

By: Hernandez

H.B. No. 4667

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the East Houston Management District;
providing authority to issue bonds; providing authority to impose
assessments, fees, or taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws
Code, is amended by adding Chapter 3923 to read as follows:

CHAPTER 3923. EAST HOUSTON MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3923.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Houston.

(3) "County" means Harris County.

(4) "Director" means a board member.

(5) "District" means the East Houston Management
District.

Sec. 3923.0102. CREATION AND NATURE OF DISTRICT. The
district is a special district created under Section 59, Article
XVI, Texas Constitution.

Sec. 3923.0103. CONFIRMATION ELECTION REQUIRED. (a) On
receipt of a petition signed by a majority of the owners of real
property in the district according to the most recent certified tax
appraisal roll for the county, the initial board shall hold an
election to confirm the creation of the district in the manner

1 provided by Subchapter D, Chapter 49, Water Code.

2 (b) The board may not issue bonds or other obligations
3 unless the creation of the district is confirmed as provided by this
4 section.

5 Sec. 3923.0104. PURPOSE; LEGISLATIVE FINDINGS. (a) The
6 creation of the district is essential to accomplish the purposes of
7 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
8 Texas Constitution, and other public purposes stated in this
9 chapter. By creating the district and in authorizing the city and
10 other political subdivisions to contract with the district, the
11 legislature has established a program to accomplish the public
12 purposes set out in Section 52-a, Article III, Texas Constitution.

13 (b) The creation of the district is necessary to promote,
14 develop, encourage, and maintain employment, commerce,
15 transportation, housing, tourism, recreation, the arts,
16 entertainment, economic development, safety, and the public
17 welfare in the district.

18 (c) The district is created to supplement and not to
19 supplant city services provided in the district.

20 Sec. 3923.0105. FINDINGS OF PUBLIC USE AND BENEFIT. (a)
21 The district is created to serve a public use and benefit.

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

27 (c) The creation of the district is in the public interest

1 and is essential to further the public purposes of:

2 (1) developing and diversifying the economy of the
3 state;

4 (2) eliminating unemployment and underemployment;

5 (3) developing or expanding transportation and
6 commerce; and

7 (4) providing quality residential housing.

8 (d) The district will:

9 (1) promote the health, safety, and general welfare of
10 residents, employers, potential employees, employees, visitors,
11 and consumers in the district, and of the public;

12 (2) provide needed funding for the district to
13 preserve, maintain, and enhance the economic health and vitality of
14 the district territory as a residential community and business
15 center; and

16 (3) promote the health, safety, welfare, and enjoyment
17 of the public by providing pedestrian ways and by landscaping,
18 removing graffiti from, and developing certain areas in the
19 district, which are necessary for the restoration, preservation,
20 and enhancement of scenic beauty.

21 (e) Pedestrian ways along or across a street, whether at
22 grade or above or below the surface, and street lighting, street
23 landscaping, vehicle parking, and street art objects are parts of
24 and necessary components of a street and are considered to be an
25 improvement project that includes a street or road improvement.

26 (f) The district will not act as the agent or
27 instrumentality of any private interest even though the district

1 will benefit many private interests as well as the public.

2 Sec. 3923.0106. DISTRICT TERRITORY. (a) The district is
3 initially composed of the territory described by Section 2 of the
4 Act enacting this chapter.

5 (b) The boundaries and field notes contained in Section 2 of
6 the Act enacting this chapter form a closure. A mistake in the
7 field notes or in copying the field notes in the legislative process
8 does not affect the district's:

9 (1) organization, existence, or validity;

10 (2) right to issue any type of bond for the purposes
11 for which the district is created or to pay the principal of and
12 interest on a bond;

13 (3) right to impose or collect an assessment or tax; or

14 (4) legality or operation.

15 Sec. 3923.0107. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

16 (a) All or any part of the area of the district is eligible to be
17 included in:

18 (1) a tax increment reinvestment zone created under
19 Chapter 311, Tax Code;

20 (2) a tax abatement reinvestment zone created under
21 Chapter 312, Tax Code;

22 (3) an enterprise zone created under Chapter 2303,
23 Government Code; or

24 (4) an industrial district created under Chapter 42,
25 Local Government Code.

26 (b) If the city creates a tax increment reinvestment zone
27 described by Subsection (a), the city and the board of directors of

1 the zone, by contract with the district, may grant money deposited
2 in the tax increment fund to the district to be used by the district
3 for the purposes permitted for money granted to a corporation under
4 Section 380.002(b), Local Government Code, including the right to
5 pledge the money as security for any bonds issued by the district
6 for an improvement project. A project may not receive public funds
7 under Section 380.002(b), Local Government Code, unless the project
8 has been approved by the governing body of the city.

9 Sec. 3923.0108. APPLICABILITY OF MUNICIPAL MANAGEMENT
10 DISTRICTS LAW. Except as otherwise provided by this chapter,
11 Chapter 375, Local Government Code, applies to the district.

12 Sec. 3923.0109. CONSTRUCTION OF CHAPTER. This chapter
13 shall be liberally construed in conformity with the findings and
14 purposes stated in this chapter.

15 SUBCHAPTER B. BOARD OF DIRECTORS

16 Sec. 3923.0201. GOVERNING BODY; TERMS. The district is
17 governed by a board of 11 directors who serve staggered terms of
18 four years, with five or six directors' terms expiring June 1 of
19 each odd-numbered year.

20 Sec. 3923.0202. QUALIFICATIONS OF DIRECTORS APPOINTED BY
21 CITY. To be qualified to serve as a director, a person must be:

22 (1) a resident of the district who is also a registered
23 voter of the district;

24 (2) an owner of stock or a partnership or membership
25 interest, whether beneficial or otherwise, of a corporate
26 partnership, limited liability company, or other entity owner of a
27 direct or indirect interest in property in the district; or

1 (3) an agent, employee, or tenant of a person
2 described by Subdivision (2).

3 Sec. 3923.0203. APPOINTMENT OF DIRECTORS; COMPOSITION OF
4 BOARD. (a) The governing body of the city shall appoint directors
5 from qualified persons recommended by the board.

6 (b) In making appointments under this section, the
7 governing body of the city shall ensure that:

8 (1) eight positions on the board are occupied by
9 persons described by Section 3923.0202(2) or (3); and

10 (2) three positions on the board are occupied by
11 persons described by Section 3923.0202(1).

12 Sec. 3923.0204. VACANCY. If a vacancy occurs on the board,
13 the remaining directors shall appoint a qualified director for the
14 remainder of the unexpired term.

15 Sec. 3923.0205. DIRECTOR'S OATH OR AFFIRMATION. (a) A
16 director shall file the director's oath or affirmation of office
17 with the district, and the district shall retain the oath or
18 affirmation in the district records.

19 (b) A director shall file a copy of the director's oath or
20 affirmation with the secretary of the city.

21 Sec. 3923.0206. QUORUM. A vacant director position is not
22 counted for purposes of establishing a quorum.

23 Sec. 3923.0207. OFFICERS. The board shall elect from among
24 the directors a chair, a vice chair, and a secretary. The offices
25 of chair and secretary may not be held by the same person.

26 Sec. 3923.0208. COMPENSATION; EXPENSES. (a) The district
27 may compensate each director in an amount not to exceed \$50 for each

board meeting. The total amount of compensation a director may receive each year may not exceed \$2,000.

(b) A director is entitled to reimbursement for necessary and reasonable expenses incurred in carrying out the duties and responsibilities of the board.

Sec. 3923.0209. LIABILITY INSURANCE. The district may obtain and pay for comprehensive general liability insurance coverage from a commercial insurance company or other source that protects and insures a director against personal liability and from all claims relating to:

(1) actions taken by the director in the director's capacity as a member of the board;

(2) actions and activities taken by the district; or

(3) the actions of others acting on behalf of the district.

Sec. 3923.0210. NO EXECUTIVE COMMITTEE. The board may not create an executive committee to exercise the powers of the board.

Sec. 3923.0211. BOARD MEETINGS. The board shall hold meetings at a place accessible to the public.

Sec. 3923.0212. INITIAL DIRECTORS. (a) The initial board includes:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Terri Almendarez</u>
<u>2</u>	<u>Ana Gonzalez</u>
<u>3</u>	<u>Linda Andrade</u>
<u>4</u>	<u>Ernesto Cantu</u>
<u>5</u>	<u>Pedro Diaz</u>

6 Joshua Santana

7 Bryan Gallagher

(b) Not later than October 1, 2019, the governing body of the city shall appoint four additional initial directors to the board. Of the four initial directors appointed under this subsection:

(1) one director must be a person described by Section 3923.0202(1); and

(2) three directors must be persons described by Section 3923.0202(2) or (3).

(c) Section 3923.0202 does not apply to an initial director named by Subsection (a).

(d) The terms of the initial directors expire June 1, 2021.

(e) Of the directors who replace an initial director, the terms of directors serving in positions 1 through 6 expire June 1, 2023, and the terms of directors serving in positions 7 through 11 expire June 1, 2025.

(f) This section expires September 1, 2025.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3923.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3923.0302. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using money available to the district, or contract with a governmental or private entity to provide, design, construct,

acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. 3923.0303. LOCATION OF IMPROVEMENT PROJECT. An improvement project described by Section 3923.0302 may be located:

(1) in the district; or

(2) in an area outside but adjacent to the district if the project is for the purpose of extending a public infrastructure improvement beyond the district's boundaries to a logical terminus.

Sec. 3923.0304. DEVELOPMENT CORPORATION POWERS. The district, using money available to the district, may exercise the powers given to a development corporation under Chapter 505, Local Government Code, including the power to own, operate, acquire, construct, lease, improve, or maintain a project under that chapter.

Sec. 3923.0305. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

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

(2) may implement any project and provide any service authorized by this chapter.

(c) The board shall appoint the board of directors of the nonprofit corporation. The board of directors of the nonprofit

1 corporation shall serve in the same manner as the board of directors
2 of a local government corporation created under Subchapter D,
3 Chapter 431, Transportation Code, except that a board member is not
4 required to reside in the district.

5 Sec. 3923.0306. AGREEMENTS; GRANTS. (a) As provided by
6 Chapter 375, Local Government Code, the district may make an
7 agreement with or accept a gift, grant, or loan from any person.

8 (b) The implementation of a project is a governmental
9 function or service for the purposes of Chapter 791, Government
10 Code.

11 Sec. 3923.0307. LAW ENFORCEMENT SERVICES. To protect the
12 public interest, the district may contract with a qualified party,
13 including the county or the city, to provide law enforcement
14 services in the district for a fee.

15 Sec. 3923.0308. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
16 The district may join and pay dues to a charitable or nonprofit
17 organization that performs a service or provides an activity
18 consistent with the furtherance of a district purpose.

19 Sec. 3923.0309. ECONOMIC DEVELOPMENT. (a) The district
20 may engage in activities that accomplish the economic development
21 purposes of the district.

22 (b) The district may establish and provide for the
23 administration of one or more programs to promote state or local
24 economic development and to stimulate business and commercial
25 activity in the district, including programs to:

26 (1) make loans and grants of public money; and

27 (2) provide district personnel and services.

1 (c) The district may create economic development programs
2 and exercise the economic development powers that:

3 (1) Chapter 380, Local Government Code, provides to a
4 municipality; and

5 (2) Subchapter A, Chapter 1509, Government Code,
6 provides to a municipality.

7 Sec. 3923.0310. CONCURRENCE ON ADDITIONAL POWERS. If the
8 legislature grants the district a power that is in addition to the
9 powers approved by the initial resolution of the governing body of
10 the city consenting to the creation of the district, the district
11 may not exercise that power unless the governing body of the city
12 consents to that change by resolution.

13 Sec. 3923.0311. NO EMINENT DOMAIN POWER. The district may
14 not exercise the power of eminent domain.

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

16 Sec. 3923.0401. DISBURSEMENTS AND TRANSFERS OF MONEY. The
17 board by resolution shall establish the number of signatures and
18 the procedure required for a disbursement or transfer of the
19 district's money.

20 Sec. 3923.0402. MONEY USED FOR IMPROVEMENTS OR SERVICES.
21 The district may acquire, construct, finance, operate, or maintain
22 an improvement project or service authorized under this chapter or
23 Chapter 375, Local Government Code, using any money available to
24 the district for that purpose.

25 Sec. 3923.0403. GENERAL POWERS REGARDING PAYMENT OF
26 DISTRICT BONDS, OBLIGATIONS, OR OTHER COSTS. The district may
27 provide or secure the payment or repayment of any bond, note, or

1 other temporary or permanent obligation or reimbursement or other
2 contract with any person and the costs and expenses of the
3 establishment, administration, and operation of the district and
4 the district's costs or share of the costs or revenue of an
5 improvement project or district contractual obligation or
6 indebtedness by:

7 (1) the imposition of an ad valorem tax or sales and
8 use tax or an assessment, user fee, concession fee, or rental
9 charge; or

10 (2) any other revenue or resources of the district, or
11 other revenue authorized by the city, including revenues from a tax
12 increment reinvestment zone created by the city under applicable
13 law.

14 Sec. 3923.0404. PETITION REQUIRED FOR FINANCING SERVICES
15 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
16 service or improvement project with assessments under this chapter
17 unless a written petition requesting that service or improvement
18 has been filed with the board.

19 (b) The petition must be signed by the owners of a majority
20 of the assessed value of real property in the district subject to
21 assessment according to the most recent certified tax appraisal
22 roll for the county.

23 Sec. 3923.0405. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
24 The board by resolution may impose and collect an assessment for any
25 purpose authorized by this chapter in all or any part of the
26 district.

27 (b) An assessment, a reassessment, or an assessment

1 resulting from an addition to or correction of the assessment roll
2 by the district, penalties and interest on an assessment or
3 reassessment, an expense of collection, and reasonable attorney's
4 fees incurred by the district:

5 (1) are a first and prior lien against the property
6 assessed;

7 (2) are superior to any other lien or claim other than
8 a lien or claim for county, school district, or municipal ad valorem
9 taxes; and

10 (3) are the personal liability of and a charge against
11 the owners of the property even if the owners are not named in the
12 assessment proceedings.

13 (c) The lien is effective from the date of the board's
14 resolution imposing the assessment until the date the assessment is
15 paid. The board may enforce the lien in the same manner that the
16 board may enforce an ad valorem tax lien against real property.

17 (d) The board may make a correction to or deletion from the
18 assessment roll that does not increase the amount of assessment of
19 any parcel of land without providing notice and holding a hearing in
20 the manner required for additional assessments.

21 Sec. 3923.0406. STORM WATER USER CHARGES. The district may
22 establish user charges related to the operation of storm water
23 facilities, including the regulation of storm water for the
24 protection of water quality in the district.

25 Sec. 3923.0407. NONPOTABLE WATER USER CHARGES. The
26 district may establish user charges for the use of nonpotable water
27 for irrigation purposes, subject to approval of the governing body

1 of the city.

2 Sec. 3923.0408. COSTS FOR IMPROVEMENT PROJECTS. The
3 district may undertake separately or jointly with other persons,
4 including the city or county, all or part of the cost of an
5 improvement project, including an improvement project:

6 (1) for improving, enhancing, and supporting public
7 safety and security, fire protection and emergency medical
8 services, and law enforcement in or adjacent to the district; or

9 (2) that confers a general benefit on the entire
10 district or a special benefit on a definable part of the district.

11 Sec. 3923.0409. TAX AND ASSESSMENT ABATEMENTS. The
12 district may designate reinvestment zones and may grant abatements
13 of a tax or assessment on property in the zones.

14 SUBCHAPTER E. TAXES AND BONDS

15 Sec. 3923.0501. TAX ABATEMENT. The district may enter into
16 a tax abatement agreement in accordance with the general laws of
17 this state authorizing and applicable to a tax abatement agreement
18 by a municipality.

19 Sec. 3923.0502. PROPERTY TAX AUTHORIZED. (a) The district
20 may impose an ad valorem tax on all taxable property in the district
21 to:

22 (1) pay for an improvement project of the types
23 authorized by Section 52(b), Article III, and Section 59, Article
24 XVI, Texas Constitution; or

25 (2) secure the payment of bonds issued for a purpose
26 described by Subdivision (1).

27 (b) The district may not impose an ad valorem tax to pay for

1 an improvement project under this chapter unless the imposition is
2 approved by the voters of the district voting at an election held
3 for that purpose. The board may call an election to approve the
4 imposition of an ad valorem tax to pay for an improvement project
5 under this chapter only if the board receives a petition requesting
6 the election signed by:

7 (1) more than 51 percent of the record owners of real
8 property in the district subject to taxation; or

9 (2) owners representing more than 51 percent of the
10 appraised value of real property in the district subject to
11 taxation, as determined by the tax rolls of the appraisal district.

12 Sec. 3923.0503. SALES AND USE TAX. (a) The district may
13 impose a sales and use tax if authorized by a majority of the voters
14 of the district voting at an election called for that purpose.
15 Revenue from the tax may be used for any purpose for which ad
16 valorem tax revenue of the district may be used.

17 (b) The district may not adopt a sales and use tax if as a
18 result of the adoption of the tax the combined rate of all sales and
19 use taxes imposed by the district and other political subdivisions
20 of this state having territory in the district would exceed two
21 percent at any location in the district.

22 (c) If the voters of the district approve the adoption of
23 the tax at an election held on the same election date on which
24 another political subdivision adopts a sales and use tax or
25 approves an increase in the rate of its sales and use tax and as a
26 result the combined rate of all sales and use taxes imposed by the
27 district and other political subdivisions of this state having

territory in the district would exceed two percent at any location in the district, the election to adopt a sales and use tax under this chapter has no effect.

Sec. 3923.0504. BONDS AND OTHER OBLIGATIONS. (a) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, sales and use taxes, or assessments in the manner provided by Subchapter A, Chapter 372, or Subchapter J, Chapter 375, Local Government Code.

(b) In exercising the district's borrowing power, the district may issue a bond or other obligation in the form of a bond, note, certificate of participation or other instrument evidencing a proportionate interest in payments to be made by the district, or other type of obligation.

(c) In addition to the sources of money described by Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local Government Code, district bonds may be secured and made payable wholly or partly by a pledge of any part of the money the district receives from improvement revenue or from any other source.

Sec. 3923.0505. BOND MATURITY. Bonds may mature not more than 40 years from their date of issue.

Sec. 3923.0506. TAXES FOR BONDS AND OTHER OBLIGATIONS. At the time bonds or other obligations payable wholly or partly from ad valorem taxes are issued:

(1) the board shall impose a continuing direct annual ad valorem tax for each year that all or part of the bonds are outstanding; and

1 (2) the district annually shall impose an ad valorem
2 tax on all taxable property in the district in an amount sufficient
3 to:

4 (A) pay the interest on the bonds or other
5 obligations as the interest becomes due; and

6 (B) create a sinking fund for the payment of the
7 principal of the bonds or other obligations when due or the
8 redemption price at any earlier required redemption date.

9 SUBCHAPTER F. DISSOLUTION

10 Sec. 3923.0601. DISSOLUTION BY CITY ORDINANCE. (a) Except
11 as provided by Subsection (b), the city by ordinance may dissolve
12 the district.

13 (b) The city may not dissolve the district until the
14 district's outstanding debt or contractual obligations that are
15 payable from ad valorem taxes have been repaid or discharged, or the
16 city has affirmatively assumed the obligation to pay the
17 outstanding debt from city revenue.

18 Sec. 3923.0602. DISSOLUTION BY BOARD OR PETITION. (a)
19 Except as provided by Subsection (b), the board:

20 (1) may dissolve the district; and

21 (2) shall dissolve the district on receipt of a
22 written petition requesting dissolution signed by a majority of the
23 owners of real property in the district.

24 (b) The board may not dissolve the district until the
25 district's outstanding debt or contractual obligations that are
26 payable from ad valorem taxes have been repaid or discharged, or the
27 city has affirmatively assumed the obligation to pay the

1 outstanding debt from city revenue.

2 Sec. 3923.0603. COLLECTION OF ASSESSMENTS AND OTHER
3 REVENUE. (a) If the dissolved district has bonds or other
4 obligations outstanding secured by and payable from assessments or
5 other revenue, other than ad valorem taxes, the city shall succeed
6 to the rights and obligations of the district regarding enforcement
7 and collection of the assessments or other revenue.

8 (b) The city shall have and exercise all district powers to
9 enforce and collect the assessments or other revenue to pay:

10 (1) the bonds or other obligations when due and
11 payable according to their terms; or

12 (2) special revenue or assessment bonds or other
13 obligations issued by the city to refund the outstanding bonds or
14 obligations.

15 Sec. 3923.0604. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
16 After the district is dissolved, the city assumes, subject to the
17 appropriation and availability of funds, the obligations of the
18 district, including any bonds or other debt payable from
19 assessments or other district revenue.

20 (b) After the district is dissolved, the board shall
21 transfer ownership of all district property to the city.

22 SECTION 2. The East Houston Management District initially
23 includes all the territory contained in the following area:

24 The described area is +/- 2,438 acres (3.81 sq. miles) in size and
25 is centered on Market Street and N. Wayside Drive in East Houston.
26 The area is generally bounded by N. McCarty St., Amtrak Rail Spur
27 and MNCW Railway on the east, Clinton Dr. & Greater East End

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1 District on the south, Southern Pacific Railway on the west and
2 Wallisville Rd. on the north.
3 Beginning at a point where the right-of-way (ROW) centerline of
4 Wallisville Road intersects with the ROW centerline of N. McCarty
5 St. then southwest and south along ROW centerline of N. McCarty
6 St. to a point west of northwest corner of 12.85 acre tract (ABST 8
7 J BROWN TR 15);
8 Then east along north boundary of said 12.85 acre tract, 0.8562 acre
9 tract (GLENDALE TR 25A-1), and 6.8903 acre tract (GLENDALE TRS
10 25C-2 & 29D & 29H) to west easement of HB&T rail spur;
11 Then generally southeast and south along west easement of HB&T rail
12 spur and east boundary of 2.644 acre tract (GLENDALE TR 29B),
13 12.3965 acre tract (GLENDALE TRS 25C 29 29D & 33A), 8.0352 acre
14 tract (GLENDALE TRS 33D), and 0.6528 acre tract (GLENDALE TRS 33C &
15 33E) to south ROW of Munn St.;
16 Then west along south ROW of Munn St. to northeast corner of 0.1148
17 acre parcel (PORT HOUSTON NS LT 8 BLK 36);
18 Then south along east boundary of said 0.1148 acre parcel, and east
19 boundary of PORT HOUSTON NS Subdivision to southeast corner of
20 0.8035 acre parcel (PORT HOUSTON NS LTS 6 THRU 11 & TRS 5B & 12B BLK
21 61);
22 Then west along south boundary of said 0.8035 acre parcel to a point
23 north of northeast corner of 0.1148 acre parcel (PORT HOUSTON NS TR
24 R20 BLK 62);
25 Then south across ROW of Tuffly St., and along east boundary of
26 0.1148 acre parcel (PORT HOUSTON NS TR R20 BLK 62), and east
27 boundary of PORT HOUSTON NS TR R20 BLK 67, TR R20 BLK 68, TR R20 BLK

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1 73, TR R20 BLK 74, TR R20 BLK 80, TR R20 BLK 81 and TR R20 BLK 84 to
2 south easement of a HB&T railway;
3 Then southeast and east along south easement of HB&T railway to ROW
4 centerline of Interstate Hwy 610 E;
5 Then south along ROW centerline of Interstate Hwy 610 E to ROW
6 centerline of Clinton Dr. and coincident boundary line of Greater
7 East End District (East End Boundary);
8 Then northwest along ROW centerline of Clinton Dr. and East End
9 Boundary to west ROW of Dorsett St.;
10 Then north along west ROW of Dorsett St. and East End Boundary to
11 south ROW of Tilgham St.;
12 Then west along south ROW of Tilgham St. and East End Boundary to
13 east ROW of Labco St.;
14 Then north along east ROW of Labco St. and East End Boundary to
15 south ROW of Market St.;
16 Then generally east along south ROW of Market St. and East End
17 Boundary to east ROW of Dorsett St.;
18 Then north along east ROW of Dorsett St. and East End Boundary to
19 ROW centerline of Lyons Ave.;
20 Then west along ROW centerline of Lyons Ave. and East End Boundary
21 to ROW centerline of Crown St.;
22 Then south along ROW centerline of Crown St. and East End Boundary
23 to ROW centerline of Market St.;
24 Then generally east along ROW centerline of Market St. and East End
25 Boundary to west ROW of N. Wayside Dr./US 90-A Hwy West
26 (southbound);
27 Then south across ROW of N. Wayside Dr. and along East End Boundary

1 line to north easement of Amtrak Railway;
2 Then northwest along north easement of Amtrak Railway and East End
3 Boundary line to ROW centerline of Clinton Dr.;
4 Then generally west and west northwest along ROW centerline of
5 Clinton Dr. and East End Boundary line to east ROW of Lockwood Dr.;
6 Then north along east ROW of Lockwood Dr. to south easement
7 Southern Pacific Railway;
8 Then east southeast along south easement of Southern Pacific
9 Railway to a point northeast of northeast corner of 1.0752 acre
10 parcel (GOLDEN TEX RES A) and railway split;
11 Then generally northeast and north along east easement of Southern
12 Pacific Railway to ROW centerline of Wallisville Road;
13 Then east and east northeast along ROW centerline of Wallisville
14 Road to west ROW of N. McCarty St. and beginning point of +/- 2,438
15 acre tract.
16 Save and except tract located at 1320 Boyles St. and being a tract
17 of land containing 22,541 square feet (called 22,546 square feet)
18 situated in the W.P. Harris and Robert Wilson Survey, Abstract
19 No. 32, City of Houston, Harris County, Texas, and being more
20 particularly described by metes and bounds as follows:
21 COMMENCING at a 5/8-inch iron rod found at the intersection of the
22 centerline of Palestine Street (60 feet wide) with the centerline
23 of Boyles Street (60 feet wide);
24 THENCE South 00 deg. 02 min. 30 sec. West along the centerline of
25 said Boyles Street, a distance of 1035.85 (called 1034.97');
26 THENCE WEST, a distance of 30.00 feet to a 1/2-inch iron rod found
27 for the Southeast corner and POINT OF BEGINNING of the herein

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1 described 22,541 square foot parcel, said corner also being the
2 Northeast corner of that 46,859 square foot parcel described in
3 Harris County Clerk's File No. N442918;
4 THENCE continuing WEST along the North line of said 46,859 square
5 foot parcel, a distance of 225.37 feet to a 5/8-inch iron rod found
6 for the Southwest corner, same being the Northwest corner of said
7 46,859 square foot parcel, in the East line of a 43 foot wide
8 easement conveyed to Houston Belt and Terminal Railway Company and
9 Texas and New Orleans Railroad Company;
10 THENCE North along the East line of said 43 foot wide railroad
11 easement, a distance of 100.00 feet to a 5/8-inch iron rod found for
12 the Northwest corner, same being the Southwest corner of a 50' x
13 225.3' tract described in Harris County Clerk's File No. K935912;
14 THENCE EAST along the South line of said 50' x 225.3' tract, a
15 distance of 225.44 feet (called 225.46') to a 5/8-inch iron rod
16 found for the Northeast corner in the West right-of-way line of said
17 Boyles Street;
18 THENCE South 00 deg. 02 min. 30 sec. West along the West line of said
19 Boyles Street, a distance of 100.00 feet to the POINT OF BEGINNING
20 of 22,541 sq. foot Save and except tract.
21 Save and except tract located at 1335 Boyles St. and being a 4.4067
22 acre tract of land situated in the City of Houston, Harris County,
23 Texas, and out of the Harris and Wilson Two-League Grant, Abstract
24 32, also being the same tract of land described in the Deed of Trust
25 Recorded in Harris County Clerk's File No. K920750, said 4.4067
26 acre tract of land being more particularly described by metes and
27 bounds as follows:

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1 COMMENCING at a bolt found for the centerline intersection of
2 Palestine Street (a 30 foot right-of-way) with Boyles Street (a 60
3 foot right-of-way);
4 THENCE with the centerline of Boyles Street, South 00 degrees 00
5 minutes 00 seconds east, a distance of 915.78 feet to a point for
6 corner;
7 THENCE North 90 degrees 00 minutes 00 seconds east, a distance of 30
8 feet to a 5/8 inch iron ROD found in the easterly right-of-way line
9 of Boyles Street for the point of beginning and being the northwest
10 corner of the herein described tract;
11 THENCE North 90 degrees 00 minutes 00 seconds east, a distance of
12 225.96 feet to a 5/8 inch iron rod set for the northeast corner of the
13 herein described tract;
14 THENCE South 00 degrees 00 minutes 00 seconds east, along the west
15 line of a 40 foot wide joint railroad easement, a distance of 788.02
16 feet to a 5/8 inch iron rod set for the point of curvature of curve
17 to the right having a radius of 361.56 feet;
18 THENCE with said curve to the right through a central angle of 09
19 degrees 52 minutes 14 seconds, an arc distance of 62.29 feet to a
20 5/8 inch iron rod set for the southeast corner of the herein
21 described tract;
22 THENCE South 90 degrees 00 minutes 00 seconds west, a distance of
23 220.61 feet to a 5/8 inch iron rod found for corner in the easterly
24 right-of-way line of Boyles Street;
25 THENCE with the easterly right-of-way line of Boyles Street, north
26 00 degrees 00 minutes 00 seconds west, a distance of 850.00 feet to
27 the point of beginning of 4.4067 acre (191,956 square feet) Save and

1 except tract.

2 Save and except tract located at 5719 Clinton Drive and being a
3 2.141 acre (93,244 square foot) tract situated in the Harris and
4 Wilson Two League Grant, Abstract No. 32, Houston, Harris County,
5 Texas, and being all of that certain called 2.1405 acre tract
6 conveyed to Hai I Nguyen and Nga T Nguyen, described in Warranty
7 Deed filed under County Clerk's File No U195916, Film Code No. 530-
8 37- 1359 of the Official Public Records of Real Property of Harris
9 County, Texas, said 2.141 acre tract being more particularly
10 described by metes and bounds as follows, with the basis of bearings
11 being the deed calls for said 2.1405 acre tract:

12 BEGINNING at a 3-inch galvanized pipe fence post marking the
13 southeast corner of said 2.1405 acre tract, and also being the
14 intersection of the northeast right-of-way line of Clinton Drive
15 (120 foot width) and the northwest right-of-way line of Kress
16 Street (80 foot width - unimproved};

17 THENCE North 71 deg. 10 min. 30 sec. West, with the southwest line
18 of said 2.1405 acre tract, some being the said northeast right- of-
19 way line of Clinton Drive, a distance of 375.00 feet to a 5/8-inch
20 iron rod with cap {stamped "Weisser Eng., Houston, TX") set marking
21 the southwest comer of said 2.1405 acre tract, some being the
22 southeast corner of that certain called 37,297.5 square foot tract
23 conveyed to The 117 Corporation, described in Deed filed under
24 County Clerk's File No. D242296, Film Code No. 124-21-0871 of said
25 Official Public Records, and from which a 3-inch galvanized pipe
26 fence post found bears South 67 deg. 03 min East, 0.91 feet;

27 THENCE North 18 deg. 49 min 30 sec. East, with the northwest line of

1 said 2.1405 acre tract, some being the southeast line of said
2 37,297.5 square foot tract. a distance of 248.65 feet to o 5/8-inch
3 iron rod found marking the northwest corner of sold 2.1405 acre
4 tract, same being the northeast corner of said 37,297.5 square foot
5 tract, and being in the southwest line of the Southern Pacific
6 Railroad right-of-way;

7 THENCE South 71 deg, 10 min. 30 sec. East, with the northeast line
8 of said 2.1405 acre tract, same being the said southwest line of the
9 Southern Pacific Railroad right-of-way, o distance of 375.00 feet
10 to the northeast comer of said 2.1405 acre tract. same being the
11 northwest terminus of said Kress Street, from which a 5/8-inch iron
12 rod found bears South 28 deg. 29 min. East, 0.27 feet;

13 THENCE South 18 deg. 49 min. 30 sec. West, with the southeast
14 line of said 2.1405 acre tract, some being the said northwest
15 right-of-way line of Kress Street. a distance of 248.65 feet to the
16 POINT OF BEGINNING of 2.141 acres (93,244 square feet) Save and
17 except tract.

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

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

1 (c) The Texas Commission on Environmental Quality has filed
2 its recommendations relating to this Act with the governor,
3 lieutenant governor, and speaker of the house of representatives
4 within the required time.

5 (d) All requirements of the constitution and laws of this
6 state and the rules and procedures of the legislature with respect
7 to the notice, introduction, and passage of this Act have been
8 fulfilled and accomplished.

9 SECTION 4. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2019.