

1-1 By: Bettencourt S.B. No. 2522
1-2 (In the Senate - Filed April 3, 2019; April 4, 2019, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 23, 2019, reported favorably by the following
1-5 vote: Yeas 6, Nays 0; April 23, 2019, 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 Harris County Municipal Utility
1-18 District No. 571; 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 8098 to read as follows:

1-24 CHAPTER 8098. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 571

1-25 SUBCHAPTER A. GENERAL PROVISIONS

1-26 Sec. 8098.0101. 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 Harris County Municipal
1-32 Utility District No. 571.

1-33 Sec. 8098.0102. 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. 8098.0103. CONFIRMATION AND DIRECTOR 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. 8098.0104. CONSENT OF MUNICIPALITY REQUIRED. The
1-41 temporary directors may not hold an election under Section
1-42 8098.0103 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. 8098.0105. 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. 8098.0106. 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. 8098.0201. GOVERNING BODY; TERMS. (a) The district
 2-9 is governed by a board of five elected directors.
 2-10 (b) Except as provided by Section 8098.0202, directors
 2-11 serve staggered four-year terms.

2-12 Sec. 8098.0202. TEMPORARY DIRECTORS. (a) The temporary
 2-13 board consists of:

- 2-14 (1) Binh Chau;
- 2-15 (2) Todd Brown;
- 2-16 (3) Stephanie E. Tabor;
- 2-17 (4) Adlena Leemhuis; and
- 2-18 (5) Jennifer Day.

2-19 (b) Temporary directors serve until the earlier of:
 2-20 (1) the date permanent directors are elected under
 2-21 Section 8098.0103; or
 2-22 (2) the fourth anniversary of the effective date of
 2-23 the Act enacting this chapter.

2-24 (c) If permanent directors have not been elected under
 2-25 Section 8098.0103 and the terms of the temporary directors have
 2-26 expired, successor temporary directors shall be appointed or
 2-27 reappointed as provided by Subsection (d) to serve terms that
 2-28 expire on the earlier of:

- 2-29 (1) the date permanent directors are elected under
 2-30 Section 8098.0103; or
- 2-31 (2) the fourth anniversary of the date of the
 2-32 appointment or reappointment.

2-33 (d) If Subsection (c) applies, the owner or owners of a
 2-34 majority of the assessed value of the real property in the district
 2-35 may submit a petition to the commission requesting that the
 2-36 commission appoint as successor temporary directors the five
 2-37 persons named in the petition. The commission shall appoint as
 2-38 successor temporary directors the five persons named in the
 2-39 petition.

SUBCHAPTER C. POWERS AND DUTIES

2-41 Sec. 8098.0301. GENERAL POWERS AND DUTIES. The district
 2-42 has the powers and duties necessary to accomplish the purposes for
 2-43 which the district is created.

2-44 Sec. 8098.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-45 DUTIES. The district has the powers and duties provided by the
 2-46 general law of this state, including Chapters 49 and 54, Water Code,
 2-47 applicable to municipal utility districts created under Section 59,
 2-48 Article XVI, Texas Constitution.

2-49 Sec. 8098.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-50 52, Article III, Texas Constitution, the district may design,
 2-51 acquire, construct, finance, issue bonds for, improve, operate,
 2-52 maintain, and convey to this state, a county, or a municipality for
 2-53 operation and maintenance macadamized, graveled, or paved roads, or
 2-54 improvements, including storm drainage, in aid of those roads.

2-55 Sec. 8098.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-56 road project must meet all applicable construction standards,
 2-57 zoning and subdivision requirements, and regulations of each
 2-58 municipality in whose corporate limits or extraterritorial
 2-59 jurisdiction the road project is located.

2-60 (b) If a road project is not located in the corporate limits
 2-61 or extraterritorial jurisdiction of a municipality, the road
 2-62 project must meet all applicable construction standards,
 2-63 subdivision requirements, and regulations of each county in which
 2-64 the road project is located.

2-65 (c) If the state will maintain and operate the road, the
 2-66 Texas Transportation Commission must approve the plans and
 2-67 specifications of the road project.

2-68 Sec. 8098.0305. COMPLIANCE WITH MUNICIPAL CONSENT
 2-69 ORDINANCE OR RESOLUTION. The district shall comply with all

3-1 applicable requirements of any ordinance or resolution that is
3-2 adopted under Section 54.016 or 54.0165, Water Code, and that
3-3 consents to the creation of the district or to the inclusion of land
3-4 in the district.

3-5 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-6 Sec. 8098.0401. ELECTIONS REGARDING TAXES OR BONDS.

3-7 (a) The district may issue, without an election, bonds and other
3-8 obligations secured by:

- 3-9 (1) revenue other than ad valorem taxes; or
- 3-10 (2) contract payments described by Section 8098.0403.

3-11 (b) The district must hold an election in the manner
3-12 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-13 before the district may impose an ad valorem tax or issue bonds
3-14 payable from ad valorem taxes.

3-15 (c) The district may not issue bonds payable from ad valorem
3-16 taxes to finance a road project unless the issuance is approved by a
3-17 vote of a two-thirds majority of the district voters voting at an
3-18 election held for that purpose.

3-19 Sec. 8098.0402. OPERATION AND MAINTENANCE TAX. (a) If
3-20 authorized at an election held under Section 8098.0401, the
3-21 district may impose an operation and maintenance tax on taxable
3-22 property in the district in accordance with Section 49.107, Water
3-23 Code.

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

3-26 Sec. 8098.0403. CONTRACT TAXES. (a) In accordance with
3-27 Section 49.108, Water Code, the district may impose a tax other than
3-28 an operation and maintenance tax and use the revenue derived from
3-29 the tax to make payments under a contract after the provisions of
3-30 the contract have been approved by a majority of the district voters
3-31 voting at an election held for that purpose.

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

3-35 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-36 Sec. 8098.0501. AUTHORITY TO ISSUE BONDS AND OTHER
3-37 OBLIGATIONS. The district may issue bonds or other obligations
3-38 payable wholly or partly from ad valorem taxes, impact fees,
3-39 revenue, contract payments, grants, or other district money, or any
3-40 combination of those sources, to pay for any authorized district
3-41 purpose.

3-42 Sec. 8098.0502. TAXES FOR BONDS. At the time the district
3-43 issues bonds payable wholly or partly from ad valorem taxes, the
3-44 board shall provide for the annual imposition of a continuing
3-45 direct ad valorem tax, without limit as to rate or amount, while all
3-46 or part of the bonds are outstanding as required and in the manner
3-47 provided by Sections 54.601 and 54.602, Water Code.

3-48 Sec. 8098.0503. BONDS FOR ROAD PROJECTS. At the time of
3-49 issuance, the total principal amount of bonds or other obligations
3-50 issued or incurred to finance road projects and payable from ad
3-51 valorem taxes may not exceed one-fourth of the assessed value of the
3-52 real property in the district.

3-53 SECTION 2. The Harris County Municipal Utility District
3-54 No. 571 initially includes all the territory contained in the
3-55 following area:

3-56 That tract of land situated in the Chauncey Goodrich Survey,
3-57 A-311, in Harris County, Texas, and out of the 131.3702 acre tract
3-58 described as Tract 2 in the deed from Charles T. Haynes Jr. and
3-59 Glenda K. Haynes, Trustees of the Haynes Family Revocable Trust to
3-60 Cunningham Interests II, Ltd, recorded under File Number
3-61 20120265722, of the Official Public Records of Harris County,
3-62 Texas, and out of the 31.4393 acre tract described in the deed from
3-63 Lisa M. Krakosky and spouse, Dean M. Krakosky, John P. McShan, Mark
3-64 S. McShan, Lisa M. Krakosky and Andrew J. McShan, to APITX 3, LLC,
3-65 recorded under File No. RP-2017-304570, of the Official Public
3-66 Records of Harris County, Texas, and more particularly described by
3-67 metes and bounds as follows:

3-68 Basis of bearing is based on the record bearing of aforesaid
3-69 Tract 2 (which has a basis of bearing of North 89° 39' 06" East along

4-1 the common line of the remainder of the 14 acre tract as described
 4-2 in a deed filed for record under Harris County Clerk's File
 4-3 No. R-965836, and the 33.2209 acre tract as described in a deed
 4-4 filed for record under Harris County Clerk's File No. Z-331462);

4-5 BEGINNING at a point (called in RP-2017-304570: a 1 inch iron
 4-6 pipe next to a rail road beam found on the east right-of-way line of
 4-7 Telge Road (60 feet wide) as recorded in Vol. 78, Pg. 262, of the
 4-8 Harris County Deed Records (H.C.D.R.), marking the northwest corner
 4-9 of a called 27.5033 acre tract of land conveyed to Graceview Baptist
 4-10 Church, as recorded under H.C.C.F. No. RP-2016-456441, the
 4-11 southwest corner of said called 31.478 acre tract, and the
 4-12 southwest corner of the herein described tract) for the southwest
 4-13 corner of the herein described tract;

4-14 THENCE North 00° 13' 02" West - 59.18' (called in
 4-15 RP-2017-304570: North 02 Deg. 18 Min. 03 Sec. West with the east
 4-16 right-of-way line of said Telge Road, a distance of 59.18 feet to a
 4-17 capped 5/8-inch iron rod stamped "Windrose Land Services" set
 4-18 marking the southwest corner of a called 3.792 acre tract of land
 4-19 conveyed to Jerry B. Boyd, et ux, as recorded under H.C.C.F.
 4-20 No. 20080575074, and the westerly northwest corner of the herein
 4-21 described tract, from which a found 5/8-inch iron rod bears South 78
 4-22 Deg. 56 Min. 56 Sec. East, a distance of 0.64 feet), to a westerly
 4-23 northwest corner of the herein described tract;

4-24 THENCE North 89° 59' 01" East - 866.69' (called in
 4-25 RP-2017-304570: North 87 Deg. 54 Min. 00 Sec. East, with the south
 4-26 line of said called 3.792 acre tract and the south line of a called
 4-27 5.084 acre tract of land conveyed to E. Wheeler Coe, Jr., and
 4-28 recorded under H.C.C.F. No. R033492, a distance of 866.69 feet to a
 4-29 1/2-inch iron rod found marking the southeast corner of said called
 4-30 5.084 acre tract and an interior corner of the herein described
 4-31 tract), to an angle corner of the herein described tract;

4-32 THENCE North 00° 21' 08" East - 689.64' (called in
 4-33 RP-2017-304570: North 01 Deg. 43 Min. 53 Sec. West, with the east
 4-34 line of said called 5.084 acre tract, passing at a distance of
 4-35 596.19 feet a 5/8-inch iron rod round marking the northeast corner
 4-36 of said called 5.084 acre tract, and the southeast corner of a
 4-37 called 3.970 acre tract of land conveyed to Michael C. Vollbrecht,
 4-38 as recorded under H.C.C.F. No. RP-2016-336364, in all a distance of
 4-39 689.64 feet to a capped 5/8-inch iron rod stamped "Windrose Land
 4-40 Services" set marking the southwest corner of a called 17.409 acre
 4-41 tract of land conveyed to Allen Pennington, as recorded under
 4-42 H.C.C.F. No. 20140517739, and the northerly northwest corner of the
 4-43 herein described tract, from which a found 1-inch iron pipe bears
 4-44 North 48 Deg. 57 Min. 18 Sec. East, a distance of 3.29 feet), to a
 4-45 westerly northwest corner of the herein described tract;

4-46 THENCE North 89° 22' 04" East - 809.13' (called in
 4-47 RP-2017-304570: North 87 Dec. 17 Min. 03 Sec. East, with the south
 4-48 line of said called 17.409 acre tract, a distance of 809.13 feet to
 4-49 a 1-inch iron rod found marking the southeast corner of said called
 4-50 17.409 acre tract, the southwest corner of a called 3.1720 acre
 4-51 tract of land conveyed to Mario Jimenez, as recorded under H.C.C.F.
 4-52 No. 20090343492, and an angle point in the north line of the herein
 4-53 described tract), to an angle corner of the herein described tract;

4-54 THENCE South 89° 59' 34" East - 929.13' (called in
 4-55 RP-2017-304570: North 87 Deg. 55 Min. 25 Sec. East, with the south
 4-56 line of said called 3.1720 acre tract, the south line of a called
 4-57 0.814 acre tract of land conveyed to Timothy James Kraemer, as
 4-58 recorded under H.C.C.F. No. 20070586673, and the south line of a
 4-59 called 2.1463 acre tract of land conveyed to Fred Joseph Wonk and
 4-60 Debra Kathryn Pate, as recorded under H.C.C.F. No. 20130584290, a
 4-61 distance of 929.13 feet to a 1-inch iron pipe found on the west line
 4-62 of a called 131.3702 acre tract of land conveyed to Cunningham
 4-63 Interests II, Ltd., as recorded under H.C.C.F. No. 20120265722,
 4-64 marking the southeast corner of said 2.1463 acre tract, and the
 4-65 northeast corner of the herein described tract), to an interior
 4-66 angle corner of the herein described tract;

4-67 THENCE North 00° 04' 02" West - 1.07' (called in 20120265722:
 4-68 along the common line of said North tract (that certain call 42.2857
 4-69 acre tract of land described in a deed filed for record under Harris

5-1 County Clerk's File No. Z-331458) and said 31.478 acre tract of
 5-2 land (as described in a deed filed for record under Harris County
 5-3 Clerk's File No. X-573459) to a 1" iron pipe (found) for angle point
 5-4 marking the Northeast corner of said 31.478 acre tract of land and
 5-5 the Southeast corner of Lot 15 in Block 3 of said Treichel Wood
 5-6 Estates (unrecorded) as described in a deed filed for record under
 5-7 Harris County Clerk's File No. 2010349120), to an angle corner of
 5-8 the herein described tract:

5-9 THENCE North 00° 21' 36" West - 1247.73' (called in
 5-10 20120265722: along the common line of said Treichel Wood Estates
 5-11 and said North tract, passing at call 607.98 feet the Northwest
 5-12 corner of said North tract and the Southwest corner of the remainder
 5-13 of said 39.4277 acre tract of land (described in a deed filed for
 5-14 record under Harris County Clerk's File No. P-215054), a total
 5-15 distance of 1,247.73 feet to a 3/4" iron pipe (found) in the South
 5-16 line of Lot 42 of Treichel Wood Estates, (unrecorded), marking the
 5-17 Northeast corner of Lot 44 in Block 4 of said Treichel Wood Estates
 5-18 as described in a deed filed for record under Harris County Clerk's
 5-19 File No. J-673788, the Northwest corner of the remainder of said
 5-20 39.4277 acre tract of land) to the most northerly northwest corner
 5-21 of the herein described tract;

5-22 THENCE South 89° 59' 48" East - 433.11 (called in 20120265722:
 5-23 along the common line of the remainder of said 39.4277 acre tract of
 5-24 land and said Treichel Wood Estates to a 1-1/4" iron pipe (found)
 5-25 for an angle point marking the Southeast corner of Lot 37 in Block 4
 5-26 of said Treichel Wood Estates as described in a deed filed for
 5-27 record under Harris County Clerk's File No. L-094431 and the
 5-28 Southwest corner of that certain call 1.0629 acre tract of land
 5-29 known as Tract 10 A as described in a deed filed for record under
 5-30 Harris County Clerk's File No. S-674840) to an angle corner of the
 5-31 herein described tract;

5-32 THENCE South 89° 58' 37" East - 839.57' (called in
 5-33 20120265722: along the common line of the remainder of said 39.4277
 5-34 acre tract of land and said Tract 10A to a 3/4" iron pipe (found) for
 5-35 angle point marking the Southeast corner of that certain call
 5-36 3.3726 acre remainder tract of land known as Tract 10 G, 10 G1 and 10
 5-37 G2 out of that certain call 4.3276 acre tract of land described in a
 5-38 deed filed for record under Harris County Clerk's File No. G-445448
 5-39 and the Southwest corner of the remainder of that certain call 17
 5-40 acre tract of land as described in a deed filed for record in Volume
 5-41 285, Page 363 of said Harris County Deed Records) to an angle corner
 5-42 of the herein described tract;

5-43 THENCE North 89° 59' 01" East - 34.92' (called in 20120265722:
 5-44 along the common line of the remainder of said 39.4277 acre tract of
 5-45 land and the remainder of said 17 acre tract of land to a point for
 5-46 corner in a Harris County Flood Control Ditch marking the Southeast
 5-47 corner of the remainder of said 17 acre tract of land, the Southwest
 5-48 corner of said 3 acre tract of land (described in a deed filed for
 5-49 record under Harris County Clerk's File No. R-965831)), to an angle
 5-50 corner of the herein described tract;

5-51 THENCE North 89° 59' 00" East - 591.39' (calculated) to
 5-52 (called in 20120265722: a 2" iron pipe (found) in the North line of
 5-53 the remainder of said 39.4277 acre tract of land marking the
 5-54 Southeast corner of the remainder of said 14 acre tract of land
 5-55 (described in a deed filed for record under Harris County Clerk's
 5-56 File No. R-965836), the Southwest corner of said 10.08 acre tract
 5-57 of land (described in a deed filed for record under Harris County
 5-58 Clerk's File No. B-477153) an angle corner of the herein described
 5-59 tract;

5-60 THENCE South 89° 56' 36" East - 784.05' (called in
 5-61 20120265722: along the common line of said 10.08 acre and the
 5-62 remainder of said 39.4277 acre tract of land to a 1" iron pipe
 5-63 (found bent) in the East line of said Chauncey Goodrich Survey, the
 5-64 West line of the John Hooper Survey, A-325 in said Harris County,
 5-65 Texas and the West line of that certain call 1.9160 acre tract of
 5-66 land known as Tract 2 G as described in a deed filed for record under
 5-67 Harris County Clerk's File No. H-893093 marking the Southeast
 5-68 corner of said 10.08 acre tract of land, the Northeast corner of the
 5-69 remainder of said 39.4277 acre tract) to the northeast corner of the

6-1 herein described tract;

6-2 THENCE South 00° 55' 02" East - 639.13' (called in
6-3 20120265722: along the common line of the remainder of said 39.4277
6-4 acre tract of land, said Chauncey Goodrich Survey, said Tract 2 G
6-5 and said John Hooper Survey to a 5/8" iron rod (found) for angle
6-6 point in the West line of that certain call 8.612 acre tract of land
6-7 as described in a deed filed for record under Harris County Clerk's
6-8 File No. N-090793 marking the Southeast corner of the remainder of
6-9 said 39.4277 acre tract of land the Northeast corner of said North
6-10 tract), to an angle corner of the herein described tract;

6-11 THENCE South 00° 53' 39" East - 683.76' (called in
6-12 20120265722: along the common line of said North tract, said
6-13 Chauncey Goodrich Survey, said 8.612 acre tract of land and said
6-14 John Hooper Survey to a 5/8" iron rod (found) for angle point in the
6-15 West line of that certain call 10.4400 acre tract of land as
6-16 described in a deed filed for record under Harris County Clerk's
6-17 File No. D-858395 marking the Southeast corner of said North tract
6-18 and the Northeast corner of said South tract (that certain call
6-19 42.2857 acre tract of land as described in a deed filed for record
6-20 under Harris County Clerk's File No. 20090332908)), to an angle
6-21 corner of the herein described tract;

6-22 THENCE South 01° 31' 34" East - 49.35' (called in 20120265722:
6-23 along the common line of said South tract, said Chauncey Goodrich
6-24 Survey, said 10.4400 acre tract of land and said John Hooper Survey
6-25 to a 1/2" iron rod (found) for angle point marking the Southwest
6-26 corner of said 10.4400 acre tract of land and the Northwest corner
6-27 of that certain call 1.0000 acre tract of land known as Lot 15 A in
6-28 Calvert Subdivision, (unrecorded), as described in a deed filed for
6-29 record under Harris County Clerk's File No. D-280475), to an angle
6-30 corner of the herein described tract;

6-31 THENCE South 00° 53' 06" East - 290.16' (called in
6-32 20120265722: along the common line of said South tract, said
6-33 Chauncey Goodrich Survey, said Lot 15 A and said John Hooper Survey
6-34 to a 1/2" iron rod (found) for angle point marking the Southwest
6-35 corner of said Lot 15 A and the Northwest corner of Olin Road,
6-36 (60.00 feet in width)), to an angle corner of the herein described
6-37 tract;

6-38 THENCE South 00° 50' 01" East - 342.17' (called in
6-39 20120265722: along the common line of said South tract, said
6-40 Chauncey Goodrich Survey, said Olin Road and said John Hooper
6-41 Survey, passing at 60.00 feet the Southwest corner of said Olin Road
6-42 and the Northwest corner of that certain call 0.04458 acre tract of
6-43 land as described in a deed filed for record under Harris County
6-44 Clerk's File No. V-223565, a total distance of 342.17 feet, to a
6-45 5/8" iron rod (found) in the North line of the John Hooper Survey,
6-46 A-375 in said Harris County, Texas and the North line of that
6-47 certain call 233 acre tract of land as described in a deed filed for
6-48 record in Volume 16, Page 166 of said Harris County Deed Records
6-49 marking the Southwest corner of said 0.04458 acre tract of land, the
6-50 Southeast corner of said Chauncey Goodrich Survey, A-311, the
6-51 Southwest corner of said John Hooper Survey, A-325, the Southeast
6-52 corner of said South tract), to the southeast corner of the herein
6-53 described tract;

6-54 THENCE South 89° 59' 05" West - 1255.61' (called in
6-55 20120265722: along the common line of said South tract, said
6-56 Chauncey Goodrich Survey, said 233 acre tract of land and said John
6-57 Hooper Survey to a 1-1/4" iron pipe (found) for angle point marking
6-58 the Northwest corner of said 233 acre tract of land and the
6-59 Northeast corner of that certain call 25.25 acre tract of land known
6-60 as Tract 2 as described in a deed filed for record under Harris
6-61 County Clerk's File No. U-132699), to an angle corner of the herein
6-62 described tract;

6-63 THENCE South 89° 55' 49" West - 1399.66' (called in
6-64 20120265722: along the common line of said South tract, said
6-65 Chauncey Goodrich Survey, said Tract 2 and said John Hooper Survey,
6-66 passing at call 699.77 feet the Northwest corner of said Tract 2 and
6-67 the Northeast corner of that certain call 25.20 acre tract of land
6-68 known as Tract 1 as described in a deed filed for record under
6-69 Harris County Clerk's File No. U-132699, a total distance of

7-1 1,399.66 feet, to a T-Rail (found) for angle point marking the
7-2 Northwest corner of said Tract 1 and the Northeast corner of that
7-3 certain call 27.507 acre tract of land described in a deed filed for
7-4 record under Harris County Clerk's File No. R-075089), to an angle
7-5 corner of the herein described tract;

7-6 THENCE South 89° 27' 44" West - 48.77' (called in 20120265722:
7-7 along the common line of said South tract, said Clauncey Goodrich
7-8 Survey, said 27.507 acre tract and said John Hooper Survey to a 1"
7-9 iron pipe (found) in the North line of said 27.507 acre tract of
7-10 land marking the Southwest corner of said South tract, the
7-11 Southeast corner of that certain call 31.478 acre tract of land as
7-12 described in a deed filed for record under Harris County Clerk's
7-13 File No. X-573459) and (called in RP-2017-304570: a capped 5/8
7-14 inch iron rod stamped "Windrose Land Services" set on the north line
7-15 of said called 27.5033 acre tract, marking the southwest corner of
7-16 said called 131.3702 acre tract, from which a found 1-inch iron pipe
7-17 bears South 02 Deg. 17 Min. 53 Sec. East, a distance of 0.49 feet),
7-18 and an angle corner of the herein described tract;

7-19 THENCE North 89° 58' 31" West - 2611.75' (called in
7-20 RP-2017-304570: South 87 Deg. 56 Min. 28 Sec. West, with the north
7-21 line of said called 27.5033 acre tract, a distance of 2611.75 feet)
7-22 to the POINT OF BEGINNING and containing 155.4 acres.

7-23 SECTION 3. (a) The legal notice of the intention to
7-24 introduce this Act, setting forth the general substance of this
7-25 Act, has been published as provided by law, and the notice and a
7-26 copy of this Act have been furnished to all persons, agencies,
7-27 officials, or entities to which they are required to be furnished
7-28 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-29 Government Code.

7-30 (b) The governor, one of the required recipients, has
7-31 submitted the notice and Act to the Texas Commission on
7-32 Environmental Quality.

7-33 (c) The Texas Commission on Environmental Quality has filed
7-34 its recommendations relating to this Act with the governor, the
7-35 lieutenant governor, and the speaker of the house of
7-36 representatives within the required time.

7-37 (d) All requirements of the constitution and laws of this
7-38 state and the rules and procedures of the legislature with respect
7-39 to the notice, introduction, and passage of this Act are fulfilled
7-40 and accomplished.

7-41 SECTION 4. (a) If this Act does not receive a two-thirds
7-42 vote of all the members elected to each house, Subchapter C, Chapter
7-43 8098, Special District Local Laws Code, as added by Section 1 of
7-44 this Act, is amended by adding Section 8098.0306 to read as follows:

7-45 Sec. 8098.0306. NO EMINENT DOMAIN POWER. The district may
7-46 not exercise the power of eminent domain.

7-47 (b) This section is not intended to be an expression of a
7-48 legislative interpretation of the requirements of Section 17(c),
7-49 Article I, Texas Constitution.

7-50 SECTION 5. This Act takes effect immediately if it receives
7-51 a vote of two-thirds of all the members elected to each house, as
7-52 provided by Section 39, Article III, Texas Constitution. If this
7-53 Act does not receive the vote necessary for immediate effect, this
7-54 Act takes effect September 1, 2019.

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