest Street (based on 60 foot width) and a Southerly right-of-way line of Milford Street (based on 60 foot width) having State Plane Coordinates of X = 3,135,473.57, Y = 706,450.16 from which a found 5/8 inch iron rod bears North 3.42 feet and West 0.22 feet and City of Houston Survey Marker 5256/1405 bears (N 77° 03' 46" E - 1141.48 feet grid);

Thence, N 82° 58' 33" E, with a Southerly line of said Milford Street a distance of 280.36 feet to a 5/8 inch iron rod found for corner marking the intersection with a Westerly line of said Milford Street from which a 1/2 inch iron pipe bears N 82° 58' 33" E - 0.48 feet;

Thence, S 02° 13' 13" E, with the Westerly line of said Milford Street, a distance of 53.01 feet to a 3/4 inch iron rod set for corner in the proposed Southerly right-of-way line of the extension of Westpark Drive (variable width at this point);

Thence, N 82° 34' 33" W, with the proposed Southerly right-of-way line of said Westpark Drive, a distance of 160.46 feet to a 3/4 inch iron rod set for an angle point;

Thence, S 87° 12' 19" W, continuing with the proposed Southerly right-of-way line of said Westpark Drive, a distance of 111.18 feet to a 3/4 inch iron rod set for the Northwesterly cut-back corner at the intersection with the aforementioned Wakeforest Street;

Thence, S 29° 19' 30" W, with said cut-back corner for a distance of 19.06 feet to a 3/4 inch iron rod set in the Easterly right-of-way line of said Wakeforest Street;

Thence, N 02° 18' 55" W, with the Easterly line of said Wakeforest Street a distance of 20.00 feet to the POINT OF BEGINNING and containing 0.1446 acres or 6,299 square feet of land.

RUSS/HOVIS SURVEYING COMPANY

BY: HARRY H. HOOVIS

Date: December 2, 1987
Job No.: 87-031-61
Dwg No.: R/H 1317-E-3A
File No.: 10387-031.61
Revised: December 31, 1987
Revised: April 15, 1988
0.0046 acres of land situated in the A.C. Reynolds Survey, Abstract 61, Harris County, Texas being out of that certain 0.372 acre tract of land conveyed from W.D. Baden to City of West University Place described in deed recorded under Volume 1149, Page 429 of the Deed Records of Harris County, Texas, the subject 0.0046 acre tract being in conformance with the Texas State Plane Coordinate System South Central Zone and more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found marking the intersection of the Southerly right-of-way line of Milford Avenue (Old Richmond Road) (based on 60 foot width) and the Westerly right-of-way line of Wakeforest Street, (based on 60 foot width) said 5/8 inch iron rod having State Plane Coordinates of X = 3,135,413.80, Y = 706,442.73 from which City of Houston Survey Marker 5256/1405 bears (N77° 21' 31" E - 1201.40 feet grid);

Thence, S 02° 18' 55" E, with the Westerly line of said Wakeforest Street, a distance of 20.00 feet to a 3/4 inch iron rod set for corner;

Thence, N 49° 40' 11" W, a distance of 27.10 feet to a 3/4 inch iron rod set in the Southerly line of the aforementioned Milford Avenue;

Thence, N 82° 58' 33" E, with the Southerly line of said Milford Avenue a distance of 20.00 feet to the POINT OF BEGINNING and containing 0.0046 acres or 199 square feet of land.

RUSS/HOWIS SURVEYING COMPANY

BY

Date: November 2, 1987
Job No.: 87-031-61
Dwg No.: R/H 1321-E-1A
File No.: 10K87-031.61
Revised: December 31, 1987
Revised: April 15, 1988

Checked: [Signature]
Date: [Signature]
Approved: [Signature]