

1-1 By: Creighton S.B. No. 2164  
 1-2 (In the Senate - Filed March 25, 2021; April 1, 2021, read  
 1-3 first time and referred to Committee on Local Government;  
 1-4 April 23, 2021, reported favorably by the following vote: Yeas 9,  
 1-5 Nays 0; April 23, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Menéndez	X			
1-9 Eckhardt	X			
1-10 Gutierrez	X			
1-11 Hall	X			
1-12 Nichols	X			
1-13 Paxton	X			
1-14 Springer	X			
1-15 Zaffirini	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. 201; 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 8019 to read as follows:

1-26 CHAPTER 8019. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO.  
 1-27 201

1-28 SUBCHAPTER A. GENERAL PROVISIONS

1-29 Sec. 8019.0101. 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. 201.

1-36 Sec. 8019.0102. 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. 8019.0103. 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. 8019.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
 1-44 temporary directors may not hold an election under Section  
 1-45 8019.0103 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. 8019.0105. 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 municipal utility district as provided by  
 1-53 general law and Section 59, Article XVI, Texas Constitution; and

1-54 (2) Section 52, Article III, Texas Constitution, that  
 1-55 relate to the construction, acquisition, improvement, operation,  
 1-56 or maintenance of macadamized, graveled, or paved roads, or  
 1-57 improvements, including storm drainage, in aid of those roads.

1-58 Sec. 8019.0106. INITIAL DISTRICT TERRITORY. (a) The  
 1-59 district is initially composed of the territory described by  
 1-60 Section 2 of the Act enacting this chapter.

1-61 (b) The boundaries and field notes contained in Section 2 of

2-1 the Act enacting this chapter form a closure. A mistake made in the  
2-2 field notes or in copying the field notes in the legislative process  
2-3 does not affect the district's:

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

2-10 SUBCHAPTER B. BOARD OF DIRECTORS

2-11 Sec. 8019.0201. GOVERNING BODY; TERMS. (a) The district is  
2-12 governed by a board of five elected directors.

2-13 (b) Except as provided by Section 8019.0202, directors  
2-14 serve staggered four-year terms.

2-15 Sec. 8019.0202. TEMPORARY DIRECTORS. (a) The temporary  
2-16 board consists of:

- 2-17 (1) Rose Ann Hancock;
- 2-18 (2) Kimberly Newman;
- 2-19 (3) Morgan L. Horvitz;
- 2-20 (4) Gigi Zientek; and
- 2-21 (5) Michelle McCormick.

2-22 (b) Temporary directors serve until the earlier of:

- 2-23 (1) the date permanent directors are elected under  
2-24 Section 8019.0103; or
- 2-25 (2) the fourth anniversary of the effective date of  
2-26 the Act enacting this chapter.

2-27 (c) If permanent directors have not been elected under  
2-28 Section 8019.0103 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 8019.0103; 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. 8019.0301. 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. 8019.0302. 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. 8019.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
2-53 52, Article III, Texas Constitution, the district may design,  
2-54 acquire, construct, finance, issue bonds for, improve, operate,  
2-55 maintain, and convey to this state, a county, or a municipality for  
2-56 operation and maintenance macadamized, graveled, or paved roads, or  
2-57 improvements, including storm drainage, in aid of those roads.

2-58 Sec. 8019.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
2-59 road project must meet all applicable construction standards,  
2-60 zoning and subdivision requirements, and regulations of each  
2-61 municipality in whose corporate limits or extraterritorial  
2-62 jurisdiction the road project is located.

2-63 (b) If a road project is not located in the corporate limits  
2-64 or extraterritorial jurisdiction of a municipality, the road  
2-65 project must meet all applicable construction standards,  
2-66 subdivision requirements, and regulations of each county in which  
2-67 the road project is located.

2-68 (c) If the state will maintain and operate the road, the  
2-69 Texas Transportation Commission must approve the plans and

3-1 specifications of the road project.  
 3-2 Sec. 8019.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
 3-3 ORDINANCE OR RESOLUTION. The district shall comply with all  
 3-4 applicable requirements of any ordinance or resolution that is  
 3-5 adopted under Section 54.016 or 54.0165, Water Code, and that  
 3-6 consents to the creation of the district or to the inclusion of land  
 3-7 in the district.

3-8 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-9 Sec. 8019.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
 3-10 The district may issue, without an election, bonds and other  
 3-11 obligations secured by:

3-12 (1) revenue other than ad valorem taxes; or  
 3-13 (2) contract payments described by Section 8019.0403.

3-14 (b) The district must hold an election in the manner  
 3-15 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
 3-16 before the district may impose an ad valorem tax or issue bonds  
 3-17 payable from ad valorem taxes.

3-18 (c) The district may not issue bonds payable from ad valorem  
 3-19 taxes to finance a road project unless the issuance is approved by a  
 3-20 vote of a two-thirds majority of the district voters voting at an  
 3-21 election held for that purpose.

3-22 Sec. 8019.0402. OPERATION AND MAINTENANCE TAX. (a) If  
 3-23 authorized at an election held under Section 8019.0401, the  
 3-24 district may impose an operation and maintenance tax on taxable  
 3-25 property in the district in accordance with Section 49.107, Water  
 3-26 Code.

3-27 (b) The board shall determine the tax rate. The rate may not  
 3-28 exceed the rate approved at the election.

3-29 Sec. 8019.0403. CONTRACT TAXES. (a) In accordance with  
 3-30 Section 49.108, Water Code, the district may impose a tax other than  
 3-31 an operation and maintenance tax and use the revenue derived from  
 3-32 the tax to make payments under a contract after the provisions of  
 3-33 the contract have been approved by a majority of the district voters  
 3-34 voting at an election held for that purpose.

3-35 (b) A contract approved by the district voters may contain a  
 3-36 provision stating that the contract may be modified or amended by  
 3-37 the board without further voter approval.

3-38 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-39 Sec. 8019.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
 3-40 OBLIGATIONS. The district may issue bonds or other obligations  
 3-41 payable wholly or partly from ad valorem taxes, impact fees,  
 3-42 revenue, contract payments, grants, or other district money, or any  
 3-43 combination of those sources, to pay for any authorized district  
 3-44 purpose.

3-45 Sec. 8019.0502. TAXES FOR BONDS. At the time the district  
 3-46 issues bonds payable wholly or partly from ad valorem taxes, the  
 3-47 board shall provide for the annual imposition of a continuing  
 3-48 direct ad valorem tax, without limit as to rate or amount, while all  
 3-49 or part of the bonds are outstanding as required and in the manner  
 3-50 provided by Sections 54.601 and 54.602, Water Code.

3-51 Sec. 8019.0503. BONDS FOR ROAD PROJECTS. At the time of  
 3-52 issuance, the total principal amount of bonds or other obligations  
 3-53 issued or incurred to finance road projects and payable from ad  
 3-54 valorem taxes may not exceed one-fourth of the assessed value of the  
 3-55 real property in the district.

3-56 SECTION 2. The Montgomery County Municipal Utility District  
 3-57 No. 201 initially includes all the territory contained in the  
 3-58 following area:

3-59 TRACT I:

3-60 Being 104.5 acres of land located in the Ebenezer R. Hale  
 3-61 Survey, Abstract 264, Montgomery County, Texas, more particularly  
 3-62 being all of that certain called 104.52 acre tract described in deed  
 3-63 to Anthony Comer and Nichole Comer by an instrument of record under  
 3-64 Document Number 2012093908 in the Official Public Records of  
 3-65 Montgomery County, Texas (O.P.R.M.C.), said 104.5 acres being more  
 3-66 particularly described by metes and bounds as follows, all bearings  
 3-67 referenced to the Texas State Plane Coordinate System, South  
 3-68 Central Zone, NAD 83 (2010 EPOCH);

3-69 BEGINNING at a 1/2" iron rod found for a southeasterly corner

4-1 of said 104.52 acre tract, common to an east corner of Logtowne, a  
 4-2 subdivision of record in Cabinet E, Sheet 56-B, Plat Records of said  
 4-3 Montgomery County, Texas (P.R.M.C.) in the north right-of-way line  
 4-4 of Hardin Store Road (no deed of record found, 50' R.O.W. as shown  
 4-5 per Document Number 2013092954 O.P.R.M.C.);

4-6 Thence, South 86° 56' 39" West (called South 89° 34' 07" West -  
 4-7 722.41'), along the south line of said 104.52 acre tract, common to  
 4-8 a north line of said Logtowne, at 263.29 feet passing a 5/8" iron  
 4-9 rod found for the northeast corner of Lot 6, Block 1 of said  
 4-10 Logtowne, continuing for a total distance of 722.41 feet to the  
 4-11 southwest corner of said 104.52 acre tract, common to an angle  
 4-12 corner of said Logtowne;

4-13 Thence, North 02° 40' 07" West (called North 00° 03' 36" West -  
 4-14 2736.02'), along the west line of said 104.52 acre tract, common to  
 4-15 an east line of said Logtowne, the east line of a called 11.493 acre  
 4-16 tract described as Tract I, described in deed to James A. Kelly, a  
 4-17 married man and Sandra M. Kelly, his wife by an instrument of record  
 4-18 under Document Number 9427115, O.P.R.M.C., and the east line of a  
 4-19 called 3.325 acre tract described as Tract II, described in deed to  
 4-20 Rocio Rincon and husband Lucio M. Rincon by an instrument of record  
 4-21 under Document Number 2006065456, O.P.R.M.C., at 221.70 feet  
 4-22 passing the southeast corner of Lot 18, common to the northeast  
 4-23 corner of Lot 12 of Block 4 of said Logtowne, from which a 5/8" iron  
 4-24 rod found bears South 87° 19' 53" West - 0.70 feet, at 1898.16 feet  
 4-25 passing a 3/4" iron pipe found for the northeast corner of said  
 4-26 Logtowne common to the southeast corner of said 11.493 acre tract  
 4-27 which bears South 87° 19' 53" West - 1.73 feet, at 2384.62 feet  
 4-28 passing a 3/4" iron pipe found for the northeast corner of said  
 4-29 11.493 acre tract, common to the southeast corner of said 3.325 acre  
 4-30 tract, continuing for a total distance of 2736.25 feet, to a 1/2"  
 4-31 iron rod found for the northeast corner of said 3.325 acre tract  
 4-32 common to the southeast corner of Britwood Estates, a subdivision  
 4-33 of record in Cabinet L, Sheet 119, P.R.M.C.;

4-34 Thence, North 02° 31' 44" West (called North 00° 06' 02" East -  
 4-35 1631.62'), continuing along the west line of said 104.52 acre  
 4-36 tract, common to the east line of said Britwood Estates, at 876.59  
 4-37 feet passing a 3/4" iron rod with cap stamped "HUFFMAN RPLS 1882",  
 4-38 continuing for a total distance of 1632.08 feet to a 5/8" iron rod  
 4-39 with cap stamped "EIG SURVEYING CO." found for the northeast corner  
 4-40 of said Britwood Estates, common to the northwest corner of said  
 4-41 104.52 acre tract, in the south line of a called 7.4654 acre tract  
 4-42 described in deed to Julissa Gonzalez and David Gonzalez, husband  
 4-43 and wife by an instrument of record under Document Number  
 4-44 2015115963, O.P.R.M.C.;

4-45 Thence, North 87° 24' 45" East (called South 89° 57' 51" East -  
 4-46 1043.28'), along the north line of said 104.52 acre tract, common to  
 4-47 the south line of said 7.4654 acre tract and the south line of a  
 4-48 called 24.944 acre tract described in deed to Michael Lawrence  
 4-49 Johnson by an instrument of record under Document Number  
 4-50 2011064873, O.P.R.M.C., at 318.91 feet passing the southeast corner  
 4-51 of said 7.4654 acre tract, from which a 5/8" iron rod with cap  
 4-52 stamped "EIG SURVEYING CO" bears North 02° 35' 15" West - 0.79 feet,  
 4-53 at 324.02 feet passing a found 1" iron pipe, which bears North 02°  
 4-54 35' 15" West - 0.89 feet, at 548.76 feet passing the southwest  
 4-55 corner of said 24.944 acre tract from which a 5/8" iron rod bears  
 4-56 South 02° 35' 15" East - 0.88 feet, continuing for a total distance  
 4-57 of 1044.43 feet to a 5/8" iron rod with cap stamped "LJA ENG" set for  
 4-58 the northeast corner of said 104.52 acre tract, common to the  
 4-59 southeast corner of said 24.944 acre tract, in the west line of Lot  
 4-60 4 of Rimwick Forest, Section 1, unrecorded subdivision, same being  
 4-61 a called 1.7759 acre tract described in deed to Harold F. Taylor by  
 4-62 an instrument of record under Document Number 2014118415,  
 4-63 O.P.R.M.C.;

4-64 Thence, South 03° 46' 24" East (called South 01° 13' 17" West -  
 4-65 1050.04'), along the east line of said 104.52 acre tract, the west  
 4-66 line of said Lot 4 of Rimwick Forest, Section 1, the west line of Lot  
 4-67 3 of Rimwick Forest, Section 1, unrecorded subdivision, same being  
 4-68 a called 1.859 acre tract described in deed Jo E. Shaw, Jr. by an  
 4-69 instrument of record under Document Number 8848911, O.P.R.M.C., the

5-1 west line of Lot 2 of Rimwick Forest, Section 1, unrecorded  
 5-2 subdivision, same being a called 2.444 acre tract described as  
 5-3 Tract 2 in deed to Scott Cobell and Charla Cobell Husband and wife  
 5-4 by an instrument of record under Document Number 2014045874,  
 5-5 O.P.R.M.C., and the west line of Tract Ten of Post Oak Forest,  
 5-6 unrecorded subdivision, same being a called 2.5062 acre tract  
 5-7 described in deed to Charles B. Stella, Jr. by an instrument of  
 5-8 record under Document Number 8914750, O.P.R.M.C., at 52.10 feet  
 5-9 passing a 1/2" iron rod found for the southwest corner of said  
 5-10 1.7759 acre tract, common to the northwest corner of said 1.859 acre  
 5-11 tract, at 328.28 feet passing the southwest corner of said 1.859  
 5-12 acre tract, common to the northwest corner of said 2.444 acre tract  
 5-13 from which a concrete monument bears South 86° 13' 36" West - 1.31  
 5-14 feet, continuing for a total distance of 1050.53 feet to a 5/8" iron  
 5-15 rod found for the southwest corner of said Tract Ten, common to the  
 5-16 northwest corner of Lot 11 of Post Oak Forest, unrecorded  
 5-17 subdivision, same being a called 0.91 acre tract described in deed  
 5-18 to Richard Gonzales, Jr. and Kalli Gonzalez by an instrument of  
 5-19 record under Document Number 201703455, O.P.R.M.C.;

5-20 Thence, South 03° 33' 29" East (called South 00° 55' 07" East -  
 5-21 969.39'), continuing along the east line of said 104.52 acre tract,  
 5-22 common to the west line of said Lot 11 of Post Oak Forest, the west  
 5-23 line of Tract 12 of Post Oak Forest, unrecorded subdivision, same  
 5-24 being a called 1.0329 acre tract described in deed to Richard  
 5-25 Gonzales, Jr. and Kalli Gonzalez by an instrument of record under  
 5-26 Document Number 2012058503, O.P.R.M.C., the west line of Tract 13  
 5-27 of Post Oak Forest, unrecorded subdivision, same being a called  
 5-28 1.0329 acre tract described in deed to Ralph W. Gates, Jr. and Audry  
 5-29 Giles Gates by an instrument of record under Document Number  
 5-30 2000-076555, O.P.R.M.C., the west line of Lot 14 of Post Oak Forest,  
 5-31 unrecorded subdivision, same being a called 1.02 acre tract  
 5-32 described in deed to Wendy J. De Four by an instrument of record  
 5-33 under Document Number 2017036615, O.P.R.M.C., and the west line of  
 5-34 a called 1.0206 acre tract described in deed to James Patterson and  
 5-35 Kimberly Patterson by an instrument of record under Document Number  
 5-36 2002099246, O.P.R.M.C., at 179.91 feet passing a 1/2" iron rod with  
 5-37 cap stamped "RPLS 4789" found for the southwest corner of Lot 11,  
 5-38 common to the northwest corner of Tract 12, at 359.66 feet passing a  
 5-39 5/8" iron rod inside a PVC pipe found for the southwest corner of  
 5-40 said Tract 12 and the northwest corner of said Tract 13, at 539.72  
 5-41 feet passing a 5/8" iron rod found for the southwest corner of said  
 5-42 Tract 13, common to the northwest corner of said Lot 14, at 689.37  
 5-43 feet passing a found 5/8" iron rod which bears South 86° 26' 31" West  
 5-44 - 0.71 feet, continuing for a total distance of 969.25 feet to a  
 5-45 concrete monument found for the southwest corner of said 1.0206  
 5-46 acre tract and the northwest corner of a called 2.129 acre tract  
 5-47 described in deed to Lawrence E. Fogarty, III by an instrument of  
 5-48 record under Document Number 2014096065, O.P.R.M.C.;

5-49 Thence, South 02° 43' 13" West (called South 05° 18' 32" West -  
 5-50 413.66'), continuing along the east line of said 104.52 acre tract,  
 5-51 common to the west line of the said 2.129 acre tract, the west line  
 5-52 of a called 2.586 acre tract described in deed to Anthony Comer and  
 5-53 Nichole Comer by an instrument of record under Document Number  
 5-54 2012069670, O.P.R.M.C., at 302.47 feet passing a 5/8" iron rod with  
 5-55 cap stamped "KING 4503" found for the southwest corner of said 2.179  
 5-56 acre tract common to the northwest corner of said 2.586 acre tract,  
 5-57 continuing for a total distance of 413.66 feet to a 5/8" iron rod  
 5-58 with cap stamped "LJA ENG" set for the southwest corner of said  
 5-59 2.586 acre tract, common to the northwest corner of a called 1.160  
 5-60 acre tract described in deed to Jeffery Richard Ryfa by an  
 5-61 instrument of record under Document Number 9832631, O.P.R.M.C.;

5-62 Thence, South 02° 18' 58" East (called South 00° 17' 29" West -  
 5-63 1643.03'), continuing along the east line of said 104.52 acre  
 5-64 tract, common to the west line of said 1.160 acre tract, the west  
 5-65 line of a called 5.42 acre tract described in deed to Phillip L.  
 5-66 Hybner, Jr. and wife, Terri L. Hybner by an instrument of record  
 5-67 under Document Number 9138200, O.P.R.M.C., and the west line of a  
 5-68 called 2.5910 acre tract described in deed to Shannon Ray Gehring by  
 5-69 an instrument of record under Document Number 20130929545,

6-1 O.P.R.M.C., at 484.89 passing a found 1 1/4" iron pipe which bears  
 6-2 North 87° 41' 02" East - 2.87 feet, continuing for a total distance  
 6-3 of 1643.21 feet to a 3/4" iron pipe found for the southeast corner  
 6-4 of said 104.52 acre tract in the aforesaid north right-of-way line  
 6-5 of Hardin Store Road;

6-6 Thence, South 44° 42' 22" West, 424.52 feet (called South 47°  
 6-7 20' 53" West - 424.55') along the southeast line of said 104.52 acre  
 6-8 tract, common to said north right-of-way line to the POINT OF  
 6-9 BEGINNING and containing 104.5 acres of land.

6-10 TRACT II:

6-11 Being 0.4591 acre of land located in the Bartley Mury Survey,  
 6-12 Abstract 343, Montgomery County, Texas, more particularly being a  
 6-13 portion of that certain called 2.586 acre tract described in deed to  
 6-14 Anthony Comer and Nichole Comer by an instrument of record under  
 6-15 Document Number 2012069670, in the Official Public Records of  
 6-16 Montgomery County, Texas (O.P.R.M.C.), said 0.4591 acres being more  
 6-17 particularly described by metes and bounds as follows, all bearings  
 6-18 referenced to the Texas Coordinate System, South Central Zone, NAD  
 6-19 83 (2010 EPOCH);

6-20 BEGINNING at a 5/8" iron rod with cap stamped "LJA ENG"  
 6-21 previously set for the southwest corner of said 2.586 acre tract,  
 6-22 common to the northwest corner of that certain called 1.160 acre  
 6-23 tract described in deed to Jeffery Richard Ryfa by an instrument of  
 6-24 record under Document Number 9832631, O.P.R.M.C. and the northwest  
 6-25 corner of Hughes Lane (called 40 feet wide) described as a  
 6-26 right-of-way and easement for road purposes in Volume 545, Page 428  
 6-27 in the Deed Records of said Montgomery County, Texas (D.R.M.C.), in  
 6-28 the east line of that certain called 104.52 acre tract described in  
 6-29 deed to Anthony Comer and Nichole Comer by an instrument of record  
 6-30 under Document Number 2012093908, O.P.R.M.C.;

6-31 Thence, North 02° 43' 13" East (called North 04° 52' 00" East),  
 6-32 along the west line of said 2.586 acre tract, common to the east  
 6-33 line of said 104.52 acre tract, 111.25 feet to a 5/8" iron rod with  
 6-34 cap stamped "KING 4503" found for the most westerly southwest  
 6-35 corner of that certain called 2.129 acre tract described in deed to  
 6-36 Lawrence E. Fogarty, III by an instrument of record under Document  
 6-37 Number 2014096065, O.P.R.M.C.;

6-38 Thence, North 87° 36' 06" East (called South 89° 48' 19" East),  
 6-39 along the south line of said 2.129 acre tract, 77.50 feet to a 5/8"  
 6-40 iron rod with cap stamped "KING 4503" found for the beginning of a  
 6-41 non-tangent curve;

6-42 Thence, continuing along the south line of said 2.129 acre  
 6-43 tract, 185.86 feet (called 185.77 feet) along the arc of a  
 6-44 non-tangent curve to the right, having a radius of 134.40 feet, a  
 6-45 central angle of 79° 14' 04", and a chord which bears South 52° 04'  
 6-46 54" East (called South 49° 30' 29" East), 171.40 feet (called 171.33  
 6-47 feet) to a 5/8" iron rod with cap stamped "KING 4503" found for a  
 6-48 south corner of said 2.129 acre tract, in the north line of that  
 6-49 certain called 2.000 acre tract described in deed to Frank M. Hicks  
 6-50 by an instrument of record under Document Number 2008064981,  
 6-51 O.P.R.M.C. and the north line of the aforementioned Hughes Lane;

6-52 Thence, South 87° 37' 36" West (called South 89° 44' 55" West),  
 6-53 along the south line of said 2.586 acre tract, common to the north  
 6-54 line of said 2.000 acre tract, the north line of that certain called  
 6-55 1.069 acre tract described in deed to Alan Martinez and Erica  
 6-56 Martinez by an instrument of record under Document Number  
 6-57 2016000207, O.P.R.M.C., the north line of the aforesaid 1.160 acre  
 6-58 tract, and the north line of said Hughes Lane, passing at a distance  
 6-59 of 113.70 feet the common north corner of said 1.069 acre tract and  
 6-60 said 1.160 acre tract, from which a found 5/8" iron rod bears, South  
 6-61 02° 45' 39" East, 0.44 feet, continuing for a total distance of  
 6-62 218.12 feet to the POINT OF BEGINNING and containing 0.4591 acre of  
 6-63 land.

6-64 SECTION 3. (a) The legal notice of the intention to  
 6-65 introduce this Act, setting forth the general substance of this  
 6-66 Act, has been published as provided by law, and the notice and a  
 6-67 copy of this Act have been furnished to all persons, agencies,  
 6-68 officials, or entities to which they are required to be furnished  
 6-69 under Section 59, Article XVI, Texas Constitution, and Chapter 313,

7-1 Government Code.

7-2 (b) The governor, one of the required recipients, has  
7-3 submitted the notice and Act to the Texas Commission on  
7-4 Environmental Quality.

7-5 (c) The Texas Commission on Environmental Quality has filed  
7-6 its recommendations relating to this Act with the governor, the  
7-7 lieutenant governor, and the speaker of the house of  
7-8 representatives within the required time.

7-9 (d) All requirements of the constitution and laws of this  
7-10 state and the rules and procedures of the legislature with respect  
7-11 to the notice, introduction, and passage of this Act are fulfilled  
7-12 and accomplished.

7-13 SECTION 4. (a) If this Act does not receive a two-thirds  
7-14 vote of all the members elected to each house, Subchapter C, Chapter  
7-15 8019, Special District Local Laws Code, as added by Section 1 of  
7-16 this Act, is amended by adding Section 8019.0306 to read as follows:

7-17 Sec. 8019.0306. NO EMINENT DOMAIN POWER. The district may  
7-18 not exercise the power of eminent domain.

7-19 (b) This section is not intended to be an expression of a  
7-20 legislative interpretation of the requirements of Section 17(c),  
7-21 Article I, Texas Constitution.

7-22 SECTION 5. This Act takes effect immediately if it receives  
7-23 a vote of two-thirds of all the members elected to each house, as  
7-24 provided by Section 39, Article III, Texas Constitution. If this  
7-25 Act does not receive the vote necessary for immediate effect, this  
7-26 Act takes effect September 1, 2021.

7-27

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