

Point Road. Defendants are in violation of Chapter 125 of the Texas Civil Practice and Remedies Code (“CPRC”) and the Regulations. In support thereof, Plaintiffs would show the following:

I. DISCOVERY

1.1 Plaintiffs intend to conduct discovery under Level 2 described in Rule 190.3 of the Texas Rules of Civil Procedure

II. JURISDICTION AND STATUTORY AUTHORITY

A. CHAPTER 125 OF THE CPRC.

2.1 This enforcement action is brought by Harris County Attorney Vince Ryan, through the Harris County Attorney’s Office in the name of the State of Texas to enjoin and abate a common nuisance pursuant to Sections 125.001-125.047 of the CPRC. Verification of the petition or proof of personal injury need not be shown by the State under Section 125.002(a) of the CPRC.

2.2 The court has subject-matter jurisdiction and personal jurisdiction over this case under Section 125.002(a) of the CPRC.

B. THE REGULATIONS.

2.3 Additionally, this suit is brought by Harris County, Texas seeking enforcement of the Regulations. Under Chapter 234 of the Local Government Code, a person commits an offense and is subject to civil penalties if they operate a game room in violation of a regulation adopted under Section 234.133. The Harris County Commissioners Court adopted the Regulations pursuant to Chapter 234 of the Local Government Code on December 17, 2013. These Regulations were last amended on September 1, 2015.

2.4 The court has subject-matter jurisdiction and personal jurisdiction over this case under Sections 234.010 and 234.133 of the Local Government Code.

III. PARTIES

3.1 Plaintiff, the State of Texas, by and through the Harris County Attorney Vince Ryan bring this action pursuant to Chapter 125 of the Texas Civil Practice and Remedies Code.¹

3.2 Plaintiff, Harris County, Texas, appearing and proceeding by and through the Harris County Attorney, Vince Ryan, and the Harris County Attorney's Office, bring this action in accordance with Section 234.137 of the Texas Local Government Code.

3.3 Defendant Tom Linh Vo is the owner of the real property located at 9480 Long Point Road, Houston, Texas 77055.² He can be served at **11311 Dorrance Lane, Meadows Place, Texas 77477-1803** or wherever he can be found.

3.4 Defendant Van Tui Hoang is the owner of the real property located at 9480 Long Point Road, Houston, Texas 77055.³ She can be served at **11311 Dorrance Lane, Meadows Place, Texas 77477-1803** or wherever he can be found.

3.5 Defendant the real property known as 9480 Long Point Road, Houston, Texas 77055 is owned by Tom Linh Vo and Van Tui Hoang. They can be served at **11311 Dorrance Lane, Meadows Place, Texas 77477-1803** or wherever he can be found.

3.6 Defendant Yolanda Al-Magableh d/b/a Lucky Charm Game Room is the permit holder for Lucky Charm Game Room located at 9456 Long Point Road, Houston, Texas 77055. She can be served at **1338 Beaufort Sea Drive, Houston, Texas 77067** or wherever she can be found.

¹ Tex. Civ. Prac. & Rem. Code § 125.0015.

² See Exhibit "1"

³ *Id.*

3.7 Defendant Alma Aguilar is an employee of Lucky Charm Game Room located at 9456 Long Point Road, Houston, Texas 77055. She can be served at **2217 Hollister Rd. #215, Houston, Texas 77080** or wherever she can be found

3.8 Defendant Dania Hernandez-Rodriguez is an employee of Lucky Charm Game Room located at 9456 Long Point Road, Houston, Texas 77055. She can be served at **2500 W Mount Houston Rd. #66, Houston, Texas 77038** or wherever she can be found.

3.9 Shannol Y. Horne d/b/a Karaoke Green Grass Game Room is the permit holder for Karaoke Green Grass Game Room located at 9440 Long Point Road, Houston, Texas 77055. She can be served at **2006 Sandy Bank Lane, Pearland, Texas 77581** or wherever she can be found.

3.10 Defendant Chang Choi is an "Owner" of Karaoke Green Grass Game Room, as that term is defined by the Regulations, located at 9440 Long Point Road, Houston, Texas 77055. He can be served at **9757 Pine Lake Drive, #1076, Houston, Texas 77055** or wherever he can be found.

3.11 Defendant Seong Choi is an "Owner" of Karaoke Green Grass Game Room, as that term is defined by the Regulations, located at 9440 Long Point Road, Houston, Texas 77055. He can be served at **13312 Trail Hollow, Houston, Texas 77079** or wherever he can be found.

3.12 Defendant Sook Young Yoo is an "Owner" of Karaoke Green Grass Game Room, as that term is defined by the Regulations, located at 9440 Long Point Road, Houston, Texas 77055. He can be served at **9757 Pine Lake Drive, #1076, Houston, Texas 77055** or wherever he can be found.

3.13 Defendant Son Yo Robertson is an "Owner" of Karaoke Green Grass Game Room, as that term is defined by the Regulations, located at 9440 Long Point Road, Houston, Texas

77055. He can be served at **22922 Copper Creek Lane, Katy, Texas 77450-3168** or wherever she can be found.

IV. VENUE

4.1 Venue is proper pursuant to Section 125.002(a) of the Civil Practice and Remedies Code and Section 234.133 of the Local Government Code. Additionally, the property being maintained as a common nuisance at issue in this case is located in Harris County, Texas and the underlying events occurred in Harris County, Texas.

V. FACTS

A. CHAPTER 125 OF THE CPRC.

5.1 Defendants Tom Linh Vo and Van Tui Hoang are owners of a strip center located at 9480 Long Point Road, Houston, Texas 77055.⁴ Located in this strip center are two illegal gambling dens owned and operated by Defendants Shannol Y. Horne and Yolanda Al-Magableh named Karaoke Green Grass Game Room and Lucky Charm Game Room. Both of these illegal gambling dens are deceptively held out to the public as legal “game rooms.”

5.2 However, in the past year, Karaoke Green Grass Game Room has been the target of an undercover investigation conducted by the Houston Police Department (“HPD”). During the course of this investigation, HPD uncovered that Karaoke Green Grass Game Room was engaged in illegal gambling on fourteen separate occasions.

5.3 Likewise, Lucky Charm Game Room has also been the target of an undercover HPD investigation. During the course of this investigation, HPD uncovered that Lucky Charm Game Room was engaged in illegal gambling on four separate occasions.

⁴ *Id.*

5.4 Defendants, who profit from these illegal gambling enterprises, have failed to make any attempt to terminate this habitual criminal activity. Therefore, the State of Texas brings this suit pursuant to Chapter 125 of the CPRC to abate this common nuisance.

B. LUCKY CHARM GAME ROOM'S REGULATION VIOLATIONS.

5.5 On June 1, 2016, June 2, 2016, June 9, 2016 and August 17, 2016 HPD conducted an undercover investigation at Lucky Charm Game Room. During the course of the investigation, HPD discovered that illegal gambling was taking place in violation of Chapter 47 of the Texas Penal Code and Subsection 3.12 of the Regulations.

5.6 Specifically, on each occasion an undercover HPD officer was paid cash for his/her winnings on a machine, as defined by Subsection 1.4(a) (1)-(2) of the Regulations, located inside Lucky Charm Game Room by an employee of Lucky Charm Game Room in violation of the Regulations.

5.7 Based on this investigation, a search warrant was signed. This search warrant was executed on August 23, 2016. During the course of the raid, HPD discovered that Lucky Charm Game Room contained 75 machines, as defined by Subsection 1.4(a) (1)-(2) of the Regulations.

5.8 The HPD Differential Response Team ("DRT") also conducted a compliance inspection during the course of the raid. Based on this inspection, Lucky Charm Game Room was found to be in violation of the following sections of the Regulations:

- a. Subsection 3.3(b): Lucky Charm Game Room was operating without unobstructed and accessible doors;
- b. Subsection 3.4(b): Lucky Charm Game Room was operating without at least two windows that provided a clear and unobstructed view of all machines as defined by Subsection 1.4(a) (1)-(2) located in Lucky Charm Game Room;
- c. Subsection 3.4(e): Lucky Charm Game Room was operating without providing transparent and uncovered windows;

- d. Subsection 3.7(b)(1): Lucky Charm Game Room did not maintain on site the required employee records;
- e. Subsection 3.7(b)(2): Lucky Charm Game Room did not maintain on site the required daily register; and
- f. Subsection 3.7(b)(3): Lucky Charm Game Room did not maintain on site the required machine records.

5.9 This illegal conduct amounts to 306 separate violations of the Regulations by Lucky Charm Game Room.⁵

5.10 Harris County, Texas now seeks any and all relief arising out of these violations.

C. KARAOKE GREEN GRASS GAME ROOM'S REGULATION VIOLATIONS.

5.11 On April 19, 2016, April 25, 2016, May 3, 2016, May 16, 2016, May 26, 2016, June 1, 2016, June 2, 2016, June 9, 2016, June 28, 2016, July 27, 2016, August 30, 2016, September 21, 2016, September 26, 2016, and September 29, 2016, HPD conducted an undercover investigation at Karaoke Green Grass Game Room. During the course of the investigation, HPD discovered that illegal gambling was taking place in violation of Chapter 47 of the Texas Penal Code and Subsection 3.12 of the Regulations.

5.12 Specifically, on each occasion an undercover HPD officer was paid cash for his/her winnings on a machine, as defined by Subsection 1.4(a) (1)-(2) of the Regulations, located inside Karaoke Green Grass Game Room by an employee of Karaoke Green Grass Game Room in violation of the Regulations.

5.13 Based on these investigations, a search warrant was signed. This search warrant was executed on October 28, 2016. During the course of the raid, HPD discovered that Karaoke

⁵ See Exhibit "2"

Green Grass Game Room contained 113 machines, as defined by Subsection 1.4(a) (1)-(2) of the Regulations.

5.14 The HPD differential response team (“DRT”) also conducted a compliance inspection during the course of the raid. Karaoke Green Grass Game Room was found to be in violation of the following sections of the Regulations:

- a. Subsection 3.2(b): Karaoke Green Grass Game Room was operating without displaying a valid Harris County Game Room permit;
- b. Subsection 3.3(b): Karaoke Green Grass Game Room was operating without unobstructed and accessible doors;
- c. Subsection 3.4(b): Karaoke Green Grass Game Room was operating without at least two windows that provided a clear and unobstructed view of all machines as defined by Subsection 1.4(a) (1)-(2) located in Karaoke Green Grass Game Room;
- d. Subsection 3.7(b)(1): Karaoke Green Grass Game Room did not maintain on site the required employee records;
- e. Subsection 3.7(b)(2): Karaoke Green Grass Game Room did not maintain on site the required daily register; and
- f. Subsection 3.7(b)(3): Karaoke Green Game Room did not maintain on site the required machine records.

5.15 This illegal conduct amounts to 1588 separate violations of the Regulations by Karaoke Green Grass Game Room.⁶

5.16 Harris County, Texas now seeks any and all relief arising out of these violations.

VI. CAUSES OF ACTION

A. CHAPTER 125 OF THE CPRC.

6.1 Plaintiffs incorporate and adopt by reference the allegations contained in each and every preceding paragraph.

⁶ See Exhibit “3”

6.2 Section 125.0015(a) of the Texas Civil Practice and Remedies Code states that “[a] person who maintains a place to which persons habitually go for the following purposes and who knowingly tolerates the activity and furthermore fails to make reasonable attempts to abate the activity maintains a common nuisance.” Gambling, gambling promotion or communication gambling information in violation of the Penal Code gives rise to a Chapter 125 nuisance.

6.3 Section 125.004(a) of the Texas Civil Practice and Remedies Code provides that “[p]roof that and activity described by Section 125.0015 is frequently committed at the place involved or that the place is frequently used for an activity described by Section 125.0015 is prima facie evidence that the defendant knowingly tolerated the activity.” Section 125.004(b) of the Texas Civil Practice and Remedies Code states that “[e]vidence that persons have been arrested for or convicted of offenses for an activity described by Section 125.0015 in the place involved is admissible to show knowledge on the part of the defendant with respect to the act that occurred.” Evidence of the general reputation of the place involved is admissible to show the existence of the nuisance according to Section 125.004(c).

6.4 Simply put, Karaoke Green Grass Game Room and Lucky Charm Game Room are owned, operated, and maintained as a common nuisances. Evidence clearly shows that patrons go to Karaoke Green Grass Game Room and Lucky Charm Game Room for the sole purpose of illegal gambling. Defendants have knowingly tolerated this Chapter 125 activity and have allowed such activity to occur habitually on the property. In keeping with Section 125.002(h) of the Texas Civil Practice and Remedies Code, the State of Texas considered the failure of Defendants to promptly notify the appropriate law enforcement agency of the occurrence of such criminal acts at Karaoke Green Grass Game Room and Lucky Charm Game Room and to cooperate with law enforcement investigations of criminal acts at Karaoke Green Grass Game Room and Lucky Charm Game

Room. Accordingly, the general reputation of Karaoke Green Grass Game Room and Lucky Charm Game Room will also show the existence of this common nuisance.

6.5 Based on the foregoing, the State of Texas seeks to abate this common nuisance

VII. CIVIL PENALTIES

7.1 Plaintiffs incorporate and adopt by reference the allegations contained in each and every preceding paragraph.

7.2 Under Chapter 234 of the Texas Local Government Code, a person commits an offense and is subject to civil penalties not to exceed \$10,000 if they operate a game room in violation of a Regulations adopted under Section 234.133.

7.3 As stated above, Lucky Charm Game Room committed 306 violations of the Regulations. As such, Harris County, Texas is entitled to recover a civil penalty not to exceed \$10,000 per violation.

7.4 Additionally, Karaoke Green Grass Game Room committed 1588 violations of the Regulations. As such, Harris County, Texas is entitled to recover a civil penalty not to exceed \$10,000 per violation.

VIII. REQUEST FOR A TEMPORARY INJUNCTION

8.1 Plaintiff incorporates and adopts by reference the allegations contained in each and every preceding paragraph.

8.2 Defendants have failed or refused to abate the common nuisance. Defendants are likely to continue to maintain the property as a common nuisance unless refrained by an injunctive order of the court.

8.3 Unless Defendants are enjoined from maintaining the property as a common nuisance, irreparable harm will be suffered by the citizens of Houston and Harris County, Texas.

Plaintiff has no other adequate remedy at law to prevent the continued maintenance of the property as a common nuisance.

8.4 The consequences of the above-described unlawful activities at the property, as well as the foreseeable resulting criminal activity associated with these acts, would proximately cause a person of ordinary sensibilities to be substantially frightened, discomforted, annoyed and inconvenienced in the use of any premises surrounding the property.

8.5 In accordance with Section 125.045(a) of Texas Civil Practice and Remedies Code, if, after notice and hearing on a request by a plaintiff for a temporary injunction, a court determines that the plaintiff is likely to succeed on the merits in a suit brought under Section 125.002 (Suit to Abate Common Nuisance), the court shall require that each Defendants execute a bond. The bond must be 1) payable to the STATE OF TEXAS at Harris County, 2) be in the amount set by the court, but no less than \$5,000 nor more than \$10,000, 3) have sufficient sureties approved by the court, 4) and be conditioned that the defendant will not knowingly allow a common nuisance to exist at that place.

8.6 Based on section 125.002(e) of the Texas Civil Practice & Remedies Code, if the judgment is in favor of the State of Texas, the court shall grant an injunction ordering Defendants to abate the nuisance and be enjoined from maintaining or participating in, the common nuisance existing on the property. The court may include in its order reasonable requirements to prevent the use or maintenance of the place as a nuisance.

8.7 Because the State of Texas brings this action *in rem*, the judgment shall be a judgment *in rem* against the property as well as against the Defendants, according to Section 125.002(b) and (e) of the Texas Civil Practice & Remedies Code.

8.8 Pursuant to section 125.003(a) of the Texas Civil Practice & Remedies Code, should any condition of the bond or any injunctive order by this court be violated, suit upon the bond in the name of the State of Texas should be allowed; and upon a showing of a violation of any condition of the bond or injunctive order, the whole sum of the bond should be ordered forfeited to Harris County, Texas, the originating entity. The place where the nuisance exists should be ordered closed for one year from the date of the order of bond forfeiture.

8.9 In accordance with Section 125.002(d) of Texas Civil Practice and Remedies Code, for a common nuisance and a person who violates a temporary or permanent injunctive order is subject to the following sentences for civil contempt:

- a. fine of not less than \$1,000 or more than \$10,000,
- b. confinement in jail for a term of not less than 10 or more than 30 days,
- c. both a fine and confinement.

8.10 In accordance with Section 125.045(b) of the Texas Civil Practice and Remedies Code Annotated, if a defendant violates the temporary or permanent injunction, the court may order a political subdivision to:

- a. discontinue the furnishing of utility services to the place at which the nuisance exists;
- b. prohibit the furnishing of utility service to the place by any public utility holding a franchise to use the streets and alleys of the political subdivision;
- c. revoke the certificate of occupancy of the place;
- d. prohibit the use of city streets, alleys, and other public ways for access to the place during the existence of the nuisance or in furtherance of the nuisance;
- e. limit the hours of operation of the place, to the extent that the hours of operation are not otherwise specified by law;
- f. order a landlord to terminate a tenant's lease if:

- i. the landlord and the tenant are parties to the suit, and
- ii. the tenant has violated a condition of the injunctive order; or
- g. order any other legal remedy available under the laws of the state.
- h. Any other legal remedy available under the laws of the State.

IX. REQUEST FOR A PERMANENT INJUNCTION

9.1 Plaintiff incorporates and adopts by reference the allegations contained in each and every preceding paragraph.

9.2 As alleged above, Defendants knowingly maintain a place to which persons habitually go and engage in illegal gambling. As such, the property constitutes a common nuisance under section 125.0015 of the Texas Civil Practice & Remedies Code.

9.3 Defendants have failed or refused to abate the nuisance. Defendants are likely to continue to maintain and use, and be party to the maintenance and use of Karaoke Green Grass Game Room and Lucky Charm Game Room as a common nuisance unless restrained by an injunctive order of this Court.

9.4 Unless Defendants are enjoined from maintaining and using Karaoke Green Grass Game Room and Lucky Charm Game Room as common nuisances, irreparable harm will be suffered by the citizens of Houston and Harris County, Texas. The State of Texas has no other adequate remedy at law to prevent the continued maintenance and use of the property as a common nuisance.

9.5 The consequences of the above-described unlawful activities at Karaoke Green Grass Game Room and Lucky Charm Game Room as well as, the foreseeable resulting criminal activity associated with these acts, would proximately cause a person of ordinary sensibilities to

be substantially frightened, discomforted, annoyed and inconvenienced in the use of any premises surrounding Karaoke Green Grass Game Room.

9.6 Based on Section 125.002(e) of the Texas Civil Practice & Remedies Code, if the judgment is in favor of the plaintiff, the court must order that Karaoke Green Grass Game Room and Lucky Charm Game Room be closed for one year after the date of the judgment.

9.7 Because the State of Texas brings this action *in rem*, the judgment shall be a judgment *in rem* against the property as well as against the Defendants.

9.8 Based on the foregoing, the State of Texas requests that Karaoke Green Grass Game Room and Lucky Charm Game Room be permanently enjoined from being operated and maintained as illegal gambling dens.

X. REQUEST FOR DISCLOSURE

10.1 In accordance with Rule 194 of the Texas Rules of Civil Procedure, Harris County, Texas requests that each Defendant disclose within fifty (50) days of service of this Petition, the information described in Rule 194.2.

XI. RULE 47 CLAIM FOR RELIEF

11.1 Pursuant to Rule 47 of the Texas Rules of Civil Procedure, Plaintiff seeks monetary relief over \$1,000,000 and a demand for judgment for all other relief to which Plaintiff deems itself entitled.

XII. ATTORNEY'S FEES

12.1 It was necessary to secure the services of an assistant Harris County Attorney, to litigate this cause of action to enjoin and abate the common nuisance being maintained on the property. Based on Sections 125.003(b) and 125.068 of the Texas Civil Practice & Remedies

Code, Plaintiff requests the Defendants be ordered to pay reasonable attorney's fees and costs, including investigative costs, witness fees, court costs and deposition fees.

XIII. VERIFICATION

13.1 Pursuant to Section 125.002 of the Texas Civil Practice and Remedies Code, the Plaintiff is not required to verify the allegations set forth in this petition, nor show any proof of personal injury by the acts complained herein.

XIV. PRAYER

For these reasons, the State of Texas and Harris County, Texas respectfully requests that the Court 1) grant its request for a temporary injunction, 2) grant its request for a permanent injunction and issue a judgment *in rem* against the real property located at 9480 Long Point Road, Houston, Texas 77055, closing it for one year, and 3) award it civil penalties for violations of the Regulations, and 4) award it costs of court, reasonable attorney's fees, investigative costs, witnesses fees, and any other reasonable expenses for which they may be justly entitled.

Respectfully submitted,

VINCE RYAN
Harris County Attorney

/s/ Celena Vinson
CELENA VINSON
Assistant County Attorney
Texas State Bar No. 24037651
ROLF KRUEGER
Assistant County Attorney
Texas State Bar No. 24080990
1019 Congress, 15th Floor
Houston, Texas 77002
Telephone: (713) 274-5181
Facsimile: (713) 755-8924
Celena.Vinson@cao.hctx.net
Attorneys for Plaintiff



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this November 4, 2016

Certified Document Number: 72602807 Total Pages: 15

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com

542-43-0337

IS, WHERE IS AND WITH ALL FAULTS" BASIS. GRANTEE HAS EXAMINED THE PROPERTY AND ALL ASPECTS OF THE CONDITION OF THE PROPERTY CONVEYED HEREBY AND GRANTEE HAS DETERMINED THAT THE PROPERTY IS ACCEPTABLE TO THEM. GRANTEE REPRESENTS THEY HAVE CONDUCTED A CAREFUL INVESTIGATION OF THE PROPERTY, DETERMINED FOR THEMSELVES WITHOUT RELYING ON ANY WARRANTIES OR REPRESENTATIONS OF GRANTOR, THAT THE PROPERTY IS ACCEPTABLE. GRANTOR SPECIFICALLY DISCLAIMS ANY AND ALL WARRANTIES AND REPRESENTATIONS, EXPRESS OR IMPLIED, AS TO THE CONDITION OF THE PROPERTY, ITS QUALITY, CHARACTER, SIZE, DESCRIPTION, SUITABILITY OR FITNESS FOR ANY USE OR PURPOSE.

But it is expressly agreed and stipulated that the Vendor's Lien and Superior Title is retained against the above-described Property, and is assigned to Lender as provided above, until the above-described Note and all renewals and/or extensions thereof, together with all interest thereon and all other sums that may become due and payable by the terms of said Note and/or the aforesaid Deed of Trust, are fully paid according to their face, tenor, effect and reading, when this Deed shall become absolute.

All ad valorem taxes and assessments for the Property for the year 2001 have been prorated by the parties hereto as of the effective date of this Deed, and Grantee hereby expressly assumes liability for the payment thereof and for subsequent years.

EXECUTED on the date of the taking of the acknowledgment, but effective the 25 day of July, 2001.

SOUKA REALTY, LTD.

By: [Signature]
Dimitri Soulis, its authorized Representative

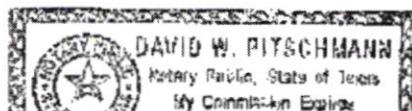
THE STATE OF TEXAS

COUNTY OF HARRIS

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BEFORE ME, the undersigned authority, on this day personally appeared DIMITRI SOULIS, the authorized representative of SOUKA REALTY, LTD. known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL, OF OFFICE, this 25 day of July, 2001.



[Signature]
NOTARY PUBLIC

ACCORDING TO THE MAP OR PLAN THEREOF RECORDED IN VOLUME 14, PAGE 49, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

TRACT TWO:

BEING A 0.1649 ACRE (7,182 SQUARE FEET) TRACT OF LAND IN LOT SEVEN (7), BLOCK SIX (6) OF LONG POINT ACRES, A SUBDIVISION IN THOMAS HOSKINS SURVEY, HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OF SAID SUBDIVISION RECORDED IN VOLUME 14, PAGE 49, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF SAID LOT SIX (6) AND THE WEST LINE OF LOT SEVEN (7), WHICH POINT IS LOCATED SOUTH 00 DEGREES 09 MINUTES 58 SECONDS WEST, A DISTANCE OF 194.83 FEET FROM THE NORTHEAST CORNER OF SAID LOT SIX (6);

THENCE SOUTH 89 DEGREES 50 MINUTES 02 SECONDS EAST, A DISTANCE OF 102.61 FEET TO A POINT;

THENCE SOUTH 00 DEGREES 09 MINUTES 58 SECONDS WEST, ALONG THE WEST LINE RIGHT-OF-WAY LINE OF OLD CEDAR LANE (ABANDONED), A DISTANCE OF 70.00 FEET TO A POINT;

THENCE NORTH 89 DEGREES 50 MINUTES 02 WEST, A DISTANCE OF 102.61 FEET TO A POINT;

THENCE NORTH 00 DEGREES 09 MINUTES 58 SECONDS EAST, ALONG THE COMMON LINE OF SAID LOTS 6 AND 7, A DISTANCE OF 70.00 FEET TO THE PLACE OF BEGINNING.

TRACT THREE:

BEING A 0.1351 ACRE (5,883 SQUARE FEET) TRACT OF LAND BEING A PART OF LOT SEVEN (7), IN BLOCK SIX (6) OF LONG POINT ACRES, A SUBDIVISION IN THOMAS HOSKINS SURVEY, IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 14, PAGE 49, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE COMMON NORTHEASTERLY CORNER OF LOT 6, AND THE NORTHWESTERLY CORNER OF LOT 7;

THENCE NORTH 89 DEGREES 29 MINUTES EAST, 89.58 FEET, ALONG THE NORTH LINE OF SAID LOT SEVEN (7) TO A 5/8 INCH IRON ROD SET FOR CORNER IN THE WESTERLY RIGHT-OF-WAY LINE OF BLALOCK ROAD (100 FEET WIDE), BEING IN A CURVE TO THE LEFT;

THENCE SOUTHERLY FOLLOWING SAID CURVE TO THE LEFT HAVING A RADIUS OF 1196.92 FEET, A DISTANCE OF 82.57 FEET TO A POINT FOR CORNER (CHORD BEARS SOUTH 04 DEGREES 23 MINUTES 44 SECONDS EAST, 82.65 FEET);

THENCE SOUTH 89 DEGREES 01 MINUTES 56 SECONDS WEST, A DISTANCE OF 90.39 FEET TO A POINT FOR CORNER IN THE WEST LINE OF SAID LOT SEVEN (7);

THENCE, NORTH 00 DEGREES 09 MINUTES 58 SECONDS EAST, A DISTANCE OF 52.44 FEET TO THE POINT OF BEGINNING;

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PLAT THEREOF RECORDED IN VOLUME 14, PAGE 49, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE COMMON LINE OF LOTS SIX (6) AND LOT SEVEN (7) OF SAID LONG POINT ACRES, BEING SOUTH 00 DEGREES 09 MINUTES 58 SECONDS WEST, A DISTANCE OF 311.06 FEET FROM THE COMMON NORTHERLY CORNER OF SAID LOTS SIX (6) AND SEVEN (7);

THENCE NORTH 69 DEGREES 35 MINUTES 58 SECONDS EAST, A DISTANCE OF 109.59 FEET TO A POINT IN THE WEST LINE OF OLD CEDAR LANE (ABANDONED);

THENCE SOUTH 00 DEGREES 09 MINUTES 58 SECONDS WEST, ALONG THE WEST LINE OF OLD CEDAR LANE, A DISTANCE OF 111.70 FEET TO A 5/8 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER IN THE NORTHERLY RIGHT-OF-WAY LINE OF LONG POINT ROAD (VARIABLE WIDTH);

THENCE SOUTH 69 DEGREES 35 MINUTES 58 SECONDS WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF LONG POINT ROAD, A DISTANCE OF 109.59 FEET TO THE SOUTHWEST CORNER IN THE COMMON LINE OF SAID LOTS SIX (6) AND SEVEN (7);

THENCE NORTH 00 DEGREES 09 MINUTES 58 SECONDS EAST, ALONG SAID COMMON LINE, A DISTANCE OF 111.70 FEET TO THE POINT OF BEGINNING;

TRACT FIVE:

BEING A TRACT OF LAND IN LOT SEVEN (7), BLOCK SIX (6) OF LONG POINT ACRES, A SUBDIVISION IN THE THOMAS HOSKING SURVEY, IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 14, PAGE 49, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE COMMON LINE OF SAID LOT SIX (6) AND LOT SEVEN (7) WHICH POINT IS LOCATED SOUTH 00 DEGREES 09 MINUTES 58 SECONDS WEST, A DISTANCE OF 264.63 FEET FROM THE NORTHEAST CORNER OF SAID LOT SIX (6);

THENCE SOUTH 89 DEGREES 50 MINUTES 02 SECONDS EAST, A DISTANCE OF 102.61 FEET TO A POINT;

THENCE SOUTH 00 DEGREES 09 MINUTES 58 SECONDS WEST, ALONG THE WEST LINE OF OLD CEDAR LANE, (ABANDONED), A DISTANCE OF 7.93 FEET TO A POINT;

THENCE SOUTH 69 DEGREES 35 MINUTES 58 SECONDS WEST, A DISTANCE OF 109.59 FEET TO A POINT IN THE COMMON LINE OF SAID LOTS SIX (6) AND SEVEN (7);

THENCE NORTH 00 DEGREES 09 MINUTES 58 SECONDS EAST ALONG SAID COMMON LINE, A DISTANCE OF 46.43 FEET TO THE PLACE OF BEGINNING.

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BEGINNING AT A POINT, IN THE COMMON LINE OF LOTS SIX (6) AND SEVEN (7), BEING SOUTH 00 DEGREES 09 MINUTES 58 SECONDS WEST, A DISTANCE OF 324.47 FEET FROM THE COMMON, NORTHERLY CORNER OF SAID LOTS SIX (6) AND SEVEN (7);

THENCE NORTH 89 DEGREES 00 MINUTES 49 SECONDS EAST, A DISTANCE OF 109.84 FEET TO A FOUND 3/4 INCH IRON PIPE FOR CORNER IN THE WESTERLY RIGHT-OF-WAY LINE OF BLALOCK ROAD (100 FEET WIDE), BEING IN A CURVE TO THE LEFT;

THENCE IN A SOUTHERLY DIRECTION ALONG A CURVE TO THE LEFT OF RADIUS 1195.92 FEET, CENTRAL ANGLE 00 DEGREES 28 MINUTES 49 SECONDS, A DISTANCE OF 10.03 FEET TO A POINT FOR CORNER; SAID POINT BEING IN THE WESTERN RIGHT-OF-WAY LINE OF SAID BLALOCK ROAD (CHORD BEARS SOUTH 10 DEGREES 14 MINUTES 00 SECONDS EAST, 10.02 FEET);

THENCE SOUTH 00 DEGREES 09 MINUTES 58 SECONDS WEST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF OLD CEDAR LANE (ABANDONED), A DISTANCE OF 82.32 FEET TO A POINT;

THENCE NORTH 89 DEGREES 50 MINUTES 02 SECONDS WEST, A DISTANCE OF 102.81 FEET TO A POINT FOR CORNER IN SAID COMMON LINE OF LOTS SIX (6) AND SEVEN (7);

THENCE NORTH 00 DEGREES 09 MINUTES 58 SECONDS EAST, A DISTANCE OF 70.16 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

SAVE AND EXCEPT:

FROM SAID TRACTS ONE THROUGH SIX INCLUSIVE, THOSE PORTIONS CONVEYED TO THE CITY OF HOUSTON FOR WIDENING LONG POINT ROAD BY DEED DATED MARCH 2, 1978, FILED FOR RECORD ON MARCH 3, 1978, AS RECORDED IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, UNDER COUNTY CLERK'S FILE NO. F-537291.

JOB #1994-01

542-48-489

FILED
MAY 30 PM 1:12
HARRIS COUNTY
CLERK
HOUSTON TEXAS

REPUBLICAN EXCEPTIONS

Clerk, Texas

JUL 30 2001



Dorely B. Hayward
COUNTY CLERK
HARRIS COUNTY, TEXAS

1. Covenants, conditions and restrictions, as provided in instrument(s) recorded in Volume 1155, Page 376 and Volume 1346, Page 304 of the Deed Records of Harris County, Texas, but deleting any restrictions based on race, color, religion, national origin, sex, familial status or handicap. (As to Tracts I thru 6)
2. A ten (10) foot easement for public utilities, along the North side of all lots (Tract 1 and Tract 2), as set out in instrument recorded in Volume 1346, Page 304, of the Deed Records of Harris County, Texas.
3. A ten (10) foot easement along the North side of all lots (Tract 1 and Tract 3) to Houston Lighting & Power Company along an aerial easement five (5) feet wide on a plane twenty (20) feet above ground located Southeasterly of the ten (10) foot easement all set out in instrument recorded in Volume 7890, Page 454, of the Deed Records of Harris County, Texas.
4. Five (5) foot easement along a portion of the West line of Lot Four (4) and an aerial easement five (5) feet wide and twenty (20) feet above ground to Houston Lighting & Power Company, as set out in instrument recorded in Volume 6444, Page 212, of the Deed Records of Harris County, Texas.
5. An easement five (5) feet wide along the rear property line(s) and an aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward located adjacent thereto for the use of public utilities as shown on map recorded in Volume 14, Page 49 of the Map Records of Harris County, Texas.
6. An easement ten (10) feet wide along the East property line(s) and an aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward located adjacent thereto for the use of public utilities as shown on map recorded in Volume 14, Page 49 of the Map Records of Harris County, Texas.
7. Easement for down guy anchor to extend N 29 deg. 30 min. East, from the North corner of Lot Five (5), Block Two (2), a distance of thirty (30) feet into Reserve One (1), together with an unobstructed aerial easement adjoining thereto five (5) feet wide from a plane twenty (20) feet above the ground upward, as granted to Houston Lighting & Power Company by instrument recorded in Volume 2442, Page 739, of the Deed Records of Harris County, Texas.
8. Subject to right-of-way for purposes of widening a drainage ditch adjacent to and along Long Point Road granted to the County of Harris by document recorded in Volume 2819, Page 314, of the Deed Records of Harris County, Texas.
9. A non-exclusive easement and right-of-way thirty (30) feet wide along the East thirty (30) feet of Reserve One (1), granted to Long Point Utilities Company in Deed recorded in Volume 2798, Page 621, of the Deed Records of Harris County, Texas.
10. A ten (10) foot utility easement for installation of water lines, sanitary sewers, electrical lines and other public utilities, as set forth in document filed for record under Harris County Clerk's File No(s). D-639140.
11. Public Utility Easement ten (10) feet wide along the rear of each lot as set out in Volume 1148, Page 411, of the Deed Records of Harris County, Texas. (As to Tracts I and II)
12. Consent for encroachment by Houston Lighting & Power Company into the ten (10) foot wide utility easement along and adjacent to the Northerly property line of Lots Four (4), Five (5), Six (6) and Seven (7), Block Six (6), filed for record under Harris County Clerk's File No(s). E-697513.
13. Building and Lease Agreement dated September 25, 1968, by and between Randall's Food Market, Inc., lessor and Fleming Companies, Inc., lessee, recorded under Harris County Clerk's File No(s). E-726537.
14. Permission to build over city easement granted by the City of Houston under Harris County Clerk's File No(s). E-728091.
15. A ten (10) foot easement granted to Houston Lighting & Power Company along with an aerial easement by being described by dot-dash under Harris County Clerk's File No(s). H-437268.

52-48-6483



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this November 4, 2016

Certified Document Number: 72602808 Total Pages: 6

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com



2016-76636 / Court: 113

CITY OF HOUSTON

Administration & Regulatory Affairs Department

Sylvester Turner

Mayor

Tina Paez
Director
Administration & Regulatory Affairs Department
P.O. Box 1561
Houston, Texas 77251-1561

T 832-394-8803
F 833-394-9641
www.houstontx.gov

August 26, 2016

Yolanda Rosario
Lucky Charm Video Game
1338 Beaufort Sea Dr.
Houston, TX. 77067

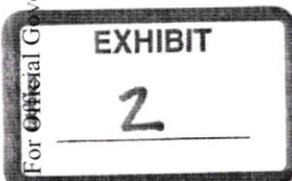
Re: Revocation of Harris County Game Room Permit No. 243605 and City of Houston Game Room Permit No. 243605

Lucky Charm Video Game
9456 Long Point

The permit for a Harris County and City of Houston Game Room Permit for the above-referenced location has been revoked as of August 26, 2016, in accordance with section 2.2(e) of the Harris County Game Room Regulation. The location's permit was revoked for the following reason(s):

- Applicant, Owner, or Operator was convicted of any of the following crimes:
Any Gambling violation as described in Chapter 47 of the Texas Penal Code
Violation of either Chapter 32 or 34 of the Texas Penal Code
Violation of Chapter 352, Subchapter B, Texas Local Government Code and less than two years have elapsed since the later date of conviction or confinement for a misdemeanor or less than five years have elapsed since the later date of conviction or confinement for a felony.
The permitted Game Room or a Game Room at the same location has been involved in an investigation and a search warrant executed for illegal gambling
False, fraudulent, or untruthful information on the original or renewal application
Game room permit should not have been issued

For Official Governmental Use Only - Do Not Disseminate to the Public: 72602809 - Page 1 of 3



Stardig Jerry Davis Ellen R. Cohen Dwight A. Boykins Dave Martin Steve Le Greg Travis Karla Cisneros
er Larry V Green Mike Knox David W. Robinson Michael Kubosh Amanda Edwards Jack Christie

- Owner or Operator failed to make corrections ordered by Houston Police Department
- Illegal gambling devices kept, exhibited, operated, displayed or maintained on premises**
 - The permitted Game Room failed to meet and stay in compliance with all requirements of the law applicable to the premises or to any activity conducted on the premises pursuant to Harris County Game Room Regulations, to wit:**

3.3(b) Failure to provide doors that are readily accessible without the use of a key, special knowledge, or effort during business hours or any other hours of operation.

3.4(b) Failure to have a clear and unobstructed view of all machines through at least two windows.

3.4(c) Failure to have transparent and uncovered windows.

3.7(b)(1) Failure to maintain a record for each employee that contains the names, address, date of birth, state identification number or SSN, job function, W-2 or W-4 form, a copy of application for work with the game room, I-9E-Verify Form, and photograph of employee.

3.7 (b)(2) Failure to maintain a daily register that contains the name, date of birth, state identification number or social security number, and job function of each employee present at the establishment that day.

3.7 (b)(3) Failure to maintain a copy of the Harris County and State of Texas tax record forms detailing each machine found on the premises by name of manufacturer, serial number, type of machine, and State of Texas stamp and Harris County Tax Stamp serial number including year of expiration of each tax stamp and entities with ownership.

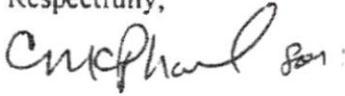
3.7(c) Failure to maintain Daily Register present at game room for past 90 days prior to inspection.

In accordance with Harris County Game Room Regulation 2.3, you have the ability to contest the revocation of the game room license before a hearing examiner appointed by the Harris County Commissioners Court. A written request must be delivered to the Harris County Game Room Permit Administrator within fourteen (14) days of the Notice to Applicant or permit holder. The Hearing officer shall determine whether the proposed game room complies with the requirements of the Section of law for which the application was revoked. Should you have questions about the process, you may call our office at 713-755-4681.

The written request for the hearing should be sent to:

**Ron Hickman, Sheriff of Harris County Texas
Game Room Application Appeals
1200 Baker St.
Houston, Texas 77002**

Respectfully,



Kathryn A. Bruning, Assistant Director
City of Houston
Commercial Permitting & Enforcement Section
Regulatory Services Division



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this November 4, 2016

Certified Document Number: 72602809 Total Pages: 3

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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2016-76636 / Court: 113



CITY OF HOUSTON

Administration & Regulatory Affairs
Department

Sylvester Turner

Mayor

Tina Paez
Director
Administration & Regulatory
Affairs Department
P.O. Box 1561
Houston, Texas 77251-1561

T. 832-394-8803
F. 833-394-9841
www.houstontx.gov

November 1, 2016

Shannol Y. Horne
Karaoke Green Grass Game Room
2006 Sandy Bank Ln.
Pearland, TX. 77581

Re: Revocation of Harris County Game Room Permit No. 236233 and City of Houston Game Room Permit No. 236233

Karaoke Green Grass Game Room
9440 Long Point

The permit for a Harris County and City of Houston Game Room Permit for the above-referenced location has been revoked as of November 1, 2016, in accordance with section 2.2(e) of the Harris County Game Room Regulation. The location's permit was revoked for the following reason(s):

- Applicant, Owner, or Operator was convicted of any of the following crimes:
 - Any Gambling violation as described in Chapter 47 of the Texas Penal Code
 - Violation of either Chapter 32 or 34 of the Texas Penal Code
 - Violation of Chapter 352, Subchapter B, Texas Local Government Code and less than two years have elapsed since the later date of conviction or confinement for a misdemeanor or less than five years have elapsed since the later date of conviction or confinement for a felony.
- The permitted Game Room or a Game Room at the same location has been involved in an investigation and a search warrant executed for illegal gambling
- False, fraudulent, or untruthful information on the original or renewal application
- Game room permit should not have been issued

Governmental Use Only - Do Not Disseminate to the Public: 72602810 - Page 1 of 3



Stardig Jerry Davis Ellen R. Cohen Dwight A. Boykins Dave Martin Steve Le Greg Travis Karla Cisneros
or Larry V. Green Mike Knox David W. Robinson Michael Kubosh Amanda Edwards Jack Christie

- Owner or Operator failed to make corrections ordered by Houston Police Department
- Illegal gambling devices kept, exhibited, operated, displayed or maintained on premises**
 - The permitted Game Room failed to meet and stay in compliance with all requirements of the law applicable to the premises or to any activity conducted on the premises pursuant to Harris County Game Room Regulations, to wit:**

3.2(b) Failure as an owner or operator to mark each outside door to a game room with a sign that states "GAME ROOM" in four inch or larger block lettering.

3.3(b) Failure to provide doors that are readily accessible without the use of a key, special knowledge, or effort during business hours or any other hours of operation.

3.4(b) Failure to have a clear and unobstructed view of all machines through at least two windows.

3.7(b)(1) Failure to maintain a record for each employee that contains the names, address, date of birth, state identification number or SSN, job function, W-2 or W-4 form, a copy of application for work with the game room, I-9E-Verify Form, and photograph of employee.

3.7 (b)(2) Failure to maintain a daily register that contains the name, date of birth, state identification number or social security number, and job function of each employee present at the establishment that day.

3.7 (b)(3) Failure to maintain a copy of the Harris County and State of Texas tax record forms detailing each machine found on the premises by name of manufacturer, serial number, type of machine, and State of Texas stamp and Harris County Tax Stamp serial number including year of expiration of each tax stamp and entities with ownership.

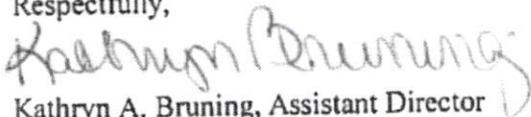
3.7(c) Failure to maintain Daily Register present at game room for past 90 days prior to inspection.

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The written request for the hearing should be sent to:

Ron Hickman, Sheriff of Harris County Texas
Game Room Application Appeals
1200 Baker St.
Houston, Texas 77002

Respectfully,



Kathryn A. Bruning, Assistant Director
City of Houston
Commercial Permitting & Enforcement Section
Regulatory Services Division



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this November 4, 2016

Certified Document Number: 72602810 Total Pages: 3

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS