

1-1 By: Vasut (Senate Sponsor - Taylor) H.B. No. 4606  
 1-2 (In the Senate - Received from the House May 10, 2021;  
 1-3 May 10, 2021, read first time and referred to Committee on Local  
 1-4 Government; May 20, 2021, reported favorably by the following  
 1-5 vote: Yeas 9, Nays 0; May 20, 2021, 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	X			
1-16	X			

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

1-19 relating to the creation of the Brazoria County Water Control and  
 1-20 Improvement District No. 10; granting a limited power of eminent  
 1-21 domain; providing authority to issue bonds; providing authority to  
 1-22 impose assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subtitle I, Title 6, Special District Local Laws  
 1-25 Code, is amended by adding Chapter 9090 to read as follows:

1-26 CHAPTER 9090. BRAZORIA COUNTY WATER CONTROL AND IMPROVEMENT  
 1-27 DISTRICT NO. 10

1-28 SUBCHAPTER A. GENERAL PROVISIONS

1-29 Sec. 9090.0101. DEFINITIONS. In this chapter:

1-30 (1) "Board" means the district's board of directors.

1-31 (2) "Commission" means the Texas Commission on  
 1-32 Environmental Quality.

1-33 (3) "Director" means a board member.

1-34 (4) "District" means the Brazoria County Water Control  
 1-35 and Improvement District No. 10.

1-36 Sec. 9090.0102. NATURE OF DISTRICT. The district is a water  
 1-37 control and improvement district created under Section 59, Article  
 1-38 XVI, Texas Constitution.

1-39 Sec. 9090.0103. CONFIRMATION AND DIRECTORS' ELECTION  
 1-40 REQUIRED. The temporary directors shall hold an election to  
 1-41 confirm the creation of the district and to elect five permanent  
 1-42 directors as provided by Section 49.102, Water Code.

1-43 Sec. 9090.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
 1-44 temporary directors may not hold an election under Section  
 1-45 9090.0103 until each municipality in whose corporate limits or  
 1-46 extraterritorial jurisdiction the district is located has  
 1-47 consented by ordinance or resolution to the creation of the  
 1-48 district and to the inclusion of land in the district.

1-49 Sec. 9090.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-50 (a) The district is created to serve a public purpose and benefit.

1-51 (b) The district is created to accomplish the purposes of:

1-52 (1) a water control and improvement district as  
 1-53 provided by general law and Section 59, Article XVI, Texas  
 1-54 Constitution, including the collection, transportation,  
 1-55 processing, disposal, and control of domestic, industrial, or  
 1-56 communal waste and the gathering, conducting, diverting, and  
 1-57 control of local storm water or other harmful excesses of water; and

1-58 (2) Section 52, Article III, Texas Constitution, that  
 1-59 relate to the construction, acquisition, improvement, operation,  
 1-60 or maintenance of macadamized, graveled, or paved roads, or  
 1-61 improvements, including storm drainage, in aid of those roads.

2-1 Sec. 9090.0106. INITIAL DISTRICT TERRITORY. (a) The  
2-2 district is initially composed of the territory described by  
2-3 Section 2 of the Act enacting this chapter.

2-4 (b) The boundaries and field notes contained in Section 2 of  
2-5 the Act enacting this chapter form a closure. A mistake made in the  
2-6 field notes or in copying the field notes in the legislative process  
2-7 does not affect the district's:

- 2-8 (1) organization, existence, or validity;
- 2-9 (2) right to issue any type of bond for the purposes  
2-10 for which the district is created or to pay the principal of and  
2-11 interest on a bond;
- 2-12 (3) right to impose a tax; or
- 2-13 (4) legality or operation.

2-14 SUBCHAPTER B. BOARD OF DIRECTORS

2-15 Sec. 9090.0201. GOVERNING BODY; TERMS. (a) The district is  
2-16 governed by a board of five elected directors.

2-17 (b) Except as provided by Section 9090.0202, directors  
2-18 serve staggered four-year terms.

2-19 Sec. 9090.0202. TEMPORARY DIRECTORS. (a) The temporary  
2-20 board consists of:

- 2-21 (1) Steven Ward;
- 2-22 (2) Alex Khowaja;
- 2-23 (3) Mark Cain;
- 2-24 (4) William Puder; and
- 2-25 (5) Greg Clutter.

2-26 (b) Temporary directors serve until the earlier of:  
2-27 (1) the date permanent directors are elected under  
2-28 Section 9090.0103; or

2-29 (2) the fourth anniversary of the effective date of  
2-30 the Act enacting this chapter.

2-31 (c) If permanent directors have not been elected under  
2-32 Section 9090.0103 and the terms of the temporary directors have  
2-33 expired, successor temporary directors shall be appointed or  
2-34 reappointed as provided by Subsection (d) to serve terms that  
2-35 expire on the earlier of:

- 2-36 (1) the date permanent directors are elected under  
2-37 Section 9090.0103; or
- 2-38 (2) the fourth anniversary of the date of the  
2-39 appointment or reappointment.

2-40 (d) If Subsection (c) applies, the owner or owners of a  
2-41 majority of the assessed value of the real property in the district  
2-42 may submit a petition to the commission requesting that the  
2-43 commission appoint as successor temporary directors the five  
2-44 persons named in the petition. The commission shall appoint as  
2-45 successor temporary directors the five persons named in the  
2-46 petition.

2-47 SUBCHAPTER C. POWERS AND DUTIES

2-48 Sec. 9090.0301. GENERAL POWERS AND DUTIES. The district  
2-49 has the powers and duties necessary to accomplish the purposes for  
2-50 which the district is created.

2-51 Sec. 9090.0302. WATER CONTROL AND IMPROVEMENT DISTRICT  
2-52 POWERS AND DUTIES. The district has the powers and duties provided  
2-53 by the general law of this state applicable to water control and  
2-54 improvement districts created under Section 59, Article XVI, Texas  
2-55 Constitution, including Chapters 49 and 51, Water Code, and  
2-56 specifically including the powers and duties authorized under  
2-57 Subchapter H, Chapter 51, Water Code.

2-58 Sec. 9090.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
2-59 52, Article III, Texas Constitution, the district may design,  
2-60 acquire, construct, finance, issue bonds for, improve, operate,  
2-61 maintain, and convey to this state, a county, or a municipality for  
2-62 operation and maintenance macadamized, graveled, or paved roads, or  
2-63 improvements, including storm drainage, in aid of those roads.

2-64 Sec. 9090.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
2-65 road project must meet all applicable construction standards,  
2-66 zoning and subdivision requirements, and regulations of each  
2-67 municipality in whose corporate limits or extraterritorial  
2-68 jurisdiction the road project is located.

2-69 (b) If a road project is not located in the corporate limits

3-1 or extraterritorial jurisdiction of a municipality, the road  
 3-2 project must meet all applicable construction standards,  
 3-3 subdivision requirements, and regulations of each county in which  
 3-4 the road project is located.

3-5 (c) If the state will maintain and operate the road, the  
 3-6 Texas Transportation Commission must approve the plans and  
 3-7 specifications of the road project.

3-8 Sec. 9090.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
 3-9 ORDINANCE OR RESOLUTION. The district shall comply with all  
 3-10 applicable requirements of any ordinance or resolution that is  
 3-11 adopted under Section 42.042 or 42.0425, Local Government Code, and  
 3-12 consents to the creation of the district or to the inclusion of land  
 3-13 in the district.

3-14 Sec. 9090.0306. LIMITATION ON USE OF EMINENT DOMAIN. The  
 3-15 district may not exercise the power of eminent domain outside the  
 3-16 district boundaries to acquire a site or easement for:

3-17 (1) a recreational facility, as defined by Section  
 3-18 49.462, Water Code; or

3-19 (2) a road project authorized by Section 9090.0303.

3-20 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-21 Sec. 9090.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
 3-22 The district may issue, without an election, bonds and other  
 3-23 obligations secured by:

3-24 (1) revenue other than ad valorem taxes; or

3-25 (2) contract payments described by Section 9090.0403.

3-26 (b) The district must hold an election in the manner  
 3-27 provided by Chapters 49 and 51, Water Code, to obtain voter approval  
 3-28 before the district may impose an ad valorem tax or issue bonds  
 3-29 payable from ad valorem taxes.

3-30 (c) The district may not issue bonds payable from ad valorem  
 3-31 taxes to finance a road project unless the issuance is approved by a  
 3-32 vote of a two-thirds majority of the district voters voting at an  
 3-33 election held for that purpose.

3-34 Sec. 9090.0402. OPERATION AND MAINTENANCE TAX. (a) If  
 3-35 authorized at an election held under Section 9090.0401, the  
 3-36 district may impose an operation and maintenance tax on taxable  
 3-37 property in the district in accordance with Section 49.107, Water  
 3-38 Code.

3-39 (b) The board shall determine the tax rate. The rate may not  
 3-40 exceed the rate approved at the election.

3-41 Sec. 9090.0403. CONTRACT TAXES. (a) In accordance with  
 3-42 Section 49.108, Water Code, the district may impose a tax other than  
 3-43 an operation and maintenance tax and use the revenue derived from  
 3-44 the tax to make payments under a contract after the provisions of  
 3-45 the contract have been approved by a majority of the district voters  
 3-46 voting at an election held for that purpose.

3-47 (b) A contract approved by the district voters may contain a  
 3-48 provision stating that the contract may be modified or amended by  
 3-49 the board without further voter approval.

3-50 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-51 Sec. 9090.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
 3-52 OBLIGATIONS. The district may issue bonds or other obligations  
 3-53 payable wholly or partly from ad valorem taxes, impact fees,  
 3-54 revenue, contract payments, grants, or other district money, or any  
 3-55 combination of those sources, to pay for any authorized district  
 3-56 purpose.

3-57 Sec. 9090.0502. TAXES FOR BONDS. At the time the district  
 3-58 issues bonds payable wholly or partly from ad valorem taxes, the  
 3-59 board shall provide for the annual imposition of a continuing  
 3-60 direct ad valorem tax, without limit as to rate or amount, while all  
 3-61 or part of the bonds are outstanding as required and in the manner  
 3-62 provided by Chapter 51, Water Code.

3-63 Sec. 9090.0503. BONDS FOR ROAD PROJECTS. At the time of  
 3-64 issuance, the total principal amount of bonds or other obligations  
 3-65 issued or incurred to finance road projects and payable from ad  
 3-66 valorem taxes may not exceed one-fourth of the assessed value of the  
 3-67 real property in the district.

3-68 Sec. 9090.0504. BONDS FOR RECREATIONAL FACILITIES. (a)  
 3-69 The district may develop recreational facilities and issue bonds

4-1 for recreational facilities as provided by Chapter 49, Water Code,  
4-2 regardless of whether the district's territory overlaps with the  
4-3 territory of a political subdivision that is authorized to develop  
4-4 recreational facilities and issue bonds for recreational  
4-5 facilities under Chapter 49, Water Code.

4-6 (b) The authority of the district to develop recreational  
4-7 facilities and issue bonds for recreational facilities under this  
4-8 section does not limit the authority of another political  
4-9 subdivision whose territory the territory of the district may  
4-10 overlap, wholly or partly, to develop recreational facilities and  
4-11 issue bonds for recreational facilities under Chapter 49, Water  
4-12 Code.

4-13 SECTION 2. The Brazoria County Water Control and  
4-14 Improvement District No. 10 initially includes all the territory  
4-15 contained in the following area:

4-16 TRACT 1

4-17 Being 37.544 acres of land, being a called 37.54 Acre Tract of  
4-18 land (Tract II; Brazoria County Clerk's File No. 03-064681) and  
4-19 being out of Lots 28, 29, and 30 of the C.W. Palmer

4-20 Subdivision (Volume 2, Page 29; Plat Records of Brazoria  
4-21 County, Texas) being in the H.T. & B. Railroad Company Survey,  
4-22 Section No. 9, Abstract No. 238, Brazoria County, Texas, as  
4-23 described below:

4-24 BEGINNING at a 5/8 inch diameter iron rod with aluminum cap in  
4-25 concrete found for the Southwest corner of said call 37.54 Acre  
4-26 Tract; said corner being the Northwest corner of Lot No. 5, Block  
4-27 No. 2 of Stoneridge Lakes Section One Subdivision (Volume 23, Pages  
4-28 353, 354, 355 and 356; Plat Records of Brazoria County, Texas) and  
4-29 being in an Easterly line of Lot No. 4, Block No. 2 of said  
4-30 Stoneridge Lakes Section One Subdivision; said corner being the  
4-31 Southwest corner of this 37.544 Acre Tract;

4-32 THENCE North 2 degrees 16 minutes 28 seconds West, at 11.19  
4-33 feet pass a 5/8 inch diameter iron rod with aluminum cap in concrete  
4-34 found for the Northeast corner of said Lot No. 4, at 659.37 feet  
4-35 pass a 3/4 inch diameter iron rod found for reference, in all 675.48  
4-36 feet along the Westerly line of said call 37.54 Acre Tract and along  
4-37 the Easterly line of a call 10 Acre Tract (Brazoria County Clerk  
4-38 File No. 02-057392) to a point for the Northwest corner of this  
4-39 tract;

4-40 THENCE Easterly, along the Northerly line of said call 37.54  
4-41 Acre Tract being along a line in a drainage ditch, with the  
4-42 following courses and distances:

4-43 North 86 degrees 50 minutes 38 seconds East - 1321.37 feet to  
4-44 a point for angle;

4-45 North 86 degrees 37 minutes 19 seconds East - 1094.29 feet to a  
4-46 point for the Northeast corner of this tract; said corner being the  
4-47 Northeast corner of said call 37.54 Acre Tract, being the Northwest  
4-48 corner of a call 8.58 Acre Tract (Brazoria County Clerk File  
4-49 No. 01-032189) and bears South 86 degrees 37 minutes, 19 seconds  
4-50 West - 54.57 feet from a point for the Southwest corner of a 28.703  
4-51 Acre Tract;

4-52 THENCE South 0 degrees 27 minutes 12 seconds East, at 27.84  
4-53 feet past a 1/2 inch diameter iron rod with cap found for reference,  
4-54 in all 687.89 feet along the Easterly line of said call 37.54 Acre  
4-55 Tract being along a Westerly line of said call 8.58 Acre Tract to a  
4-56 point for the Southeast corner of this tract; said corner being the  
4-57 Southeast corner of said call 37.54 Acre Tract, being in the  
4-58 Northerly line of Lot No. 9, Block No. 3 of said Stoneridge Lakes  
4-59 Section One Subdivision and bears South 87 degrees 1 minute 23  
4-60 seconds West - 29.00 feet from a 5/8 inch diameter iron rod with  
4-61 aluminum cap in concrete found for the Northeast corner of said  
4-62 Stoneridge Lakes Section One Subdivision;

4-63 THENCE South 87 degrees 1 minute 23 seconds West (reference  
4-64 bearing) - 2393.62 feet along the Northerly line of said Stoneridge  
4-65 Lakes Section One Subdivision to the POINT OF BEGINNING and  
4-66 containing 37.544 acres of land.

4-67 TRACT 2

4-68 Being 14.991 acres of land, being the remainder of a call  
4-69 66.74 Acre Tract of land (Brazoria County Clerk's File

5-1 No. 02-036975), and being out of a call 137.24 Acre Tract of land  
 5-2 (Volume 85-226, Page 493; Official Records of Brazoria County,  
 5-3 Texas) being out of Lots 37, 38, 39, 40, 47, 48, 49 and 50 of the  
 5-4 C.W. Palmer Subdivision (Volume 2, Page 29; Plat Records of  
 5-5 Brazoria County, Texas) being in the H.T. & B. Railroad Company  
 5-6 Survey, Section No. 9, Abstract No. 238, Brazoria County, Texas.

5-7 BEGINNING at one and one-quarter inch outside diameter iron  
 5-8 pipe found in the existing Easterly right-of-way line of Brazoria  
 5-9 County Road No. 48 (Airline Road - 60 feet wide at this point) for  
 5-10 the Southwest corner of said call 66.74 Acre Tract; said corner  
 5-11 being the Northwest corner of a call 70.96 Acre Tract (Brazoria  
 5-12 County Clerk's File No. 03-004685) and being in the Westerly line  
 5-13 of said call 137.24 Acre Tract; said corner being the Southwest  
 5-14 corner of this 14.991 Acre Tract;

5-15 THENCE North 3 degrees 7 minutes 32 seconds West - 166.54 feet  
 5-16 along the Westerly line of said call 66.74 Acre Tract being along  
 5-17 the existing Easterly right-of-way line of said County Road No. 48  
 5-18 to a point for the most Westerly Northwest corner of this tract;  
 5-19 said corner being the most Westerly Southwest corner of Stoneridge  
 5-20 Lakes Section One Subdivision (Volume 23, Pages 353, 354, 355 and  
 5-21 356; Plat Records of Brazoria County, Texas);

5-22 THENCE North 87 degrees 1 minute 23 seconds East, at 20.00  
 5-23 feet pass a 5/8 inch diameter iron rod with aluminum cap in concrete  
 5-24 found for reference corner in the Easterly right-of-way line of  
 5-25 said County Road No. 48 (80 feet wide as dedicated), at 304.63 feet  
 5-26 pass the centerline of Lake Ridge Circle (70 feet wide), in all  
 5-27 540.09 feet along a Southerly line of said Stoneridge Lakes Section  
 5-28 One Subdivision to a 5/8 inch diameter iron rod with aluminum cap in  
 5-29 concrete found for interior corner of this tract;

5-30 THENCE North 2 degrees 58 minutes 37 seconds West - 67.02 feet  
 5-31 along an Easterly line of said Stoneridge Lakes Section One  
 5-32 Subdivision to a 5/8 inch diameter iron rod with aluminum cap in  
 5-33 concrete found for re-entrant corner of this tract;

5-34 THENCE Easterly, along the Southerly lines of said Stoneridge  
 5-35 Lakes Section One Subdivision with the following courses and  
 5-36 distances:

5-37 North 87 degrees 1 minute 23 seconds East - 1092.26 feet to a  
 5-38 point for corner;

5-39 Along a tangent curve to the right with the following curve  
 5-40 data:

5-41 Delta: 81 Degrees, 37 Minutes, 19 Seconds

5-42 Radius: 235.00 feet

5-43 Length: 334.77 feet

5-44 Tangent: 202.93 feet

5-45 Chord: South 52 Degrees, 9 Minutes, 58 Seconds East - 307.18  
 5-46 feet to a point for corner;

5-47 North 87 degrees 1 minute, 23 seconds East, at 55.93 feet past  
 5-48 a 5/8 inch diameter iron rod found for reference in the Westerly  
 5-49 line of a 130 foot wide drainage easement, at 185.93 feet pass a 5/8  
 5-50 inch diameter iron rod found for reference in the Easterly line of  
 5-51 said 130 foot wide drainage easement, at 476.85 feet pass the  
 5-52 centerline of said Lake Ridge Circle, in all 715.35 feet to a 5/8  
 5-53 inch diameter iron rod with aluminum cap in concrete found for  
 5-54 interior corner of this tract;

5-55 THENCE North 2 degrees 58 minutes 37 seconds West - 440.76  
 5-56 feet along an Easterly line of said Stonebridge Lakes Section One  
 5-57 Subdivision to a 5/8 inch diameter iron rod with aluminum cap in  
 5-58 concrete found for re-entrant corner of this tract;

5-59 THENCE North 87 degrees 1 minute 23 seconds East - 470.04 feet  
 5-60 along a Southerly line of said Stoneridge Lakes Section One  
 5-61 Subdivision to a 5/8 inch diameter iron rod with aluminum cap in  
 5-62 concrete found for the Northeast corner of this tract; said corner  
 5-63 being the most Easterly Southeast corner of said Stoneridge Lakes  
 5-64 Section One Subdivision and being in the Easterly line of said call  
 5-65 66.74 Acre Tract;

5-66 THENCE South 2 degrees 17 minutes 8 seconds East - 486.94 feet  
 5-67 along the Easterly line of said call 66.74 Acre Tract being along  
 5-68 the bank of a drainage ditch to a 5/8 inch diameter iron rod with  
 5-69 plastic cap set for the Southeast corner of this tract; said corner

6-1 being the Southeast corner of said call 66.74 Acre Tract, the  
6-2 Northeast corner of said 70.956 Acre Tract and bears North 2  
6-3 Degrees, 17 Minutes, 8 Seconds West - 1020.95 feet from a 3/4 inch  
6-4 diameter iron rod found for the Southeast corner of said call 137.24  
6-5 Acre Tract;

6-6 THENCE South 87 degrees 16 minutes 27 seconds West (reference  
6-7 bearing), at 993.60 feet pass the Easterly line of said 130 foot  
6-8 wide drainage easement, at 1123.60 feet pass the Westerly line of  
6-9 said 130 foot wide drainage easement, in all 3043.95 feet along the  
6-10 Southerly line of said call 66.74 Acre Tract and along the Northerly  
6-11 line of said call 70.96 Acre Tract to the POINT OF BEGINNING and  
6-12 containing 14.991 acres of land.

6-13 TRACT 3

6-14 Being 70.956 acres of land, being a called 70.96 Acre Tract of  
6-15 land (Brazoria County Clerk's File No. 03-004685), and being out of  
6-16 a called 137.24 Acre Tract of land (Volume 85-226, Page 493;  
6-17 Official Records of Brazoria County, Texas) being out of Lots 37,  
6-18 38, 39, 40, 47, 48, 49 and 50 of the C.W. Palmer Subdivision (Volume  
6-19 2, Page 29; Plat Records of Brazoria County, Texas) being in the  
6-20 H.T. & B. Railroad Company Survey, Section No. 9, Abstract No. 238,  
6-21 Brazoria County, Texas.

6-22 BEGINNING at a one and one-quarter inch outside diameter iron  
6-23 pipe found in the existing Easterly right-of-way line of Brazoria  
6-24 County Road No. 48 (Airline Road - 60 feet wide at this point) for  
6-25 the Northwest corner of said call 70.96 Acre Tract; said corner  
6-26 being the Southwest corner of a 14.991 Acre Tract, being the  
6-27 Southwest corner of a call 66.74 Acre Tract (Brazoria County  
6-28 Clerk's File No. 02-036975) and being in the Westerly line of said  
6-29 call 137.24 Acre Tract; said corner being the Northwest corner of  
6-30 this tract;

6-31 THENCE North 87 degrees 16 minutes 27 seconds East (reference  
6-32 bearing), at 1920.35 feet pass the Westerly line of a 130 foot wide  
6-33 drainage easement, at 2050.35 feet pass the Easterly line of said  
6-34 130 foot wide drainage easement, in all 3043.95 feet along the  
6-35 Northerly line of said call 70.96 Acre Tract, being along the  
6-36 Southerly line of said 14.991 Acre Tract and along the Southerly  
6-37 line of said call 66.74 Acre Tract to a 5/8 inch diameter iron rod  
6-38 with plastic cap set for the Northeast corner of this tract; said  
6-39 corner being the Southeast corner of said 14.991 Acre Tract and  
6-40 bears South 2 degrees 17 minutes 8 seconds East - 486.94 feet from a  
6-41 5/8 inch diameter iron rod with aluminum cap in concrete found for  
6-42 the most Easterly Southeast corner of Stoneridge Lakes Section One  
6-43 Subdivisions (Volume 23, Pages 353, 354, 355, and 356; Plat Records  
6-44 of Brazoria County, Texas);

6-45 THENCE South 2 degrees 17 minutes 8 seconds East - 1020.95  
6-46 feet along the Easterly line of said call 70.96 Acre Tract, along  
6-47 the Easterly line of said call 137.24 Acre Tract and along the  
6-48 Westerly line of a call 8.58 Acre Tract (Brazoria County Clerk File  
6-49 No. 01-032189) to a 3/4 inch diameter iron rod found for the  
6-50 Southeast corner of this tract; said corner being the Southeast  
6-51 corner of said call 70.96 Acre Tract being the Southwest corner of  
6-52 said call 8.58 Acre Tract and bears South 87 degrees 55 minutes 39  
6-53 seconds West - 80.00 feet from a 1/2 inch diameter iron rod with a  
6-54 cap found for the Southwest corner of a 74.337 Acre Tract;

6-55 THENCE South 87 degrees 16 minutes 27 seconds West, at 902.33  
6-56 feet pass the Easterly line of said 130 foot wide drainage easement,  
6-57 at 1032.33 feet pass the Westerly line of said 130 foot wide  
6-58 drainage easement, at 2962.33 feet pass North 2 degrees 43 minutes  
6-59 33 seconds West - 11.82 feet from a one and one-quarter inch outside  
6-60 diameter iron pipe found for reference, in all 2987.26 feet along  
6-61 the Southerly line of said call 70.96 Acre Tract, along the  
6-62 Southerly line of said call 137.24 Acre Tract and along the  
6-63 Northerly line of a call 264.481750 Acre Tract (Second Tract,  
6-64 Volume 1147, Page 483, Deed Records of Brazoria County, Texas) to a  
6-65 5/8 inch diameter iron rod with plastic cap set for the Southwest  
6-66 corner of this tract;

6-67 THENCE Northwesterly, along the Westerly line of said call  
6-68 70.96 Acre Tract, along the Westerly line of said call 137.24 Acre  
6-69 Tract and along the Easterly right-of-way line of said Brazoria

7-1 County Road No. 48 (60 feet wide at this point) as fenced with the  
7-2 following courses and distances:  
7-3 North 8 degrees 33 minutes 53 seconds West - 440.19 feet to a  
7-4 point for angle;  
7-5 North 3 degrees 7 minutes 32 seconds West - 583.03 feet to the  
7-6 POINT OF BEGINNING and containing 70.956 acres of land.  
7-7 TRACT 4  
7-8 Being 243.807 Acres of land, being all of Lots 1, 2 and 3, and  
7-9 also that portion of a 60 foot wide road lying between said Lots 1  
7-10 and 2 of the Bogart and Taylor Subdivision of the West 1/2 of the  
7-11 W.D.C. Hall League, Abstract 69 according to the Plat recorded in  
7-12 Volume 1, Page 64 of the map records of Brazoria County, Texas; said  
7-13 60 foot platted right-of-way being closed, abandoned, and vacated  
7-14 by the Commissioners' Court at the petition of Claud B. Hamill and  
7-15 other freeholders per Volume 1269, Page 945 and Volume 1277, Page  
7-16 900, B.C.D.R.; said 243.807 Acres being more particularly described  
7-17 as follows:  
7-18 BEGINNING at a found 1/2 inch iron rod with cap, the Northwest  
7-19 Corner of Lot 1, of said Subdivision the Northwest corner of this  
7-20 tract;  
7-21 THENCE North 87 degrees 01 minutes 49 seconds East, along the  
7-22 North lines of said Lots 1, 2, 3, and the North end of said 60 foot  
7-23 road, same being the South lines of Lots 163-191 of Grasslands  
7-24 Subdivision (aka "Old Airline Road Estates"), a called 140.024 acre  
7-25 unrecorded subdivision out of Lots 35, 41-45, 51-55 and portions of  
7-26 Lots 36, 46, 56 and 57 of the CW Palmer Subdivision of Section 9,  
7-27 HT&B RR Company Survey, A-238, as recorded in Volume 2, Page 29,  
7-28 BCPR, a distance of 4026.98 feet to a set 1/2 inch iron rod with cap,  
7-29 on the West line of Airline Road/County Road 48, the Northeast  
7-30 corner of Lot 3 as shown on said Plat of Bogart and Taylor;  
7-31 THENCE South 02 degrees 56 minutes 12 seconds East, along the  
7-32 West line of Airline Road, a distance of 2637.27 feet to a set 1/2  
7-33 inch iron rod on the North line of Adams Road/County Road 841, the  
7-34 Southeast corner of Lot 3 as shown on said Plat of Bogart and  
7-35 Taylor;  
7-36 THENCE South 87 degrees 01 minutes 49 seconds West, along the  
7-37 North line of Adams Road, a distance of 4026.98 feet to a set 1/2  
7-38 inch iron rod, the Southwest corner of Lot 1 as shown on said Plat of  
7-39 Bogart and Taylor;  
7-40 THENCE North 02 degrees 56 minutes 12 seconds West, along the  
7-41 West line of said Lot 1, same being the East line of that called  
7-42 264.533 Acre Tract of land as described by deed recorded in Brazoria  
7-43 County Clerk's File No. 2005-069871, a distance of 2637.27 feet to  
7-44 the POINT OF BEGINNING, and containing 243.807 acres of land, more  
7-45 or less, and being that same tract of land as described in the deed  
7-46 from J.O. Garrett, Trustee, to Claud B. Hamill recorded in Volume  
7-47 1175, Page 763 (as to Lot 1) and Alice Cannon Carlson to Claud B.  
7-48 Hamill recorded as "First Tract" in Volume 1147, Page 483 (as to  
7-49 Lots 2 and 3), and portion of the right-of-way as abandoned by the  
7-50 County in Volume 1269, Page 945 and Volume 1277, Page 900, all of  
7-51 the deed records of Brazoria County, Texas, to which deeds and the  
7-52 records thereof reference is here made for all appropriate  
7-53 purposes.  
7-54 TRACT 5  
7-55 Being 203.29 Acres of land, out of Lots 4, 5, and 6 of the  
7-56 Bogart and Taylor Subdivision of the West 1/2 of the W.D.C. Hall  
7-57 League, Abstract 69, according to the Plat recorded in Volume 1,  
7-58 Page 64 of the Map Records of Brazoria County, Texas (B.C.M.R.), and  
7-59 being more particularly described by metes and bounds as follows:  
7-60 BEGINNING at a found 1 inch pipe the Northwest corner of Lot  
7-61 4, said point being located in the East right-of-way line of Airline  
7-62 Road / County Road 48, with said point also being the Northwest  
7-63 corner of this tract and the POINT OF BEGINNING;  
7-64 THENCE North 86 degrees 57 minutes 02 seconds East, along the  
7-65 North line of Lots 4, 5, and 6, same being the South lines of that  
7-66 called 70.96 Acre Tract as described by deed recorded in B.C.C.F.  
7-67 No. 03-004685 out of Lots 47-50 of the CS Palmer Subdivision of  
7-68 Section 9 of the HT&B RR Company Survey, A-238, recorded in Volume  
7-69 2, Page 29, B.C.M.R., distance of 2974.14 feet to a set 1/2 inch

8-1 iron rod with cap at point of intersection;

8-2 THENCE North 87 degrees 35 minutes 00 seconds East,  
8-3 continuing along the North line of Lot 6, same being the South lines  
8-4 of that called 74.33 Acre Tract described by deed recorded in  
8-5 B.C.C.F. No. 03-064681 (therein called "Tract 1") out of the CM  
8-6 Hays Survey, Section 8, A-534, a distance of 382.13 feet for the  
8-7 Northeast corner of this tract;

8-8 THENCE South 03 degrees 00 minutes 50 seconds East, a  
8-9 distance of 2,633.04 feet for the Southeast corner of this tract,  
8-10 said point being located in the North right-of-way line of Adams  
8-11 Road / County Road 841, a public road, presently unopened;

8-12 THENCE South 86 degrees 57 minutes 02 seconds West, along the  
8-13 North right-of-way line of Adams Road, a distance of 3,359.80 feet  
8-14 to a set 1/2 inch iron rod with cap for the Southwest corner of this  
8-15 tract, said point also being the Southwest corner of Lot 4 and being  
8-16 located in the East right-of-way line of Airline Road;

8-17 THENCE North 02 degrees 56 minutes 12 seconds West, along the  
8-18 East right-of-way line of Airline Road, a distance of 2,637.27 feet  
8-19 to the POINT OF BEGINNING and containing 203.29 acres of land, more  
8-20 or less, and being a part of the same property described in the deed  
8-21 "Tract B" as described in the Clerk's File No. 2008-037928 of  
8-22 Brazoria County, Texas, to which deed and the record thereof  
8-23 reference is here made for all appropriate purposes.

8-24 TRACT 6

8-25 Being 185.59 acres of land, being a part of that certain  
8-26 called 325.54 Acre Tract containing Lots 12, 13, and 14, and those  
8-27 platted roads lying between said Lots, of the Bogart and Taylor  
8-28 Subdivision of the West 1/2 of the W.D.C. Hall League, Abstract 69,  
8-29 Brazoria County, Texas, according to the Plat recorded in Volume 1,  
8-30 Page 64, Plat Records, and Volume 16, Pages 518-519, Deed Records of  
8-31 Brazoria County, Texas (B.C.D.R), and being a part of that certain  
8-32 called 326.04 Acre Tract described in a deed from Elmer M. Cannon,  
8-33 Jr. to Tehama Communities, LLP recorded in Clerk's File (C.F.)  
8-34 2006-074531, said 185.59 Acre Tract being more particularly  
8-35 described as follows:

8-36 BEGINNING at a 1/2 inch iron rod found in the West  
8-37 right-of-way line of County Road 48 (60.0 feet wide), said point  
8-38 being a Northeast corner of this tract and the Southeast corner of a  
8-39 tract described as Tract One in a deed to Allen W. Gibson recorded  
8-40 in C.F. 2001-017726, said point being located South 03 degrees 02  
8-41 minutes 44 seconds East, 990.09 feet, from a sucker rod found at the  
8-42 intersection of the West right-of-way line of County Road 48 with  
8-43 the South right-of-way line of County Road 841 (60.0 feet wide);  
8-44 THENCE South 03 degrees 02 minutes 44 seconds East, along said West  
8-45 right-of-way line of County Road 48, 330.0 feet, to a point for  
8-46 corner a the Northeast corner of the Ann M. Doggett Tract described  
8-47 in Volume 1474, Page 244, B.C.D.R.; THENCE South 86 degrees 56  
8-48 minutes 42 seconds West, along the North line of said Doggett Tract,  
8-49 at 7.0 feet pass a 1/2 inch iron rod set for reference, and continue  
8-50 for a total distance of 1,318.61 feet to a 1/2 inch iron rod found  
8-51 inside a 3 inch iron pipe at the Northwest corner of said Doggett  
8-52 Tract;

8-53 THENCE South 02 degrees 56 minutes 25 seconds East, along the  
8-54 West line of said Doggett Tract, 330.30 feet, to a 1/2 inch iron rod  
8-55 found inside a 3 inch iron pipe at the Southwest corner of said  
8-56 Doggett Tract;

8-57 THENCE North 86 degrees 56 minutes 42 seconds East, along the  
8-58 South line of said Doggett Tract, at 1,311.87 feet pass a 1 inch  
8-59 iron pipe found, and continue for a total distance of 1319.22 feet  
8-60 to a point marking the Southeast corner of said Doggett Tract in  
8-61 said West right-of-way line of said County Road 48;

8-62 THENCE South 03 degrees 02 minutes 44 seconds East, along  
8-63 said West right-of-way line of County Road 48, 979.20 feet, to the  
8-64 centerline of a 60.0 foot platted road (not open) for corner, said  
8-65 point being the Eastern most Southeast corner of the herein  
8-66 described tract;

8-67 THENCE South 86 degrees 57 minutes 14 seconds West, along  
8-68 said centerline of a 60.0 foot platted road, 3,882.14 feet, to the  
8-69 Southern most Southwest corner of the herein described tract for

9-1 corner, said point also lying in the Northeast right-of-way line of  
 9-2 F.M. 521 (100.0 feet wide);

9-3 THENCE North 18 degrees 47 minutes 40 seconds West, along  
 9-4 said Northeast right-of-way line of F.M. 521, 449.11 feet, to a  
 9-5 broken concrete monument found for corner in the common line of the  
 9-6 W.D.C. Hall League, Abstract 69, and the John Hall League, Abstract  
 9-7 68, said point being the Southern most corner of the Earl A. Key  
 9-8 Tract described in C.F. 1998-045344;

9-9 THENCE North 03 degrees 15 minutes 37 seconds West, along the  
 9-10 said common line of the W.D.C. Hall League, Abstract 69, and the  
 9-11 John Hall League, Abstract 68, being the Easterly line of said Key  
 9-12 Tract, the Key Tract described in C.F. 1998-028462, the William E.  
 9-13 Murphy Tract described in C.F. 2001-009763, the Nicholas O.  
 9-14 Martinez Tract described in C.F. 2002-037450, the Danny Netterville  
 9-15 Tract described in C.F. 2007-015818, the David Saucedo Tract  
 9-16 described in C.F. 2003-004766, the Ifeoma A. Nwankwo Tract  
 9-17 described in C.F. 2004-044384, the Larry Robinson Tract described  
 9-18 in C.F. 2003-038622, the Roque Arredondo Tract described in C.F.  
 9-19 2005-046389, and the Sierra Homes Tract described in C.F.  
 9-20 2006-059259, passing several 1/2 inch iron rods found on line,  
 9-21 2,179.53 feet, to a 3/4 inch iron pipe set for the Western most  
 9-22 Northwest corner of the herein described tract at the Northwest  
 9-23 corner of Lot 14, from which point a 1 - 1/2 inch iron pipe found  
 9-24 bears South 86 degrees 10 minutes 54 seconds West, 1.96 feet;

9-25 THENCE North 86 degrees 10 minutes 54 seconds East, along the  
 9-26 said North line of Lot 14 and the South line of a 60.0 foot platted  
 9-27 road, 1,341.71 feet, to a 3/4 inch iron pipe set for the Northern  
 9-28 most Northeast corner of the herein described tract in the  
 9-29 centerline of a 60.0 foot platted road (not open), from which point  
 9-30 a 1/2 inch iron pipe found at the Northwest corner of Lot 13 bears  
 9-31 North 86 degrees 10 minutes 54 seconds East, 30.0 feet; THENCE South  
 9-32 03 degrees 04 minutes 59 seconds East, along the centerline of said  
 9-33 60.0 foot platted road, 659.44 feet, to a 3/4 inch iron pipe set for  
 9-34 corner;

9-35 THENCE North 86 degrees 59 minutes 02 seconds East, at 30.0  
 9-36 feet pass a 1- 1/4 inch iron pipe found in the East line of said 60.0  
 9-37 foot road at the Southwest corner of the Ronny Dumesnil Tract  
 9-38 escribed in Volume 1237, Page 638, B.C.D.R., and continue along the  
 9-39 South line of said Dumesnil Tract, the Jon S. Dumesnil Tract  
 9-40 described in Volume (92) 1029, Page 564, Official Records, the  
 9-41 Scott G. Frankie Tract described in C.F. 1997-033820, the Scott G.  
 9-42 Frankie Tract described in C.F. 2004-013757, and the Jan Felder  
 9-43 Tract described in Volume 1670, Page 241, B.C.D.R., 2,009.58 feet,  
 9-44 to a 1 inch iron pipe found for corner in the West line of the Allen  
 9-45 W. Gibson Tract Two described in C.F. 2001-017726;

9-46 THENCE South 03 degrees 06 minutes 52 seconds East, along the  
 9-47 said West line of the Gibson Tract Two and Tract One, 329.95 feet,  
 9-48 to a 1- 1/4 inch iron pipe found at the Southwest corner of said  
 9-49 Gibson Tract One;

9-50 THENCE North 86 degrees 56 minutes 43 seconds East, along the  
 9-51 South line of said Gibson Tract One, 660.22 feet to the POINT OF  
 9-52 BEGINNING and containing 185.59 acres of land.

9-53 SECTION 3. (a) The legal notice of the intention to  
 9-54 introduce this Act, setting forth the general substance of this  
 9-55 Act, has been published as provided by law, and the notice and a  
 9-56 copy of this Act have been furnished to all persons, agencies,  
 9-57 officials, or entities to which they are required to be furnished  
 9-58 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
 9-59 Government Code.

9-60 (b) The governor, one of the required recipients, has  
 9-61 submitted the notice and Act to the Texas Commission on  
 9-62 Environmental Quality.

9-63 (c) The Texas Commission on Environmental Quality has filed  
 9-64 its recommendations relating to this Act with the governor, the  
 9-65 lieutenant governor, and the speaker of the house of  
 9-66 representatives within the required time.

9-67 (d) All requirements of the constitution and laws of this  
 9-68 state and the rules and procedures of the legislature with respect  
 9-69 to the notice, introduction, and passage of this Act are fulfilled

10-1 and accomplished.

10-2 SECTION 4. (a) Section 9090.0306, Special District Local  
10-3 Laws Code, as added by Section 1 of this Act, takes effect only if  
10-4 this Act receives a two-thirds vote of all the members elected to  
10-5 each house.

10-6 (b) If this Act does not receive a two-thirds vote of all the  
10-7 members elected to each house, Subchapter C, Chapter 9090, Special  
10-8 District Local Laws Code, as added by Section 1 of this Act, is  
10-9 amended by adding Section 9090.0306 to read as follows:

10-10 Sec. 9090.0306. NO EMINENT DOMAIN POWER. The district may  
10-11 not exercise the power of eminent domain.

10-12 (c) This section is not intended to be an expression of a  
10-13 legislative interpretation of the requirements of Section 17(c),  
10-14 Article I, Texas Constitution.

10-15 SECTION 5. This Act takes effect immediately if it receives  
10-16 a vote of two-thirds of all the members elected to each house, as  
10-17 provided by Section 39, Article III, Texas Constitution. If this  
10-18 Act does not receive the vote necessary for immediate effect, this  
10-19 Act takes effect September 1, 2021.

10-20

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