

1-1 By: Creighton S.B. No. 2603
 1-2 (In the Senate - Filed April 11, 2023; April 12, 2023, read
 1-3 first time and referred to Committee on Local Government;
 1-4 April 24, 2023, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; April 24, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Springer	X			
1-9 Eckhardt	X			
1-10 Gutierrez			X	
1-11 Hall	X			
1-12 Nichols	X			
1-13 Parker	X			
1-14 Paxton	X			
1-15 West	X			

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

1-19 relating to the creation of the Montgomery County Municipal Utility
 1-20 District No. 216; granting a limited power of eminent domain;
 1-21 providing authority to issue bonds; providing authority to impose
 1-22 assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-24 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-25 Code, is amended by adding Chapter 7958A to read as follows:

1-26 CHAPTER 7958A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT
 1-27 NO. 216

1-28 SUBCHAPTER A. GENERAL PROVISIONS

1-29 Sec. 7958A.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 Montgomery County Municipal
 1-35 Utility District No. 216.

1-36 Sec. 7958A.0102. NATURE OF DISTRICT. The district is a
 1-37 municipal utility district created under Section 59, Article XVI,
 1-38 Texas Constitution.

1-39 Sec. 7958A.0103. CONFIRMATION AND DIRECTOR 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. 7958A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-44 temporary directors may not hold an election under Section
 1-45 7958A.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 as required by
 1-49 applicable law.

1-50 Sec. 7958A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
 1-51 (a) The district is created to serve a public purpose and benefit.

1-52 (b) The district is created to accomplish the purposes of:

1-53 (1) a municipal utility district as provided by
 1-54 general law and Section 59, Article XVI, Texas Constitution; and

1-55 (2) Section 52, Article III, Texas Constitution, that
 1-56 relate to the construction, acquisition, improvement, operation,
 1-57 or maintenance of macadamized, graveled, or paved roads, or
 1-58 improvements, including storm drainage, in aid of those roads.

1-59 Sec. 7958A.0106. INITIAL DISTRICT TERRITORY. (a) The
 1-60 district is initially composed of the territory described by
 1-61 Section 2 of the Act enacting this chapter.

2-1 (b) The boundaries and field notes contained in Section 2 of
2-2 the Act enacting this chapter form a closure. A mistake made in the
2-3 field notes or in copying the field notes in the legislative process
2-4 does not affect the district's:

- 2-5 (1) organization, existence, or validity;
- 2-6 (2) right to issue any type of bond for the purposes
2-7 for which the district is created or to pay the principal of and
2-8 interest on a bond;
- 2-9 (3) right to impose a tax; or
- 2-10 (4) legality or operation.

2-11 SUBCHAPTER B. BOARD OF DIRECTORS

2-12 Sec. 7958A.0201. GOVERNING BODY; TERMS. (a) The district
2-13 is governed by a board of five elected directors.

2-14 (b) Except as provided by Section 7958A.0202, directors
2-15 serve staggered four-year terms.

2-16 Sec. 7958A.0202. TEMPORARY DIRECTORS. (a) On or after
2-17 January 1, 2024, the owner or owners of a majority of the assessed
2-18 value of the real property in the district may submit a petition to
2-19 the commission requesting that the commission appoint as temporary
2-20 directors the five persons named in the petition. The commission
2-21 shall appoint as temporary directors the five persons named in the
2-22 petition.

2-23 (b) Temporary directors serve until the earlier of:

- 2-24 (1) the date permanent directors are elected under
2-25 Section 7958A.0103; or
- 2-26 (2) January 1, 2028.

2-27 (c) If permanent directors have not been elected under
2-28 Section 7958A.0103 and the terms of the temporary directors have
2-29 expired, successor temporary directors shall be appointed or
2-30 reappointed as provided by Subsection (d) to serve terms that
2-31 expire on the earlier of:

- 2-32 (1) the date permanent directors are elected under
2-33 Section 7958A.0103; or
- 2-34 (2) the fourth anniversary of the date of the
2-35 appointment or reappointment.

2-36 (d) If Subsection (c) applies, the owner or owners of a
2-37 majority of the assessed value of the real property in the district
2-38 may submit a petition to the commission requesting that the
2-39 commission appoint as successor temporary directors the five
2-40 persons named in the petition. The commission shall appoint as
2-41 successor temporary directors the five persons named in the
2-42 petition.

2-43 SUBCHAPTER C. POWERS AND DUTIES

2-44 Sec. 7958A.0301. GENERAL POWERS AND DUTIES. The district
2-45 has the powers and duties necessary to accomplish the purposes for
2-46 which the district is created.

2-47 Sec. 7958A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
2-48 DUTIES. The district has the powers and duties provided by the
2-49 general law of this state, including Chapters 49 and 54, Water Code,
2-50 applicable to municipal utility districts created under Section 59,
2-51 Article XVI, Texas Constitution.

2-52 Sec. 7958A.0303. AUTHORITY FOR ROAD PROJECTS. Under
2-53 Section 52, Article III, Texas Constitution, the district may
2-54 design, acquire, construct, finance, issue bonds for, improve,
2-55 operate, maintain, and convey to this state, a county, or a
2-56 municipality for operation and maintenance macadamized, graveled,
2-57 or paved roads, or improvements, including storm drainage, in aid
2-58 of those roads.

2-59 Sec. 7958A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
2-60 road project must meet all applicable construction standards,
2-61 zoning and subdivision requirements, and regulations of each
2-62 municipality in whose corporate limits or extraterritorial
2-63 jurisdiction the road project is located.

2-64 (b) If a road project is not located in the corporate limits
2-65 or extraterritorial jurisdiction of a municipality, the road
2-66 project must meet all applicable construction standards,
2-67 subdivision requirements, and regulations of each county in which
2-68 the road project is located.

2-69 (c) If the state will maintain and operate the road, the

3-1 Texas Transportation Commission must approve the plans and
3-2 specifications of the road project.

3-3 Sec. 7958A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
3-4 ORDINANCE OR RESOLUTION. The district shall comply with all
3-5 applicable requirements of any ordinance or resolution that is
3-6 adopted under Section 54.016 or 54.0165, Water Code, and that
3-7 consents to the creation of the district or to the inclusion of land
3-8 in the district.

3-9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-10 Sec. 7958A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
3-11 The district may issue, without an election, bonds and other
3-12 obligations secured by:

3-13 (1) revenue other than ad valorem taxes; or
3-14 (2) contract payments described by Section
3-15 7958A.0403.

3-16 (b) The district must hold an election in the manner
3-17 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-18 before the district may impose an ad valorem tax or issue bonds
3-19 payable from ad valorem taxes.

3-20 (c) The district may not issue bonds payable from ad valorem
3-21 taxes to finance a road project unless the issuance is approved by a
3-22 vote of a two-thirds majority of the district voters voting at an
3-23 election held for that purpose.

3-24 Sec. 7958A.0402. OPERATION AND MAINTENANCE TAX. (a) If
3-25 authorized at an election held under Section 7958A.0401, the
3-26 district may impose an operation and maintenance tax on taxable
3-27 property in the district in accordance with Section 49.107, Water
3-28 Code.

3-29 (b) The board shall determine the tax rate. The rate may not
3-30 exceed the rate approved at the election.

3-31 Sec. 7958A.0403. CONTRACT TAXES. (a) In accordance with
3-32 Section 49.108, Water Code, the district may impose a tax other than
3-33 an operation and maintenance tax and use the revenue derived from
3-34 the tax to make payments under a contract after the provisions of
3-35 the contract have been approved by a majority of the district voters
3-36 voting at an election held for that purpose.

3-37 (b) A contract approved by the district voters may contain a
3-38 provision stating that the contract may be modified or amended by
3-39 the board without further voter approval.

3-40 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-41 Sec. 7958A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
3-42 OBLIGATIONS. The district may issue bonds or other obligations
3-43 payable wholly or partly from ad valorem taxes, impact fees,
3-44 revenue, contract payments, grants, or other district money, or any
3-45 combination of those sources, to pay for any authorized district
3-46 purpose.

3-47 Sec. 7958A.0502. TAXES FOR BONDS. At the time the district
3-48 issues bonds payable wholly or partly from ad valorem taxes, the
3-49 board shall provide for the annual imposition of a continuing
3-50 direct ad valorem tax, without limit as to rate or amount, while all
3-51 or part of the bonds are outstanding as required and in the manner
3-52 provided by Sections 54.601 and 54.602, Water Code.

3-53 Sec. 7958A.0503. BONDS FOR ROAD PROJECTS. At the time of
3-54 issuance, the total principal amount of bonds or other obligations
3-55 issued or incurred to finance road projects and payable from ad
3-56 valorem taxes may not exceed one-fourth of the assessed value of the
3-57 real property in the district.

3-58 SECTION 2. The Montgomery County Municipal Utility District
3-59 No. 216 initially includes all the territory contained in the
3-60 following area:

3-61 TRACT 1: 401.4 Acres

3-62 A 401.4 ACRE TRACT OF LAND IN THE JAMES EDWARDS SURVEYS,
3-63 ABSTRACT NO. 189, 190, AND IN THE ROBERT MARSH SURVEY ABSTRACT NO.
3-64 355, MONTGOMERY COUNTY, TEXAS, BEING OUT OF AND A PART OF A CALLED
3-65 47.932 ACRE TRACT (TRACT ONE), ALL OF A CALLED 65.153 ACRE TRACT
3-66 (TRACT TWO), AND OUT OF AND A PART OF A CALLED 410.539 ACRE TRACT
3-67 (TRACT FOUR), ALL CONVEYED TO CONROE VENTURE, LTD. AND RECORDED
3-68 UNDER MONTGOMERY COUNTY CLERK'S FILE (M.C.C.F.) NO. 9149317, THE
3-69 SAID 401.4 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES

4-1 AND BOUNDS AS FOLLOWS, (WITH BEARINGS BASED ON TEXAS STATE PLANE
4-2 COORDINATE SYSTEM OF 1983, CENTRAL ZONE, AS DETERMINED BY GPS
4-3 MEASUREMENTS):

4-4 BEGINNING at a 3/4 inch iron pipe found marking the most
4-5 northerly corner of a called 55.369 acre tract (TREND tract 2),
4-6 conveyed to Trendmaker Homes, Inc. as recorded under M.C.C.F. NO.
4-7 2019104424, and an angle in the southerly line of said TRACT FOUR,
4-8 and the herein described tract;

4-9 THENCE, South 71°38'09" West, along the southerly line of said
4-10 TRACT FOUR, common with the northerly line of said TREND tract 2, a
4-11 called 1.820 acre tract conveyed to the city of Conroe as recorded
4-12 under M.C.C.F. NO. 2012000764, a called 32.724 acre tract (TREND
4-13 tract 1) conveyed to Trendmaker Homes, Inc. as recorded under
4-14 M.C.C.F. NO. 2019104424, a called 12.756 acre tract conveyed to
4-15 Colony Ridge Land LLC, as recorded under M.C.C.F. NO. 2020041993,
4-16 and a called 210.3078 acre tract conveyed to Colony Ridge Land, LLC,
4-17 as recorded under M.C.C.F. NO. 2017005562, passing at a distance of
4-18 2,659.33 feet a 5/8-inch iron rod found marking the common
4-19 northerly corner of said TREND tract 1, and said 12.756 acre tract,
4-20 continuing a total distance of 5,361.84 feet, to a 3/4-inch iron
4-21 pipe found marking the southwest corner of said TRACT FOUR, and the
4-22 southeasterly corner of said TRACT TWO, and an angle in the
4-23 northerly line of said 210.3078 acre tract, and an angle in the
4-24 southerly line of the herein described tract;

4-25 THENCE, South 71°33'49" West, continuing along the northerly
4-26 line of said 210.3078 acre tract, common with the southerly line of
4-27 said TRACT TWO, a distance of 1,624.60 feet, to a 5/8-inch iron rod
4-28 with cap stamped "S&V Surveying", found marking the southeast
4-29 corner of a called 10.45 acre tract conveyed to San Jacinto River
4-30 Authority, as recorded under Volume (VOL.) 692, Page (PG.) 779 of
4-31 the Montgomery County Deed Records (M.C.D.R.), and the southwest
4-32 corner of said TRACT TWO, and the herein described tract;

4-33 THENCE, departing the northerly line of said 210.3078 acre
4-34 tract, and along the westerly line of said TRACT TWO, common with
4-35 the easterly line of said 10.45 acre tract the following six (6)
4-36 courses and distances;

4-37 North 28°22'23" West, a distance of 1,185.66 feet, to the high
4-38 bank of a water course and an angle in the said common line;

4-39 North 00°53'08" East, along said high bank, a distance of
4-40 69.28 feet, to an angle in the said common line;

4-41 North 22°13'01" East, along said high bank, a distance of
4-42 59.71 feet, to an angle in the said common line;

4-43 North 56°36'03" East, along said high bank, a distance of
4-44 117.87 feet, to an angle in the said common line;

4-45 North 23°27'25" East, along said high bank, a distance of
4-46 191.76 feet, to an angle in the said common line;

4-47 North 27°00'38" West, along said high bank, a distance of
4-48 50.96 feet, to the southwest corner of a called 87.22 acre tract
4-49 conveyed to San Jacinto River Authority, as recorded under VOL.
4-50 563, PG. 219 M.C.D.R., and the northwest corner of said TRACT TWO
4-51 and the herein described tract;

4-52 THENCE, North 58°48'27" East, along the southerly line of said
4-53 87.22 acre tract, common with the northerly line of said TRACT TWO,
4-54 and said TRACT FOUR, passing at a distance of 1,573.75 feet, a
4-55 1-inch iron pipe (bent) found marking the common northerly corner
4-56 of said TRACT TWO and TRACT FOUR, continuing a total distance of
4-57 3,242.65 feet, to a 2-inch iron pipe found marking the southeast
4-58 corner of said 87.22 acre tract, the southwest corner of a called
4-59 43.796 acre tract conveyed to San Jacinto River Authority as
4-60 recorded under M.C.C.F. NO. 2009114038, and a northerly corner of
4-61 said TRACT FOUR, and the herein described tract;

4-62 THENCE, South 76°41'28" East, along the south line of said
4-63 43.796 acre tract, and a called 4.321 acre tract conveyed to Aqua
4-64 Texas, Inc. as recorded under M.C.C.F. NO. 2013074043, common with
4-65 the north line of said TRACT FOUR, passing at a distance 1,274.47
4-66 feet, a 5-8-inch iron rod found marking the southwest corner of said
4-67 4.321 acre tract, continuing a total distance of 1,664.37 feet, to a
4-68 1-inch iron rod (bent) found marking the southeast corner of said
4-69 4.321 acre tract, and an interior corner of said TRACT FOUR, and the

5-1 herein described tract;

5-2 THENCE, North 12°48'52" East, along the westerly line of said

5-3 TRACT FOUR, common with the easterly line of said 4.321 acre tract,

5-4 and said 43.796 acre tract, passing at a distance of 400.00 feet,

5-5 the northeast corner of said 4.321 acre tract, from which a 5/8-inch

5-6 iron rod with cap stamped "S&V Surveying" found bears, South 60°06'

5-7 West, 0.2 feet, continuing a total distance of 767.77 feet, to a

5-8 1/2-inch iron rod found marking the most westerly southwest corner

5-9 of the south Right-Of-Way (R.O.W.) line of Pine Valley Drive (based

5-10 on a variable width) as dedicated under Cabinet (CAB.) Z, Sheet

5-11 (SHT.) 4404 of the Montgomery County Map Records (M.C.M.R.), and a

5-12 northerly corner of the herein described tract;

5-13 THENCE, departing said common line, and along the southerly

5-14 R.O.W. line of said Pine Valley Drive, and over and across said

5-15 TRACT FOUR, and said TRACT ONE, the following eleven (11) courses

5-16 and distances:

5-17 South 76°37'29" East, a distance of 583.23 feet, to a 5/8-inch

5-18 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking the

5-19 beginning of a curve to the left;

5-20 In a northeasterly direction, along said curve to the left,

5-21 having a radius of 991.00 feet, a central angle of 60°39'48" (chord

5-22 bears North 73°02'38" East, 1,000.92 feet) and an arc distance of

5-23 1049.25 feet, to a 5/8-inch iron rod with cap stamped "E.H.R.A.

5-24 713-784-4500" set marking the point of tangency;

5-25 North 42°42'44" East, a distance of 209.59 feet, to a 5/8-inch

5-26 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking an

5-27 exterior corner of the herein described tract;

5-28 South 47°17'16" East, a distance of 13.87 feet, to a 5/8-inch

5-29 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking an

5-30 exterior corner of the herein described tract, and the beginning of

5-31 a non-tangent curve to the right;

5-32 In a northeasterly direction, along said curve to the right,

5-33 having a radius of 746.00 feet, a central angle of 26°37'47" (chord

5-34 bears, North 58°47'35" East, 343.61 feet) and an arc distance of

5-35 346.72 feet, to the point of tangency, from which a 5/8-inch iron

5-36 rod found bears, South 79 12' East, 0.6 feet;

5-37 North 72°06'29" East, a distance of 52.46 feet, to a 5/8-inch

5-38 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking the

5-39 beginning of a curve to the right;

5-40 In an easterly direction, along said curve to the right,

5-41 having a radius of 946.00 feet, a central angle of 28°03'11" (chord

5-42 bears, North 86°08'05" East, 458.57 feet) and an arc distance of

5-43 463.18 feet, to a 5/8-inch iron rod with cap stamped "E.H.R.A.

5-44 713-784-4500" set marking the point of tangency;

5-45 South 79°50'20" East, a distance of 1,282.23 feet, to a

5-46 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set

5-47 marking the beginning of a curve to the right;

5-48 In a southeasterly direction, along said curve to the right,

5-49 having a radius of 1,146.00 feet, a central angle of 38°55'52"

5-50 (chord bears, South 60°22'24" East, 763.79 feet) and an arc distance

5-51 of 778.68 feet, to the point of tangency, from which a 5/8-inch iron

5-52 rod with cap stamped "Jeff Moon RPLS 4639" found bears, South 76

5-53 43', 0.7 feet;

5-54 South 40°54'28" East, a distance of 298.45 feet, to a 5/8-inch

5-55 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking the

5-56 beginning of a curve to the left;

5-57 In a southwesterly direction, along said curve to the left,

5-58 having a radius of 1,254.00 feet, a central angle of 26°56'38"

5-59 (chord bears, South 54°22'42" east, 584.29 feet) and an arc distance

5-60 of 589.71 feet, to a 1/2-inch iron rod found marking the northwest

5-61 corner of a called 20.00 acre tract conveyed to Board of Trustees of

5-62 the Willis Independent School District, as recorded under M.C.C.F.

5-63 NO. 2019109575, the northwest corner of Restricted Reserve "A" of

5-64 Willis ISD Elementary No. 6, map or plat thereof recorded under

5-65 Cabinet Z, Sheet 6802, M.C.M.R., and the northeast corner of the

5-66 herein described tract;

5-67 THENCE, South 22°12'21" West, departing the southerly R.O.W.

5-68 line of said Pine Valley Drive, and along the westerly line of said

5-69 20.00 acre tract and said Reserve "A", a distance of 550.24 feet to

6-1 a 5/8-inch iron rod found marking an exterior corner of said 20.00
6-2 acre tract and an interior corner of the herein describe tract;
6-3 THENCE, South 18°27'27" East, continuing along said westerly
6-4 line, a distance of 504.76 feet, to a 5/8-inch iron rod with cap
6-5 stamped "WEST BELT SURVEYING INC" found marking the southwest
6-6 corner of said 20.00 acre tract and said Reserve "A", and in the
6-7 south line of said TRACT FOUR, and in the north line of a called
6-8 7.4806 acre tract conveyed to William Lewis Pattillo III, ET UX. as
6-9 recorded under M.C.C.F. NO. 2005137433, and marking the southeast
6-10 corner of the herein described tract;
6-11 THENCE, South 71°32'33" West, along the south line of said
6-12 TRACT FOUR, common with the northerly line of said 7.4806 acre
6-13 tract, and a called 7.0047 acre tract conveyed to Darrel Caldwell,
6-14 ET UX., passing at a distance of 369.97 feet, a 1/2-inch iron rod
6-15 found marking the common north corner of said 7.4806 acre tract and
6-16 said 7.0047 acre tract, continuing a total distance of 423.29 feet,
6-17 to an angle in the said common line, from which a found 1/2-inch
6-18 iron pipe bears, South 64 39' 0.2 feet;
6-19 THENCE, North 77°47'56" West, along the southerly line of said
6-20 TRACT FOUR, common with the northerly lines of said 7.0047 acre
6-21 tract, a called 8.005 acre tract conveyed to Michelle and Gregory
6-22 Mills as recorded under M.C.C.F. NO. 2021020741, Reserve "A", of
6-23 Replat of Willowridge Estates section One, as recorded under CAB.
6-24 D, SHT. 74 M.C.M.R., a called 5.98 acre tract conveyed to Diane and
6-25 Daniel Erb as recorded under M.C.C.F. NO. 2021021750, and said TREND
6-26 tract 2, passing at a distance of 336.33 feet, a 1/2-inch iron rod
6-27 found marking the common north corner of said 7.0047 acre tract and
6-28 said 8.000 acre tract, continuing a total distance of 2,221.10
6-29 feet, to the POINT OF BEGINNING and containing 401.4 acres of land.
6-30 TRACT 2: 76.55 Acres
6-31 A 76.55 ACRE TRACT OF LAND IN THE JAMES EDWARDS SURVEY,
6-32 ABSTRACT NO. 190, MONTGOMERY COUNTY, TEXAS, BEING OUT OF AND A PART
6-33 OF A CALLED 47.932 ACRE TRACT (TRACT ONE), AND OUT OF AND A PART OF A
6-34 CALLED 410.539 ACRE TRACT (TRACT FOUR), BOTH CONVEYED TO CONROE
6-35 VENTURE, LTD. AND RECORDED UNDER MONTGOMERY COUNTY CLERK'S FILE
6-36 (M.C.C.F.) NO. 9149317, THE SAID 76.55 ACRE TRACT BEING MORE
6-37 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (WITH
6-38 BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM OF 1983,
6-39 CENTRAL ZONE, AS DETERMINED BY GPS MEASUREMENTS):
6-40 BEGINNING at a 5/8-inch iron rod with cap stamped "E.H.R.A.
6-41 713-784-4500" set in the northerly Right-Of-Way (R.O.W.) line of
6-42 Pine Valley Drive (based on a variable width) dedicated under
6-43 Cabinet (CAB.) Z, Sheet (SHT.) 4404 of the Montgomery County Map
6-44 Records (M.C.M.R.), and in the southeasterly line of a called
6-45 43.796 acre tract conveyed to San Jacinto River Authority as
6-46 recorded under Montgomery County Clerk's File Number (M.C.C.F. NO.)
6-47 2009114038, common with the northwesterly line of said TRACT FOUR
6-48 marking the most westerly southwest corner of the herein described
6-49 tract;
6-50 THENCE, North 12°48'52" East, departing the northerly R.O.W.
6-51 line of said Pine Valley Drive, and along said common line, passing
6-52 at a distance of 1,035.12 feet, a 5/8-inch iron rod with cap stamped
6-53 "S&V Surveying" found marking the northeast corner of said 43.796
6-54 acre tract, and the southeast corner of Restricted Reserve "E",
6-55 Villas at White Oak Ranch, Section 1, map or plat thereof recorded
6-56 under CAB. Z, SHT. 4853 M.C.M.R., continuing a total distance of
6-57 1,135.27 feet, to a 1-inch iron rod found marking an interior corner
6-58 of said Restricted Reserve "E", and the northwest corner of said
6-59 TRACT FOUR, and the herein described tract;
6-60 THENCE, North 79°02'55" East, along the northerly line of said
6-61 TRACT FOUR, common with the southerly lines of said Villas at White
6-62 Oak Ranch, Section 1, Restricted Reserve "C", White Oak Ranch
6-63 Section 1, map or plat thereof recorded under CAB. Q, SHT. 74
6-64 M.C.M.R., Villas at White Oak Ranch, Section 2, map or plat thereof
6-65 recorded under CAB. Z, SHT. 6099 M.C.M.R., and a called 0.608 acre
6-66 tract conveyed to Aquasource Development Company, as recorded under
6-67 M.C.C.F. NO. 2001060128, passing at 18.40 feet a 1/2-inch iron rod
6-68 with cap stamped "TPS 100834-00" found marking the common south
6-69 corner between said Reserve "E", and Lot 28, Block 1 of said Villas

7-1 at White Oak Ranch Section 1, passing at a distance of 1,528.75
7-2 feet, a 5/8-inch iron rod found marking the common southerly corner
7-3 of said 0.608 acre tract, and Reserve "D", of said Villas at White
7-4 Oak Ranch, Section 2, continuing a total distance of 1,711.69 feet,
7-5 to the west line of Reserve "C", of said Villas at White Oak Ranch,
7-6 Section 2, marking the southeast corner of said 0.608 acre tract and
7-7 the most northerly corner of said TRACT FOUR, from which a nail
7-8 found bears, South 09°59' West, 0.9 feet;
7-9 THENCE, South 09°58'31" West, along the west line of said
7-10 Reserve "C", and a called 31.430 acre tract conveyed to John R.
7-11 Collett as recorded under M.C.C.F. NO. 2020139248, common with the
7-12 east line of said TRACT FOUR, a distance of 778.74 feet, to a
7-13 1/2-inch iron rod with cap stamped "TPS 1000-834-00" found marking
7-14 the southwest corner of said 31.430 acre tract, and an interior
7-15 corner of said TRACT FOUR, and the herein described tract;
7-16 THENCE, South 79°46'17" East, along the southerly line of said
7-17 31.430 acre tract, a distance of 1,357.92 feet, to a 5/8-inch iron
7-18 rod with cap stamped "E.H.R.A. 713-784-4500" set marking the
7-19 southeast corner of said 31.430 acre tract, common with the
7-20 southwest corner of Lot 1, Stovall West, map or plat thereof
7-21 recorded under CAB. Z, SHT. 3834 M.C.M.R., from which a found
7-22 1/2-inch iron rod bears North 12°41' East, 1.2 feet;
7-23 THENCE, South 79°56'30" East, along the southerly line of said
7-24 Stovall West subdivision, and White Oak Manor, map of plat thereof
7-25 recorded under CAB. A, SHT. 23 M.C.M.R., passing at a distance of
7-26 519.57 feet, a 1/2-inch iron rod found marking the common southerly
7-27 corners of Stovall West section 1, and White Oak Manor, passing at a
7-28 distance of 764.77 feet, a 1/2-inch iron pipe (bent) found marking
7-29 the common southerly corner of Lot 9 and 10, White Oak Manor,
7-30 continuing a total distance of 2,058.31 feet, to a 5/8-inch iron rod
7-31 with cap stamped "E.H.R.A. 713-784-4500" set in the south line of
7-32 Lot 14, White Oak Manor, marking the northwest corner of a called
7-33 6.045 acre tract conveyed to Stephen Scott Spiller as recorded
7-34 under M.C.C.F. NO. 2009086905, and a northerly corner of said TRACT
7-35 ONE, and the herein described tract;
7-36 THENCE, South 0°13'07" East, departing the southerly line of
7-37 said White Oak Manor, and along the easterly line of said TRACT ONE,
7-38 common with the westerly lines of said 6.045 acre tract, and a
7-39 called 4.058 acre tract conveyed to Bonnie Jean Laramore as
7-40 recorded under M.C.C.F. NO. 2018085525, a distance of 662.85 feet,
7-41 to a 5/8-inch iron rod found marking the southwest corner of said
7-42 4.058 acre tract, and an interior corner of said TRACT ONE, and the
7-43 herein describe tract;
7-44 THENCE, North 69°14'55" East, along the southerly line of said
7-45 4.058 acre tract common with the north line of said TRACT ONE, a
7-46 distance of 552.90 feet, to a 5/8-inch iron rod with cap stamped
7-47 "E.H.R.A. 713-784-4500" set marking an angle in the said common
7-48 line;
7-49 THENCE, North 24°15'41" West, along said common line, a
7-50 distance of 126.31 feet to a 5/8-inch iron rod with cap stamped
7-51 "E.H.R.A. 713-784-4500" set marking an angle in the said common
7-52 line;
7-53 THENCE, North 65°29'42" East, along said common line a
7-54 distance of 581.14 feet, to a 1/2-inch iron rod with cap stamped
7-55 "Jeff Moon RPLS 4639" found in the southwesterly R.O.W. line of
7-56 Longmire Road (based on a variable width) marking the northwest
7-57 corner of a called 0.150 acre public street easement granted to the
7-58 city of Conroe as recorded under M.C.C.F. NO. 2012011632, and the
7-59 most easterly southeast corner of said 4.058 acre tract, and the
7-60 most easterly northeast corner of said TRACT ONE, and the herein
7-61 described tract;
7-62 THENCE, South 30°28'33" East, along the west line of said
7-63 0.150 acre public street easement, a distance of 341.77 feet, to a
7-64 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set
7-65 marking the southwest corner of said called 0.150 acre public
7-66 street easement, and the northwest corner of a called 0.578 acre
7-67 public street easement granted to city of Conroe as recorded under
7-68 M.C.C.F. NO. 2012011630, and an angle in the westerly R.O.W. line of
7-69 said Longmire Road;

8-1 THENCE, South 29°44'08" East, continuing along the westerly
8-2 R.O.W. line of said Longmire Road, and said 0.578 acre tract, a
8-3 distance of 83.92 feet, to a 5/8-inch iron rod with cap stamped
8-4 "E.H.R.A. 713-784-4500" set marking the southeast corner of the
8-5 herein described tract, and the beginning of a curve to the right;

8-6 THENCE, departing the westerly R.O.W. line of said Longmire
8-7 Road, and along the northerly R.O.W. line of said Pine Valley Drive
8-8 the following fifteen (15) courses and distances:

8-9 In a southerly direction, along a curve to the right, having a
8-10 radius of 25.00 feet, a central angle of 88°58'45" (chord bears,
8-11 South 14°45'15" West, 35.04 feet) and an arc distance of 38.82 feet,
8-12 to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set
8-13 marking the point of tangency;

8-14 South 59°14'37" West, a distance of 292.28 feet, to a 5/8-inch
8-15 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking the
8-16 beginning of a curve to the right;

8-17 In a northwesterly direction, along said curve to the right,
8-18 having a radius of 1,156.00 feet, a central angle of 79°51'01"
8-19 (chord bears North 80°49'59" West, 1,483.81 feet) and an arc
8-20 distance of 1,611.06 feet, to a 5/8-inch iron rod with cap stamped
8-21 "E.H.R.A. 713-784-4500" set marking the point of tangency;

8-22 North 40°54'28" West, a distance of 298.45 feet, to a 5/8-inch
8-23 iron rod with cap stamped "E.H.R.A. 713- 784-4500" set marking the
8-24 beginning of a curve to the left;

8-25 In a northwesterly direction, along said curve to the left,
8-26 having a radius of 1,244.00 feet, a central angle of 38°55'52"
8-27 (chord bears, North 60°22'24" West, 829.10 feet) and an arc distance
8-28 of 845.27 feet, to a 5/8-inch iron rod (bent) found marking the
8-29 point of tangency;

8-30 North 79°50'20" West, a distance of 1,282.23 feet, to a
8-31 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set
8-32 marking the beginning of a curve to the left;

8-33 In a westerly direction, along said curve to the left, having
8-34 a radius of 1,044.00, a central angle of 28°03'11" (chord bears,
8-35 South 86°08'05" West, 506.07 feet) and an arc distance of 511.16
8-36 feet, to the point of tangency, from which a found 5/8-inch iron rod
8-37 bears North 07°18' west, 0.5 feet;

8-38 South 72°06'29" West, a distance of 52.46 feet, to the
8-39 beginning of a curve to the left, from which a found 5/8-inch iron
8-40 rod bears, North 88°29' West, 0.3 feet;

8-41 In a southwesterly direction, along said curve to the left,
8-42 having a radius of 844.00 feet, a central angle of 28°18'34" (chord
8-43 bears, South 57°57'12" West, 412.79 feet) and an arc distance of
8-44 417.01 feet, to a 5/8-inch iron rod with cap stamped "Jeff Moon RPLS
8-45 4639" found marking the end of said curve;

8-46 South 47°17'16" East, a distance of 24.85 feet, to a 5/8-inch
8-47 iron rod with cap stamped "Jeff Moon RPLS 4639" found marking an
8-48 exterior corner of the herein described tract;

8-49 South 42°42'44" West, a distance of 189.59 feet, to a 5/8-inch
8-50 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking the
8-51 beginning of a curve to the right;

8-52 In a southwesterly direction, along said curve to the right,
8-53 having a radius of 931.00 feet, a central angle of 60°39'48" (chord
8-54 bears, South 73°02'37" West, 940.32 feet) and an arc distance of
8-55 985.72 feet, to a 5/8-inch iron rod with cap stamped "Jeff Moon RPLS
8-56 4639" found marking the point of tangency;

8-57 North 76°37'29" West, a distance of 414.93 feet, to an angle
8-58 in the said R.O.W. line, from which a found 1/2-inch iron rod (bent)
8-59 bears South 41°27' East, 0.2 feet;

8-60 North 13°22'31" East, a distance of 65.00 feet, to a 5/8-inch
8-61 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking an
8-62 angle in the north R.O.W. line;

8-63 North 76°37'29" West, a distance of 170.09 feet, to the POINT
8-64 OF BEGINNING and containing 76.55 acres of land.

8-65 TRACT 3: 16.40 Acres

8-66 A 16.40 ACRE TRACT OF LAND IN THE JAMES EDWARDS SURVEY,
8-67 ABSTRACT NO. 190, MONTGOMERY COUNTY, TEXAS, BEING ALL OF A CALLED
8-68 7.5 ACRE TRACT (TRACT THREE) AND OUT OF AND A PART OF A CALLED
8-69 410.539 ACRE TRACT (TRACT FOUR), BOTH CONVEYED TO CONROE VENTURE,

9-1 LTD. AND RECORDED UNDER MONTGOMERY COUNTY CLERK'S FILE (M.C.C.F.)
 9-2 NO. 9149317, THE SAID 16.40 ACRE TRACT BEING MORE PARTICULARLY
 9-3 DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (WITH BEARINGS BASED ON
 9-4 TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL ZONE, AS
 9-5 DETERMINED BY GPS MEASUREMENTS):

9-6 BEGINNING at a 1/2-inch iron rod found in the southwesterly
 9-7 Right-Of-Way (R.O.W.) line of Longmire Road (base on a variable
 9-8 width) marking the southwest corner of a called 0.283 acre Public
 9-9 Street Easement granted to City of Conroe as recorded under
 9-10 M.C.C.F. NO. 2012011629, and the northeast corner of Lot 1, Block 1,
 9-11 of Smith Place on Longmire Section 1, map or plat thereof recorded
 9-12 under Cabinet (CAB.) Z, Sheet (SHT.) 4635 Montgomery County Map
 9-13 Records (M.C.M.R.), and the southeast corner of said TRACT THREE
 9-14 and the herein described tract;

9-15 THENCE, South $71^{\circ}38'45''$ West, departing the southwesterly
 9-16 R.O.W. line of said Longmire road, along the south line of said
 9-17 TRACT THREE, common with the north line of said Lot 1, Block 1, a
 9-18 distance of 774.14 feet, to the northeast line of a called 3.979
 9-19 acre tract conveyed to Charles P. Peters III, ET UX. as recorded
 9-20 under M.C.C.F. NO. 9143598, marking the northwest corner of said
 9-21 Lot 1, Block 1, and the southwest corner of said TRACT THREE, and
 9-22 the herein described tract, from which a found 1/2-inch iron rod
 9-23 bears, South $30^{\circ}26'$ East, 0.3 feet;

9-24 THENCE, North $18^{\circ}17'47''$ West, along the northeasterly line of
 9-25 said 3.979 acre tract, common with the southwest line of said TRACT
 9-26 THREE, a distance of 433.40 feet, to a 1/2-inch iron rod found in
 9-27 the southerly line of said TRACT FOUR, marking the northeast corner
 9-28 of said 3.979 acre tract, the southeast corner of a called 20.00
 9-29 acre tract conveyed to Board of Trustees of the Willis Independent
 9-30 School District as recorded under M.C.C.F. NO. 2019109575, and the
 9-31 northwest corner of said 7.5 acre tract, and an angle in the west
 9-32 line of the herein described tract;

9-33 THENCE, North $18^{\circ}30'26''$ West, along the east line of said
 9-34 20.00 acre tract, and the west line of the herein described tract, a
 9-35 distance of 621.17 feet, to a 5/8-inch iron rod with cap stamped
 9-36 "E.H.R.A. 713-784-4500", set in the southerly R.O.W. line of Pine
 9-37 Valley Drive (based on a variable width) as dedicated in CAB. Z,
 9-38 SHT. 4404 M.C.M.R., marking the northeast corner of said 20.00 acre
 9-39 tract, and the northwest corner of the herein described tract, and
 9-40 the beginning of a non-tangent curve to the left;

9-41 THENCE, In a northeasterly direction, along said curve to the
 9-42 left, and along the southerly R.O.W. line of said Pine Valley Drive,
 9-43 having a radius of 1,254.00 feet, a central angle of $10^{\circ}00'50''$
 9-44 (chord bears, North $64^{\circ}15'02''$ East, 218.89 feet) and an arc distance
 9-45 of 219.17 feet, to a 5/8-inch iron rod with cap stamped "E.H.R.A.
 9-46 713-784-4500", set marking the point of tangency;

9-47 THENCE, North $59^{\circ}14'37''$ East, continuing along the southerly
 9-48 R.O.W. line of said Pine Valley Drive, a distance of 289.20 feet, to
 9-49 a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set
 9-50 marking the beginning of a curve to the right;

9-51 THENCE, in a southeasterly direction, continuing along said
 9-52 southerly R.O.W. line, along said curve to the right, having a
 9-53 radius of 25.00 feet, a central angle of $92^{\circ}04'20''$ (chord bears,
 9-54 South $76^{\circ}41'06''$ East, 35.99 feet) and an arc distance of 40.17, to
 9-55 the southwesterly line of a called 0.578 acre public street
 9-56 easement granted to city of Conroe as recorded under M.C.C.F. NO.
 9-57 2012011630 and the southwesterly R.O.W. line of said Longmire Road,
 9-58 and the northeast corner of the herein described tract, from which a
 9-59 found 5/8-inch iron rod with cap stamped "Jeff Moon RPLS 4639"
 9-60 bears, South $39^{\circ}53'$ West, 1.5 feet;

9-61 THENCE, South $29^{\circ}44'08''$ East, along the southwesterly R.O.W.
 9-62 line of said Longmire Road, and said 0.578 acre tract, a distance of
 9-63 389.61 feet, to a 5/8-inch iron rod with cap stamped "E.H.R.A.
 9-64 713-784-4500" set marking an angle in said 0.578 acre tract and the
 9-65 R.O.W. line of Longmire Road;

9-66 THENCE, South $31^{\circ}06'09''$ East, continuing along the
 9-67 southwesterly R.O.W. line of said Longmire Road, a distance of
 9-68 762.81 feet, to the POINT OF BEGINNING and containing 16.40 acres of
 9-69 land.

10-1 SECTION 3. (a) The legal notice of the intention to
10-2 introduce this Act, setting forth the general substance of this
10-3 Act, has been published as provided by law, and the notice and a
10-4 copy of this Act have been furnished to all persons, agencies,
10-5 officials, or entities to which they are required to be furnished
10-6 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
10-7 Government Code.

10-8 (b) The governor, one of the required recipients, has
10-9 submitted the notice and Act to the Texas Commission on
10-10 Environmental Quality.

10-11 (c) The Texas Commission on Environmental Quality has filed
10-12 its recommendations relating to this Act with the governor, the
10-13 lieutenant governor, and the speaker of the house of
10-14 representatives within the required time.

10-15 (d) All requirements of the constitution and laws of this
10-16 state and the rules and procedures of the legislature with respect
10-17 to the notice, introduction, and passage of this Act are fulfilled
10-18 and accomplished.

10-19 SECTION 4. (a) If this Act does not receive a two-thirds
10-20 vote of all the members elected to each house, Subchapter C, Chapter
10-21 7958A, Special District Local Laws Code, as added by Section 1 of
10-22 this Act, is amended by adding Section 7958A.0306 to read as
10-23 follows:

10-24 Sec. 7958A.0306. NO EMINENT DOMAIN POWER. The district may
10-25 not exercise the power of eminent domain.

10-26 (b) This section is not intended to be an expression of a
10-27 legislative interpretation of the requirements of Section 17(c),
10-28 Article I, Texas Constitution.

10-29 SECTION 5. This Act takes effect January 1, 2024.

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