

1-1 By: Nichols S.B. No. 2044
 1-2 (In the Senate - Filed April 10, 2015; April 13, 2015, read
 1-3 first time and referred to Committee on Intergovernmental
 1-4 Relations; April 30, 2015, reported favorably by the following
 1-5 vote: Yeas 6, Nays 0; April 30, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7	X			
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 Valley Ranch Town Center Management
 1-18 District; providing authority to issue bonds; providing authority
 1-19 to impose assessments, fees, or taxes.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-21 SECTION 1. Subtitle C, Title 4, Special District Local Laws
 1-22 Code, is amended by adding Chapter 3941 to read as follows:

1-23 CHAPTER 3941. VALLEY RANCH TOWN CENTER MANAGEMENT DISTRICT
 1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 3941.001. DEFINITIONS. In this chapter:

- 1-26 (1) "Board" means the district's board of directors.
- 1-27 (2) "County" means Montgomery County.
- 1-28 (3) "Director" means a board member.
- 1-29 (4) "District" means the Valley Ranch Town Center
 1-30 Management District.

1-31 Sec. 3941.002. NATURE OF DISTRICT. The Valley Ranch Town
 1-32 Center Management District is a special district created under
 1-33 Section 59, Article XVI, Texas Constitution.

1-34 Sec. 3941.003. PURPOSE; DECLARATION OF INTENT. (a) The
 1-35 creation of the district is essential to accomplish the purposes of
 1-36 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
 1-37 Texas Constitution, and other public purposes stated in this
 1-38 chapter. By creating the district and in authorizing the county and
 1-39 other political subdivisions to contract with the district, the
 1-40 legislature has established a program to accomplish the public
 1-41 purposes set out in Section 52-a, Article III, Texas Constitution.

1-42 (b) The creation of the district is necessary to promote,
 1-43 develop, encourage, and maintain employment, commerce,
 1-44 transportation, housing, tourism, recreation, the arts,
 1-45 entertainment, economic development, safety, and the public
 1-46 welfare in the district.

1-47 (c) This chapter and the creation of the district may not be
 1-48 interpreted to relieve the county from providing the level of
 1-49 services provided as of the effective date of the Act enacting this
 1-50 chapter to the area in the district. The district is created to
 1-51 supplement and not to supplant county services provided in the
 1-52 district.

1-53 Sec. 3941.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-54 (a) The district is created to serve a public use and benefit.

1-55 (b) All land and other property included in the district
 1-56 will benefit from the improvements and services to be provided by
 1-57 the district under powers conferred by Sections 52 and 52-a,
 1-58 Article III, and Section 59, Article XVI, Texas Constitution, and
 1-59 other powers granted under this chapter.

1-60 (c) The creation of the district is in the public interest
 1-61 and is essential to further the public purposes of:

2-1 (1) developing and diversifying the economy of the
2-2 state;
2-3 (2) eliminating unemployment and underemployment; and
2-4 (3) developing or expanding transportation and
2-5 commerce.
2-6 (d) The district will:
2-7 (1) promote the health, safety, and general welfare of
2-8 residents, employers, potential employees, employees, visitors,
2-9 and consumers in the district, and of the public;
2-10 (2) provide needed funding for the district to
2-11 preserve, maintain, and enhance the economic health and vitality of
2-12 the district territory as a community and business center;
2-13 (3) promote the health, safety, welfare, and enjoyment
2-14 of the public by providing pedestrian ways and by landscaping and
2-15 developing certain areas in the district, which are necessary for
2-16 the restoration, preservation, and enhancement of scenic beauty;
2-17 and
2-18 (4) provide for water, wastewater, drainage, road, and
2-19 recreational facilities for the district.
2-20 (e) Pedestrian ways along or across a street, whether at
2-21 grade or above or below the surface, and street lighting, street
2-22 landscaping, parking, and street art objects are parts of and
2-23 necessary components of a street and are considered to be a street
2-24 or road improvement.
2-25 (f) The district will not act as the agent or
2-26 instrumentality of any private interest even though the district
2-27 will benefit many private interests as well as the public.
2-28 Sec. 3941.005. INITIAL DISTRICT TERRITORY. (a) The
2-29 district is initially composed of the territory described by
2-30 Section 2 of the Act enacting this chapter.
2-31 (b) The boundaries and field notes contained in Section 2 of
2-32 the Act enacting this chapter form a closure. A mistake in the
2-33 field notes or in copying the field notes in the legislative process
2-34 does not affect the district's:
2-35 (1) organization, existence, or validity;
2-36 (2) right to issue any type of bonds for the purposes
2-37 for which the district is created or to pay the principal of and
2-38 interest on the bonds;
2-39 (3) right to impose or collect an assessment or tax; or
2-40 (4) legality or operation.
2-41 Sec. 3941.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
2-42 All or any part of the area of the district is eligible to be
2-43 included in:
2-44 (1) a tax increment reinvestment zone created under
2-45 Chapter 311, Tax Code;
2-46 (2) a tax abatement reinvestment zone created under
2-47 Chapter 312, Tax Code;
2-48 (3) an enterprise zone created under Chapter 2303,
2-49 Government Code; or
2-50 (4) an industrial district created under Chapter 42,
2-51 Local Government Code.
2-52 Sec. 3941.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
2-53 DISTRICTS LAW. Except as otherwise provided by this chapter,
2-54 Chapter 375, Local Government Code, applies to the district.
2-55 Sec. 3941.008. CONSTRUCTION OF CHAPTER. This chapter shall
2-56 be liberally construed in conformity with the findings and purposes
2-57 stated in this chapter.
2-58 SUBCHAPTER B. BOARD OF DIRECTORS
2-59 Sec. 3941.051. GOVERNING BODY; TERMS. (a) The district is
2-60 governed by a board of five voting directors who serve staggered
2-61 terms of four years, with two or three directors' terms expiring
2-62 June 1 of each odd-numbered year.
2-63 (b) The board by resolution may change the number of voting
2-64 directors on the board if the board determines that the change is in
2-65 the best interest of the district. The board may not consist of
2-66 fewer than five or more than nine voting directors.
2-67 Sec. 3941.052. APPOINTMENT OF VOTING DIRECTORS. The Texas
2-68 Commission on Environmental Quality shall appoint voting directors
2-69 from persons recommended by the board.

3-1 Sec. 3941.053. NONVOTING DIRECTORS. The board may appoint
 3-2 nonvoting directors to serve at the pleasure of the voting
 3-3 directors.

3-4 Sec. 3941.054. QUORUM. For purposes of determining the
 3-5 requirements for a quorum of the board, the following are not
 3-6 counted:

3-7 (1) a board position vacant for any reason, including
 3-8 death, resignation, or disqualification;

3-9 (2) a director who is abstaining from participation in
 3-10 a vote because of a conflict of interest; or

3-11 (3) a nonvoting director.

3-12 Sec. 3941.055. COMPENSATION. A director is entitled to
 3-13 receive fees of office and reimbursement for actual expenses as
 3-14 provided by Section 49.060, Water Code. Sections 375.069 and
 3-15 375.070, Local Government Code, do not apply to the board.

3-16 Sec. 3941.056. INITIAL VOTING DIRECTORS. (a) The initial
 3-17 board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Jason Tramonte</u>
<u>2</u>	<u>Temple Brown</u>
<u>3</u>	<u>Steve Sample</u>
<u>4</u>	<u>Melissa Fitzgerald</u>
<u>5</u>	<u>Adam Cohen</u>

3-24 (b) Of the initial directors, the terms of directors
 3-25 appointed for positions one through three expire June 1, 2017, and
 3-26 the terms of directors appointed for positions four and five expire
 3-27 June 1, 2019.

3-28 (c) Section 3941.052 does not apply to this section.

3-29 SUBCHAPTER C. POWERS AND DUTIES

3-30 Sec. 3941.101. GENERAL POWERS AND DUTIES. The district has
 3-31 the powers and duties necessary to accomplish the purposes for
 3-32 which the district is created.

3-33 Sec. 3941.102. IMPROVEMENT PROJECTS AND SERVICES. The
 3-34 district may provide, design, construct, acquire, improve,
 3-35 relocate, operate, maintain, or finance an improvement project or
 3-36 service using any money available to the district, or contract with
 3-37 a governmental or private entity to provide, design, construct,
 3-38 acquire, improve, relocate, operate, maintain, or finance an
 3-39 improvement project or service authorized under this chapter or
 3-40 Chapter 375, Local Government Code.

3-41 Sec. 3941.103. DEVELOPMENT CORPORATION POWERS. The
 3-42 district, using money available to the district, may exercise the
 3-43 powers given to a development corporation under Chapter 505, Local
 3-44 Government Code, including the power to own, operate, acquire,
 3-45 construct, lease, improve, or maintain a project under that
 3-46 chapter.

3-47 Sec. 3941.104. NONPROFIT CORPORATION. (a) The board by
 3-48 resolution may authorize the creation of a nonprofit corporation to
 3-49 assist and act for the district in implementing a project or
 3-50 providing a service authorized by this chapter.

3-51 (b) The nonprofit corporation:

3-52 (1) has each power of and is considered to be a local
 3-53 government corporation created under Subchapter D, Chapter 431,
 3-54 Transportation Code; and

3-55 (2) may implement any project and provide any service
 3-56 authorized by this chapter.

3-57 (c) The board shall appoint the board of directors of the
 3-58 nonprofit corporation. The board of directors of the nonprofit
 3-59 corporation shall serve in the same manner as the board of directors
 3-60 of a local government corporation created under Subchapter D,
 3-61 Chapter 431, Transportation Code, except that a board member is not
 3-62 required to reside in the district.

3-63 Sec. 3941.105. AGREEMENTS; GRANTS. (a) As provided by
 3-64 Chapter 375, Local Government Code, the district may make an
 3-65 agreement with or accept a gift, grant, or loan from any person.

3-66 (b) The implementation of a project is a governmental
 3-67 function or service for the purposes of Chapter 791, Government
 3-68 Code.

3-69 Sec. 3941.106. LAW ENFORCEMENT SERVICES. To protect the

4-1 public interest, the district may contract with a qualified party,
4-2 including the county, to provide law enforcement services in the
4-3 district for a fee.

4-4 Sec. 3941.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
4-5 district may join and pay dues to a charitable or nonprofit
4-6 organization that performs a service or provides an activity
4-7 consistent with the furtherance of a district purpose.

4-8 Sec. 3941.108. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
4-9 district may engage in activities that accomplish the economic
4-10 development purposes of the district.

4-11 (b) The district may establish and provide for the
4-12 administration of one or more programs to promote state or local
4-13 economic development and to stimulate business and commercial
4-14 activity in the district, including programs to:

4-15 (1) make loans and grants of public money; and

4-16 (2) provide district personnel and services.

4-17 (c) The district may create economic development programs
4-18 and exercise the economic development powers provided to
4-19 municipalities by:

4-20 (1) Chapter 380, Local Government Code; and

4-21 (2) Subchapter A, Chapter 1509, Government Code.

4-22 Sec. 3941.109. PARKING FACILITIES. (a) The district may
4-23 acquire, lease as lessor or lessee, construct, develop, own,
4-24 operate, and maintain parking facilities or a system of parking
4-25 facilities, including lots, garages, parking terminals, or other
4-26 structures or accommodations for parking motor vehicles off the
4-27 streets and related appurtenances.

4-28 (b) The district's parking facilities serve the public
4-29 purposes of the district and are owned, used, and held for a public
4-30 purpose even if leased or operated by a private entity for a term of
4-31 years.

4-32 (c) The district's parking facilities are parts of and
4-33 necessary components of a street and are considered to be a street
4-34 or road improvement.

4-35 (d) The development and operation of the district's parking
4-36 facilities may be considered an economic development program.

4-37 Sec. 3941.110. ANNEXATION OF LAND. The district may annex
4-38 land as provided by Subchapter J, Chapter 49, Water Code.

4-39 Sec. 3941.111. NO EMINENT DOMAIN POWER. The district may
4-40 not exercise the power of eminent domain.

4-41 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

4-42 Sec. 3941.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
4-43 board by resolution shall establish the number of directors'
4-44 signatures and the procedure required for a disbursement or
4-45 transfer of district money.

4-46 Sec. 3941.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
4-47 The district may acquire, construct, finance, operate, or maintain
4-48 any improvement or service authorized under this chapter or Chapter
4-49 375, Local Government Code, using any money available to the
4-50 district.

4-51 Sec. 3941.153. PETITION REQUIRED FOR FINANCING SERVICES AND
4-52 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
4-53 service or improvement project with assessments under this chapter
4-54 unless a written petition requesting that service or improvement
4-55 has been filed with the board.

4-56 (b) A petition filed under Subsection (a) must be signed by
4-57 the owners of a majority of the assessed value of real property in
4-58 the district subject to assessment according to the most recent
4-59 certified tax appraisal roll for the county.

4-60 Sec. 3941.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

4-61 (a) The board by resolution may impose and collect an assessment
4-62 for any purpose authorized by this chapter in all or any part of the
4-63 district.

4-64 (b) An assessment, a reassessment, or an assessment
4-65 resulting from an addition to or correction of the assessment roll
4-66 by the district, penalties and interest on an assessment or
4-67 reassessment, an expense of collection, and reasonable attorney's
4-68 fees incurred by the district:

4-69 (1) are a first and prior lien against the property

5-1 assessed;
 5-2 (2) are superior to any other lien or claim other than
 5-3 a lien or claim for county, school district, or municipal ad valorem
 5-4 taxes; and

5-5 (3) are the personal liability of and a charge against
 5-6 the owners of the property even if the owners are not named in the
 5-7 assessment proceedings.

5-8 (c) The lien is effective from the date of the board's
 5-9 resolution imposing the assessment until the date the assessment is
 5-10 paid. The board may enforce the lien in the same manner that the
 5-11 board may enforce an ad valorem tax lien against real property.

5-12 (d) The board may make a correction to or deletion from the
 5-13 assessment roll that does not increase the amount of assessment of
 5-14 any parcel of land without providing notice and holding a hearing in
 5-15 the manner required for additional assessments.

5-16 Sec. 3941.155. TAX AND ASSESSMENT ABATEMENTS. The district
 5-17 may designate reinvestment zones and may grant abatements of
 5-18 district taxes or assessments on property in the zones.

5-19 SUBCHAPTER E. TAXES AND BONDS

5-20 Sec. 3941.201. ELECTIONS REGARDING TAXES AND BONDS.

5-21 (a) The district may issue, without an election, bonds, notes, and
 5-22 other obligations secured by:

5-23 (1) revenue other than ad valorem taxes; or

5-24 (2) contract payments described by Section 3941.203.

5-25 (b) The district must hold an election in the manner
 5-26 provided by Subchapter L, Chapter 375, Local Government Code, to
 5-27 obtain voter approval before the district may impose an ad valorem
 5-28 tax or issue bonds payable from ad valorem taxes.

5-29 (c) Section 375.243, Local Government Code, does not apply
 5-30 to the district.

5-31 (d) All or any part of any facilities or improvements that
 5-32 may be acquired by a district by the issuance of its bonds may be
 5-33 submitted as a single proposition or as several propositions to be
 5-34 voted on at the election.

5-35 Sec. 3941.202. OPERATION AND MAINTENANCE TAX. (a) If
 5-36 authorized by a majority of the district voters voting at an
 5-37 election held in accordance with Section 3941.201, the district may
 5-38 impose an operation and maintenance tax on taxable property in the
 5-39 district in accordance with Section 49.107, Water Code, for any
 5-40 district purpose, including to:

5-41 (1) maintain and operate the district;

5-42 (2) construct or acquire improvements; or

5-43 (3) provide a service.

5-44 (b) The board shall determine the tax rate. The rate may not
 5-45 exceed the rate approved at the election.

5-46 (c) Section 49.107(h), Water Code, does not apply to the
 5-47 district.

5-48 Sec. 3941.203. CONTRACT TAXES. (a) In accordance with
 5-49 Section 49.108, Water Code, the district may impose a tax other than
 5-50 an operation and maintenance tax and use the revenue derived from
 5-51 the tax to make payments under a contract after the provisions of
 5-52 the contract have been approved by a majority of the district voters
 5-53 voting at an election held for that purpose.

5-54 (b) A contract approved by the district voters may contain a
 5-55 provision stating that the contract may be modified or amended by
 5-56 the board without further voter approval.

5-57 Sec. 3941.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
 5-58 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
 5-59 determined by the board. Section 375.205, Local Government Code,
 5-60 does not apply to a loan, line of credit, or other borrowing from a
 5-61 bank or financial institution secured by revenue other than ad
 5-62 valorem taxes.

5-63 (b) The district may issue bonds, notes, or other
 5-64 obligations payable wholly or partly from ad valorem taxes,
 5-65 assessments, impact fees, revenue, contract payments, grants, or
 5-66 other district money, or any combination of those sources of money,
 5-67 to pay for any authorized district purpose.

5-68 (c) The limitation on the outstanding principal amount of
 5-69 bonds, notes, and other obligations provided by Section 49.4645,

6-1 Water Code, does not apply to the district.

6-2 Sec. 3941.205. TAXES FOR BONDS. At the time the district
 6-3 issues bonds payable wholly or partly from ad valorem taxes, the
 6-4 board shall provide for the annual imposition of a continuing
 6-5 direct annual ad valorem tax, without limit as to rate or amount,
 6-6 for each year that all or part of the bonds are outstanding as
 6-7 required and in the manner provided by Sections 54.601 and 54.602,
 6-8 Water Code.

6-9 SUBCHAPTER F. DISSOLUTION AND MUNICIPAL ANNEXATION

6-10 Sec. 3941.251. MUNICIPAL ANNEXATION; DISSOLUTION.

6-11 (a) The district is a "water or sewer district" under Section
 6-12 43.071, Local Government Code.

6-13 (b) Section 43.075, Local Government Code, applies to the
 6-14 district.

6-15 (c) Section 375.264, Local Government Code, does not apply
 6-16 to the dissolution of the district by a municipality.

6-17 SECTION 2. The Valley Ranch Town Center Management District
 6-18 initially includes all territory contained in the following area:

6-19 Being a 210.64 acres tract of land out of the William Massey
 6-20 Survey, Abstract Number 387, and the William Smith Survey (WM. S.
 6-21 Beaty), Abstract Number 540, Montgomery County, Texas; and being
 6-22 out of and a portion of that certain called 548.300 acre tract of
 6-23 land conveyed to Sig-Valley Ranch, LTD., by Warranty Deed executed
 6-24 December 23, 2003, as recorded in File No. 2003-157058 in the
 6-25 Official Public Records of Real Property, Montgomery County, Texas;
 6-26 also being all of that certain called 57.24 acre tract of land
 6-27 conveyed to Sig-Valley Ranch, LTD., by Warranty deed executed June
 6-28 30, 2005, as recorded in File No. 2005-070741 in the Official
 6-29 Public Records of Real Property, Montgomery County Texas; also
 6-30 being all of that certain called 0.7389 acres tract of land conveyed
 6-31 to Valley Ranch Town Center, LTD., as recorded in File Number
 6-32 2008-043809 in the Official Public Records of Real Property,
 6-33 Montgomery County, Texas; and being all of that certain called
 6-34 71.727 acres tract of land conveyed to Valley Ranch Town Center,
 6-35 LTD., as recorded in File Number 2007-047721 in the Official Public
 6-36 Records of Real Property, Montgomery County, Texas; and being all
 6-37 of that certain called 3.5714 acres tract of land conveyed to A-S 96
 6-38 HWY 59 North-Grand Parkway, L.P. as recorded in File Number
 6-39 2007-087020 in the Official Public Records of Real Property,
 6-40 Montgomery County, Texas; said 210.64 acres tract of land being
 6-41 more particularly described by metes and bounds as follows, with
 6-42 all bearings being referenced to Texas Coordinate System, Central
 6-43 Zone, North American Datum of 1983 (NAD 83), CORS96, EPOCH 2002.00;

6-44 BEGINNING at a found 4-inch aluminum disc stamped "TxDOT" for
 6-45 the Northeast corner of said 3.5714 acres tract, the Southeast
 6-46 corner of that certain called 1.37 acres tract of land conveyed to E
 6-47 & K Investments as recorded in File Number 99076562 in the Official
 6-48 Public Records of Real Property, Montgomery County, Texas; also
 6-49 being in the Northwest right-of-way of U.S. 59 (320-foot
 6-50 right-of-way) as recorded in Volume 516, Pg. 341 in the Montgomery
 6-51 County Deed Records;

6-52 THENCE South 12° 02' 45" West, with the Northwest right-of-way
 6-53 of said U.S. 59, 493.05 feet to a found 4-inch aluminum disc stamped
 6-54 "TxDOT" for the Southeast corner of said 3.5714 acres tract and the
 6-55 Northeast corner of that certain called 2.155 acres tract of land
 6-56 conveyed to Martha S. Baker, as recorded in File Number 2001-109901
 6-57 in the Official Public Records of Real Property, Montgomery County,
 6-58 Texas;

6-59 THENCE South 86° 40' 34" West, with the North line of said
 6-60 2.155 acres tract and the South line of said 3.5714 acres tract,
 6-61 262.78 feet to a set 3/4-inch iron rod with cap stamped "DANNENBAUM
 6-62 ENGINEERING" for the Southwest corner of said 3.5714 acres tract
 6-63 and the Northwest corner of said 2.155 acres tract, and being in the
 6-64 East line of said 57.24 acres tract;

6-65 THENCE South 03° 15' 06" East with the East line of said 57.24
 6-66 acres tract and the West line of said 2.155 acres tract, 477.39 feet
 6-67 to set 3/4-inch iron rod with cap stamped "DANNENBAUM ENGINEERING"
 6-68 for the Southwest corner of said 2.155 acres tract and the Northwest
 6-69 corner of said 0.7389 acres tract;

7-1 THENCE North 86° 07' 44" East, with the South line of said
7-2 2.155 acres tract and the North line of said 0.7389 acres tract,
7-3 133.19 feet to a found 4-inch aluminum disc stamped "TxDOT" for the
7-4 Southeast corner of said 2.155 acres tract and the Northeast corner
7-5 of said 0.7389 acres tract, and being in the Northwest right-of-way
7-6 of said U.S. 59;

7-7 THENCE South 12° 06' 38" West, with the Northwest right-of-way
7-8 of said U.S. 59, 502.74 feet to a found 4-inch aluminum disc stamped
7-9 "TxDOT" for the South corner of said 0.7389 acres tract and a
7-10 Southwest corner of said 57.24 acres tract;

7-11 THENCE South 11° 54' 13" West, with the Northwest right-of-way
7-12 of said U.S. 59, 246.19 feet to a found concrete monument for corner
7-13 and the beginning of a tangent curve to the right;

7-14 THENCE continuing with the Northwest right-of-way of said
7-15 U.S. 59, along said curve to the right having a radius of 523.97
7-16 feet, an arc length of 475.27 feet, a central angle of 51° 58' 16",
7-17 and a chord bearing South 37° 56' 17" West, 459.15 feet to a found
7-18 concrete monument for corner;

7-19 THENCE South 63° 56' 06" West, continuing with the Northwest
7-20 right-of-way of said U.S. 59, 392.73 feet to a set 3/4-inch iron rod
7-21 with cap stamped "DANNENBAUM ENGINEERING" for corner and the
7-22 beginning of a tangent curve to the left;

7-23 THENCE continuing with the Northwest right-of-way of said
7-24 U.S. 59, along said curve to the left having a radius of 335.48
7-25 feet, an arc length of 133.24 feet, a central angle of 22° 45' 20",
7-26 and a chord bearing South 52° 45' 51" West, 132.36 feet to a set
7-27 3/4-inch iron rod with cap stamped "DANNENBAUM ENGINEERING" for the
7-28 southeast corner of said 71.727 acres tract and being in the
7-29 Proposed North right-of-way of Grand Parkway;

7-30 THENCE South 85° 28' 53" West, with the Proposed North
7-31 right-of-way of Grand Parkway and the South line of said 71.727
7-32 acres tract, 2497.13 feet to a point for corner and the beginning of
7-33 a tangent curve to the right;

7-34 THENCE along said curve to the right, having a radius of
7-35 1886.00 feet, an arc length of 339.44 feet, a central angle of 10°
7-36 18' 43", and a chord bearing North 89° 21' 46" West, 338.98 feet to a
7-37 point for corner being in the centerline of White Oak Bayou;

7-38 THENCE with the meanders of the centerline of White Oak Bayou
7-39 and the Southwesterly lines of the herein described tract, the
7-40 following courses and distances:

7-41 - THENCE North 12° 45' 20" West, 43.40 feet to a point for corner;
7-42 - THENCE North 23° 29' 16" East, 51.25 feet to a point for corner;
7-43 - THENCE North 33° 14' 49" West, 41.90 feet to a point for corner;
7-44 - THENCE North 62° 47' 32" West, 14.97 feet to a point for corner;
7-45 - THENCE North 35° 00' 17" West, 33.24 feet to a point for corner;
7-46 - THENCE North 77° 36' 34" West, 42.16 feet to a point for corner;
7-47 - THENCE North 42° 17' 25" West, 53.80 feet to a point for corner;
7-48 - THENCE North 45° 18' 16" West, 53.91 feet to a point for corner;
7-49 - THENCE North 55° 39' 35" West, 35.08 feet to a point for corner;
7-50 - THENCE North 76° 24' 26" West, 37.08 feet to a point for corner;
7-51 - THENCE North 48° 59' 11" West, 106.48 feet to a point for corner;
7-52 - THENCE North 34° 24' 21" West, 30.40 feet to a point for corner;
7-53 - THENCE North 56° 21' 38" West, 66.27 feet to a point for corner;
7-54 - THENCE North 85° 31' 21" West, 26.27 feet to a point for corner;
7-55 - THENCE North 36° 15' 31" West, 109.67 feet to a point for corner;
7-56 - THENCE North 75° 49' 44" West, 24.85 feet to a point for corner;
7-57 - THENCE South 80° 56' 52" West, 41.81 feet to a point for corner;
7-58 - THENCE North 83° 19' 45" West, 67.67 feet to a point for corner;
7-59 - THENCE North 66° 30' 42" West, 35.69 feet to a point for corner;
7-60 - THENCE North 31° 35' 01" West, 41.52 feet to a point for corner;
7-61 - THENCE North 53° 03' 12" West, 37.58 feet to a point for corner;
7-62 - THENCE North 10° 36' 32" East, 22.99 feet to a point for corner;
7-63 - THENCE North N 40° 09' 07" West, 18.26 feet to a point for corner;
7-64 - THENCE North 64° 15' 33" West, 36.09 feet to a point for corner;
7-65 - THENCE South 89° 32' 37" West, 22.93 feet to a point for corner;
7-66 - THENCE North 04° 18' 58" East, 40.40 feet to a point for corner;
7-67 - THENCE North 51° 29' 10" West, 21.95 feet to a point for corner;
7-68 - THENCE North 74° 46' 16" West, 24.92 feet to a point for corner;
7-69 - THENCE South 68° 05' 35" West, 26.22 feet to a point for corner;

- 8-1 - THENCE South 04° 28' 48" East, 49.05 feet to a point for corner;
8-2 - THENCE South 39° 20' 23" West, 33.30 feet to a point for corner;
8-3 - THENCE North 80° 06' 29" West, 29.12 feet to a point for corner;
8-4 - THENCE North 54° 19' 38" West, 66.25 feet to a point for corner;
8-5 - THENCE North 44° 00' 07" West, 67.67 feet to a point for corner;
8-6 - THENCE North 72° 28' 15" West, 58.48 feet to a point for corner;
8-7 - THENCE North 53° 00' 58" West, 113.50 feet to a point for corner;
8-8 - THENCE North 58° 32' 21" West, 105.66 feet to a point for corner;
8-9 - THENCE North 80° 46' 30" West, 42.17 feet to a point for corner;
8-10 - THENCE North 27° 39' 25" West, 16.86 feet to a point for corner;
8-11 - THENCE North 82° 42' 23" West, 43.55 feet to a point for corner at
8-12 the Southwest corner of the herein described tract;
8-13 THENCE North 04° 31' 09" West, 1299.57 feet to a set 3/4-inch
8-14 iron rod with cap stamped "DANNENBAUM ENGINEERING" for corner at
8-15 the Northwest corner of the herein described tract; also being in
8-16 the South line of a certain called 0.275 acre tract of land conveyed
8-17 to Montgomery County, Texas as recorded in File Number 2008-111022
8-18 in the Official Public Records of Real Property, Montgomery County,
8-19 Texas;
8-20 THENCE North 86° 31' 04" East with the South line of said 0.275
8-21 acres tract, 492.66 feet to a set 3/4-inch iron rod with cap stamped
8-22 "DANNENBAUM ENGINEERING" for the southeast corner of said 0.275
8-23 acres tract, and being in the West line of that certain called 3.003
8-24 acres tract of land conveyed to Montgomery County, Texas as
8-25 recorded in File Number 2008-111021 of the Official Public Records
8-26 of Real Property, Montgomery County, Texas;
8-27 THENCE South 03° 28' 56" East with the West line of said 3.003
8-28 acres tract, 100.00 feet to a set 3/4-inch iron rod with cap stamped
8-29 "DANNENBAUM ENGINEERING" for the Southwest corner of said 3.003
8-30 acres tract;
8-31 THENCE North 86° 31' 04" East with the South line of said 3.003
8-32 acres tract, 2,290.00 feet to a set 3/4 with cap stamped "DANNENBAUM
8-33 ENGINEERING" for the Southeast corner of said 3.003 acres tract,
8-34 and being the Southwest corner of that certain called 0.165 acres
8-35 tract conveyed to Montgomery County, Texas as recorded in File
8-36 Number 2008-111022 of the Official Public Records of Real Property,
8-37 Montgomery County, Texas;
8-38 THENCE North 86° 32' 59" East with the South line of said 0.165
8-39 acres tract, 60.00 feet to a set 3/4-inch iron rod with cap stamped
8-40 "DANNENBAUM ENGINEERING" for the Southeast corner of said 0.165
8-41 acres tract;
8-42 THENCE North 03° 28' 56" West with the East line of said 0.165
8-43 acres tract, 120.00 feet to a set 3/4-inch iron rod with cap stamped
8-44 "DANNENBAUM ENGINEERING" in the North line of said 548.300 acres
8-45 tract, also being in the South line of that certain called 32.645
8-46 acres tract of land conveyed to Montgomery County, as recorded in
8-47 File Number 2007-102058 of the Official Public Records of Real
8-48 Property, Montgomery County, Texas;
8-49 THENCE North 86° 32' 59" East with the North line of said
8-50 548.300 acres tract and the South line of said 32.645 acres tract of
8-51 land, 94.65 feet to a set 3/4-inch iron rod with cap stamped "DANNENBAUM
8-52 ENGINEERING" for the Southeast corner of said 7.479 acres tract,
8-53 and being the beginning of a non-tangent curve to the right;
8-54 THENCE along said curve to the right, having a radius of
8-55 312.28, an arc length of 141.43 feet, a central angle of 25° 56' 53",
8-56 and a chord bearing South 17° 28' 08" East, 140.22 feet to found
8-57 1/2-inch iron rod with cap stamped "JEFF MOON RPLS 4639" for corner;
8-58 THENCE South 04° 30' 58" East, 690.96 feet to found 1/2-inch
8-59 iron rod with cap stamped "JEFF MOON RPLS 4639" for corner;
8-60 THENCE North 85° 29' 02" East, 812.68 feet to found 1/2-inch
8-61 iron rod with cap stamped "JEFF MOON RPLS 4639" for corner and the
8-62 beginning of a tangent curve to the left;
8-63 THENCE along said curve to the left, having a radius of
8-64 250.00, an arc length of 312.69 feet, a central angle of 71° 39' 45",
8-65 and a chord bearing North 49° 39' 08" East, 292.70 feet to found
8-66 1/2-inch iron rod with cap stamped "JEFF MOON RPLS 4639" for corner;
8-67 THENCE North 13° 49' 15" East, 580.62 feet to found 1/2-inch
8-68 iron rod with cap stamped "JEFF MOON RPLS 4639" for corner and the
8-69 beginning of a tangent curve to the left;

9-1 THENCE along said curve to the left, having a radius of
9-2 270.00, an arc length of 84.42 feet, a central angle of 17° 54' 53",
9-3 and a chord bearing North 04° 51' 48" East, 84.08 feet to found
9-4 1/2-inch iron rod with cap stamped "JEFF MOON RPLS 4639" for corner
9-5 being in the North line of said 57.24 acres tract and the South line
9-6 of that certain called 33.22 acres tract of land conveyed to Joseph
9-7 Popowitz as recorded in File Number 2001-007697 in the Official
9-8 Public Records of Real Property, Montgomery County, Texas;

9-9 THENCE North 86° 27' 53" East, with the North line of said
9-10 57.24 acre tract and the South line of said 33.22 acres tract,
9-11 723.29 feet to a set 3/4-inch iron rod with cap stamped "DANNENBAUM
9-12 ENGINEERING" for the Northeast corner of said 57.24 acres tract,
9-13 also being the Northwest corner of said 3.5714 acres tract of land;

9-14 THENCE North 86° 27' 53" East, with the North line of said
9-15 3.5714 acres tract, 392.87 feet to POINT OF BEGINNING; containing
9-16 210.64 acres of land, more or less.

9-17 SECTION 3. (a) The legal notice of the intention to
9-18 introduce this Act, setting forth the general substance of this
9-19 Act, has been published as provided by law, and the notice and a
9-20 copy of this Act have been furnished to all persons, agencies,
9-21 officials, or entities to which they are required to be furnished
9-22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
9-23 Government Code.

9-24 (b) The governor, one of the required recipients, has
9-25 submitted the notice and Act to the Texas Commission on
9-26 Environmental Quality.

9-27 (c) The Texas Commission on Environmental Quality has filed
9-28 its recommendations relating to this Act with the governor,
9-29 lieutenant governor, and speaker of the house of representatives
9-30 within the required time.

9-31 (d) The general law relating to consent by political
9-32 subdivisions to the creation of districts with conservation,
9-33 reclamation, and road powers and the inclusion of land in those
9-34 districts has been complied with.

9-35 (e) All requirements of the constitution and laws of this
9-36 state and the rules and procedures of the legislature with respect
9-37 to the notice, introduction, and passage of this Act have been
9-38 fulfilled and accomplished.

9-39 SECTION 4. This Act takes effect immediately if it receives
9-40 a vote of two-thirds of all the members elected to each house, as
9-41 provided by Section 39, Article III, Texas Constitution. If this
9-42 Act does not receive the vote necessary for immediate effect, this
9-43 Act takes effect September 1, 2015.

9-44 * * * * *