

1-1 By: Kolkhorst S.B. No. 2036
1-2 (In the Senate - Filed April 7, 2015; April 7, 2015, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 29, 2015, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; April 29, 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 Fort Bend County Municipal Utility
1-18 District No. 218; granting a limited power of eminent domain;
1-19 providing authority to issue bonds; providing authority to impose
1-20 assessments, fees, and taxes.

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

1-22 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-23 Code, is amended by adding Chapter 7927 to read as follows:

1-24 CHAPTER 7927. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 218

1-25 SUBCHAPTER A. GENERAL PROVISIONS

1-26 Sec. 7927.001. DEFINITIONS. In this chapter:

1-27 (1) "Board" means the district's board of directors.

1-28 (2) "Commission" means the Texas Commission on
1-29 Environmental Quality.

1-30 (3) "Director" means a board member.

1-31 (4) "District" means the Fort Bend County Municipal
1-32 Utility District No. 218.

1-33 Sec. 7927.002. NATURE OF DISTRICT. The district is a
1-34 municipal utility district created under Section 59, Article XVI,
1-35 Texas Constitution.

1-36 Sec. 7927.003. CONFIRMATION AND DIRECTORS' ELECTION
1-37 REQUIRED. The temporary directors shall hold an election to
1-38 confirm the creation of the district and to elect five permanent
1-39 directors as provided by Section 49.102, Water Code.

1-40 Sec. 7927.004. CONSENT OF MUNICIPALITY REQUIRED. The
1-41 temporary directors may not hold an election under Section 7927.003
1-42 until each municipality in whose corporate limits or
1-43 extraterritorial jurisdiction the district is located has
1-44 consented by ordinance or resolution to the creation of the
1-45 district and to the inclusion of land in the district.

1-46 Sec. 7927.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-47 (a) The district is created to serve a public purpose and benefit.

1-48 (b) The district is created to accomplish the purposes of:

1-49 (1) a municipal utility district as provided by
1-50 general law and Section 59, Article XVI, Texas Constitution; and

1-51 (2) Section 52, Article III, Texas Constitution, that
1-52 relate to the construction, acquisition, improvement, operation,
1-53 or maintenance of macadamized, graveled, or paved roads, or
1-54 improvements, including storm drainage, in aid of those roads.

1-55 Sec. 7927.006. INITIAL DISTRICT TERRITORY. (a) The
1-56 district is initially composed of the territory described by
1-57 Section 2 of the Act enacting this chapter.

1-58 (b) The boundaries and field notes contained in Section 2 of
1-59 the Act enacting this chapter form a closure. A mistake made in the
1-60 field notes or in copying the field notes in the legislative process
1-61 does not affect the district's:

- 2-1 (1) organization, existence, or validity;
- 2-2 (2) right to issue any type of bond for the purposes
- 2-3 for which the district is created or to pay the principal of and
- 2-4 interest on a bond;
- 2-5 (3) right to impose a tax; or
- 2-6 (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

2-8 Sec. 7927.051. GOVERNING BODY; TERMS. (a) The district is
 2-9 governed by a board of five elected directors.
 2-10 (b) Except as provided by Section 7927.052, directors serve
 2-11 staggered four-year terms.

2-12 Sec. 7927.052. TEMPORARY DIRECTORS. (a) On or after
 2-13 September 1, 2015, the owner or owners of a majority of the assessed
 2-14 value of the real property in the district may submit a petition to
 2-15 the commission requesting that the commission appoint as temporary
 2-16 directors the five persons named in the petition. The commission
 2-17 shall appoint as temporary directors the five persons named in the
 2-18 petition.

2-19 (b) Temporary directors serve until the earlier of:
 2-20 (1) the date permanent directors are elected under
 2-21 Section 7927.003; or
 2-22 (2) September 1, 2019.

2-23 (c) If permanent directors have not been elected under
 2-24 Section 7927.003 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 7927.003; 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

2-40 Sec. 7927.101. GENERAL POWERS AND DUTIES. The district has
 2-41 the powers and duties necessary to accomplish the purposes for
 2-42 which the district is created.

2-43 Sec. 7927.102. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-44 DUTIES. The district has the powers and duties provided by the
 2-45 general law of this state, including Chapters 49 and 54, Water Code,
 2-46 applicable to municipal utility districts created under Section 59,
 2-47 Article XVI, Texas Constitution.

2-48 Sec. 7927.103. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-49 52, Article III, Texas Constitution, the district may design,
 2-50 acquire, construct, finance, issue bonds for, improve, operate,
 2-51 maintain, and convey to this state, a county, or a municipality for
 2-52 operation and maintenance macadamized, graveled, or paved roads, or
 2-53 improvements, including storm drainage, in aid of those roads.

2-54 Sec. 7927.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-55 road project must meet all applicable construction standards,
 2-56 zoning and subdivision requirements, and regulations of each
 2-57 municipality in whose corporate limits or extraterritorial
 2-58 jurisdiction the road project is located.

2-59 (b) If a road project is not located in the corporate limits
 2-60 or extraterritorial jurisdiction of a municipality, the road
 2-61 project must meet all applicable construction standards,
 2-62 subdivision requirements, and regulations of each county in which
 2-63 the road project is located.

2-64 (c) If the state will maintain and operate the road, the
 2-65 Texas Transportation Commission must approve the plans and
 2-66 specifications of the road project.

2-67 Sec. 7927.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
 2-68 OR RESOLUTION. The district shall comply with all applicable
 2-69 requirements of any ordinance or resolution that is adopted under

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

3-4 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-5 Sec. 7927.151. ELECTIONS REGARDING TAXES OR BONDS.

3-6 (a) The district may issue, without an election, bonds and other
3-7 obligations secured by:

3-8 (1) revenue other than ad valorem taxes; or

3-9 (2) contract payments described by Section 7927.153.

3-10 (b) The district must hold an election in the manner
3-11 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-12 before the district may impose an ad valorem tax or issue bonds
3-13 payable from ad valorem taxes.

3-14 (c) The district may not issue bonds payable from ad valorem
3-15 taxes to finance a road project unless the issuance is approved by a
3-16 vote of a two-thirds majority of the district voters voting at an
3-17 election held for that purpose.

3-18 Sec. 7927.152. OPERATION AND MAINTENANCE TAX. (a) If
3-19 authorized at an election held under Section 7927.151, the district
3-20 may impose an operation and maintenance tax on taxable property in
3-21 the district in accordance with Section 49.107, Water Code.

3-22 (b) The board shall determine the tax rate. The rate may not
3-23 exceed the rate approved at the election.

3-24 Sec. 7927.153. CONTRACT TAXES. (a) In accordance with
3-25 Section 49.108, Water Code, the district may impose a tax other than
3-26 an operation and maintenance tax and use the revenue derived from
3-27 the tax to make payments under a contract after the provisions of
3-28 the contract have been approved by a majority of the district voters
3-29 voting at an election held for that purpose.

3-30 (b) A contract approved by the district voters may contain a
3-31 provision stating that the contract may be modified or amended by
3-32 the board without further voter approval.

3-33 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-34 Sec. 7927.201. AUTHORITY TO ISSUE BONDS AND OTHER
3-35 OBLIGATIONS. The district may issue bonds or other obligations
3-36 payable wholly or partly from ad valorem taxes, impact fees,
3-37 revenue, contract payments, grants, or other district money, or any
3-38 combination of those sources, to pay for any authorized district
3-39 purpose.

3-40 Sec. 7927.202. TAXES FOR BONDS. At the time the district
3-41 issues bonds payable wholly or partly from ad valorem taxes, the
3-42 board shall provide for the annual imposition of a continuing
3-43 direct ad valorem tax, without limit as to rate or amount, while all
3-44 or part of the bonds are outstanding as required and in the manner
3-45 provided by Sections 54.601 and 54.602, Water Code.

3-46 Sec. 7927.203. BONDS FOR ROAD PROJECTS. At the time of
3-47 issuance, the total principal amount of bonds or other obligations
3-48 issued or incurred to finance road projects and payable from ad
3-49 valorem taxes may not exceed one-fourth of the assessed value of the
3-50 real property in the district.

3-51 SECTION 2. The Fort Bend County Municipal Utility District
3-52 No. 218 initially includes all the territory contained in the
3-53 following area:

3-54 A 232.215 acre, or 10,115,268 square feet more or less tract of
3-55 land, being all of that 250 acre tract of land conveyed to Frank
3-56 Chalupa and described in a deed recorded in Volume 182, Page 194 of
3-57 the Deed Records of Fort Bend County, Texas, subsequently divided
3-58 into seven parcels and conveyed as follows: 41.58 acres conveyed to
3-59 Edwin G. Chalupa et al in a deed recorded in Volume 708, Page 5,
3-60 corrected in document recorded in Volume 753, Page 746, Deed
3-61 Records of Fort Bend County, Texas, subsequently conveyed to
3-62 Patrick B. Chalupa, Melissa K. Chalupa aka Melissa Chalupa Gonzalez
3-63 by deeds recorded in Document Numbers 9621563, 2007000110,
3-64 2007061950, 2014005282, and 2014005283 of the Official Public
3-65 Records of Fort Bend County, Texas; 41.58 acres conveyed to Robert
3-66 E. Chalupa et al by deed recorded in Volume 708, Page 9, corrected
3-67 in Document recorded in Volume 753, Page 746, Deed Records of Fort
3-68 Bend County, Texas; 41.58 acres conveyed to Bessie R. Polasek,
3-69 Jerry William Polasek and Bessie R. Polasek as Trustee for Jerry

4-1 Wayne Polasek, Michael Polasek and Deborah Renee Polasek, by deed
4-2 recorded in Volume 708, Page 16, corrected in document recorded in
4-3 Volume 753, Page 746, Deed Records of Fort Bend County, Texas, and
4-4 being the same tract subsequently conveyed to Michael Polasek,
4-5 Jerry Wayne Polasek and Deborah Renee Polasek Macha by deeds
4-6 recorded in Document Numbers 9468263, 9468264, 946826, 09468266,
4-7 9468267, 8468268, 9459082, 9469083, and 9469084 of the Official
4-8 Public Records of Fort Bend County, Texas; 41.58 acres conveyed to
4-9 Anastazie M. Stasney, et al by deed recorded in Volume 705, Page 1,
4-10 corrected in document recorded in Volume 753, Page 746, Deed
4-11 Records of Fort Bend County, Texas, and being the same tract
4-12 subsequently conveyed to Alan Wayne Stasney by deeds recorded in
4-13 Document Numbers 9504686, 2006162504, and 2013128230 of the
4-14 Official Public Records of Fort Bend County, Texas; 41.58 acres
4-15 conveyed to John J. Chalupa, Trustee for the benefit of Delores
4-16 Chalupa in accordance with the Frank and Amalie Chalupa Trust III,
4-17 by deed recorded in Volume 707, Page 932, corrected in document
4-18 recorded in Volume 753, Page 748, Deed Records of Fort Bend County,
4-19 Texas; 20.2239 acres being a portion of 41.58 acres conveyed to John
4-20 J. Chalupa by deed recorded in Volume 708 Page 13, corrected in
4-21 document recorded in Volume 753, Page 746, Deed Records of Fort Bend
4-22 County, Texas, and being the same tract of land conveyed by deed
4-23 recorded in Document Number 9468272, Official Public Records of
4-24 Fort Bend County, Texas, to Bessie Polasek and Anastazie Stasney,
4-25 Co-Trustees for Bessie Polasek pursuant to Testamentary Trust
4-26 created by the Last Will and Testament of John J. Chalupa, admitted
4-27 to probate on August 10, 1992, in Cause No. 12,545, in the Probate
4-28 Court of Fort Bend County, Texas; and 21.4413 acre portion of 41.58
4-29 acres conveyed to John J. Chalupa by deed recorded in Volume 708,
4-30 Page 13, corrected in document recorded in Volume 753, Page 746,
4-31 Deed Records of Fort Bend County, Texas, and being the same tract of
4-32 land conveyed by deed recorded in Document Number 9468271, Official
4-33 Public Records of Fort Bend County, Texas, to Bessie Polasek and
4-34 Anastazie Stasney, Co-Trustees for Anastazie Stasney pursuant to
4-35 Testamentary Trust created by the Last Will and Testament of John J.
4-36 Chalupa, admitted to probate on August 10, 1992, in Cause
4-37 No. 12,545, in the Probate Court of Fort Bend County, Texas, all
4-38 situated in the W. Lusk Survey, Abstract 276, and the E. Wheat
4-39 Survey, Abstract 396, partially in the City of Rosenberg and
4-40 partially in the Rosenberg Extra-Territorial Jurisdiction, Fort
4-41 Bend County, Texas. Said 232.215 acre tract of land being more fully
4-42 described as follows, with bearings based on the Texas State Plane
4-43 Coordinate System, established for the South Central Zone, from the
4-44 North American Datum of 1983(NA2011), epoch 2010.00:

4-45 BEGINNING: At a set 5/8 inch iron rod with yellow cap marked
4-46 "Pape Dawson" at the northwest corner of said 250 acre tract of land
4-47 described in Volume 182, Page 194 of the Deed Records of Fort Bend
4-48 County, Texas, also being the northwest corner of said 41.58 acres
4-49 conveyed to Edwin G. Chalupa et al in a deed recorded in Volume 708,
4-50 page 5 of the Deed Records of Fort Bend County, Texas, and the
4-51 northwest corner of a 0.476 acre right-of-way easement conveyed to
4-52 the State of Texas and described in Volume 522, Page 45 of the Deed
4-53 Records of Fort Bend County, Texas for Minonite Road (also known as
4-54 F.M. 2977), a 100-foot wide right-of-way as shown on the
4-55 right-of-way map prepared for the Texas Department of
4-56 Transportation under CSJ 3048-1-4, also being the southwest corner
4-57 of a 0.977 acre tract of land conveyed to NGR Texas Power LLC in a
4-58 document recorded in Clerk's File No. 2007089660 and described in
4-59 Clerk's File No. 2007019710 of the Official Public Records of Fort
4-60 Bend County, Texas, and the southwest corner of a 0.093 of an acre
4-61 right-of-way easement conveyed to the State of Texas for said
4-62 Minonite Road and described in Volume 522, Page 36 of the Deed
4-63 Records of Fort Bend County, Texas;

4-64 THENCE: S67°37'36"E, along and with the northeast line of
4-65 said 250 acre tract, the southwest line of said 0.977 acre tract,
4-66 passing the northeast corner of said 0.476 acre right-of-way
4-67 easement and southeast corner of said 0.093 acre right-of-way
4-68 easement at a distance of 9.00 feet, from which a found 3/4 inch
4-69 iron pipe bears N67°37'36"W, a distance of 0.28 feet, passing the

5-1 southeast corner of said 0.977 acre tract, the southwest corner of a
5-2 4.1687 acre tract of land conveyed to HV Asset, LLC and described in
5-3 Clerk's File No. 2014072568 of the Official Public Records Fort
5-4 Bend County, Texas, at an additional distance of 91.00 feet,
5-5 passing the southeast corner of said 4.1687 acre tract, the
5-6 southwest corner of a 27.550 acre tract of land conveyed to
5-7 Community Focus Foundation, A Texas Foundation and described in
5-8 Clerk's File No. 2013053843 of the Official Public Records of Fort
5-9 Bend County, Texas at an additional distance of 368.89 feet, from
5-10 which a found 3/4 inch iron pipe bears S22°22'24"W, a distance of
5-11 0.23 feet, passing the southeast corner of said 27.550 acre tract,
5-12 the southwest corner of a 16.313 acre tract of land conveyed to
5-13 Community Focus Foundation, a Texas Nonprofit Corporation in
5-14 Clerk's File No. 2013054877 of the Official Public Records of Fort
5-15 Bend County, Texas at an additional distance of 779.25 feet, from
5-16 which a found iron rod with cap marked "Kalkomey Surveying" bears
5-17 N22°22'24"E, a distance of 0.27 feet, passing the southeast corner
5-18 of said 16.313 acre tract of land conveyed to Community Focus
5-19 Foundation, a Texas Nonprofit Corporation, the southwest corner of
5-20 a 16.313 acre tract of land conveyed to Michael and Madeleine Ghosn,
5-21 and described in Clerk's File No. 2011016213 of the Official Public
5-22 Records of Fort Bend County, Texas at an additional distance of
5-23 449.82 feet, from which a found iron rod with cap marked "Kalkomey
5-24 Surveying" bears N22°22'24"E, a distance of 0.57 feet, passing the
5-25 southeast corner of said 16.313 acre tract conveyed to Michael and
5-26 Madeleine Ghosn, the southwest corner of a 23.425 acre tract of land
5-27 conveyed to Niranjana and Jasmin Patel and described in Clerk's File
5-28 No. 2013077203 of the Official Public Records of Fort Bend County,
5-29 Texas at an additional distance of 449.73 feet, passing the
5-30 southeast corner of said 23.425 acre tract, the southwest corner of
5-31 a 32.626 acre tract of land conveyed to Vertical Capital Holdings,
5-32 LLC and described in Clerk's File No. 2014024505 of the Official
5-33 Public Records of Fort Bend County, Texas, at an additional
5-34 distance of 646.32 feet, passing the southeast corner of said
5-35 32.626 acre tract, the southwest corner of a 32.63 acre tract of
5-36 land conveyed to Zion Hill Baptist Church in Crabb, Texas and
5-37 described in Clerk's File No. 2010105939 of the Official Public
5-38 Records of Fort Bend County, Texas at an additional distance of
5-39 900.72 feet, passing the southeast corner of said 32.63 acre tract,
5-40 the southwest corner of a 33.450 acre tract of land conveyed to
5-41 Wilbert Ulrich and described in Volume 2236, Page 2080 of the Deed
5-42 Records of Fort Bend County, Texas at an additional distance of
5-43 901.24 feet, along and with the south line of said 33.450 acre
5-44 tract, and additional distance of 926.55 feet, for a total distance
5-45 of 5522.52 feet to a set MAG nail with shiner marked "Pape-Dawson"
5-46 on the east line of a 30-foot wide right-of-way easement conveyed to
5-47 Fort Bend County and described in Volume 181, Page 611 of the Deed
5-48 Records of Fort Bend County, Texas for the creation of Benton Road,
5-49 a 60-foot wide right-of-way, at the southeast corner of said 33.450
5-50 acre tract, the northeast corner of said 250 acre tract and the
5-51 northeast corner of said 20.2239 acre portion of a 41.58 acre tract
5-52 conveyed to John J. Chalupa by deed recorded in Volume 708, Page 13
5-53 of the Deed Records of Fort Bend County, Texas, from which a found
5-54 Mag nail bears N00°14'41"W, a distance of 3.79 feet;

5-55 THENCE: S22°21'30"W, along and with centerline of said Benton
5-56 Road, also being the east line of said 250 acre tract, the east line
5-57 of said 30-foot wide right-of-way easement, and the east line of
5-58 said 20.2239 acre and said 21.4413 acre portion of the 41.58 acre
5-59 tract of land conveyed to John J. Chalupa, passing a found MAG nail
5-60 at a distance of 750.63 feet, from which another found MAG nail
5-61 bears N17°20'04"E, a distance of 5.27 feet, continuing along said
5-62 east line and centerline, an additional distance of 1222.50 feet
5-63 for a total distance of 1973.13 feet to a set 5/8 inch iron rod with
5-64 yellow cap marked "Pape-Dawson" on the north line of a 30.71 acre
5-65 tract of land conveyed to Lennar Homes of Texas Land and
5-66 Construction, Ltd. and described in Clerk's File No. 2005142966 of
5-67 the Official Public Records of Fort Bend County, Texas, at the
5-68 southeast corner of said 250 acres tract, the southeast corner of
5-69 said 21.4413 acre tract, and the southeast corner of said 30-foot

6-1 wide right-of-way easement;

6-2 THENCE: N67°37'36"W, departing the centerline of said Benton
6-3 Road, also being the east line of said 250 acre tract, the east line
6-4 of said 30-foot wide right-of-way easement, and the east line of
6-5 said 20.2239 acre and 21.4413 acre portions of the 41.58 acre tract
6-6 of land conveyed to John J. Chalupa, along and with the south line
6-7 of said 250 acre tract of land, the north line of said 30.71 acre
6-8 tract, now partially platted as Walnut Creek Section Four, recorded
6-9 in Clerk's File No. 20140011 of the Official Public Records of Fort
6-10 Bend County, Texas and Walnut Creek Section Nine, recorded in
6-11 Clerk's File No. 20120064 of the Official Public Records of Fort
6-12 Bend County, Texas, passing a found iron rod with cap marked "IDS"
6-13 at the common corner between Lot 16, Block 1 and Lot 26, Block 1 of
6-14 said Walnut Creek Section Four at a distance of 1899.49 feet,
6-15 passing a found iron rod with illegible cap at the common corner
6-16 between Lot 14, Block 1 of said Walnut Creek Section Four and Lot
6-17 18, Block 1 of said Walnut Creek Section Nine at an additional
6-18 distance of 327.00 feet, continuing along the south line of said 250
6-19 acres, now being the north line of said Walnut Creek Section Nine,
6-20 passing the northwest corner of said Walnut Creek Section Nine, the
6-21 northeast corner of Walnut Creek Section Three, recorded in Clerk's
6-22 File No. 20090032 of the Official Public Records of Fort Bend
6-23 County, Texas at an additional distance of 917.38 feet, passing the
6-24 northwest corner of said Walnut Creek Section Three, the northeast
6-25 corner of Rosehaven Section 2, recorded in Clerk's File
6-26 No. 20050172 of the Official Public Records of Fort Bend County,
6-27 Texas at an additional distance of 259.13 feet, passing the
6-28 northwest corner of said Rosehaven Sec. 2, the northeast corner of
6-29 Restricted Reserve "A", Walnut Creek Recreational Reserve,
6-30 recorded in Clerk's File No. 20100086 of the Official Public
6-31 Records of Fort Bend County, Texas, at an additional distance of
6-32 1,290.33, for a total distance of 4989.24 feet, to a point, said
6-33 point being located S67°37'36"E a distance of 16.07 feet from the
6-34 northwest corner of said Rosehaven Sec. 2, the northeast corner of
6-35 Restricted Reserve "A", Walnut Creek Recreational Reserve,
6-36 recorded in Clerk's File No. 20100086 of the Official Public
6-37 Records of Fort Bend County, Texas;

6-38 THENCE: Over and across the said 250 acre tract of land the
6-39 following courses and distances:

6-40 N22°22'24"E, a distance of 129.84 feet to a point,
6-41 N20°01'13"E, a distance of 59.92 feet to a point,
6-42 N22°28'53"E, a distance of 358.51 feet to a point,
6-43 N18°09'34"E, a distance of 60.26 feet to a point,
6-44 N22°24'27"E, a distance of 129.92 feet to a point,
6-45 N22°48'47"E, a distance of 152.32 feet to a point,
6-46 N17°28'20"E, a distance of 190.00 feet to a point,
6-47 S72°54'19"E, a distance of 23.20 feet to a point,

6-48 Northeasterly, along a non-tangent curve to the left, having
6-49 a radial bearing of N 17°05'41" E, a radius of 24.84 feet, a central
6-50 angle of 92°12'15", a chord bearing and distance of N 60°59'33" E,
6-51 35.80 feet, for an arc length of 39.98 feet to a point,

6-52 Southeasterly, along the arc of a reverse curve to the right
6-53 with a radius of 780.39 feet, an interior angle of 12°35'14", and a
6-54 chord bearing and distance of N 21°11'03" E, 171.10 feet; for an arc
6-55 length of 171.44 feet to a point,

6-56 N 27°06'01" E, a distance of 59.97 feet to a point,

6-57 Northwesterly, along a tangent curve to the left with a
6-58 radius of 2280.00 feet, a central angle of 02°47'20", and a chord
6-59 bearing and distance of N 25°42'20" E, 110.97 feet, for an arc length
6-60 of 110.98 feet to a point,

6-61 N 67°30'19" W, a distance of 260.14 feet to a point,

6-62 N 54°51'39" W, a distance of 61.08 feet to a point, and

6-63 N 67°21'55" W, a distance of 247.25 feet to a point;

6-64 THENCE: N 22°29'41" E, along and with the west line of said
6-65 0.476 acre right-of-way easement and west line of said 250 acre
6-66 tract, a distance of 506.41 feet to the POINT OF BEGINNING and
6-67 containing 232.215 acres in the Extra-Territorial Jurisdiction of
6-68 Rosenberg, Fort Bend County, Texas. Said tract being described in
6-69 accordance with a survey made on the ground and a survey description

7-1 and map prepared under job number 49077-14 by Pape-Dawson
7-2 Engineers, Inc.

7-3 SECTION 3. (a) The legal notice of the intention to
7-4 introduce this Act, setting forth the general substance of this
7-5 Act, has been published as provided by law, and the notice and a
7-6 copy of this Act have been furnished to all persons, agencies,
7-7 officials, or entities to which they are required to be furnished
7-8 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-9 Government Code.

7-10 (b) The governor, one of the required recipients, has
7-11 submitted the notice and Act to the Texas Commission on
7-12 Environmental Quality.

7-13 (c) The Texas Commission on Environmental Quality has filed
7-14 its recommendations relating to this Act with the governor, the
7-15 lieutenant governor, and the speaker of the house of
7-16 representatives within the required time.

7-17 (d) All requirements of the constitution and laws of this
7-18 state and the rules and procedures of the legislature with respect
7-19 to the notice, introduction, and passage of this Act are fulfilled
7-20 and accomplished.

7-21 SECTION 4. (a) If this Act does not receive a two-thirds
7-22 vote of all the members elected to each house, Subchapter C, Chapter
7-23 7927, Special District Local Laws Code, as added by Section 1 of
7-24 this Act, is amended by adding Section 7927.106 to read as follows:

7-25 Sec. 7927.106. NO EMINENT DOMAIN POWER. The district may
7-26 not exercise the power of eminent domain.

7-27 (b) This section is not intended to be an expression of a
7-28 legislative interpretation of the requirements of Section 17(c),
7-29 Article I, Texas Constitution.

7-30 SECTION 5. This Act takes effect September 1, 2015.

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