

1-1 By: Zerwas (Senate Sponsor - Kolthorst) H.B. No. 2091  
1-2 (In the Senate - Received from the House May 4, 2015;  
1-3 May 15, 2015, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 22, 2015, reported favorably by  
1-5 the following vote: Yeas 7, Nays 0; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the creation of the Fulshear Municipal Utility  
1-18 Districts Nos. 4, 5, and 6; granting a limited power of eminent  
1-19 domain; providing authority to issue bonds; providing authority to  
1-20 impose assessments, fees, and taxes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 ARTICLE 1. CREATION OF MUNICIPAL UTILITY DISTRICTS

1-23 SECTION 1.01. Subtitle F, Title 6, Special District Local  
1-24 Laws Code, is amended by adding Chapter 8494 to read as follows:

1-25 CHAPTER 8494. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 4

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 8494.001. DEFINITIONS. In this chapter:

1-28 (1) "Board" means the district's board of directors.

1-29 (2) "Commission" means the Texas Commission on  
1-30 Environmental Quality.

1-31 (3) "Director" means a board member.

1-32 (4) "District" means the Fulshear Municipal Utility  
1-33 District No. 4.

1-34 Sec. 8494.002. NATURE OF DISTRICT. The district is a  
1-35 municipal utility district created under Section 59, Article XVI,  
1-36 Texas Constitution.

1-37 Sec. 8494.003. CONFIRMATION AND DIRECTORS' ELECTION  
1-38 REQUIRED. The temporary directors shall hold an election to  
1-39 confirm the creation of the district and to elect five permanent  
1-40 directors as provided by Section 49.102, Water Code.

1-41 Sec. 8494.004. CONSENT OF MUNICIPALITY REQUIRED. The  
1-42 temporary directors may not hold an election under Section 8494.003  
1-43 until each municipality in whose corporate limits or  
1-44 extraterritorial jurisdiction the district is located has  
1-45 consented by ordinance or resolution to the creation of the  
1-46 district and to the inclusion of land in the district.

1-47 Sec. 8494.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)  
1-48 The district is created to serve a public purpose and benefit.

1-49 (b) The district is created to accomplish the purposes of:

1-50 (1) a municipal utility district as provided by  
1-51 general law and Section 59, Article XVI, Texas Constitution; and

1-52 (2) Section 52, Article III, Texas Constitution, that  
1-53 relate to the construction, acquisition, improvement, operation,  
1-54 or maintenance of macadamized, graveled, or paved roads, or  
1-55 improvements, including storm drainage, in aid of those roads.

1-56 Sec. 8494.006. INITIAL DISTRICT TERRITORY. (a) The  
1-57 district is initially composed of the territory described by  
1-58 Section 2.01 of the Act enacting this chapter.

1-59 (b) The boundaries and field notes contained in Section 2.01  
1-60 of the Act enacting this chapter form a closure. A mistake made in  
1-61 the field notes or in copying the field notes in the legislative

- 2-1 process does not affect the district's:
- 2-2 (1) organization, existence, or validity;
- 2-3 (2) right to issue any type of bond for the purposes
- 2-4 for which the district is created or to pay the principal of and
- 2-5 interest on a bond;
- 2-6 (3) right to impose a tax; or
- 2-7 (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

2-9 Sec. 8494.051. GOVERNING BODY; TERMS. (a) The district is  
 2-10 governed by a board of five elected directors.

2-11 (b) Except as provided by Section 8494.052, directors serve  
 2-12 staggered four-year terms.

2-13 Sec. 8494.052. TEMPORARY DIRECTORS. (a) On or after  
 2-14 September 1, 2015, the owner or owners of a majority of the assessed  
 2-15 value of the real property in the district may submit a petition to  
 2-16 the commission requesting that the commission appoint as temporary  
 2-17 directors the five persons named in the petition. The commission  
 2-18 shall appoint as temporary directors the five persons named in the  
 2-19 petition.

2-20 (b) Temporary directors serve until the earlier of the date  
 2-21 permanent directors are elected under Section 8494.003 or September  
 2-22 1, 2019.

2-23 (c) If permanent directors have not been elected under  
 2-24 Section 8494.003 and the terms of the temporary directors have  
 2-25 expired, successor temporary directors shall be appointed or  
 2-26 reappointed as provided by Subsection (d) to serve terms that  
 2-27 expire on the earlier of:

2-28 (1) the date permanent directors are elected under  
 2-29 Section 8494.003; or

2-30 (2) the fourth anniversary of the date of the  
 2-31 appointment or reappointment.

2-32 (d) If Subsection (c) applies, the owner or owners of a  
 2-33 majority of the assessed value of the real property in the district  
 2-34 may submit a petition to the commission requesting that the  
 2-35 commission appoint as successor temporary directors the five  
 2-36 persons named in the petition. The commission shall appoint as  
 2-37 successor temporary directors the five persons named in the  
 2-38 petition.

SUBCHAPTER C. POWERS AND DUTIES

2-39 Sec. 8494.101. GENERAL POWERS AND DUTIES. The district has  
 2-40 the powers and duties necessary to accomplish the purposes for  
 2-41 which the district is created.

2-42 Sec. 8494.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-43 DUTIES. The district has the powers and duties provided by the  
 2-44 general law of this state, including Chapters 49 and 54, Water Code,  
 2-45 applicable to municipal utility districts created under Section 59,  
 2-46 Article XVI, Texas Constitution.

2-47 Sec. 8494.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
 2-48 52, Article III, Texas Constitution, the district may design,  
 2-49 acquire, construct, finance, issue bonds for, improve, operate,  
 2-50 maintain, and convey to this state, a county, or a municipality for  
 2-51 operation and maintenance macadamized, graveled, or paved roads, or  
 2-52 improvements, including storm drainage, in aid of those roads.

2-53 Sec. 8494.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
 2-54 project must meet all applicable construction standards, zoning and  
 2-55 subdivision requirements, and regulations of each municipality in  
 2-56 whose corporate limits or extraterritorial jurisdiction the road  
 2-57 project is located.

2-58 (b) If a road project is not located in the corporate limits  
 2-59 or extraterritorial jurisdiction of a municipality, the road  
 2-60 project must meet all applicable construction standards,  
 2-61 subdivision requirements, and regulations of each county in which  
 2-62 the road project is located.

2-63 (c) If the state will maintain and operate the road, the  
 2-64 Texas Transportation Commission must approve the plans and  
 2-65 specifications of the road project.

2-66 Sec. 8494.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
 2-67 OR RESOLUTION. (a) Except as provided by this section, the  
 2-68 district shall comply with all applicable requirements of any  
 2-69

3-1 ordinance or resolution that is adopted under Section 54.016 or  
 3-2 54.0165, Water Code, and that consents to the creation of the  
 3-3 district or to the inclusion of land in the district.

3-4 (b) Section 54.016(f), Water Code, does not apply to the  
 3-5 district.

3-6 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-7 Sec. 8494.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
 3-8 district may issue, without an election, bonds and other  
 3-9 obligations secured by:

3-10 (1) revenue other than ad valorem taxes; or

3-11 (2) contract payments described by Section 8494.153.

3-12 (b) The district must hold an election in the manner  
 3-13 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
 3-14 before the district may impose an ad valorem tax or issue bonds  
 3-15 payable from ad valorem taxes.

3-16 (c) The district may not issue bonds payable from ad valorem  
 3-17 taxes to finance a road project unless the issuance is approved by a  
 3-18 vote of a two-thirds majority of the district voters voting at an  
 3-19 election held for that purpose.

3-20 Sec. 8494.152. OPERATION AND MAINTENANCE TAX. (a) If  
 3-21 authorized at an election held under Section 8494.151, the district  
 3-22 may impose an operation and maintenance tax on taxable property in  
 3-23 the district in accordance with Section 49.107, Water Code.

3-24 (b) The board shall determine the tax rate. The rate may not  
 3-25 exceed the rate approved at the election.

3-26 Sec. 8494.153. CONTRACT TAXES. (a) In accordance with  
 3-27 Section 49.108, Water Code, the district may impose a tax other than  
 3-28 an operation and maintenance tax and use the revenue derived from  
 3-29 the tax to make payments under a contract after the provisions of  
 3-30 the contract have been approved by a majority of the district voters  
 3-31 voting at an election held for that purpose.

3-32 (b) A contract approved by the district voters may contain a  
 3-33 provision stating that the contract may be modified or amended by  
 3-34 the board without further voter approval.

3-35 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-36 Sec. 8494.201. AUTHORITY TO ISSUE BONDS AND OTHER  
 3-37 OBLIGATIONS. The district may issue bonds or other obligations  
 3-38 payable wholly or partly from ad valorem taxes, impact fees,  
 3-39 revenue, contract payments, grants, or other district money, or any  
 3-40 combination of those sources, to pay for any authorized district  
 3-41 purpose.

3-42 Sec. 8494.202. TAXES FOR BONDS. At the time the district  
 3-43 issues bonds payable wholly or partly from ad valorem taxes, the  
 3-44 board shall provide for the annual imposition of a continuing  
 3-45 direct ad valorem tax, without limit as to rate or amount, while all  
 3-46 or part of the bonds are outstanding as required and in the manner  
 3-47 provided by Sections 54.601 and 54.602, Water Code.

3-48 Sec. 8494.203. BONDS FOR ROAD PROJECTS. At the time of  
 3-49 issuance, the total principal amount of bonds or other obligations  
 3-50 issued or incurred to finance road projects and payable from ad  
 3-51 valorem taxes may not exceed one-fourth of the assessed value of the  
 3-52 real property in the district.

3-53 SECTION 1.02. Subtitle F, Title 6, Special District Local  
 3-54 Laws Code, is amended by adding Chapter 8495 to read as follows:

3-55 CHAPTER 8495. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 5

3-56 SUBCHAPTER A. GENERAL PROVISIONS

3-57 Sec. 8495.001. DEFINITIONS. In this chapter:

3-58 (1) "Board" means the district's board of directors.

3-59 (2) "Commission" means the Texas Commission on  
 3-60 Environmental Quality.

3-61 (3) "Director" means a board member.

3-62 (4) "District" means the Fulshear Municipal Utility  
 3-63 District No. 5.

3-64 Sec. 8495.002. NATURE OF DISTRICT. The district is a  
 3-65 municipal utility district created under Section 59, Article XVI,  
 3-66 Texas Constitution.

3-67 Sec. 8495.003. CONFIRMATION AND DIRECTORS' ELECTION  
 3-68 REQUIRED. The temporary directors shall hold an election to  
 3-69 confirm the creation of the district and to elect five permanent

4-1 directors as provided by Section 49.102, Water Code.

4-2 Sec. 8495.004. CONSENT OF MUNICIPALITY REQUIRED. The  
 4-3 temporary directors may not hold an election under Section 8495.003  
 4-4 until each municipality in whose corporate limits or  
 4-5 extraterritorial jurisdiction the district is located has  
 4-6 consented by ordinance or resolution to the creation of the  
 4-7 district and to the inclusion of land in the district.

4-8 Sec. 8495.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)  
 4-9 The district is created to serve a public purpose and benefit.

4-10 (b) The district is created to accomplish the purposes of:

4-11 (1) a municipal utility district as provided by  
 4-12 general law and Section 59, Article XVI, Texas Constitution; and

4-13 (2) Section 52, Article III, Texas Constitution, that  
 4-14 relate to the construction, acquisition, improvement, operation,  
 4-15 or maintenance of macadamized, graveled, or paved roads, or  
 4-16 improvements, including storm drainage, in aid of those roads.

4-17 Sec. 8495.006. INITIAL DISTRICT TERRITORY. (a) The  
 4-18 district is initially composed of the territory described by  
 4-19 Section 2.02 of the Act enacting this chapter.

4-20 (b) The boundaries and field notes contained in Section 2.02  
 4-21 of the Act enacting this chapter form a closure. A mistake made in  
 4-22 the field notes or in copying the field notes in the legislative  
 4-23 process does not affect the district's:

4-24 (1) organization, existence, or validity;

4-25 (2) right to issue any type of bond for the purposes  
 4-26 for which the district is created or to pay the principal of and  
 4-27 interest on a bond;

4-28 (3) right to impose a tax; or

4-29 (4) legality or operation.

4-30 Sec. 8495.007. ANNEXATION BY MUNICIPALITY. (a)  
 4-31 Notwithstanding any other law, if all of the territory of the  
 4-32 district is annexed by a municipality into the corporate limits of  
 4-33 that municipality before the date of the election under Section  
 4-34 8495.003, the district may not be dissolved and shall continue  
 4-35 until the district is dissolved under Section 43.074, Local  
 4-36 Government Code.

4-37 (b) Section 54.016(f), Water Code, does not apply to the  
 4-38 district.

#### 4-39 SUBCHAPTER B. BOARD OF DIRECTORS

4-40 Sec. 8495.051. GOVERNING BODY; TERMS. (a) The district is  
 4-41 governed by a board of five elected directors.

4-42 (b) Except as provided by Section 8495.052, directors serve  
 4-43 staggered four-year terms.

4-44 Sec. 8495.052. TEMPORARY DIRECTORS. (a) On or after  
 4-45 September 1, 2015, the owner or owners of a majority of the assessed  
 4-46 value of the real property in the district may submit a petition to  
 4-47 the commission requesting that the commission appoint as temporary  
 4-48 directors the five persons named in the petition. The commission  
 4-49 shall appoint as temporary directors the five persons named in the  
 4-50 petition.

4-51 (b) Temporary directors serve until the earlier of:

4-52 (1) the date permanent directors are elected under  
 4-53 Section 8495.003; or

4-54 (2) September 1, 2019.

4-55 (c) If permanent directors have not been elected under  
 4-56 Section 8495.003 and the terms of the temporary directors have  
 4-57 expired, successor temporary directors shall be appointed or  
 4-58 reappointed as provided by Subsection (d) to serve terms that  
 4-59 expire on the earlier of:

4-60 (1) the date permanent directors are elected under  
 4-61 Section 8495.003; or

4-62 (2) the fourth anniversary of the date of the  
 4-63 appointment or reappointment.

4-64 (d) If Subsection (c) applies, the owner or owners of a  
 4-65 majority of the assessed value of the real property in the district  
 4-66 may submit a petition to the commission requesting that the  
 4-67 commission appoint as successor temporary directors the five  
 4-68 persons named in the petition. The commission shall appoint as  
 4-69 successor temporary directors the five persons named in the

5-1 petition.

5-2 SUBCHAPTER C. POWERS AND DUTIES

5-3 Sec. 8495.101. GENERAL POWERS AND DUTIES. The district has  
5-4 the powers and duties necessary to accomplish the purposes for  
5-5 which the district is created.

5-6 Sec. 8495.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
5-7 DUTIES. The district has the powers and duties provided by the  
5-8 general law of this state, including Chapters 49 and 54, Water Code,  
5-9 applicable to municipal utility districts created under Section 59,  
5-10 Article XVI, Texas Constitution.

5-11 Sec. 8495.103. LEVEE IMPROVEMENT DISTRICT POWERS AND  
5-12 DUTIES. The district has the powers and duties provided by the  
5-13 general law of this state, including Chapter 57, Water Code,  
5-14 applicable to levee improvement districts created under Section 59,  
5-15 Article XVI, Texas Constitution.

5-16 Sec. 8495.104. AUTHORITY FOR ROAD PROJECTS. Under Section  
5-17 52, Article III, Texas Constitution, the district may design,  
5-18 acquire, construct, finance, issue bonds for, improve, operate,  
5-19 maintain, and convey to this state, a county, or a municipality for  
5-20 operation and maintenance macadamized, graveled, or paved roads, or  
5-21 improvements, including storm drainage, in aid of those roads  
5-22 inside or outside the district.

5-23 Sec. 8495.105. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
5-24 project must meet all applicable construction standards, zoning and  
5-25 subdivision requirements, and regulations of each municipality in  
5-26 whose corporate limits or extraterritorial jurisdiction the road  
5-27 project is located.

5-28 (b) If a road project is not located in the corporate limits  
5-29 or extraterritorial jurisdiction of a municipality, the road  
5-30 project must meet all applicable construction standards,  
5-31 subdivision requirements, and regulations of each county in which  
5-32 the road project is located.

5-33 (c) If the state will maintain and operate the road, the  
5-34 Texas Transportation Commission must approve the plans and  
5-35 specifications of the road project.

5-36 Sec. 8495.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
5-37 OR RESOLUTION. The district shall comply with all applicable  
5-38 requirements of any ordinance or resolution that is adopted under  
5-39 Section 54.016 or 54.0165, Water Code, and that consents to the  
5-40 creation of the district or to the inclusion of land in the  
5-41 district.

5-42 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

5-43 Sec. 8495.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
5-44 district may issue, without an election, bonds and other  
5-45 obligations secured by:

- 5-46 (1) revenue other than ad valorem taxes; or  
5-47 (2) contract payments described by Section 8495.153.

5-48 (b) The district must hold an election in the manner  
5-49 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
5-50 before the district may impose an ad valorem tax or issue bonds  
5-51 payable from ad valorem taxes.

5-52 (c) The district may not issue bonds payable from ad valorem  
5-53 taxes to finance a road project unless the issuance is approved by a  
5-54 vote of a two-thirds majority of the district voters voting at an  
5-55 election held for that purpose.

5-56 Sec. 8495.152. OPERATION AND MAINTENANCE TAX. (a) If  
5-57 authorized at an election held under Section 8495.151, the district  
5-58 may impose an operation and maintenance tax on taxable property in  
5-59 the district in accordance with Section 49.107, Water Code.

5-60 (b) The board shall determine the tax rate. The rate may not  
5-61 exceed the rate approved at the election.

5-62 Sec. 8495.153. CONTRACT TAXES. (a) In accordance with  
5-63 Section 49.108, Water Code, the district may impose a tax other than  
5-64 an operation and maintenance tax and use the revenue derived from  
5-65 the tax to make payments under a contract after the provisions of  
5-66 the contract have been approved by a majority of the district voters  
5-67 voting at an election held for that purpose.

5-68 (b) A contract approved by the district voters may contain a  
5-69 provision stating that the contract may be modified or amended by

6-1 the board without further voter approval.

6-2 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

6-3 Sec. 8495.201. AUTHORITY TO ISSUE BONDS AND OTHER  
 6-4 OBLIGATIONS. The district may issue bonds or other obligations  
 6-5 payable wholly or partly from ad valorem taxes, impact fees,  
 6-6 revenue, contract payments, grants, or other district money, or any  
 6-7 combination of those sources, to pay for any authorized district  
 6-8 purpose.

6-9 Sec. 8495.202. TAXES FOR BONDS. At the time the district  
 6-10 issues bonds payable wholly or partly from ad valorem taxes, the  
 6-11 board shall provide for the annual imposition of a continuing  
 6-12 direct ad valorem tax, without limit as to rate or amount, while all  
 6-13 or part of the bonds are outstanding as required and in the manner  
 6-14 provided by Sections 54.601 and 54.602, Water Code.

6-15 Sec. 8495.203. BONDS FOR ROAD PROJECTS. At the time of  
 6-16 issuance, the total principal amount of bonds or other obligations  
 6-17 issued or incurred to finance road projects and payable from ad  
 6-18 valorem taxes may not exceed one-fourth of the assessed value of the  
 6-19 real property in the district.

6-20 SECTION 1.03. Subtitle F, Title 6, Special District Local  
 6-21 Laws Code, is amended by adding Chapter 8496 to read as follows:

6-22 CHAPTER 8496. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 6

6-23 SUBCHAPTER A. GENERAL PROVISIONS

6-24 Sec. 8496.001. DEFINITIONS. In this chapter:

- 6-25 (1) "Board" means the district's board of directors.
- 6-26 (2) "Commission" means the Texas Commission on  
 6-27 Environmental Quality.
- 6-28 (3) "Director" means a board member.
- 6-29 (4) "District" means the Fulshear Municipal Utility  
 6-30 District No. 6.

6-31 Sec. 8496.002. NATURE OF DISTRICT. The district is a  
 6-32 municipal utility district created under Section 59, Article XVI,  
 6-33 Texas Constitution.

6-34 Sec. 8496.003. CONFIRMATION AND DIRECTORS' ELECTION  
 6-35 REQUIRED. The temporary directors shall hold an election to  
 6-36 confirm the creation of the district and to elect five permanent  
 6-37 directors as provided by Section 49.102, Water Code.

6-38 Sec. 8496.004. CONSENT OF MUNICIPALITY AND DEVELOPMENT  
 6-39 AGREEMENT REQUIRED. The temporary directors may not hold an  
 6-40 election under Section 8496.003 until each municipality in whose  
 6-41 corporate limits or extraterritorial jurisdiction the district is  
 6-42 located has:

- 6-43 (1) consented by ordinance or resolution to the  
 6-44 creation of the district and to the inclusion of land in the  
 6-45 district; and
- 6-46 (2) entered into a development agreement under Section  
 6-47 212.172, Local Government Code, with the owners of the land  
 6-48 described by Section 2.03 of the Act enacting this chapter.

6-49 Sec. 8496.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)  
 6-50 The district is created to serve a public purpose and benefit.

- 6-51 (b) The district is created to accomplish the purposes of:
- 6-52 (1) a municipal utility district as provided by  
 6-53 general law and Section 59, Article XVI, Texas Constitution; and
- 6-54 (2) Section 52, Article III, Texas Constitution, that  
 6-55 relate to the construction, acquisition, improvement, operation,  
 6-56 or maintenance of macadamized, graveled, or paved roads, or  
 6-57 improvements, including storm drainage, in aid of those roads.

6-58 Sec. 8496.006. INITIAL DISTRICT TERRITORY. (a) The  
 6-59 district is initially composed of the territory described by  
 6-60 Section 2.03 of the Act enacting this chapter.

- 6-61 (b) The boundaries and field notes contained in Section 2.03  
 6-62 of the Act enacting this chapter form a closure. A mistake made in  
 6-63 the field notes or in copying the field notes in the legislative  
 6-64 process does not affect the district's:

- 6-65 (1) organization, existence, or validity;
- 6-66 (2) right to issue any type of bond for the purposes  
 6-67 for which the district is created or to pay the principal of and  
 6-68 interest on a bond;
- 6-69 (3) right to impose a tax; or

7-1 (4) legality or operation.

7-2 Sec. 8496.007. ANNEXATION BY MUNICIPALITY. (a)  
 7-3 Notwithstanding any other law, if all of the territory of the  
 7-4 district is annexed by a municipality into the corporate limits of  
 7-5 that municipality before the date of the election under Section  
 7-6 8496.003, the district may not be dissolved and shall continue  
 7-7 until the district is dissolved under Section 43.074, Local  
 7-8 Government Code.

7-9 (b) Section 54.016(f), Water Code, does not apply to the  
 7-10 district.

#### 7-11 SUBCHAPTER B. BOARD OF DIRECTORS

7-12 Sec. 8496.051. GOVERNING BODY; TERMS. (a) The district is  
 7-13 governed by a board of five elected directors.

7-14 (b) Except as provided by Section 8496.052, directors serve  
 7-15 staggered four-year terms.

7-16 Sec. 8496.052. TEMPORARY DIRECTORS. (a) On or after  
 7-17 September 1, 2015, the owner or owners of a majority of the assessed  
 7-18 value of the real property in the district may submit a petition to  
 7-19 the commission requesting that the commission appoint as temporary  
 7-20 directors the five persons named in the petition. The commission  
 7-21 shall appoint as temporary directors the five persons named in the  
 7-22 petition.

7-23 (b) Temporary directors serve until the earlier of:

7-24 (1) the date permanent directors are elected under  
 7-25 Section 8496.003; or

7-26 (2) September 1, 2019.

7-27 (c) If permanent directors have not been elected under  
 7-28 Section 8496.003 and the terms of the temporary directors have  
 7-29 expired, successor temporary directors shall be appointed or  
 7-30 reappointed as provided by Subsection (d) to serve terms that  
 7-31 expire on the earlier of:

7-32 (1) the date permanent directors are elected under  
 7-33 Section 8496.003; or

7-34 (2) the fourth anniversary of the date of the  
 7-35 appointment or reappointment.

7-36 (d) If Subsection (c) applies, the owner or owners of a  
 7-37 majority of the assessed value of the real property in the district  
 7-38 may submit a petition to the commission requesting that the  
 7-39 commission appoint as successor temporary directors the five  
 7-40 persons named in the petition. The commission shall appoint as  
 7-41 successor temporary directors the five persons named in the  
 7-42 petition.

#### 7-43 SUBCHAPTER C. POWERS AND DUTIES

7-44 Sec. 8496.101. GENERAL POWERS AND DUTIES. The district has  
 7-45 the powers and duties necessary to accomplish the purposes for  
 7-46 which the district is created.

7-47 Sec. 8496.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
 7-48 DUTIES. The district has the powers and duties provided by the  
 7-49 general law of this state, including Chapters 49 and 54, Water Code,  
 7-50 applicable to municipal utility districts created under Section 59,  
 7-51 Article XVI, Texas Constitution.

7-52 Sec. 8496.103. LEVEE IMPROVEMENT DISTRICT POWERS AND  
 7-53 DUTIES. The district has the powers and duties provided by the  
 7-54 general law of this state, including Chapter 57, Water Code,  
 7-55 applicable to levee improvement districts created under Section 59,  
 7-56 Article XVI, Texas Constitution.

7-57 Sec. 8496.104. AUTHORITY FOR ROAD PROJECTS. Under Section  
 7-58 52, Article III, Texas Constitution, the district may design,  
 7-59 acquire, construct, finance, issue bonds for, improve, operate,  
 7-60 maintain, and convey to this state, a county, or a municipality for  
 7-61 operation and maintenance macadamized, graveled, or paved roads, or  
 7-62 improvements, including storm drainage, in aid of those roads  
 7-63 inside or outside the district.

7-64 Sec. 8496.105. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
 7-65 project must meet all applicable construction standards, zoning and  
 7-66 subdivision requirements, and regulations of each municipality in  
 7-67 whose corporate limits or extraterritorial jurisdiction the road  
 7-68 project is located.

7-69 (b) If a road project is not located in the corporate limits

8-1 or extraterritorial jurisdiction of a municipality, the road  
 8-2 project must meet all applicable construction standards,  
 8-3 subdivision requirements, and regulations of each county in which  
 8-4 the road project is located.

8-5 (c) If the state will maintain and operate the road, the  
 8-6 Texas Transportation Commission must approve the plans and  
 8-7 specifications of the road project.

8-8 Sec. 8496.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
 8-9 OR RESOLUTION. The district shall comply with all applicable  
 8-10 requirements of any ordinance or resolution that is adopted under  
 8-11 Section 54.016 or 54.0165, Water Code, and that consents to the  
 8-12 creation of the district or to the inclusion of land in the  
 8-13 district.

8-14 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

8-15 Sec. 8496.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
 8-16 district may issue, without an election, bonds and other  
 8-17 obligations secured by:

8-18 (1) revenue other than ad valorem taxes; or  
 8-19 (2) contract payments described by Section 8496.153.

8-20 (b) The district must hold an election in the manner  
 8-21 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
 8-22 before the district may impose an ad valorem tax or issue bonds  
 8-23 payable from ad valorem taxes.

8-24 (c) The district may not issue bonds payable from ad valorem  
 8-25 taxes to finance a road project unless the issuance is approved by a  
 8-26 vote of a two-thirds majority of the district voters voting at an  
 8-27 election held for that purpose.

8-28 Sec. 8496.152. OPERATION AND MAINTENANCE TAX. (a) If  
 8-29 authorized at an election held under Section 8496.151, the district  
 8-30 may impose an operation and maintenance tax on taxable property in  
 8-31 the district in accordance with Section 49.107, Water Code.

8-32 (b) The board shall determine the tax rate. The rate may not  
 8-33 exceed the rate approved at the election.

8-34 Sec. 8496.153. CONTRACT TAXES. (a) In accordance with  
 8-35 Section 49.108, Water Code, the district may impose a tax other than  
 8-36 an operation and maintenance tax and use the revenue derived from  
 8-37 the tax to make payments under a contract after the provisions of  
 8-38 the contract have been approved by a majority of the district voters  
 8-39 voting at an election held for that purpose.

8-40 (b) A contract approved by the district voters may contain a  
 8-41 provision stating that the contract may be modified or amended by  
 8-42 the board without further voter approval.

8-43 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

8-44 Sec. 8496.201. AUTHORITY TO ISSUE BONDS AND OTHER  
 8-45 OBLIGATIONS. The district may issue bonds or other obligations  
 8-46 payable wholly or partly from ad valorem taxes, impact fees,  
 8-47 revenue, contract payments, grants, or other district money, or any  
 8-48 combination of those sources, to pay for any authorized district  
 8-49 purpose.

8-50 Sec. 8496.202. TAXES FOR BONDS. At the time the district  
 8-51 issues bonds payable wholly or partly from ad valorem taxes, the  
 8-52 board shall provide for the annual imposition of a continuing  
 8-53 direct ad valorem tax, without limit as to rate or amount, while all  
 8-54 or part of the bonds are outstanding as required and in the manner  
 8-55 provided by Sections 54.601 and 54.602, Water Code.

8-56 Sec. 8496.203. BONDS FOR ROAD PROJECTS. At the time of  
 8-57 issuance, the total principal amount of bonds or other obligations  
 8-58 issued or incurred to finance road projects and payable from ad  
 8-59 valorem taxes may not exceed one-fourth of the assessed value of the  
 8-60 real property in the district.

8-61 ARTICLE 2. METES AND BOUNDS

8-62 SECTION 2.01. FULSHEAR MUNICIPAL UTILITY DISTRICT NO.  
 8-63 4. The Fulshear Municipal Utility District No. 4 initially  
 8-64 includes all the territory contained in the following area:

8-65 A Field Note Description of 227.024 Acres of Land, being the  
 8-66 same call 227.08 Acre Tract of Land (Volume 1376, Page 598; Deed  
 8-67 Records of Fort Bend County, Texas), and being out of the original  
 8-68 W.J. Walker, Jr. call 318.91 Acre Tract in the David Randon & I.  
 8-69 Pennington League, Abstract No. 75, Fort Bend County, Texas.



9-1 For Connection Begin at the Northeast corner of said David  
9-2 Randon & I. Pennington League, Abstract No. 75; THENCE, Call South  
9-3 00deg.22'30" West, 2653.0 feet to a 5/8 inch capped iron rod stamped  
9-4 "1535-4035" set marking the Northeast corner of and place of  
9-5 beginning for this tract;  
9-6 THENCE, South 00deg.17'17" East, along a wire fence line,  
9-7 2420.0 feet to a 1 inch iron pipe found marking the Southeast corner  
9-8 of this tract;  
9-9 THENCE, North 89deg.59'30" West, along the North line of the  
9-10 ELLIS CATTLE COMPANY DIVISION (an unrecorded subdivision), at 297.6  
9-11 feet pass a Seaway Pipeline (Enterprise), at 305.4 feet pass  
9-12 another Seaway Pipeline (Enterprise), at 330.1 feet pass the Exxon  
9-13 Pipeline, continuing along a fence line, at 3754.49 feet pass the  
9-14 Phillips Pipeline, at 3860.19 feet pass a 1 inch iron pipe found in  
9-15 the East right-of-way line of Bois D' Arc Lane (width varies), in  
9-16 all 3888.0 feet to a point in the center of said Bois D' Arc Lane  
9-17 marking the Southwest corner of this tract; said point also marks  
9-18 the Northwest corner of the Pamela Carr call 7.036 Acre Tractc (FBC  
9-19 2006054222)  
9-20 THENCE, North 00drg.40'36" East, 2580.18 feet along a line is  
9-21 said Bois D' Arc Lane to a point marking the Northwest corner of  
9-22 this tract;  
9-23 THENCE, South 89deg.59'38" East, at 30.26 feet pass a 1 inch  
9-24 iron pipe found in the East right-of-way line of said Bois D'Arc  
9-25 Lane, then along the South line of BOIS D'ARC ESTATE ACRES (an  
9-26 unrecorded subdivision), in all 2769.04 feet to a 1 inch iron pipe  
9-27 found marking an angle point;  
9-28 THENCE, South 81deg.31'45" East, passing said Exxon Pipeline  
9-29 and two Seaway Pipelines (Enterprise), 1088.2 feet to the place of  
9-30 beginning and containing 227.024 Acres of Land, including 1.720  
9-31 Acres in Bois d' Arc Lane, leaving a net of 225.304, Acres.  
9-32 SECTION 2.02. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 5.  
9-33 The Fulshear Municipal Utility District No. 5 initially includes  
9-34 all the territory contained in the following area:  
9-35 A FIELD NOTE DESCRIPTION of a 636.76 acre tract of land in the  
9-36 D. Randon & I. Pennington Survey, Abstract No. 75, and in the  
9-37 Churchill Fulshear Survey, Abstract No. 29, Fort Bend County,  
9-38 Texas; said 636.76 acre tract being that same called 635.1725 acre  
9-39 tract of land conveyed to Highland Management, Inc., as recorded in  
9-40 Volume 1438, Page 632 of the Fort Bend County Deed Records; said  
9-41 tract being more particularly described by metes-and-bounds as  
9-42 follows with the bearings being based on Texas State Plane  
9-43 Coordinate System, South Central Zone (NAD83) per GPS Observations  
9-44 using National Geodetic Survey Continuously Operating Reference  
9-45 Stations:  
9-46 COMMENCING FOR REFERENCE at a fence post found for the  
9-47 northeast corner of a called 514.321 acre tract conveyed to said  
9-48 Highland Management, Inc., as recorded in Volume 801, Page 410 of  
9-49 the Fort Bend County Deed Records;  
9-50 THENCE, South 88° 42' 45" West - 40.00 feet with the north line  
9-51 of said 514.321 acre tract to a fence post broken off at ground  
9-52 level found for the southeast corner of a 200.013 acre tract of land  
9-53 conveyed to Highland Management, Inc., as recorded in Volume 1089,  
9-54 Page 165 of the Fort Bend County Deed Records;  
9-55 THENCE, North 01° 12' 55" West - 1,244.75 feet with the west  
9-56 right-of-way line of Montgomery Road and with the east line of said  
9-57 200.013 acre tract to a 5/8-inch iron rod with cap stamped  
9-58 "T.E.A.M." set for an angle point;  
9-59 THENCE, North 04° 04' 05" West - 116.45 feet with the west  
9-60 right-of-way line of Montgomery Road and with the east line of said  
9-61 200.013 acre tract to a TXDOT monument disk found corner;  
9-62 THENCE, South 87° 26' 43" West - 48.23 feet with the south line  
9-63 of a tract of land conveyed to the County of Fort Bend, as recorded  
9-64 in Volume 2205, Page 1910 of the Fort Bend County Deed Records to a  
9-65 5/8- inch iron rod with cap stamped "T.E.A.M." set for corner;  
9-66 THENCE, North 02° 33' 17" West with the west line of said  
9-67 County of Fort Bend tract, at a distance of 213.19 feet pass a  
9-68 5/8-inch iron rod with cap stamped "T.E.A.M." set and continuing  
9-69 for a total distance of 414.35 feet to a point for a south corner and

10-1 POINT OF BEGINNING of this tract;  
10-2 THENCE the following courses and distances with the north  
10-3 line of Cottonwood Slough:  
10-4 1.) North 32° 21' 49" West - 134.59 feet to a 5/8-inch iron  
10-5 rod with cap stamped "T.E.A.M." set;  
10-6 2.) In a northwesterly direction with a curve to the left  
10-7 having a radius of 175.00 feet, a central angel of 44° 24' 58", a  
10-8 length of 135.66 feet, and a chord bearing North 54° 52' 13" West -  
10-9 132.29 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;  
10-10 3.) North 32° 39' 45" West - 177.53 feet to a 1-1/4-inch iron  
10-11 pipe found;  
10-12 THENCE the flowing courses and distances with a line parallel  
10-13 to and approximately 200 feet north of the centerline of an existing  
10-14 canal:  
10-15 1.) In a southwesterly direction with a curve to the left  
10-16 having a radius of 325.00 feet, a central angel of 38° 59' 02", a  
10-17 length of 221.13 feet, and a chord bearing South 60° 28' 27" West -  
10-18 216.89 feet to a 1-1/4- inch iron pipe found;  
10-19 2.) South 41° 01' 32" West - 1,644.35 feet to a 1-1/4-inch  
10-20 iron pipe found;  
10-21 3.) In a westerly direction with a curve to the right having  
10-22 a radius of 516.80 feet, a central angel of 61° 36' 54", a length of  
10-23 555.76 feet, and a chord bearing South 71° 50' 37" West -529.36 feet  
10-24 to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;  
10-25 4.) North 77° 20' 57" West - 288.00 feet to a 5/8-inch iron  
10-26 rod with cap stamped "T.E.A.M." set;  
10-27 5.) In a northwesterly direction with a curve to the right  
10-28 having a radius of 771.50 feet, a central angel of 21° 11' 00", a  
10-29 length of 285.24 feet, and a chord bearing North 66° 45' 27" West -  
10-30 283.62 feet to a 1- 1/4-inch iron pipe found;  
10-31 6.) North 56° 09' 57" West - 1,498.21 feet to a 1-1/4-inch  
10-32 iron pipe found;  
10-33 7.) In a northwesterly direction with a curve to the left  
10-34 having a radius of 816.50 feet, a central angel of 13° 11' 30", a  
10-35 length of 187.99 feet, and a chord bearing North 62° 35' 06" West -  
10-36 187.57 feet to a 1-1/4- inch iron pipe found;  
10-37 8.) North 69° 18' 32" West - 368.65 feet to a 1/2-inch iron  
10-38 pipe found;  
10-39 9.) North 72° 04' 49" West - 1,006.13 feet to a 5/8-inch iron  
10-40 rod with cap stamped "T.E.A.M." set to replace a disturbed  
10-41 1-1/4-inch iron pipe found for a southwest corner of this tract;  
10-42 THENCE, North 01° 00' 37" West - 417.97 feet with the east line  
10-43 of Gulf Coast Water Authority Pumping Station, as recorded in  
10-44 Volume 138, Page 170 and Volume 121, Page 301 of the Fort Bend  
10-45 County Deed Records to a 3/4-inch iron pipe found for an interior  
10-46 corner of this tract;  
10-47 THENCE, North 82° 42' 48" West -447.90 feet with the north  
10-48 line of said Gulf Coast Water Authority Pumping Station to a  
10-49 3/4-inch iron pipe found for an angle point of this tract;  
10-50 THENCE, North 78° 57' 13" West with the north line of said Gulf  
10-51 Coast Water Authority Pumping Station, at a distance of 485.02 feet  
10-52 pass a 5/8-inch iron rod with cap stamped "T.E.A.M." set and  
10-53 continuing for a total distance of 585.02 feet to a point for a west  
10-54 corner of this tract;  
10-55 THENCE, North 73° 20' 40" East -477.14 feet with the south  
10-56 line of a tract of land conveyed to Transcontinental Gas Pipeline  
10-57 Corporation, as recorded in Volume 272, Page 532 of the Fort Bend  
10-58 County Deed Records, at a distance of 100 feet pass a 5/8-inch iron  
10-59 rod with cap stamped "T.E.A.M." set and continuing for a total  
10-60 distance of 477.14 feet to a 1/2-inch iron pipe found for an  
10-61 interior corner of this tract;  
10-62 THENCE, North 16° 39' 20" West - 150.00 feet with the east line  
10-63 of said Transcontinental Gas Pipeline Corporation tract to a  
10-64 5/8-inch iron rod with cap stamped "T.E.A.M." set for an interior  
10-65 corner of this tract; from which a 1/2-inch iron pipe found bears  
10-66 North 75° 16' 06" East -7.39 feet; also from which a 3/4-inch iron  
10-67 pipe found bears North 75° 06' 23" West - 25.71 feet;  
10-68 THENCE, South 73° 20' 40" West with the north line of said  
10-69 Transcontinental Gas Pipeline Corporation tract, at a distance of

11-1 443.79 feet pass a 5/8-inch iron rod with cap stamped "T.E.A.M." set  
11-2 and continuing for a total distance of 543.79 feet to a point in the  
11-3 lowest bank of the Brazos River at the mature vegetation growth for  
11-4 a southwest corner of this tract;  
11-5 THENCE, the following two courses and distances along the  
11-6 lowest bank of the Brazos River at the mature vegetation growth:  
11-7 1.) North 28° 02' 36" West -416.20 feet to a point;  
11-8 2.) North 22° 27' 03" West - 405.70 feet to a point in the  
11-9 centerline of Fulshear Creek;  
11-10 THENCE, with the centerline of said Fulshear Creek the  
11-11 following twenty four courses and distances:  
11-12 1.) North 05° 49' 46" East - 100.03 feet to a point;  
11-13 2.) North 10° 15' 10" East - 49.43 feet to a point;  
11-14 3.) North 01° 08' 50" West - 153.09 feet to a point;  
11-15 4.) North 17° 00' 01" West - 61.41 feet to a point;  
11-16 5.) North 26° 45' 17" West - 239.18 feet to a point;  
11-17 6.) North 01° 17' 17" East - 113.22 feet to a point;  
11-18 7.) North 24° 32' 42" East - 108.82 feet to a point;  
11-19 8.) North 37° 42' 16" East - 136.42 feet to a point;  
11-20 9.) North 56° 21' 03" East - 94.64 feet to a point;  
11-21 10.) North 75° 04' 37" East - 115.64 feet to a point;  
11-22 11.) North 58° 04' 04" East - 72.09 feet to a point;  
11-23 12.) North 16° 14' 40" East - 41.14 feet to a point;  
11-24 13.) North 06° 12' 56" West - 65.26 feet to a point;  
11-25 14.) North 19° 51' 43" West - 35.03 feet to a point;  
11-26 15.) North 29° 54' 57" West - 25.60 feet to a point;  
11-27 16.) North 17° 09' 05" West - 64.07 feet to a point;  
11-28 17.) North 07° 30' 33" West - 113.18 feet to a point;  
11-29 18.) North 20° 21' 38" West - 145.53 feet to a point;  
11-30 19.) North 23° 57' 03" West - 80.13 feet to a point;  
11-31 20.) North 30° 00' 50" West - 152.00 feet to a point;  
11-32 21.) North 19° 40' 07" West - 45.93 feet to a point;  
11-33 22.) North 02° 27' 59" East - 92.84 feet to a point;  
11-34 23.) North 05° 08' 30" West - 139.91 feet to a point;  
11-35 24.) North 15° 23' 49" East - 67.42 feet to a point for a  
11-36 northwest corner of this tract;  
11-37 THENCE, North 89° 40' 14" East, at a distance of 159.51 feet  
11-38 pass a car axle found and continuing for a total distance of 655.88  
11-39 feet with the south line of a tract of land conveyed to Jeffrey  
11-40 Jacob Schaatt, as recorded in Fort Bend County Clerk's File  
11-41 No. 9440230 to a 5/8-inch iron rod with cap stamped "T.E.A.M." set  
11-42 for an angle point of this tract;  
11-43 THENCE, North 88° 58' 48" East - 633.16 feet with the south  
11-44 line of a 9.44 acre tract, as surveyed by Charlie Kalkomey, RPLS  
11-45 No. 1399, on October 16, 2003, to a flat iron bar found for an  
11-46 interior corner of this tract;  
11-47 THENCE, North 01° 31' 53" West - 451.97 feet with the east line  
11-48 of said 9.44 acre tract to a 5/8-inch iron rod with cap stamped  
11-49 "T.E.A.M." set for a northwest corner of this tract; from which a  
11-50 3/4-inch iron pipe found bears North 68° 23' 31" East - 1.21 feet;  
11-51 THENCE, North 68° 23' 31" East - 669.50 feet with the south  
11-52 line of a 38.27 acre tract conveyed to Dan J. Harrison, Jr., as  
11-53 recorded in Volume 512, Page 107 of the Fort Bend County Deed  
11-54 Records to a 3/4-inch iron pipe found for an angle point of this  
11-55 tract;  
11-56 THENCE, North 69° 32' 30" East - 155.02 feet with the south  
11-57 line of a 18.35 acre tract of land conveyed to Dan J. Harrison, Jr,  
11-58 as recorded in Volume 512, Page 110 of the Fort Bend County Deed  
11-59 Records and with the south line of a 2.83 acre tract of land  
11-60 conveyed to Harrison Interests, Ltd., as recorded in Fort Bend  
11-61 County Clerk's File No. 9669126 to a 3/4-inch iron pipe found for an  
11-62 angle point of this tract;  
11-63 THENCE, North 87° 47' 02" East - 378.33 feet with the south  
11-64 line of said Harrison Interests, Ltd. tract and with the south line  
11-65 of a 1.0 acre tract of land conveyed to Dan J. Harrison III, as  
11-66 recorded in Fort Bend County Clerk's File No. 2007136540 to a  
11-67 1-1/4-inch iron pipe found for a northeast corner of this tract;  
11-68 THENCE, South 01° 35' 13" East with the west line of a tract of  
11-69 land conveyed to Derrick B. Woods and Gloria Kelly, as recorded in

12-1 Fort Bend County Clerk's File No. 2007013056, at a distance of  
12-2 750.90 feet pass a 3/4-inch iron pipe found and continuing for a  
12-3 total distance of 1,478.13 feet with the west line of a tract of  
12-4 land conveyed to Laura Monroe, as recorded in Fort Bend County  
12-5 Clerk's File No. 2002085617 to a 5/8-inch iron rod with cap stamped  
12-6 "T.E.A.M." set for an interior corner of this tract;  
12-7       THENCE, North 88° 15' 42" East with the south line of said  
12-8 Laura Monroe tract, at a distance of 654.48 feet pass a 5/8-inch  
12-9 iron rod with cap stamped "1943 4349" found and continuing for a  
12-10 total distance of 773.44 feet to a 5/8-inch iron rod with cap  
12-11 stamped "1943 4349" found for a northeast corner of this tract; from  
12-12 which a 1- 1/4-inch iron pipe found bears South 78° 16' 03" West -  
12-13 6.68 feet;  
12-14       THENCE, South 00° 48' 50" East - 905.14 feet with the west line  
12-15 of a tract of land conveyed to Kimberly J. Renshaw, Trustee, as  
12-16 recorded in Fort Bend County Clerk's File No. 2003116900 and as  
12-17 surveyed by C. Tim Griffith, RPLS No. 4349 on December 09, 2002, to  
12-18 a 5/8-inch iron rod with cap stamped "1048 4948" found for an  
12-19 interior corner of this tract; from which a 1-1/4-inch iron pipe  
12-20 found bears South 83° 55' 10" West - 15.65 feet;  
12-21       THENCE, North 88° 14' 41" East - 529.27 feet with the south  
12-22 line of said Kimberly J. Renshaw tract, as surveyed by said C. Tim  
12-23 Griffith to a 5/8-inch iron rod found for an interior corner of this  
12-24 tract; from which a 1- inch iron pipe found bears South 71° 00' 07"  
12-25 West - 9.87 feet;  
12-26       THENCE, North 00° 48' 32" West with the east line of said  
12-27 Kimberly J. Renshaw tract, as surveyed by said C. Tim Griffith, at a  
12-28 distance of 904.99 feet pass a 5/8-inch iron rod with cap stamped  
12-29 "Kaluza" found and continuing for a total distance of 1,631.92 feet  
12-30 to a 3/4-inch iron rod found for an angle point of this tract;  
12-31       THENCE, North 00° 23' 13" West - 525.84 feet with the east line  
12-32 of said Derrick B. Woods and Gloria Kelly tract to a 1-1/4-inch iron  
12-33 pipe found in the south right-of-way line of Red Bird Lane for a  
12-34 northwest corner of this tract;  
12-35       THENCE, North 83° 40' 55" East - 627.27 feet with the south  
12-36 right-of-way line of said Red Bird Lane to a 1-1/4-inch iron pipe  
12-37 found for an angle point of this tract;  
12-38       THENCE, North 80° 56' 53" East - 340.41 feet with the south  
12-39 right-of-way line of said Red Bird Lane to a 3/4-inch iron pipe  
12-40 found for an angle point of this tract;  
12-41       THENCE, North 69° 57' 23" East - 213.19 feet with the south  
12-42 right-of-way line of said Red Bird Lane to a 1-1/4-inch iron pipe  
12-43 found for an angle point of this tract;  
12-44       THENCE, North 88° 34' 50" East - 754.52 feet with the south  
12-45 right-of-way line of said Red Bird Lane to a 1-1/4-inch iron pipe  
12-46 found for a northeast corner of this tract; from which a 3/4-inch  
12-47 iron pipe found bears North 13° 42' 36" East - 28.03 feet  
12-48       THENCE, South 00° 49' 07" East - 152.65 feet to a point in  
12-49 Cottonwood Slough for an interior corner of this tract;  
12-50       THENCE, North 89° 11' 54" East - 516.40 feet to a 5/8-inch iron  
12-51 rod with cap stamped "T.E.A.M." set for a northeast corner of this  
12-52 tract;  
12-53       THENCE, South 01° 11' 18" East - 178.00 feet with the west line  
12-54 said Pleasant Hill Cemetery, as recorded in Fort Bend County  
12-55 Clerk's File No. 2002098914 to a point in Cottonwood Creek for an  
12-56 interior corner of this tract;  
12-57       THENCE, North 83° 23' 44" East - 489.40 feet with the south  
12-58 line of said Pleasant Hill Cemetery to a 1- 1/4-inch iron pipe found  
12-59 for a northeast corner of this tract;  
12-60       THENCE, South 00° 31' 15" East - 2,678.08 feet with the east  
12-61 line of said 635.1725 acre tract and with the west right-of-way line  
12-62 of Bois D'Arc Lane to a 1-1/4-inch iron pipe found for an angle  
12-63 point of this tract;  
12-64       THENCE, South 02° 20' 36" East feet with the east line of said  
12-65 635.1725 acre tract and with the west right-of-way line of said Bois  
12-66 D'Arc Lane, at a distance of 1,32.24 feet pass a 3/4-inch iron pipe  
12-67 found and continuing for a total distance of 1,702.81 feet to a  
12-68 TXDOT monument disk found for a southeast corner of this tract;  
12-69       THENCE, South 87° 26' 43" West - 37.53 feet with the north line

13-1 of said County of Fort Bend tract to a TXDOT monument disk found for  
 13-2 an interior corner of this tract;  
 13-3 THENCE, South 02° 33' 17" East - 7.65 feet with the west line  
 13-4 of said County of Fort Bend tract to the POINT OF BEGINNING and  
 13-5 containing 636.76 acres  
 13-6 SECTION 2.03. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 6.  
 13-7 The Fulshear Municipal Utility District No. 6 initially includes  
 13-8 all the territory contained in the following area:  
 13-9 A FIELD NOTE DESCRIPTION of a 631.62 acre tract of land in the  
 13-10 D. Randon & I. Pennington Survey, Abstract No. 75, and in the  
 13-11 Churchill Fulshear Survey, Abstract No. 29, Fort Bend County,  
 13-12 Texas; said 631.62 acre tract being all of called 200.013 acre tract  
 13-13 of land conveyed to Highland Management, Inc., as recorded in  
 13-14 Volume 1089, Page 165 of the Fort Bend County Deed Records, and  
 13-15 being out of a called 514.321 acre tract of land conveyed to  
 13-16 Highland Management, Inc., as recorded in Volume 801, Page 410 of  
 13-17 the Fort Bend County Deed Records; said tract being more  
 13-18 particularly described by metes-and-bounds as follows with the  
 13-19 bearings being based on Texas State Plane Coordinate System, South  
 13-20 Central Zone (NAD83) per GPS Observations using National Geodetic  
 13-21 Survey Continuously Operating Reference Stations:  
 13-22 BEGINNING at a fence post found for the northeast corner of  
 13-23 said called 514.321 acre tract for a northeast corner of this tract;  
 13-24 THENCE, South 01° 42' 53" East - 5,953.33 feet with the east  
 13-25 line of said 514.321 acre tract to a point for a southeast corner of  
 13-26 this tract; from which a 5/8-inch iron rod with cap stamped  
 13-27 "T.E.A.M." set bears South 01° 42' 53" East - 1,411.13 feet;  
 13-28 THENCE, South 89° 17' 07" West - 1,992.07 feet to a point in  
 13-29 the lowest bank of the Brazos River at the mature vegetation growth  
 13-30 for the southwest corner of this tract;  
 13-31 THENCE, the following courses and distances along the lowest  
 13-32 bank of the Brazos River at the mature vegetation growth:  
 13-33 1. North 03° 11' 41" West - 430.76 feet;  
 13-34 2. North 06° 04' 31" East - 26.26 feet;  
 13-35 3. North 12° 54' 35" West - 565.76 feet;  
 13-36 4. North 22° 25' 36" West - 644.88 feet;  
 13-37 5. North 27° 40' 58" West - 307.69 feet;  
 13-38 6. North 29° 38' 28" West - 437.35 feet;  
 13-39 7. North 31° 48' 49" West - 627.73 feet;  
 13-40 8. North 38° 31' 29" West - 562.58 feet;  
 13-41 9. North 46° 01' 27" West - 449.81 feet;  
 13-42 10. North 45° 15' 08" West - 697.67 feet;  
 13-43 11. North 48° 07' 57" West - 497.49 feet;  
 13-44 12. North 50° 57' 15" West - 593.34 feet;  
 13-45 13. North 68° 49' 05" West - 424.90 feet;  
 13-46 14. North 53° 29' 12" West - 562.34 feet;  
 13-47 15. North 34° 16' 18" West - 808.37 feet;  
 13-48 16. North 15° 44' 19" West - 467.54 feet to a point for a  
 13-49 northwest corner of this tract;  
 13-50 THENCE, North 87° 31' 50" East - 1,007.16 feet with the south  
 13-51 line of a Gulf Coast Water Authority Pumping Station, as recorded in  
 13-52 Volume 138, Page 170 and Volume 121, Page 301 of the Fort Bend  
 13-53 County Deed Records to a 3/4-inch iron pipe found for an interior  
 13-54 corner of this tract;  
 13-55 THENCE, North 03° 56' 57" West - 625.49 feet with the east line  
 13-56 of said Gulf Coast Water Authority Pumping Station and with the west  
 13-57 line of said 200.013 acre tract to a 3/4-inch iron pipe found for an  
 13-58 angle point of this tract;  
 13-59 THENCE, North 05° 00' 40" West - 776.08 feet with the east line  
 13-60 of said Gulf Coast Water Authority Pumping Station and with the west  
 13-61 line of said 200.013 acre tract to a point in a 54-inch pecan tree  
 13-62 for an angle point of this tract;  
 13-63 THENCE, North 17° 29' 55" East - 43.79 feet with the east line  
 13-64 of said Gulf Coast Water Authority Pumping Station and with the west  
 13-65 line of said 200.013 acre tract to a fence post found for an angle  
 13-66 point of this tract;  
 13-67 THENCE, North 00° 21' 32" West - 46.08 feet with the east line  
 13-68 of said Gulf Coast Water Authority Pumping Station and with the west  
 13-69 line of said 200.013 acre tract to a 5/8-inch iron rod with cap

14-1 stamped "T.E.A.M." set for a northwest corner of this tract; from  
14-2 which a 1/2-inch iron pipe found bears South 00° 21' 32" East - 7.66  
14-3 feet;

14-4 THENCE, the following ten courses and distances with a line  
14-5 parallel to and approximately 50 feet south of the centerline of an  
14-6 existing canal:

14-7 1.) South 72° 04' 49" East - 894.48 feet to a 5/8-inch iron  
14-8 rod with cap stamped "T.E.A.M." set;

14-9 2.) South 69° 18' 32" East - 362.30 feet to a 5/8-inch iron  
14-10 rod with cap stamped "T.E.A.M." set;

14-11 3.) In a southeasterly direction with a curve to the right  
14-12 having a radius of 566.50 feet, a central angle of 13° 12' 05", a  
14-13 length of 130.53 feet and a chord bearing South 62° 33' 16" East -  
14-14 130.24 feet;

14-15 4.) South 56° 09' 57" East - 1,498.63 feet to a 5/8-inch iron  
14-16 rod with cap stamped "T.E.A.M." set;

14-17 5.) In a southeasterly direction with a curve to the left  
14-18 having a radius of 1,021.50 feet, a central angle of 21° 11' 00", a  
14-19 length of 377.67 feet and a chord bearing South 66° 45' 27" East -  
14-20 375.52 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

14-21 6.) South 77° 20' 57" East - 288.00 feet to a 5/8-inch iron  
14-22 rod with cap stamped "T.E.A.M." set;

14-23 7.) In a northeasterly direction with a curve to the left  
14-24 having a radius of 766.80 feet, a central angle of 61° 38' 12", a  
14-25 length of 824.90 feet and a chord bearing North 71° 49' 58" East -  
14-26 785.69 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

14-27 8.) North 41° 01' 32" East - 1,644.40 feet to a 5/8-inch iron  
14-28 rod with cap stamped "T.E.A.M." set;

14-29 9.) In an easterly direction with a curve to the right  
14-30 having a radius of 75.00 feet, a central angle of 106° 36' 38", a  
14-31 length of 139.55 feet and a chord bearing South 85° 40' 08" East -  
14-32 120.27 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

14-33 10.) South 32° 21' 49" East - 308.27 feet to a 5/8-inch iron  
14-34 rod with cap stamped "T.E.A.M." set for an angle point;

14-35 THENCE, South 02° 33' 17" East - 213.19 feet with the west line  
14-36 of a tract of land conveyed to the County of Fort Bend, as recorded  
14-37 in Volume 2205, Page 1910 of the Fort Bend County Deed Records to a  
14-38 5/8-inch iron rod with cap stamped "T.E.A.M." set for an interior  
14-39 corner of this tract;

14-40 THENCE, North 87° 26' 43" East - 48.23 feet to a TXDOT disk  
14-41 found for a northeast corner of this tract;

14-42 THENCE, South 04° 04' 05" East - 116.45 feet with the east line  
14-43 of said 200.013 acre tract and with the west right-of-way line  
14-44 Montgomery Road to a 5/8-inch iron rod with cap stamped "T.E.A.M."  
14-45 set for an angle point of this tract;

14-46 THENCE, South 01° 12' 55" East - 1,244.75 feet with the east  
14-47 line of said 200.013 acre tract and with the west right-of-way line  
14-48 Montgomery Road to a fence post broken off at ground level found for  
14-49 the southeast corner of said 200.013 acre tract and for an interior  
14-50 corner of this tract;

14-51 THENCE, North 88° 42' 45" East - 40.00 feet with the north line  
14-52 of said 514.321 acre tract to the POINT OF BEGINNING and containing  
14-53 631.62 acres of land.

14-54 ARTICLE 3. LEGAL NOTICE, EMINENT DOMAIN, AND EFFECTIVE DATE

14-55 SECTION 3.01. (a) The legal notice of the intention to  
14-56 introduce this Act, setting forth the general substance of this  
14-57 Act, has been published as provided by law, and the notice and a  
14-58 copy of this Act have been furnished to all persons, agencies,  
14-59 officials, or entities to which they are required to be furnished  
14-60 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
14-61 Government Code.

14-62 (b) The governor, one of the required recipients, has  
14-63 submitted the notice and Act to the Texas Commission on  
14-64 Environmental Quality.

14-65 (c) The Texas Commission on Environmental Quality has filed  
14-66 its recommendations relating to this Act with the governor, the  
14-67 lieutenant governor, and the speaker of the house of  
14-68 representatives within the required time.

14-69 (d) All requirements of the constitution and laws of this

15-1 state and the rules and procedures of the legislature with respect  
15-2 to the notice, introduction, and passage of this Act are fulfilled  
15-3 and accomplished.

15-4 SECTION 3.02. (a) If this Act does not receive a two-thirds  
15-5 vote of all the members elected to each house, Subchapter C, Chapter  
15-6 8494, Special District Local Laws Code, as added by Section 1.01 of  
15-7 this Act, is amended by adding Section 8494.106 to read as follows:

15-8 Sec. 8494.106. NO EMINENT DOMAIN POWER. The district may  
15-9 not exercise the power of eminent domain.

15-10 (b) This section is not intended to be an expression of a  
15-11 legislative interpretation of the requirements of Section 17(c),  
15-12 Article I, Texas Constitution.

15-13 SECTION 3.03. (a) If this Act does not receive a two-thirds  
15-14 vote of all the members elected to each house, Subchapter C, Chapter  
15-15 8495, Special District Local Laws Code, as added by Section 1.02 of  
15-16 this Act, is amended by adding Section 8495.107 to read as follows:

15-17 Sec. 8495.107. NO EMINENT DOMAIN POWER. The district may  
15-18 not exercise the power of eminent domain.

15-19 (b) This section is not intended to be an expression of a  
15-20 legislative interpretation of the requirements of Section 17(c),  
15-21 Article I, Texas Constitution.

15-22 SECTION 3.04. (a) If this Act does not receive a two-thirds  
15-23 vote of all the members elected to each house, Subchapter C, Chapter  
15-24 8496, Special District Local Laws Code, as added by Section 1.03 of  
15-25 this Act, is amended by adding Section 8496.107 to read as follows:

15-26 Sec. 8496.107. NO EMINENT DOMAIN POWER. The district may  
15-27 not exercise the power of eminent domain.

15-28 (b) This section is not intended to be an expression of a  
15-29 legislative interpretation of the requirements of Section 17(c),  
15-30 Article I, Texas Constitution.

15-31 SECTION 3.05. This Act takes effect September 1, 2015.

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