

1-1 By: Kolkhorst S.B. No. 1363  
 1-2 (In the Senate - Filed March 11, 2015; March 18, 2015, read  
 1-3 first time and referred to Committee on Intergovernmental  
 1-4 Relations; April 30, 2015, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;  
 1-6 April 30, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Garcia	X			
1-12 Menéndez	X			
1-13 Nichols			X	
1-14 Taylor of Galveston	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1363 By: Lucio

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the creation of Simonton Management District No. 1;  
 1-20 providing authority to issue bonds; providing authority to impose  
 1-21 assessments, fees, or taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-23 SECTION 1. Subtitle C, Title 4, Special District Local Laws  
 1-24 Code, is amended by adding Chapter 3934 to read as follows:

1-25 CHAPTER 3934. SIMONTON MANAGEMENT DISTRICT NO. 1

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 3934.001. DEFINITIONS. In this chapter:

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

1-29 (2) "City" means the City of Simonton.

1-30 (3) "County" means Fort Bend County.

1-31 (4) "Director" means a board member.

1-32 (5) "District" means the Simonton Management District

1-33 No. 1.

1-34 Sec. 3934.002. NATURE OF DISTRICT. The Simonton Management  
 1-35 District No. 1 is a special district created under Section 59,  
 1-36 Article XVI, Texas Constitution.

1-37 Sec. 3934.003. PURPOSE; DECLARATION OF INTENT. (a) The  
 1-38 creation of the district is essential to accomplish the purposes of  
 1-39 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
 1-40 Texas Constitution, and other public purposes stated in this  
 1-41 chapter. By creating the district and in authorizing the city, the  
 1-42 county, and other political subdivisions to contract with the  
 1-43 district, the legislature has established a program to accomplish  
 1-44 the public purposes set out in Section 52-a, Article III, Texas  
 1-45 Constitution.

1-46 (b) The creation of the district is necessary to promote,  
 1-47 develop, encourage, and maintain employment, commerce,  
 1-48 transportation, housing, tourism, recreation, the arts,  
 1-49 entertainment, economic development, safety, and the public  
 1-50 welfare in the district.

1-51 (c) This chapter and the creation of the district may not be  
 1-52 interpreted to relieve the city or the county from providing the  
 1-53 level of services provided as of the effective date of the Act  
 1-54 enacting this chapter to the area in the district. The district is  
 1-55 created to supplement and not to supplant city or county services  
 1-56 provided in the district.

1-57 Sec. 3934.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-58 (a) The district is created to serve a public use and benefit.

1-59 (b) All land and other property included in the district  
 1-60 will benefit from the improvements and services to be provided by

2-1 the district under powers conferred by Sections 52 and 52-a,  
2-2 Article III, and Section 59, Article XVI, Texas Constitution, and  
2-3 other powers granted under this chapter.

2-4 (c) The creation of the district is in the public interest  
2-5 and is essential to further the public purposes of:

2-6 (1) developing and diversifying the economy of the  
2-7 state;

2-8 (2) eliminating unemployment and underemployment; and

2-9 (3) developing or expanding transportation and  
2-10 commerce.

2-11 (d) The district will:

2-12 (1) promote the health, safety, and general welfare of  
2-13 residents, employers, potential employees, employees, visitors,  
2-14 and consumers in the district, and of the public;

2-15 (2) provide needed funding for the district to  
2-16 preserve, maintain, and enhance the economic health and vitality of  
2-17 the district territory as a community and business center;

2-18 (3) promote the health, safety, welfare, and enjoyment  
2-19 of the public by providing pedestrian ways and by landscaping and  
2-20 developing certain areas in the district, which are necessary for  
2-21 the restoration, preservation, and enhancement of scenic beauty;  
2-22 and

2-23 (4) provide for water, wastewater, drainage, road, and  
2-24 recreational facilities for the district.

2-25 (e) Pedestrian ways along or across a street, whether at  
2-26 grade or above or below the surface, and street lighting, street  
2-27 landscaping, parking, and street art objects are parts of and  
2-28 necessary components of a street and are considered to be a street  
2-29 or road improvement.

2-30 (f) The district will not act as the agent or  
2-31 instrumentality of any private interest even though the district  
2-32 will benefit many private interests as well as the public.

2-33 Sec. 3934.005. INITIAL DISTRICT TERRITORY. (a) The  
2-34 district is initially composed of the territory described by  
2-35 Section 2 of the Act enacting this chapter.

2-36 (b) The boundaries and field notes contained in Section 2 of  
2-37 the Act enacting this chapter form a closure. A mistake in the  
2-38 field notes or in copying the field notes in the legislative process  
2-39 does not affect the district's:

2-40 (1) organization, existence, or validity;

2-41 (2) right to issue any type of bonds for the purposes  
2-42 for which the district is created or to pay the principal of and  
2-43 interest on the bonds;

2-44 (3) right to impose or collect an assessment or tax; or

2-45 (4) legality or operation.

2-46 Sec. 3934.006. APPLICABILITY OF MUNICIPAL MANAGEMENT  
2-47 DISTRICTS LAW. Except as otherwise provided by this chapter,  
2-48 Chapter 375, Local Government Code, applies to the district.

2-49 Sec. 3934.007. CONSTRUCTION OF CHAPTER. This chapter shall  
2-50 be liberally construed in conformity with the findings and purposes  
2-51 stated in this chapter.

2-52 SUBCHAPTER B. BOARD OF DIRECTORS

2-53 Sec. 3934.051. GOVERNING BODY; TERMS. (a) The district is  
2-54 governed by a board of five voting directors who serve staggered  
2-55 terms of four years, with two or three directors' terms expiring  
2-56 June 1 of each odd-numbered year.

2-57 (b) The board by resolution may change the number of voting  
2-58 directors on the board if the board determines that the change is in  
2-59 the best interest of the district. The board may not consist of  
2-60 fewer than five or more than nine voting directors.

2-61 Sec. 3934.052. APPOINTMENT OF VOTING DIRECTORS. The mayor  
2-62 and members of the governing body of the city shall appoint voting  
2-63 directors from persons recommended by the board. A person is  
2-64 appointed if a majority of the members of the governing body,  
2-65 including the mayor, vote to appoint that person.

2-66 Sec. 3934.053. NONVOTING DIRECTORS. The board may appoint  
2-67 nonvoting directors to serve at the pleasure of the voting  
2-68 directors.

2-69 Sec. 3934.054. QUORUM. For purposes of determining the

3-1 requirements for a quorum of the board, the following are not  
3-2 counted:

3-3 (1) a board position vacant for any reason, including  
3-4 death, resignation, or disqualification;

3-5 (2) a director who is abstaining from participation in  
3-6 a vote because of a conflict of interest; or

3-7 (3) a nonvoting director.

3-8 Sec. 3934.055. COMPENSATION. A director is entitled to  
3-9 receive fees of office and reimbursement for actual expenses as  
3-10 provided by Section 49.060, Water Code. Sections 375.069 and  
3-11 375.070, Local Government Code, do not apply to the board.

3-12 Sec. 3934.056. INITIAL VOTING DIRECTORS. (a) The initial  
3-13 board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>CJ Aber</u>
<u>2</u>	<u>Debra Sabrsula</u>
<u>3</u>	<u>Jeff Cannon</u>
<u>4</u>	<u>Steve Littlefield</u>
<u>5</u>	<u>Mac McAleer</u>

3-20 (b) Of the initial directors, the terms of directors  
3-21 appointed for positions one through three expire June 1, 2017, and  
3-22 the terms of directors appointed for positions four and five expire  
3-23 June 1, 2019.

3-24 (c) Section 3934.052 does not apply to this section.

3-25 SUBCHAPTER C. POWERS AND DUTIES

3-26 Sec. 3934.101. GENERAL POWERS AND DUTIES. The district has  
3-27 the powers and duties necessary to accomplish the purposes for  
3-28 which the district is created.

3-29 Sec. 3934.102. IMPROVEMENT PROJECTS AND SERVICES. The  
3-30 district may provide, design, construct, acquire, improve,  
3-31 relocate, operate, maintain, or finance an improvement project or  
3-32 service using any money available to the district, or contract with  
3-33 a governmental or private entity to provide, design, construct,  
3-34 acquire, improve, relocate, operate, maintain, or finance an  
3-35 improvement project or service authorized under this chapter or  
3-36 Chapter 375, Local Government Code.

3-37 Sec. 3934.103. DEVELOPMENT CORPORATION POWERS. The  
3-38 district, using money available to the district, may exercise the  
3-39 powers given to a development corporation under Chapter 505, Local  
3-40 Government Code, including the power to own, operate, acquire,  
3-41 construct, lease, improve, or maintain a project under that  
3-42 chapter.

3-43 Sec. 3934.104. NONPROFIT CORPORATION. (a) The board by  
3-44 resolution may authorize the creation of a nonprofit corporation to  
3-45 assist and act for the district in implementing a project or  
3-46 providing a service authorized by this chapter.

3-47 (b) The nonprofit corporation:

3-48 (1) has each power of and is considered to be a local  
3-49 government corporation created under Subchapter D, Chapter 431,  
3-50 Transportation Code; and

3-51 (2) may implement any project and provide any service  
3-52 authorized by this chapter.

3-53 (c) The board shall appoint the board of directors of the  
3-54 nonprofit corporation. The board of directors of the nonprofit  
3-55 corporation shall serve in the same manner as the board of directors  
3-56 of a local government corporation created under Subchapter D,  
3-57 Chapter 431, Transportation Code, except that a board member is not  
3-58 required to reside in the district.

3-59 Sec. 3934.105. AGREEMENTS; GRANTS. (a) As provided by  
3-60 Chapter 375, Local Government Code, the district may make an  
3-61 agreement with or accept a gift, grant, or loan from any person.

3-62 (b) The implementation of a project is a governmental  
3-63 function or service for the purposes of Chapter 791, Government  
3-64 Code.

3-65 Sec. 3934.106. LAW ENFORCEMENT SERVICES. To protect the  
3-66 public interest, the district may contract with a qualified party,  
3-67 including the county or the city, to provide law enforcement  
3-68 services in the district for a fee.

3-69 Sec. 3934.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The

4-1 district may join and pay dues to a charitable or nonprofit  
4-2 organization that performs a service or provides an activity  
4-3 consistent with the furtherance of a district purpose.

4-4 Sec. 3934.108. ECONOMIC DEVELOPMENT. (a) The district may  
4-5 engage in activities that accomplish the economic development  
4-6 purposes of the district.

4-7 (b) The district may establish and provide for the  
4-8 administration of one or more programs to promote state or local  
4-9 economic development and to stimulate business and commercial  
4-10 activity in the district, including programs to:

4-11 (1) make loans and grants of public money; and

4-12 (2) provide district personnel and services.

4-13 (c) The district may create economic development programs  
4-14 and exercise the economic development powers provided to  
4-15 municipalities by Chapter 380, Local Government Code.

4-16 Sec. 3934.109. PARKING FACILITIES. (a) The district may  
4-17 acquire, lease as lessor or lessee, construct, develop, own,  
4-18 operate, and maintain parking facilities or a system of parking  
4-19 facilities, including lots, garages, parking terminals, or other  
4-20 structures or accommodations for parking motor vehicles off the  
4-21 streets and related appurtenances.

4-22 (b) The district's parking facilities serve the public  
4-23 purposes of the district and are owned, used, and held for a public  
4-24 purpose even if leased or operated by a private entity for a term of  
4-25 years.

4-26 (c) The district's parking facilities are parts of and  
4-27 necessary components of a street and are considered to be a street  
4-28 or road improvement.

4-29 (d) The development and operation of the district's parking  
4-30 facilities may be considered an economic development program.

4-31 Sec. 3934.110. ANNEXATION OF LAND. The district may annex  
4-32 land as provided by Subchapter J, Chapter 49, Water Code.

4-33 Sec. 3934.111. APPROVAL BY CITY. Section 375.207, Local  
4-34 Government Code, does not apply to the district.

4-35 Sec. 3934.112. NO EMINENT DOMAIN POWER. The district may  
4-36 not exercise the power of eminent domain.

4-37 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

4-38 Sec. 3934.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
4-39 board by resolution shall establish the number of directors'  
4-40 signatures and the procedure required for a disbursement or  
4-41 transfer of district money.

4-42 Sec. 3934.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
4-43 The district may acquire, construct, finance, operate, or maintain  
4-44 any improvement or service authorized under this chapter or Chapter  
4-45 375, Local Government Code, using any money available to the  
4-46 district.

4-47 Sec. 3934.153. PETITION REQUIRED FOR FINANCING SERVICES AND  
4-48 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
4-49 service or improvement project with assessments under this chapter  
4-50 unless a written petition requesting that service or improvement  
4-51 has been filed with the board.

4-52 (b) A petition filed under Subsection (a) must be signed by  
4-53 the owners of a majority of the assessed value of real property in  
4-54 the district subject to assessment according to the most recent  
4-55 certified tax appraisal roll for the county.

4-56 Sec. 3934.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

4-57 (a) The board by resolution may impose and collect an assessment  
4-58 for any purpose authorized by this chapter in all or any part of the  
4-59 district.

4-60 (b) An assessment, a reassessment, or an assessment  
4-61 resulting from an addition to or correction of the assessment roll  
4-62 by the district, penalties and interest on an assessment or  
4-63 reassessment, an expense of collection, and reasonable attorney's  
4-64 fees incurred by the district:

4-65 (1) are a first and prior lien against the property  
4-66 assessed;

4-67 (2) are superior to any other lien or claim other than  
4-68 a lien or claim for county, school district, or municipal ad valorem  
4-69 taxes; and

5-1 (3) are the personal liability of and a charge against  
5-2 the owners of the property even if the owners are not named in the  
5-3 assessment proceedings.

5-4 (c) The lien is effective from the date of the board's  
5-5 resolution imposing the assessment until the date the assessment is  
5-6 paid. The board may enforce the lien in the same manner that the  
5-7 board may enforce an ad valorem tax lien against real property.

5-8 (d) The board may make a correction to or deletion from the  
5-9 assessment roll that does not increase the amount of assessment of  
5-10 any parcel of land without providing notice and holding a hearing in  
5-11 the manner required for additional assessments.

5-12 Sec. 3934.155. TAX AND ASSESSMENT ABATEMENTS. The district  
5-13 may designate reinvestment zones and may grant abatements of  
5-14 district taxes or assessments on property in the zones.

5-15 SUBCHAPTER E. TAXES AND BONDS

5-16 Sec. 3934.201. ELECTIONS REGARDING TAXES AND BONDS.

5-17 (a) The district may issue, without an election, bonds, notes, and  
5-18 other obligations secured by:

5-19 (1) revenue other than ad valorem taxes; or

5-20 (2) contract payments described by Section 3934.203.

5-21 (b) The district must hold an election in the manner  
5-22 provided by Subchapter L, Chapter 375, Local Government Code, to  
5-23 obtain voter approval before the district may impose an ad valorem  
5-24 tax or issue bonds payable from ad valorem taxes.

5-25 (c) Section 375.243, Local Government Code, does not apply  
5-26 to the district.

5-27 (d) All or any part of any facilities or improvements that  
5-28 may be acquired by a district by the issuance of its bonds may be  
5-29 submitted as a single proposition or as several propositions to be  
5-30 voted on at the election.

5-31 Sec. 3934.202. OPERATION AND MAINTENANCE TAX. (a) If  
5-32 authorized by a majority of the district voters voting at an  
5-33 election held in accordance with Section 3934.201, the district may  
5-34 impose an operation and maintenance tax on taxable property in the  
5-35 district in accordance with Section 49.107, Water Code, for any  
5-36 district purpose, including to:

5-37 (1) maintain and operate the district;

5-38 (2) construct or acquire improvements; or

5-39 (3) provide a service.

5-40 (b) The board shall determine the tax rate. The rate may not  
5-41 exceed the rate approved at the election.

5-42 (c) Section 49.107(h), Water Code, does not apply to the  
5-43 district.

5-44 Sec. 3934.203. CONTRACT TAXES. (a) In accordance with  
5-45 Section 49.108, Water Code, the district may impose a tax other than  
5-46 an operation and maintenance tax and use the revenue derived from  
5-47 the tax to make payments under a contract after the provisions of  
5-48 the contract have been approved by a majority of the district voters  
5-49 voting at an election held for that purpose.

5-50 (b) A contract approved by the district voters may contain a  
5-51 provision stating that the contract may be modified or amended by  
5-52 the board without further voter approval.

5-53 Sec. 3934.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS  
5-54 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms  
5-55 determined by the board. Section 375.205, Local Government Code,  
5-56 does not apply to a loan, line of credit, or other borrowing from a  
5-57 bank or financial institution secured by revenue other than ad  
5-58 valorem taxes.

5-59 (b) The district may issue bonds, notes, or other  
5-60 obligations payable wholly or partly from ad valorem taxes,  
5-61 assessments, impact fees, revenue, contract payments, grants, or  
5-62 other district money, or any combination of those sources of money,  
5-63 to pay for any authorized district purpose. The district may pledge  
5-64 ad valorem taxes to bonds, notes, or other obligations only as  
5-65 authorized by the Texas Constitution.

5-66 (c) The limitation on the outstanding principal amount of  
5-67 bonds, notes, and other obligations provided by Section 49.4645,  
5-68 Water Code, does not apply to the district.

5-69 Sec. 3934.205. TAXES FOR BONDS. At the time the district

6-1 issues bonds payable wholly or partly from ad valorem taxes, the  
 6-2 board shall provide for the annual imposition of a continuing  
 6-3 direct annual ad valorem tax, without limit as to rate or amount,  
 6-4 for each year that all or part of the bonds are outstanding as  
 6-5 required and in the manner provided by Sections 54.601 and 54.602,  
 6-6 Water Code.

6-7 Sec. 3934.206. CITY NOT REQUIRED TO PAY DISTRICT  
 6-8 OBLIGATIONS. Except as provided by Section 375.263, Local  
 6-9 Government Code, the city is not required to pay a bond, note, or  
 6-10 other obligation of the district.

6-11 SECTION 2. The Simonton Management District No. 1 initially  
 6-12 includes all territory contained in the following area:

6-13 TRACT 1

6-14 Being 33.2 acres, more or less, of land situated in the Thomas  
 6-15 Westall League, Abstract 92, Fort Bend County, Texas, more  
 6-16 particularly being that certain called 0.681 acre tract (described  
 6-17 as Tract No. 1), that certain 1.630 acre tract (described as Tract  
 6-18 No. 2), and that certain 1.019 acre tract (described as Tract No. 3  
 6-19 & 4), all conveyed to CBDS Investments, Inc. by instrument of record  
 6-20 in File No. 2006104265 of the Official Public Records of said Fort  
 6-21 Bend County, Texas (F.B.C.O.P.R.), that certain called 1.012 acre  
 6-22 tract of land conveyed to CBDS Investments, Inc., by instrument of  
 6-23 record in File No. 2006110957, F.B.C.O.P.R., that certain called  
 6-24 1.19 acre tract of land conveyed to FM 1489 Farms, Inc., by  
 6-25 instrument of record in File No. 2006076342, F.B.C.O.P.R., now  
 6-26 owned by Twinwood (U.S.), Inc. as conveyed in File No. 2012121483,  
 6-27 F.B.C.O.P.R., and a portion of that certain called 42.35 acre tract  
 6-28 conveyed to FM 1489 Farms, Inc., by instrument of record in File  
 6-29 No. 2006076344, F.B.C.O.P.R., now owned by Twinwood (U.S.), Inc. as  
 6-30 conveyed in File No. 2012121483, F.B.C.O.P.R., said 33.2 acre tract  
 6-31 being more particularly described by metes and bounds as follows:

6-32 BEGINNING at the southwesterly corner of the aforementioned  
 6-33 42.35 acre tract, said point being on the northerly line of F.M.  
 6-34 1093;

6-35 Thence, Northerly, along the westerly line of said 42.35 acre  
 6-36 tract, 871 feet, more or less, to a point for corner, said point  
 6-37 being at the approximate City Limits Line of Simonton;

6-38 Thence, Easterly, along the approximate City Limits Line of  
 6-39 Simonton, 1,704 feet, more or less, to a point for corner, said  
 6-40 point being on the easterly line of said 42.35 acre tract and the  
 6-41 westerly right-of-way line of said F.M. 1489, the beginning of a  
 6-42 curve;

6-43 Thence, Southerly along the westerly line of said 42.35 acre  
 6-44 tract, the westerly line of the aforementioned 1.19 acre tract and  
 6-45 the easterly right-of-way line of said F.M. 1489, 336 feet, more or  
 6-46 less, along the arc of a non-tangent curve to the right, having a  
 6-47 radius of 5,679.65 feet, to a westerly corner of said 42.35 acre  
 6-48 tract;

6-49 Thence, Southerly, along the easterly lines of said 42.35  
 6-50 acre tract and the aforementioned 0.681 acre tract and the westerly  
 6-51 right-of-way line of said F.M. 1489, 580 feet, more or less, to a  
 6-52 point for corner, said point being on the southerly line of the  
 6-53 aforementioned 1.630 acre;

6-54 Thence, Westerly, along the southerly line of said 1.630 acre  
 6-55 tract, 162 feet, more or less, to the southwesterly corner of said  
 6-56 1.630 acre tract;

6-57 Thence, Northerly, along a westerly line of said 1.630 acre  
 6-58 tract, 95 feet, more or less, to the southeasterly corner of the  
 6-59 aforementioned 1.012 acre tract, said point being in the northerly  
 6-60 right-of-way line of said F.M. 1093;

6-61 Thence, Westerly, along the northerly right-of-way line of  
 6-62 said F.M. 1093 and the southerly line of said 1.012 acre tract, 198  
 6-63 feet, more or less, to the southwesterly corner of said 1.012 acre  
 6-64 tract, said point being on the easterly line of the aforementioned  
 6-65 1.019 acre tract;

6-66 Thence, Southerly, along the easterly line of said 1.019 acre  
 6-67 tract, 5 feet, more or less, to the southeasterly corner of said  
 6-68 1.019 acre tract, said point being on the northerly right-of-way  
 6-69 line of said F.M. 1093;

7-1 Thence, Westerly, along a southerly line of said 1.019 acre  
7-2 tract and the northerly right-of-way line of said F.M. 1093, 118  
7-3 feet, more or less, to a southerly corner of said 1.019 acre tract;  
7-4 Thence, Southerly, along a southerly line of said 1.019 acre  
7-5 tract and a northerly right-of-way line of said F.M. 1093, 5 feet,  
7-6 more or less, to a southerly corner of said 1.019 acre tract;  
7-7 Thence, Westerly, along a southerly line of said 1.019 acre  
7-8 tract and the northerly right-of-way line of said F.M. 1093, 51  
7-9 feet, more or less, to the southwesterly corner of said 1.019 acre  
7-10 tract;  
7-11 Thence, Northerly, departing the northerly right-of-way line  
7-12 of said F.M. 1093, along the westerly line of said 1.019 acre tract,  
7-13 159 feet, more or less, to a southerly corner of the aforementioned  
7-14 42.35 acre tract;  
7-15 Thence, Westerly, along a southerly line of said 42.35 acre  
7-16 tract, 168 feet, more or less, to a southerly interior corner of  
7-17 said 42.35 acre tract;  
7-18 Thence, Southerly, along a southerly interior line of said  
7-19 42.35 acre tract, 156 feet, more or less, to a southerly corner of  
7-20 said 42.35 acre tract, said point being on the northerly  
7-21 right-of-way line of said F.M. 1093;  
7-22 Thence, Westerly, along a southerly line of said 42.35 acre  
7-23 tract and the northerly right-of-way line of said F.M. 1093, 1,070  
7-24 feet, more or less, to the POINT OF BEGINNING and containing 33.2  
7-25 acres of land, more or less.

7-26 TRACT 2  
7-27 Being 102 acres, more or less, of land situated in the Thomas  
7-28 Westall League, Abstract 92, Fort Bend County, Texas, more  
7-29 particularly being a portion of that certain called 42.35 acre  
7-30 tract of land conveyed to FM 1489 Farms, Inc., by instrument of  
7-31 record in File No. 2006076344, in the Official Public Records of  
7-32 said Fort Bend County, Texas (F.B.C.O.P.R.), now owned by Twinwood  
7-33 (U.S.), Inc. as conveyed in File No. 2012121483, F.B.C.O.P.R., a  
7-34 portion of that certain called 69.1455 acre tract conveyed to FM  
7-35 1489 Farms, Inc. by instrument of record in File No. 2008055874,  
7-36 now owned by Twinwood (U.S.), Inc. as conveyed in File  
7-37 No. 2012121483, F.B.C.O.P.R., and that certain called 63.46 acre  
7-38 tract conveyed to FM 1489 Farms, Inc. by instrument of record in  
7-39 File No. 2006076347, F.B.C.O.P.R., now owned by Twinwood (U.S.),  
7-40 Inc. as conveyed in File No. 2012121483, F.B.C.O.P.R., said 102  
7-41 acre tract being more particularly described by metes and bounds as  
7-42 follows:

7-43 BEGINNING at the most westerly southwest corner of said  
7-44 69.1455 acre tract;  
7-45 Thence, Northerly, along an easterly line of said 69.1455  
7-46 acre tract, 190 feet, more or less, to a point for corner, said  
7-47 point being at the approximate ETJ Line of Simonton;  
7-48 Thence, Easterly, along the approximate ETJ Line of Simonton,  
7-49 2,169 feet, more or less, to a point for corner, said point being on  
7-50 a northeasterly line of said 69.1455 acre tract;  
7-51 Thence, Southeasterly, along the northeasterly line of said  
7-52 69.1455 acre tract, 402 feet to an easterly corner of said 69.1455  
7-53 acre tract, said point being on the westerly right-of-way line of  
7-54 F.M. 1489;  
7-55 Thence, Southerly, along the easterly line of said 69.1455  
7-56 acre tract, the easterly line of the aforementioned 63.46 acre  
7-57 tract, and the westerly right-of-way line of said F.M. 1489, 1,507  
7-58 feet, more or less, to an easterly corner of said 63.46 acre tract,  
7-59 the beginning of a curve;  
7-60 Thence, Southerly, along the westerly line of said 63.46 acre  
7-61 tract and the westerly right-of-way line of said F.M. 1489, 437  
7-62 feet, more or less, along the arc of a tangent curve to the left,  
7-63 having a radius of 5,779.65 feet to an easterly corner of said 63.46  
7-64 acre tract;  
7-65 Thence, Southerly along the easterly line of said 63.46 acre  
7-66 tract, an easterly line of the aforementioned 42.35 acre tract, and  
7-67 the westerly right-of-way line of said F.M. 1489, 365 feet, more or  
7-68 less, to an easterly corner of said 42.35 acre tract, the beginning  
7-69 of a curve;

8-1 Thence, Southerly, along the an easterly line of said 42.35  
 8-2 acre tract and the westerly right-of-way line of said F.M. 1489, 94  
 8-3 feet, more or less, along the arc of a tangent curve to the right,  
 8-4 having a radius of 5,679.65 feet, to a point for corner, said point  
 8-5 being at the approximate City Limits Line of Simonton;

8-6 Thence, Westerly, along the approximate City Limits Line of  
 8-7 Simonton, 1,704 feet, more or less, to a point for corner, said  
 8-8 point being on the westerly line of said 42.35 acre tract;

8-9 Thence, Northerly, along the westerly lines of said 42.35  
 8-10 acre tract, said 63.46 acre tract, and said 69.1455 acre tract,  
 8-11 2,443 feet, more or less, to a southwesterly interior corner of said  
 8-12 69.1455 acre tract;

8-13 Thence Westerly, along a southerly line of said 69.1455 acre  
 8-14 tract, 943 feet, more or less, to the POINT OF BEGINNING and  
 8-15 containing 102 acres of land, more or less.

8-16 TRACT 3

8-17 Being 138 acres, more or less, of land situated in the Thomas  
 8-18 Westall League, Abstract 92, Fort Bend County, Texas, more  
 8-19 particularly being a portion of that certain called 200.15 acre  
 8-20 tract of land conveyed to Hady Creek Ranch, Inc. by instrument of  
 8-21 record in File No. 2006084768 of the Official Public Records of  
 8-22 said Fort Bend County, Texas (F.B.C.O.P.R.), now owned by Twinwood  
 8-23 (U.S.), Inc. as conveyed in File No. 2012121483, F.B.C.O.P.R., and  
 8-24 that certain 1.6858 acre tract of land conveyed to Hady Creek Ranch,  
 8-25 Inc. by instrument of record in File No. 2006084767, F.B.C.O.P.R.,  
 8-26 now owned by Twinwood (U.S.), Inc. as conveyed in File  
 8-27 No. 2012121483, F.B.C.O.P.R., said 138 acre tract being more  
 8-28 particularly described by metes and bounds as follows:

8-29 BEGINNING at the southeasterly corner of said 200.15 acre  
 8-30 tract;

8-31 Thence, Westerly, along a southerly line of said 200.15 acre  
 8-32 tract, 1,414 feet, more or less, to a southwesterly corner of said  
 8-33 200.15 acre tract;

8-34 Thence, Northerly, along a southerly line of said 200.15 acre  
 8-35 tract, 50 feet, more or less, to a southwesterly corner of said  
 8-36 200.15 acre tract;

8-37 Thence, Westerly, along a southerly line of said 200.15 acre  
 8-38 tract, 258 feet, more or less, to a southwesterly corner of said  
 8-39 200.15 acre tract, said point being on the easterly right-of-way  
 8-40 line of F.M. 1489;

8-41 Thence, Northerly, along a westerly line of said 200.15 acre  
 8-42 tract and the easterly line of said F.M. 1489, 570 feet, more or  
 8-43 less, to a westerly corner of said 200.15 acre tract, the beginning  
 8-44 of a curve;

8-45 Thence, Northerly, along a westerly line of said 200.15 acre  
 8-46 tract and the easterly line of said F.M. 1489, 437 feet, more or  
 8-47 less, along the arc of a tangent curve to the left, having a radius  
 8-48 of 5,779.65 feet, to a westerly corner of said 200.15 acre tract;

8-49 Thence, Northerly, along a westerly line of said 200.15 acre  
 8-50 tract and the easterly line of said F.M. 1489, 365 feet, more or  
 8-51 less to a westerly corner of said 200.15 acre tract, the beginning  
 8-52 of a curve;

8-53 Thence, Northerly, along a westerly line of said 200.15 acre  
 8-54 tract and the easterly line of said F.M. 1489, 430 feet, more or  
 8-55 less, along the arc of a tangent curve to the right, having a radius  
 8-56 of 5,679.65 feet, to a westerly corner of said 200.15 acre tract;

8-57 Thence, Northerly, along a westerly line of said 200.15 acre  
 8-58 tract and the easterly right-of-way line of said F.M. 1489, 1,801  
 8-59 feet, more or less, to a point for corner, said point being at the  
 8-60 approximate ETJ Line of Simonton, the beginning of a curve;

8-61 Thence, Southeasterly, along the approximate ETJ Line of  
 8-62 Simonton, 2,115 feet, more or less, along the arc of a non-tangent  
 8-63 curve to the right, having a radius of 2,640.00 feet, to a point for  
 8-64 corner, said point being on an easterly line of said 200.15 acre  
 8-65 tract;

8-66 Thence, Southerly, along an easterly line of said 200.15 acre  
 8-67 tract and the easterly line of the aforementioned 1.6858 acre  
 8-68 tract, 2,741 feet, more or less, to the POINT OF BEGINNING and  
 8-69 containing 138 acres of land, more or less.

9-1 SECTION 3. (a) The legal notice of the intention to  
9-2 introduce this Act, setting forth the general substance of this  
9-3 Act, has been published as provided by law, and the notice and a  
9-4 copy of this Act have been furnished to all persons, agencies,  
9-5 officials, or entities to which they are required to be furnished  
9-6 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
9-7 Government Code.

9-8 (b) The governor, one of the required recipients, has  
9-9 submitted the notice and Act to the Texas Commission on  
9-10 Environmental Quality.

9-11 (c) The Texas Commission on Environmental Quality has filed  
9-12 its recommendations relating to this Act with the governor,  
9-13 lieutenant governor, and speaker of the house of representatives  
9-14 within the required time.

9-15 (d) The general law relating to consent by political  
9-16 subdivisions to the creation of districts with conservation,  
9-17 reclamation, and road powers and the inclusion of land in those  
9-18 districts has been complied with.

9-19 (e) All requirements of the constitution and laws of this  
9-20 state and the rules and procedures of the legislature with respect  
9-21 to the notice, introduction, and passage of this Act have been  
9-22 fulfilled and accomplished.

9-23 SECTION 4. This Act takes effect immediately if it receives  
9-24 a vote of two-thirds of all the members elected to each house, as  
9-25 provided by Section 39, Article III, Texas Constitution. If this  
9-26 Act does not receive the vote necessary for immediate effect, this  
9-27 Act takes effect September 1, 2015.

9-28 \* \* \* \* \*