

By: Metcalf

H.B. No. 4580

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 202; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8051 to read as follows:

CHAPTER 8051. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT

NO. 202

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8051.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Conroe, Texas.

(3) "Commission" means the Texas Commission on Environmental Quality.

(4) "Director" means a board member.

(5) "District" means the Montgomery County Municipal Utility District No. 202.

Sec. 8051.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8051.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to

1 confirm the creation of the district and to elect five permanent
2 directors as provided by Section 49.102, Water Code.

3 Sec. 8051.0104. CONSENT OF MUNICIPALITY REQUIRED. The
4 temporary directors may not hold an election under Section
5 8051.0103 until each municipality in whose corporate limits or
6 extraterritorial jurisdiction the district is located has
7 consented by ordinance or resolution to the creation of the
8 district and to the inclusion of land in the district.

9 Sec. 8051.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

10 (a) The district is created to serve a public purpose and benefit.

11 (b) The district is created to accomplish the purposes of:

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

14 (2) Section 52, Article III, Texas Constitution, that
15 relate to the construction, acquisition, improvement, operation,
16 or maintenance of macadamized, graveled, or paved roads, or
17 improvements, including storm drainage, in aid of those roads.

18 Sec. 8051.0106. INITIAL DISTRICT TERRITORY. (a) The
19 district is initially composed of the territory described by
20 Section 2 of the Act enacting this chapter.

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

25 (1) organization, existence, or validity;

26 (2) right to issue any type of bond for the purposes
27 for which the district is created or to pay the principal of and

1 interest on a bond;

2 (3) right to impose a tax; or

3 (4) legality or operation.

4 Sec. 8051.0107. EFFECT OF ANNEXATION. Notwithstanding any
5 other law, if all or part of the territory of the district is
6 annexed by the city into the city's corporate limits, the district:

7 (1) retains all of the district's outstanding debt and
8 obligations; and

9 (2) is not dissolved.

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 8051.0201. GOVERNING BODY; TERMS. (a) The district is
12 governed by a board of five elected directors.

13 (b) Except as provided by Section 8051.0202, directors
14 serve staggered four-year terms.

15 Sec. 8051.0202. TEMPORARY DIRECTORS. (a) On or after the
16 effective date of the Act enacting this chapter, the owner or owners
17 of a majority of the assessed value of the real property in the
18 district may submit a petition to the commission requesting that
19 the commission appoint as temporary directors the five persons
20 named in the petition. The commission shall appoint as temporary
21 directors the five persons named in the petition.

22 (b) Temporary directors serve until the earlier of:

23 (1) the date permanent directors are elected under
24 Section 8051.0103; or

25 (2) the fourth anniversary of the effective date of
26 the Act enacting this chapter.

27 (c) If permanent directors have not been elected under

1 Section 8051.0103 and the terms of the temporary directors have
2 expired, successor temporary directors shall be appointed or
3 reappointed as provided by Subsection (d) to serve terms that
4 expire on the earlier of:

5 (1) the date permanent directors are elected under
6 Section 8051.0103; or

7 (2) the fourth anniversary of the date of the
8 appointment or reappointment.

9 (d) If Subsection (c) applies, the owner or owners of a
10 majority of the assessed value of the real property in the district
11 may submit a petition to the commission requesting that the
12 commission appoint as successor temporary directors the five
13 persons named in the petition. The commission shall appoint as
14 successor temporary directors the five persons named in the
15 petition.

16 SUBCHAPTER C. POWERS AND DUTIES

17 Sec. 8051.0301. GENERAL POWERS AND DUTIES. The district
18 has the powers and duties necessary to accomplish the purposes for
19 which the district is created.

20 Sec. 8051.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
21 DUTIES. The district has the powers and duties provided by the
22 general law of this state, including Chapters 49 and 54, Water Code,
23 applicable to municipal utility districts created under Section 59,
24 Article XVI, Texas Constitution.

25 Sec. 8051.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
26 52, Article III, Texas Constitution, the district may design,
27 acquire, construct, finance, issue bonds for, improve, operate,

1 maintain, and convey to this state, a county, or a municipality for
2 operation and maintenance macadamized, graveled, or paved roads, or
3 improvements, including storm drainage, in aid of those roads.

4 Sec. 8051.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
5 road project must meet all applicable construction standards,
6 zoning and subdivision requirements, and regulations of each
7 municipality in whose corporate limits or extraterritorial
8 jurisdiction the road project is located.

9 (b) If a road project is not located in the corporate limits
10 or extraterritorial jurisdiction of a municipality, the road
11 project must meet all applicable construction standards,
12 subdivision requirements, and regulations of each county in which
13 the road project is located.

14 (c) If the state will maintain and operate the road, the
15 Texas Transportation Commission must approve the plans and
16 specifications of the road project.

17 Sec. 8051.0305. MAINTENANCE OF ROADS IN TERRITORY OUTSIDE
18 CORPORATE LIMITS OF CITY. If district territory, or a portion of
19 district territory, is located outside the corporate limits of the
20 city, the district shall maintain any road the district constructs
21 located in that territory.

22 Sec. 8051.0306. COMPLIANCE WITH MUNICIPAL CONSENT
23 ORDINANCE OR RESOLUTION. The district shall comply with all
24 applicable requirements of any ordinance or resolution that is
25 adopted under Section 54.016 or 54.0165, Water Code, and that
26 consents to the creation of the district or to the inclusion of land
27 in the district.

1 Sec. 8051.0307. DIVISION OF DISTRICT. (a) The district may
2 be divided into two or more new districts only if the district:

3 (1) has no outstanding bonded debt; and

4 (2) is not imposing ad valorem taxes.

5 (b) This chapter applies to any new district created by the
6 division of the district, and a new district has all the powers and
7 duties of the district.

8 (c) Any new district created by the division of the district
9 may not, at the time the new district is created, contain any land
10 outside the area described by Section 2 of the Act enacting this
11 chapter.

12 (d) The board, on its own motion or on receipt of a petition
13 signed by the owner or owners of a majority of the assessed value of
14 the real property in the district, may adopt an order dividing the
15 district.

16 (e) The board may adopt an order dividing the district
17 before or after the date the board holds an election under Section
18 8051.0103 to confirm the district's creation.

19 (f) An order dividing the district shall:

20 (1) name each new district;

21 (2) include the metes and bounds description of the
22 territory of each new district;

23 (3) appoint temporary directors for each new district;

24 and

25 (4) provide for the division of assets and liabilities
26 between or among the new districts.

27 (g) On or before the 30th day after the date of adoption of

1 an order dividing the district, the district shall file the order
2 with the commission and record the order in the real property
3 records of each county in which the district is located.

4 (h) Any new district created by the division of the district
5 shall hold a confirmation and directors' election as required by
6 Section 8051.0103. If the voters of a new district do not confirm
7 the creation of the new district, the assets, obligations,
8 territory, and governance of the new district revert to the
9 original district.

10 (i) Municipal consent to the creation of the district and to
11 the inclusion of land in the district granted under Section
12 8051.0104 acts as municipal consent to the creation of any new
13 district created by the division of the district and to the
14 inclusion of land in the new district.

15 (j) Any new district created by the division of the district
16 must hold an election as required by this chapter to obtain voter
17 approval before the district may impose a maintenance tax or issue
18 bonds payable wholly or partly from ad valorem taxes.

19 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

20 Sec. 8051.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
21 The district may issue, without an election, bonds and other
22 obligations secured by:

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

24 (2) contract payments described by Section 8051.0403.

25 (b) The district must hold an election in the manner
26 provided by Chapters 49 and 54, Water Code, to obtain voter approval
27 before the district may impose an ad valorem tax or issue bonds

1 payable from ad valorem taxes.

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

6 Sec. 8051.0402. OPERATION AND MAINTENANCE TAX. (a) If
7 authorized at an election held under Section 8051.0401, the
8 district may impose an operation and maintenance tax on taxable
9 property in the district in accordance with Section 49.107, Water
10 Code.

11 (b) The board shall determine the tax rate. The rate may not
12 exceed the rate approved at the election.

13 Sec. 8051.0403. CONTRACT TAXES. (a) In accordance with
14 Section 49.108, Water Code, the district may impose a tax other than
15 an operation and maintenance tax and use the revenue derived from
16 the tax to make payments under a contract after the provisions of
17 the contract have been approved by a majority of the district voters
18 voting at an election held for that purpose.

19 (b) A contract approved by the district voters may contain a
20 provision stating that the contract may be modified or amended by
21 the board without further voter approval.

22 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

23 Sec. 8051.0501. AUTHORITY TO ISSUE BONDS AND OTHER
24 OBLIGATIONS. The district may issue bonds or other obligations
25 payable wholly or partly from ad valorem taxes, impact fees,
26 revenue, contract payments, grants, or other district money, or any
27 combination of those sources, to pay for any authorized district

1 purpose.

2 Sec. 8051.0502. TAXES FOR BONDS. At the time the district
3 issues bonds payable wholly or partly from ad valorem taxes, the
4 board shall provide for the annual imposition of a continuing
5 direct ad valorem tax, without limit as to rate or amount, while all
6 or part of the bonds are outstanding as required and in the manner
7 provided by Sections 54.601 and 54.602, Water Code.

8 Sec. 8051.0503. BONDS FOR ROAD PROJECTS. At the time of
9 issuance, the total principal amount of bonds or other obligations
10 issued or incurred to finance road projects and payable from ad
11 valorem taxes may not exceed one-fourth of the assessed value of the
12 real property in the district.

13 SECTION 2. The Montgomery County Municipal Utility District
14 No. 202 initially includes all the territory contained in the
15 following area:

16 Fieldnotes for 106.040 acre tract in the William Starrock Survey,
17 A-486

18 Being 106.040 acres out of the William Starrock Survey, A-486,
19 Montgomery County, Texas, and being out of and a part of that
20 certain called 1,932.293 acre tract described in deed from Judy C.
21 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust
22 dated December 15, 2011, as recorded in Montgomery County Clerk's
23 File (MCCF) 2012031320 of the Deed Records of Montgomery County,
24 Texas, and being more particularly described by metes and bounds as
25 follows:

26 The bearings in this description are based on The Texas State Plane
27 Coordinate System, NAD 83, Central Zone.

1 COMMENCING at the easternmost corner of the William Starrock
2 Survey, A-486, said point being a 3/4" iron pipe found in the west
3 line of the Jonathan C. Pitts Survey, A-28, and the northwesterly
4 line of the John Montgomery Survey, A-349;
5 THENCE S42°17'06"W along the south line of the Starrock Survey a
6 distance of 767.10 feet to a disturbed iron pipe found for the
7 BEGINNING corner of the tract herein described;
8 THENCE S42°17'06"W continuing along the common line to the Starrock
9 and Montgomery surveys a distance of 2,546.55 feet to a 5/8" iron
10 rod stamped "JNS ENGINEERS" was found in the east line of that
11 certain called 32.4713 acre tract conveyed to Montgomery County in
12 MCCF 8842541;
13 THENCE along the east line of the called 32.4713 acre tract
14 N48°22'15"W a distance of 666.24 feet to the southeastern corner of
15 that certain called 29.4157 acre tract conveyed to Montgomery
16 County as recorded in MCCF 2009109715 and a 5/8" iron rod with cap
17 stamped "W E SMITH 1982" found for corner;
18 THENCE N28°31'44"W along the east line of the called 29.4157 acre
19 tract 705.32 feet to a 5/8" iron rod stamped "W E SMITH 1982" was
20 found for corner at the northeast corner of the called 29.4157 acre
21 tract and the southeast line of that certain called 20.0872 acre
22 tract conveyed to Montgomery County as recorded in MCCF 2009109716;
23 THENCE N37°02'56"W along the east line of the called 20.0872 acre
24 tract, at a distance of 500.03 feet pass the northeast corner of the
25 called 20.0872 acre tract, same being the southeast corner of that
26 certain called 20.0872 acre tract conveyed to Montgomery County in
27 MCCF 2010003943, and continuing along the east line of the second

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1 called 20.0872 acre tract at a distance of 1,000.06 feet pass the
2 northeast corner of said second called 20.0872 acre tract and
3 continuing for a total distance of 1,163.71 feet to a 5/8" iron rod
4 with plastic cap stamped "W E SMITH 1982" found for corner in the
5 south line of FM 1484, a variable width right of way;
6 THENCE along the southeastern right of way of FM 1484 as follows:
7 THENCE N60°14'59"E a distance of 23.87 feet to a TXDOT Monument
8 found for corner;
9 THENCE N33°56'50"E a distance of 81.35 feet to a 5/8" iron rod with
10 plastic cap stamped "PAPE-DAWSON" set for corner;
11 THENCE along a curve to the right, said curve having a radius of
12 1,829.86 feet, a central angle of 26°18'42", an arc length of 840.32
13 feet, and a chord bearing N76°26'04"E a distance of 832.96 feet to a
14 5/8" iron rod with plastic cap stamped "PAPE-DAWSON" set for
15 corner;
16 THENCE N89°37'22"E a distance of 251.48 feet to a 5/8" iron rod with
17 plastic cap stamped "PAPE-DAWSON" set for corner;
18 THENCE S60°22'35"E a distance of 160.00 feet to a 5/8" iron rod with
19 plastic cap stamped "PAPE-DAWSON" set for corner;
20 THENCE N89°37'22"E a distance of 182.87 feet to a TXDOT Monument
21 found for corner;
22 THENCE N59°37'19"E a distance of 160.00 feet to a 5/8" iron rod found
23 for corner;
24 THENCE N89°37'22"E a distance of 140.98 feet to a 5/8" iron rod with
25 plastic cap stamped "PAPE-DAWSON" found for corner;
26 THENCE along a curve to the left, said curve having a radius of
27 1,989.00 feet, a central angle of 21°34'42", an arc length of 749.08

1 feet, and a chord bearing N78°50'01"E a distance of 744.66 feet to a
2 5/8" iron rod found for corner;
3 THENCE S81°57'27"E along the south right of way line a distance of
4 96.57 feet to a 5/8" iron rod with plastic cap stamped "PAPE-DAWSON"
5 found for corner;
6 THENCE along a curve to the left, said curve having a radius of
7 2,039.00, a central angle of 3°24'08", an arc distance of 121.08'
8 and a chord bearing N63°59'33"E a distance of 121.06 feet to a TXDOT
9 Monument found for corner;
10 THENCE N29°56'31"E a distance of 96.57 feet to a TXDOT Monument
11 found for corner;
12 THENCE along a curve to the left, said curve having a radius of
13 1,989.00 feet, a central angle of 20°23'02", an arc length of 707.62
14 feet, and a chord bearing N49°44'56"E a distance of 703.89 feet to a
15 5/8" iron rod with plastic cap stamped "PAPE-DAWSON" set for
16 corner;
17 THENCE N87°26'42"E a distance of 52.98 feet to a 5/8" iron rod with
18 plastic cap stamped "PAPE-DAWSON" set for corner;
19 THENCE along a curve to the right, said curve having a radius of
20 170.00 feet, a central angle of 43°38'56", an arc length of 129.51
21 feet, and a chord which bears S15°27'26"E a distance of 126.40 feet
22 to a TXDOT Disk for corner;
23 THENCE S83°33'23"E a distance of 20.05 feet to a TXDOT Disk for
24 corner;
25 THENCE S06°08'31"W a distance of 993.19 feet to the place of
26 BEGINNING, containing 106.040 acres of land, more or less.
27 Fieldnotes for 92.255 acre tract in the William Starrock Survey,

1 A-486

2 Being 92.255 acres out of the William Starrock Survey, A-486,
3 Montgomery County, Texas, and being out of and a part of that
4 certain called 1,932.293 acre tract described in deed from Judy C.
5 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust
6 dated December 15, 2011, as recorded in Montgomery County Clerk's
7 File (MCCF) 2012031320 of the Deed Records of Montgomery County,
8 Texas, and being more particularly described by metes and bounds as
9 follows:

10 The bearings in this description are based on The Texas State Plane
11 Coordinate System, NAD 83, Central Zone.

12 BEGINNING at a 5/8" iron rod with cap stamped "PAPE-DAWSON" set for
13 the northernmost corner of Restricted Reserve "A", Block 3, of R A
14 Deison Technology Park, the map of which is recorded in Cabinet Z,
15 Sheets 2332-2336 of the Map Records of Montgomery County, Texas,
16 said point falling in the southwest line of Technology Park Drive,
17 based on a width of 120 feet;

18 THENCE S37°42'35"W along the northwesterly line of said Restricted
19 Reserve "A" a distance of 354.47 feet to a 1/2" iron rod with cap
20 found for corner;

21 THENCE S03°25'17"W continuing along the northwesterly line of said
22 Restricted Reserve "A" a distance of 1,319.73 feet to a 1/2" iron
23 rod with cap stamped "JONES & CARTER" found for corner at the
24 southwest corner of said Restricted Reserve "A", said point also
25 being in the north line of that certain called 60.000 acre tract
26 conveyed Montgomery County as recorded in MCCF 99012455;

27 THENCE S75°22'50"W along the north line of said called 60.000 acre

1 tract a distance of 1,431.77 feet to a 5/8" iron rod with plastic
2 cap stamped "PAPE-DAWSON" set for corner in the easterly line of FM
3 1484, a variable width right of way;

4 THENCE along the easterly line of said FM 1484 as follows:

5 N03°26'27"E a distance of 61.50 feet to a 5/8" iron rod
6 with plastic cap stamped "PAPEDAWSON";

7 N33°26'32"E a distance of 60.61 feet to a TXDOT
8 Monument;

9 N03°29'58"E a distance of 56.09 feet to a TXDOT
10 Monument;

11 N26°33'35"W a distance of 60.72 feet to a 5/8" iron rod
12 with plastic cap stamped "PAPEDAWSON";

13 N03°26'27"E a distance of 479.16 feet a 5/8" iron rod
14 with plastic cap stamped "PAPEDAWSON";

15 N33°26'32"E a distance of 40.26 feet to a TXDO
16 Monument;

17 N03°26'27"E a distance of 180.92 feet to a 5/8" iron rod
18 with plastic cap stamped "PAPEDAWSON";

19 N26°41'45"W a distance of 40.10 feet to a 5/8" iron rod;

20 N03°26'27"E a distance of 1,416.78 feet to a TXDOT
21 Monument marking a point of curve of a curve to the
22 right;

23 THENCE along said curve to the right, a radius of 2,920.00 feet, a
24 central angle of 26°42'33", an arc length of 1,361.20 feet, and a
25 chord bearing N16°47'43"E a distance of 1,348.91 feet to a 5/8" iron
26 rod found for corner at a cutback corner to the intersection with
27 the southwesterly line of Technology Park Drive;

1 THENCE along said cutback N76°07'24"E a distance of 34.90 feet to a
2 5/8" iron rod with plastic cap stamped "PAPE-DAWSON" set for
3 corner;

4 THENCE continuing along the southwesterly line of Technology Park
5 Drive S58°08'54"E a distance of 124.35 feet to a 1/2" iron rod with
6 cap stamped "MOON" set at the point of curve of a curve to the right;
7 THENCE along said curve to the right, having a radius of 930.00
8 feet, a central angle of 36°23'11", an arc length of 590.61 feet, and
9 a chord bearing S39°57'19"E a distance of 580.73 feet to a 1/2" iron
10 rod with cap stamped "MOON" found at the point of tangency of said
11 curve;

12 THENCE continuing along the southwesterly line of Technology Park
13 Drive S21°45'43"E a distance of 801.94 feet to a 5/8" iron rod with
14 plastic cap stamped "PAPE-DAWSON" set at the point of curve of a
15 curve to the left;

16 THENCE along the southwesterly line of Technology Park Drive, along
17 a curve to the left, said curve having a radius of 1,070.00 feet, a
18 central angle of 30°31'41", an arc length of 570.11 feet, and a chord
19 bearing S37°01'34"E a distance of 563.39 feet to the place of
20 BEGINNING, containing 92.255 acres of land, more or less.

21 Fieldnotes for 311.056 acre tract in the William Starrock Survey,
22 A-486

23 Being 311.056 acres out of the William Starrock Survey, A-486,
24 Montgomery County, Texas, and being out of and a part of that
25 certain called 1,932.293 acre tract described in deed from Judy C.
26 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust
27 dated December 15, 2011, as recorded in Montgomery County Clerk's

1 File (MCCF) 2012031320 of the Deed Records of Montgomery County,
2 Texas, and being more particularly described by metes and bounds as
3 follows:

4 The bearings in this description are based on The Texas State Plane
5 Coordinate System, NAD 83, Central Zone.

6 BEGINNING at a 5/8" iron rod stamped "Moyer", said point being the
7 intersection of the southwesterly line of the Starrock Survey and
8 the northeasterly line of the Lewis Neal Survey, A395, with the east
9 line of Conroe Park North, Section 6, the map of which is recorded
10 in Cabinet Z, sheets 1691 to 1705 of the map records of Montgomery
11 County, Texas, and being the southwest corner of the called
12 1,932.293 acre tract;

13 THENCE N05°42'06"W along the east line of Conroe Park North, Section
14 6, a distance of 3,592.66 feet to a 5/8" iron rod with cap stamped
15 "Arborleaf" found for corner at the intersection of said line and
16 the southerly line of Proposed League Line Road Extension;

17 THENCE along the southerly line of Proposed League Line Road
18 Extension as follows:

19 N84°34'39"E a distance of 285.69 feet to a 5/8" iron rod with plastic
20 cap stamped "Arborleaf found for corner at the point of curve of a
21 curve to the right:

22 THENCE along said curve to the right, having a radius of 4,935.00
23 feet, a central angle of 9°51'51", an arc length of 849.62 feet, and a
24 chord bearing N89°30'34"E 848.57 feet to a 5/8" iron rod with
25 plastic cap stamped "Arborleaf" found for corner;

26 THENCE S87°53'02"E a distance of 98.88 feet to a 5/8" iron rod with
27 plastic cap stamped "Arborleaf" found for corner;

1 THENCE along a curve to the right, said curve having a radius of
2 4,940.00 feet, central angle of 5°43'47", an arc length of 494.00
3 feet, and a chord bearing S81°32'52"E 493.80 feet to a 5/8" iron rod
4 with plastic cap stamped "Arborleaf" found for corner;
5 THENCE S75°12'41"E a distance of 98.87 feet to a 5/8" iron rod with
6 plastic cap stamped "Arborleaf" found for corner;
7 THENCE along a curve to the right, said curve having a radius of
8 4,935.00 feet, central angle of 10°18'48", an arc length of 888.30
9 feet, and a chord bearing S72°22'49"E 887.10 feet to a 5/8" iron rod
10 with plastic cap stamped "Arborleaf" found for corner;
11 THENCE S69°32'57"E a distance of 98.87 feet to a 5/8" iron rod with
12 plastic cap stamped "Arborleaf" found for corner;
13 THENCE along a curve to the right, said curve having a radius of
14 4,940.00 feet, a central angle of 7°53'38", an arc length of 680.61
15 feet and a chord bearing S62°07'51"E 680.07 feet to a 5/8" iron rod
16 with plastic cap stamped "Arborleaf" found for corner;
17 THENCE S58°11'02"E a distance of 227.95 feet to a 5/8" iron rod with
18 plastic cap stamped "Arborleaf" found for corner at the cutback
19 with the intersection of the southerly line of the Proposed
20 Extension of League Line Road and the westerly line of FM 1484;
21 THENCE along said cutback S13°51'27"E a distance of 35.77 feet to a
22 5/8" iron rod with plastic cap stamped "Arborleaf" found in the
23 westerly line of FM 1484;
24 THENCE along the westerly line of FM 1484 along a curve to the left,
25 said curve having a radius of 3,080.00 feet, an central angle of
26 26°47'39", an arc length of 1,440.35 feet and a chord bearing
27 S16°50'16"W a distance of 1,427.26 feet to a TxDOT Aluminum Disk

1 found for corner;
2 THENCE continuing along the west line of FM 1484 as follows:
3 S03°25'57"W a distance of 1436.77 feet to a to a 5/8"
4 iron rod found for corner;
5 S33°20'39"W a distance of 40.06 feet to a TxDOT
6 Aluminum Disk found for corner;
7 S03°25'25"W a distance of 110.86 feet to a TxDOT
8 Aluminum Disk found for corner;
9 S26°43'05"E a distance of 39.84 feet to a TxDOT
10 Aluminum Disk found for corner;
11 S03°26'27"W a distance of 570.00 feet to 5/8" iron rod
12 found for corner;
13 S33°26'31"W a distance of 60.00 feet to a TxDOT
14 Aluminum Disk found for corner;
15 S03°26'28"W a distance of 91.44 feet to a TxDOT
16 Aluminum Disk found for corner;
17 S26°33'35"E a distance of 99.43 feet to a TxDOT
18 Aluminum Disk found for corner;
19 S03°26'27"W a distance of 183.03 feet to a 5/8" iron rod
20 with plastic cap stamped "PAPEDAWSON" set for corner;
21 THENCE continuing along the west line of FM 1484, along a curve to
22 the right, said curve having a radius of 1,940.00 feet, a central
23 angle of 23°50'05", an arc length of 807.03 feet, and a chord bearing
24 S15°21'29"W a distance of 801.22 feet to a TxDOT Aluminum Disk found
25 for corner;
26 THENCE S55°51'13"W a distance of 63.92 feet to a TxDOT Aluminum Disk
27 found for corner;

1 THENCE along a curve to the right, said curve having a radius of
2 1,910.00 feet, a central angle of $01^{\circ}45'17''$, an arc length of 58.50
3 feet, and a chord bearing $S29^{\circ}47'27''W$ a distance of 58.50 feet to a
4 $5/8''$ iron rod with plastic cap stamped "PAPE-DAWSON" set for
5 corner;

6 THENCE $S02^{\circ}09'03''W$ a distance of 48.99 feet to a $5/8''$ iron rod with
7 plastic cap stamped "PAPE-DAWSON" set for corner in the
8 southwesterly line of the called 1,932.293 acre tract and the
9 common line to the William Starrock Surey and the Lewis Neal Survey;
10 THENCE $N47^{\circ}45'37''W$ along said common line a distance of 3,180.95
11 feet to the place of BEGINNING, containing 311.056 acres of land,
12 more or less.

13 Fieldnotes for 192.043 acre tract in the William Starrock Survey,
14 A-486

15 Being 192.043 acres out of the William Starrock Survey, A-486,
16 Montgomery County, Texas, and being out of and a part of that
17 certain called 1,932.293 acre tract described in deed from Judy C.
18 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust
19 dated December 15, 2011, as recorded in Montgomery County Clerk's
20 File (MCCF) 2012031320 of the Deed Records of Montgomery County,
21 Texas, and being more particularly described by metes and bounds as
22 follows:

23 The bearings in this description are based on The Texas State Plane
24 Coordinate System, NAD 83, Central Zone.

25 BEGINNING at a railroad rail marking the southernmost corner of
26 that certain called 347.029 acre tract conveyed to Dameon M. Doyle
27 by Donald Dosedlo as recorded in MCCF 2013 012364, said point being

1 an interior corner of the above said called 1,932.293 acre tract;
2 THENCE N43°06'54"E along the southeasterly line of said Doyle tract
3 a distance of 1,994.22 feet (called N43°06'29"E 1,992.88 feet) to an
4 axle found for corner at an easterly corner of said Doyle tract,
5 same being an interior corner of the called 1,932.293 acre tract;
6 THENCE N46°56'45"W (called N46°53'41"W) along the interior line of
7 the called 1,932.292 acre tract and an easterly line of the Doyle
8 Tract, a distance of 936.83 feet (called 937.04 feet) to a 5/8" iron
9 rod with cap stamped "1535 4035" to a point for corner at an angle
10 point in the called 1,932.292 acre tract and the Doyle tract;
11 THENCE N42°54'27"E (called N42°54'43"E) along the south line of the
12 Doyle tract a distance of 1,398.90 feet (called 1,397.59 feet) to a
13 5/8" iron rod with cap stamped "1535 4035" found at the easternmost
14 corner of the Doyle tract and being in the common line to the
15 William Starrock Survey, A-486, and the Jonathan C. Pitts Survey,
16 A-28;
17 THENCE S48°41'56"E (called S48°43'41"E) along the common line to the
18 Starrock and Pitts Surveys, along the west line of an unrecorded
19 subdivision known as Northridge a distance of 2,948.84 feet to a
20 5/8" iron rod marked "JNS ENGINEERS" for corner;
21 THENCE a jog in said common line N62°21'02"E (called N63°26'58"E
22 16.59 feet) a distance of 16.99 feet to a 5/8" iron rod marked "JNS
23 ENGINEERS";
24 THENCE S48°47'46"E (called S48°43'41"E) along the common line to the
25 Starrock and Pitts Surveys, and along the northeasterly line of the
26 called 1,932.293 acre tract a distance of 816.33 feet to a Bent 5/8"
27 Iron Rod found for corner in the northerly line of FM 1484;

1 THENCE along the northerly line of FM 1484 the following:
2 THENCE along a curve to the right, said curve having a radius of
3 1,829.00 feet, a central angle of $17^{\circ}10'58''$, an arc length of 548.51
4 feet, and a chord which bears $S43^{\circ}32'27''W$ 546.45 feet to a 5/8" Iron
5 Rod with Plastic Cap Marked "PAPE-DAWSON" set for corner;
6 THENCE $S82^{\circ}08'06''W$ a distance of 61.58 feet to a 5/8" Iron Rod with
7 Plastic Cap Marked "PAPE-DAWSON" set for corner;
8 THENCE along a curve to the right, said curve having a radius of
9 1,799.00 feet, a central angle of $4^{\circ}24'21''$, an arc length of 138.33
10 feet, and a chord bearing $S56^{\circ}02'01''W$ a distance of 138.30 feet to a
11 5/8" Iron Rod with Plastic Cap Marked "PAPE-DAWSON" set for corner;
12 THENCE $S29^{\circ}56'32''W$ a distance of 61.59 feet to a 5/8" Iron Rod with
13 Plastic Cap Marked "PAPE-DAWSON" set for corner;
14 THENCE along a curve to the right, said curve having a radius of
15 1,829.00 feet, a central angle of $24^{\circ}36'38''$, an arc length of 785.62
16 feet, and a chord which bears $S72^{\circ}14'28''W$ 779.59 feet to a TxDOT
17 Aluminum Disk found for corner;
18 THENCE $N65^{\circ}29'19''W$ a distance of 173.06 feet to a TxDOT Aluminum
19 Disk found for corner;
20 THENCE along a curve to the right, said curve having a radius of
21 1,749.00 feet, a central angle of $00^{\circ}09'14''$, an arc length of 4.70'
22 and a chord bearing $S89^{\circ}32'27''W$ 4.70' feet to a TxDOT Aluminum disk
23 found for corner;
24 THENCE $S89^{\circ}30'43''W$ a distance of 132.46 feet to a TxDOT Aluminum
25 disk found for corner;
26 THENCE $S59^{\circ}44'14''W$ a distance of 160.04 feet to a 5/8" iron rod with
27 plastic cap stamped "PAPE-DAWSON" set for corner;

1 THENCE S89°37'22"W a distance of 581.48 feet to a 5/8" iron rod found
2 for corner;
3 THENCE along a curve to the left, said curve having a central angle
4 of 28°34'16", a radius of 1,989.86 feet, an arc length of 992.26
5 feet, and a chord bearing S75°18'17"W 982.01 feet to a TxDOT
6 Aluminum disk found for corner;
7 THENCE S61°03'31"W a distance of 46.39 feet to a 5/8" iron rod found
8 for corner;
9 THENCE N88°35'54"W a distance of 79.77 feet to a 5/8" iron rod with
10 plastic cap stamped "PAPE-DAWSON" set for corner;
11 THENCE S61°03'31"W a distance of 161.43 feet to a TxDOT Aluminum
12 Disk found for corner;
13 THENCE S31°16'32"W a distance of 79.86 feet to a 5/8" iron rod with
14 plastic cap stamped "PAPE-DAWSON" found for corner;
15 THENCE S61°03'31"W a distance of 502.02 feet to a 5/8" iron rod with
16 cap stamped "ARBORLEAF" found for corner
17 THENCE N28°56'29"W a distance of 916.40 feet to the place of
18 BEGINNING, containing 192.043 acres, more or less.
19 Fieldnotes for 577.557 acre tract in the William Starrock Survey,
20 A-486
21 Being 577.557 acres out of the William Starrock Survey, A-486,
22 Montgomery County, Texas, and being out of and a part of that
23 certain called 1,932.293 acre tract described in deed from Judy C.
24 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust
25 dated December 15, 2011, as recorded in Montgomery County Clerk's
26 File (MCCF) 2012031320 of the Deed Records of Montgomery County,
27 Texas, and being more particularly described by metes and bounds as

1 follows:

2 The bearings in this description are based on The Texas State Plane
3 Coordinate System, NAD 83, Central Zone.

4 BEGINNING at the most westerly corner of that certain called
5 347.029 acre tract conveyed to Dameon M. Doyle as recorded in MCCF
6 2013012364, said point being a corner of that certain called
7 610.2467 acre tract conveyed to Conroe Industrial Development
8 Corporation as recorded in MCCF 2018035428;

9 THENCE $S10^{\circ}25'27''E$ (called $S10^{\circ}18'59''E$) along the southwesterly line
10 of the called 347.029 acre tract a distance of 146.95 feet (called
11 147.20 feet) to a 5/8" iron rod with plastic cap stamped "JNS
12 ENGINEERS" found for an angle point;

13 THENCE $S02^{\circ}42'53''W$ (called $S02^{\circ}41'01''W$) along the southwesterly line
14 of said called 347.029 acre tract a distance of 388.94 (called
15 388.90 feet) to a 5/8" iron rod with plastic cap stamped
16 "PAPE-DAWSON" set for an angle point;

17 THENCE $S47^{\circ}04'56''E$ (called $S47^{\circ}13'51''E$ along the southwesterly line
18 of the called 347.029 acre tract a distance of 3,614.37 feet (called
19 4,541.87 feet) to a railroad iron found for angle point in said
20 line;

21 THENCE $S47^{\circ}34'35''E$ continuing along the southwesterly line of the
22 called 347.029 acre tract a distance of 927.08 feet to a railroad
23 iron found for the most southerly corner of the called 347.029 acre
24 tract;

25 THENCE $S28^{\circ}56'29''E$ a distance of 916.40 feet to a 5/8" iron rod found
26 for corner in the northwesterly line of FM 1484 a variable width
27 right of way;

1 THENCE along the northwesterly line of FM 1484 as follows:
2 THENCE S61°03'31"W a distance of 557.98 feet to a TxDOT Aluminum
3 disk found for corner;
4 THENCE N89°15'07"W a distance of 39.98 feet to a 5/8" iron rod found
5 for corner;
6 THENCE S61°18'07"W a distance of 70.63 feet to a 5/8" iron rod found
7 for corner:
8 THENCE S30°45'56"W a distance of 40.11 feet to a 5/8" iron rod found
9 for corner; THENCE S61°07'54"W a distance of 609.29 feet to a 5/8"
10 iron rod found for corner;
11 THENCE N88°56'26"W a distance of 60.00 feet to a 5/8" iron rod with
12 plastic cap stamped "PAPE-DAWSON" found for corner;
13 THENCE S61°03'31"W a distance of 96.08 feet to a 5/8" iron rod found
14 for corner;
15 THENCE S31°18'57"W a distance of 61.14 feet to a 5/8" iron rod found
16 for corner;
17 THENCE S61°02'09"W a distance of 816.02 feet to a 5/8" iron rod with
18 plastic cap stamped "PAPE-DAWSON" set for the point of curve of a
19 curve to the left:
20 THENCE along said curve to the left, a radius of 3,080.00 feet, a
21 central angle of 27°40'15", an arc length of 1,487.47 feet, and a
22 chord bearing S47°13'58"W 1,473.06 feet to a 5/8" iron rod with
23 plastic cap stamped "Arborleaf found for corner at a cutback corner
24 at the intersection of the northwesterly line of FM 1484 and the
25 extension of League Line Road;
26 THENCE along the northerly line of the extension of League Line Road
27 S77°29'29"W a distance of 35.77 feet to a 5/8" iron rod found for

1 corner;
2 THENCE N58°11'02"W a distance of 227.95 feet to a 5/8" iron rod found
3 for corner at the point of curve of a curve to the left;
4 THENCE along said curve, a radius of 5,060.00 feet, a central angle
5 of 07°53'38", an arc length of 697.14 feet, and a chord which bears
6 N62°07'51"W a distance of 696.59 feet to a 5/8" iron rod found for
7 corner;
8 THENCE N63°49'26"W a distance of 101.37 feet to a 5/8" iron rod found
9 for corner;
10 THENCE along a curve to the left, said curve having a radius of
11 5,065.00 feet, a central angle of 10°18'48", an arc length of 911.70
12 feet, and a chord bearing N72°22'49"W a distance of 910.47 feet to a
13 5/8" iron rod found for corner;
14 THENCE N80°56'13"W a distance of 101.37 feet to a 5/8" iron rod found
15 for corner;
16 THENCE along a curve to the left, said curve having a radius of
17 5,060.00 feet, a central angle of 05°43'46", an arc length of 506.00
18 feet, and a chord bearing N81°32'52"W a distance of 505.79 feet to a
19 5/8" iron rod found for corner;
20 THENCE N82°09'30"W a distance of 101.37 feet to a 5/8" iron rod found
21 for corner;
22 THENCE along a curve to the left, said curve having a radius of
23 5,065.00 feet, a central angle of 09°51'51", an arc length of 872.00
24 feet and a chord bearing S89°30'34"W a distance of 870.92 feet to a
25 5/8" iron rod found for corner;
26 THENCE S84°34'39"W a distance of 286.32 feet to a 5/8" iron rod found
27 for corner in the east line of Conroe Park North, Section 6, the map

1 of which is recorded in Cab Z, Sheets 1691 to 1705 of the Map Records
2 of Montgomery County, Texas;
3 THENCE N05°42'06"W along the east line of Conroe Park North, Section
4 6, at a distance of 2,386.07 feet to a 5/8" iron rod with plastic cap
5 stamped "Moyer" found for the northeast corner of Conroe Park
6 North, Section 6, said point marking the southernmost corner of the
7 previously referenced called 610.2467 acre tract conveyed to Conroe
8 Industrial Development Corporation as recorded in MCCF 2018035428;
9 THENCE N43°59'58"E along the southeasterly line of said called
10 610.2467 acre tract a distance of 4,649.21 feet to the place of
11 BEGINNING, containing 577.557 acres of land, more or less.
12 Fieldnotes for 12.979 acre tract in the William Starrock Survey,
13 A-486
14 Being 12.979 acres out of the William Starrock Survey, A-486,
15 Montgomery County, Texas, and being out of and a part of that
16 certain called 1,932.293 acre tract described in deed from Judy C.
17 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust
18 dated December 15, 2011, as recorded in Montgomery County Clerk's
19 File (MCCF) 2012031320 of the Deed Records of Montgomery County,
20 Texas, and being more particularly described by metes and bounds as
21 follows:
22 The bearings in this description are based on The Texas State Plane
23 Coordinate System, NAD 83, Central Zone.
24 BEGINNING at a 5/8" iron rod with plastic cap marked "W E SMITH
25 1982" found at the northeasterly corner of that certain called
26 20.0872 acre tract conveyed to Montgomery County in deed recorded
27 in MCCF 2010-003943 of the deed records of Montgomery County,

1 Texas;

2 THENCE S52°57'04"W along the northwesterly line of said called
3 20.0872 acre tract a distance of 1,750.11 feet to a 5/8" iron rod
4 with plastic cap marked "W E SMITH 1982" found for corner at the
5 northwesterly corner of said called 20.0872 acre tract, same being
6 in the northeasterly line of that called 284.006 acre tract
7 conveyed to Conroe Industrial Development Corporation by Judy C.
8 Campbell as recorded in MCCF 2010111233;

9 THENCE along the northeasterly line of said called 284.006 acre
10 tract N37°02'56"W a distance of 451.88 feet to a 1/2" iron rod with
11 plastic cap marked "JEFF MOON RPLS 4936" found for corner in the
12 southeasterly line of FM 1484, a variable width right of way;

13 THENCE along the southeasterly line of FM 1484 as follows:

14 N61°09'07"E a distance of 180.52 feet to a 1/2" iron rod
15 found for corner;

16 S88°56'26"E a distance of 40.00 feet to a TxDOT
17 Aluminum Disc found for corner;

18 N61°09'07"E a distance of 70.72 feet to a TxDOT
19 Aluminum Disc found for corner;

20 N31°03'28"E a distance of 40.00 feet to a 5/8" iron rod
21 with plastic cap marked "PAPEDAWSON" set for corner;

22 N61°03'31"E a distance of 1,300.00 feet to a 5/8" iron
23 rod with plastic cap marked "PAPEDAWSON" set for
24 corner;

25 S89°08'33"E a distance of 80.27 feet to a 5/8" iron rod
26 with plastic cap marked "PAPE-DAWSON" set for corner;

27 N60°14'59"E a distance of 83.18 feet to a 5/8" iron rod

1 with plastic cap marked "ARBORLEAF RPLS 1982";
2 THENCE S37°02'56"E a distance of 163.05 feet to the place of
3 BEGINNING, containing 12.979 acres of land, more or less.
4 Fieldnotes for 18.933 acre tract in the William Starrock Survey,
5 A-486
6 Being 18.933 acres out of the William Starrock Survey, A-486,
7 Montgomery County, Texas, and being out of and a part of that
8 certain called 1,932.293 acre tract described in deed from Judy C.
9 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust
10 dated December 15, 2011, as recorded in Montgomery County Clerk's
11 File (MCCF) 2012031320 of the Deed Records of Montgomery County,
12 Texas, and being more particularly described by metes and bounds as
13 follows:
14 The bearings in this description are based on The Texas State Plane
15 Coordinate System, NAD 83, Central Zone.
16 BEGINNING at a 5/8" iron rod found at the northern end of a cutback
17 corner for the intersection of the southeasterly line of FM 1484, a
18 variable width right of way, and the northeasterly line of
19 Technology Parkway (League Line Road), the donation deed of which
20 is recorded in MCCF 2011017945;
21 THENCE along the southeasterly line of FM 1484 along a curve to the
22 right, said curve having a radius of 2,920.00, a central angle of
23 27°34'56", an arc length of 1,405.69 feet, and a chord bearing
24 N47°16'37"E a distance of 1,392.16 feet to a 5/8" iron rod with cap
25 stamped "PAPEDAWSON" set for corner;
26 THENCE N60°59'31"E a distance of 390.88 feet to a 5/8" iron rod with
27 cap stamped "MOON" found for corner at the most northerly northwest

1 corner of Restricted Reserve "C", Block 1 of R A Deison Technology
2 Park, the map of which is recorded in Cabinet Z, Sheets 2332-2336 of
3 the Map Records of Montgomery County, Texas;
4 THENCE S28°54'30"E along the southwesterly line of said Restricted
5 Reserve "C" a distance of 350.00 feet to a 1/2" iron rod with cap
6 found for corner;
7 THENCE S61°05'30"W continuing along the northwest line of
8 Restricted Reserve "C" a distance of 816.24 feet to a 1/2" iron rod
9 with cap found for corner;
10 THENCE S04°28'01" continuing along the northwesterly line of
11 Restricted Reserve "C" a distance of 418.29 feet to a 1/2" iron rod
12 with cap found for corner;
13 THENCE S37°54'03"W continuing along the northwesterly line of
14 Restricted Reserve "C" a distance of 618.87 feet to a 5/8" iron rod
15 with cap stamped "PAPE-DAWSON" set corner in the northeasterly line
16 of Technology Parkway;
17 THENCE along the northeasterly line of Technology Parkway, along a
18 curve to the left, said curve having a radius of 1,050.00 feet, a
19 central angle of 28°30'04", an arc length of 522.31 feet, and a chord
20 bearing N43°53'52"W a distance of 516.94 feet to a 5/8" iron rod with
21 cap stamped "PAPE-DAWSON" set for corner;
22 THENCE N58°08'54"W along the northeasterly line of Technology
23 Parkway a distance of 124.42 feet to a 5/8" iron rod found for the
24 beginning of a cutback corner to FM 1484;
25 THENCE N12°27'14"W along said cutback a distance of 34.92 feet to
26 the place of BEGINNING, containing 18.933 acres of land, more or
27 less.

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

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

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

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

19 SECTION 4. (a) If this Act does not receive a two-thirds
20 vote of all the members elected to each house, Subchapter C, Chapter
21 8051, Special District Local Laws Code, as added by Section 1 of
22 this Act, is amended by adding Section 8051.0308 to read as follows:

23 Sec. 8051.0308. NO EMINENT DOMAIN POWER. The district may
24 not exercise the power of eminent domain.

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

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