

By: Creighton

S.B. No. 2171

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Harris County Municipal Utility District No. 579; 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 7927A to read as follows:

CHAPTER 7927A. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 579

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7927A.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Harris County Municipal Utility District No. 579.

Sec. 7927A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7927A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

1 Sec. 7927A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 7927A.0103 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 Sec. 7927A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

16 Sec. 7927A.0106. INITIAL DISTRICT TERRITORY. (a) The
17 district is initially composed of the territory described by
18 Section 2 of the Act enacting this chapter.

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

23 (1) organization, existence, or validity;

24 (2) right to issue any type of bond for the purposes
25 for which the district is created or to pay the principal of and
26 interest on a bond;

27 (3) right to impose a tax; or

1 (4) legality or operation.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 7927A.0201. GOVERNING BODY; TERMS. (a) The district
4 is governed by a board of five elected directors.

5 (b) Except as provided by Section 7927A.0202, directors
6 serve staggered four-year terms.

7 Sec. 7927A.0202. TEMPORARY DIRECTORS. (a) On or after the
8 effective date of the Act enacting this chapter, the owner or owners
9 of a majority of the assessed value of the real property in the
10 district may submit a petition to the commission requesting that
11 the commission appoint as temporary directors the five persons
12 named in the petition. The commission shall appoint as temporary
13 directors the five persons named in the petition.

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

15 (1) the date permanent directors are elected under
16 Section 7927A.0103; or

17 (2) the fourth anniversary of the effective date of
18 the Act enacting this chapter.

19 (c) If permanent directors have not been elected under
20 Section 7927A.0103 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:

24 (1) the date permanent directors are elected under
25 Section 7927A.0103; or

26 (2) the fourth anniversary of the date of the
27 appointment or reappointment.

1 (d) If Subsection (c) applies, the owner or owners of a
2 majority of the assessed value of the real property in the district
3 may submit a petition to the commission requesting that the
4 commission appoint as successor temporary directors the five
5 persons named in the petition. The commission shall appoint as
6 successor temporary directors the five persons named in the
7 petition.

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 7927A.0301. GENERAL POWERS AND DUTIES. The district
10 has the powers and duties necessary to accomplish the purposes for
11 which the district is created.

12 Sec. 7927A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
13 DUTIES. The district has the powers and duties provided by the
14 general law of this state, including Chapters 49 and 54, Water Code,
15 applicable to municipal utility districts created under Section 59,
16 Article XVI, Texas Constitution.

17 Sec. 7927A.0303. AUTHORITY FOR ROAD PROJECTS. Under
18 Section 52, Article III, Texas Constitution, the district may
19 design, acquire, construct, finance, issue bonds for, improve,
20 operate, maintain, and convey to this state, a county, or a
21 municipality for operation and maintenance macadamized, graveled,
22 or paved roads, or improvements, including storm drainage, in aid
23 of those roads.

24 Sec. 7927A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
25 road project must meet all applicable construction standards,
26 zoning and subdivision requirements, and regulations of each
27 municipality in whose corporate limits or extraterritorial

1 jurisdiction the road project is located.

2 (b) If a road project is not located in the corporate limits
3 or extraterritorial jurisdiction of a municipality, the road
4 project must meet all applicable construction standards,
5 subdivision requirements, and regulations of each county in which
6 the road project is located.

7 (c) If the state will maintain and operate the road, the
8 Texas Transportation Commission must approve the plans and
9 specifications of the road project.

10 Sec. 7927A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
11 ORDINANCE OR RESOLUTION. The district shall comply with all
12 applicable requirements of any ordinance or resolution that is
13 adopted under Section 54.016 or 54.0165, Water Code, and that
14 consents to the creation of the district or to the inclusion of land
15 in the district.

16 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

17 Sec. 7927A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
18 The district may issue, without an election, bonds and other
19 obligations secured by:

- 20 (1) revenue other than ad valorem taxes; or
21 (2) contract payments described by Section
22 7927A.0403.

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

27 (c) The district may not issue bonds payable from ad valorem

1 taxes to finance a road project unless the issuance is approved by a
2 vote of a two-thirds majority of the district voters voting at an
3 election held for that purpose.

4 Sec. 7927A.0402. OPERATION AND MAINTENANCE TAX. (a) If
5 authorized at an election held under Section 7927A.0401, the
6 district may impose an operation and maintenance tax on taxable
7 property in the district in accordance with Section 49.107, Water
8 Code.

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

11 Sec. 7927A.0403. CONTRACT TAXES. (a) In accordance with
12 Section 49.108, Water Code, the district may impose a tax other than
13 an operation and maintenance tax and use the revenue derived from
14 the tax to make payments under a contract after the provisions of
15 the contract have been approved by a majority of the district voters
16 voting at an election held for that purpose.

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

20 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

21 Sec. 7927A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
22 OBLIGATIONS. The district may issue bonds or other obligations
23 payable wholly or partly from ad valorem taxes, impact fees,
24 revenue, contract payments, grants, or other district money, or any
25 combination of those sources, to pay for any authorized district
26 purpose.

27 Sec. 7927A.0502. TAXES FOR BONDS. At the time the district

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

6 Sec. 7927A.0503. BONDS FOR ROAD PROJECTS. At the time of
7 issuance, the total principal amount of bonds or other obligations
8 issued or incurred to finance road projects and payable from ad
9 valorem taxes may not exceed one-fourth of the assessed value of the
10 real property in the district.

11 SECTION 2. The Harris County Municipal Utility District No.
12 579 initially includes all the territory contained in the following
13 area:

14 TRACT 1

15 Fieldnotes for a 28.8628 acre tract of land out of the John
16 Jones Survey, Abstract No. 481, in Harris County, Texas and being
17 that same called 32.33 acre tract of land conveyed to Holly M. Sears
18 as described in Correction Special Warranty Deed filed under
19 County Clerk's File No. 20110064472 of the Real Property Records of
20 Harris County, and being further that same tract of land conveyed to
21 Wm. Kothmann as described in deed recorded in Volume 121 Page 146
22 of the Deed Records of Harris County, said 28.8628 acres of land
23 being more particularly described by metes and bounds as follows:

24 COMMENCING at a 3/4 inch steel rod with cap found in the East
25 line of the said Jones Survey and the West line of the Frederick
26 Limsky Survey, Abstract No. 512, said point being the Southeast
27 corner of that certain 35.268 acres tract of land conveyed to

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1 Crockett National Bank, as described in Substitute Trustee's Deed
2 recorded under County Clerk's File No. 20110135 623 of the said
3 Real Property Records, said point also being the most Easterly
4 Northeast corner of that certain 256.0563 acre tract of land
5 conveyed to Springwoods Realty Company, as described in deed
6 recorded under County Clerk's File No. 20090229625 of the said
7 Real Property Records;

8 Thence, South 88°26' 19" West, 1365.50 feet with the South
9 line of the said 35.268 acre tract and a Northerly line of the said
10 256.0563 acre tract to a point for an interior ell corner of the
11 said 256.0563 acre tract, said point also being the most Westerly
12 Southwest corner of the said 35.268 acre tract;

13 Thence, North 01°52'42" West, 87.01 feet with a Westerly line
14 of the said 35.268 acre tract and an Easterly line of the said
15 256.0563 acre tract to a 3/4 inch steel rod with cap set for the
16 Southwest corner and PLACE OF BEGINNING for the herein described
17 tract of land, said point also being an exterior ell corner of the
18 said 35.268 acre tract;

19 Thence, continuing with the Easterly line of the said
20 256.0523 acre tract, North 01°52' 42" West, at 400.31 feet
21 passing an exterior ell corner of the said 256.0523 acre tract and
22 the Southeast corner of that certain 10.568 acre tract of land
23 conveyed to White Oak Equities, LLC, as described in deed recorded
24 under County Clerk's File No. 20110086533 of the said Real
25 Property Records, and continuing with the East line of the said
26 0.568 acre tract, at 1499.25 feet passing a 3/4 inch steel rod with
27 cap set for reference, and continuing in all, a total distance of

1 1599.25 feet to a point in the centerline of Spring Creek for the
2 Northwest corner of the here in described tract, said point also
3 being the Northeast corner of the said 10.568 acre tract;

4 Thence, with the centerline of said Spring Creek and in a
5 general Easterly direction, the following courses and distances:

- 6 South 60°38'52" East, 57.42 feet;
- 7 South 83°28'57" East, 35.22 feet;
- 8 South 84°44'53" East, 16.72 feet;
- 9 North 79° 19' 04" East, 99.73 feet;
- 10 North 61°35'46" East, 172.4 2 feet;
- 11 North 48°25 ' 1 1" East, 148. 23 feet ;
- 12 North 24°27' 26" East, 121.31 feet;
- 13 North 16°53'57" East, 64.08 feet;
- 14 North 20°58'58" West, 175.85 feet;
- 15 North 27°11 ' 00" West, 70.20 feet;
- 16 North 07°20'07" West, 96.62 feet;
- 17 North 13°26'38" East, 59.77 feet;
- 18 North 49°06'55" East, 48.34 feet;
- 19 South 89°10' 04" East, 121.99 feet; and,
- 20 South 41°47' 29" East, 112.17 feet to the Northeast corner of

21 the herein described tract, said point also being the called most
22 Northerly Northwest corner of the aforesaid 35.268 acre tract;

23 Thence, South 010 40 ' 18" East with the West line of the
24 said 35.268 acre tract, at 1 00.00 feet passing a 3/4 inch steel rod
25 with cap set for reference, and continuing in all, a total distance
26 of 2245.35 feet (called 2192.27 feet in 35.268 acre deed) to a 1
27 inch steel pipe found marking the Southeast corner of the herein

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1 described tract, said point being an interior ell corner of the said
2 35.268 acre tract;

3 Thence, South 88°30'4 4" West, 684.19 feet with a lower
4 Northerly line of the said 35.268 acre tract to the PLACE OF
5 BEGINNING and containing 28.8628 acres or 1,257,264 square feet of
6 land, more or less.

7 TRACT 2

8 Field notes for 35.301 acres of land situated in the J. Jones
9 Survey, Abstract No. 481, Harris County, Texas, described in deed
10 dated April 5, 2011 conveyed to Crockett National Bank as recorded
11 in File No. 20110135623 of the Official Public Records of Real
12 Property of Harris County, Texas (O.P.R.R.P.H.C., TX.), said tract
13 is being more particularly described by metes and bounds as
14 follows: (bearings are referenced to the East line of the 30 Feet
15 Access Easement being North 01° 53' 56" West as recorded under File
16 No. 20120202269, O.P.R.R.P.H.C., TX.):

17 BEGINNING at a 5/8-inch iron rod with cap "Rainwater" found
18 at the northeast corner of a certain tract conveyed to Amber Hill,
19 LLC as recorded in File No. 20080619683, O.P.R.R.P.H.C., TX. and
20 the southeast corner of said Crockett National Bank tract and the
21 herein described tract;

22 THENCE South 88° 24' 14" West, along the north line of said
23 Amber Hill, LLC tract, a distance of 1365.50 feet to a 5/8-inch iron
24 rod with cap "Rainwater" (from which a found 5/8-inch iron rod with
25 cap "Frontier" bears South 01° 53' 56" East, 9.06 feet) found at an
26 interior line of a certain tract conveyed to Springwoods Realty
27 Company as recorded in File No. 20090229625, O.P.R.R.P.H.C., TX for

1 the northwest corner of said Amber Hill, LLC tract and the southwest
2 corner of said Crockett National Bank tract and the herein
3 described tract;

4 THENCE North 01° 53' 56" West, along the interior line of said
5 Springwoods Realty Company tract and the east line of the above
6 referenced 30 feet Access Easement, a distance of 87.01 feet to a
7 5/8-inch iron rod with cap "Frontier 2053" (from which a found
8 5/8-inch iron rod bears North 85° 35' 25" East, 0.89 feet) found for
9 the southwest corner of a certain tract conveyed to The Fern J. Lacy
10 Revocable Living Trust as recorded in File No. T984330,
11 20100195009, 20100195010, and 20110064472, O.P.R.R.P.H.C., TX and
12 a corner of the herein described tract;

13 THENCE North 88° 28' 44" East, along the south line of said The
14 Fern J. Lacy Revocable Living Trust tract, a distance of 684.32 feet
15 to an 1-inch iron pipe found for the southeast corner of said The
16 Fern J. Lacy Revocable Living Trust tract and an ell corner of the
17 herein described tract;

18 THENCE North 01° 42' 03" West, along the east line of said The
19 Fern J. Lacy Revocable Living Trust tract, at a distance of 2047.68
20 feet pass a 3/4-inch iron rod with cap "Frontier" at 0.39 feet east,
21 in all a distance of 2241.45 feet to the centerline of Spring Creek
22 for the northeast corner of said The Fern J. Lacy Revocable Living
23 Trust tract and the northwest corner of said Crockett National Bank
24 tract and the herein described tract;

25 THENCE downstream with the meanders of said Spring Creek as
26 follows:

- 27 1. South 41° 43' 35" East, a distance of 82.16 feet

1 2. South 73° 23' 41" East, a distance of 88.39 feet
2 3. North 80° 02' 45" East, a distance of 104.58 feet
3 4. South 63° 54' 10" East, a distance of 176.37 feet
4 5. South 02° 48' 03" East, a distance of 144.62 feet
5 6. South 69° 13' 34" East, a distance of 121.26 feet
6 7. North 30° 10' 20" East, a distance of 322.74 feet to a
7 point for the northwest corner of a certain tract conveyed to
8 Chrymirene Properties Co., Inc. and Springwoods Realty Company as
9 recorded in File No. T146401, O.P.R.R.P.H.C., TX and the northeast
10 corner of said Crockett National Bank tract and the herein
11 described tract;

12 THENCE South 01° 42' 03" East, along the west line of said
13 Chrymirene Properties Co., Inc. and Springwoods Realty Company
14 tract, at a distance of 213.91 feet pass a 3/4-inch iron rod with
15 cap "Frontier", in all a distance of 2253.99 feet to the POINT OF
16 BEGINNING and containing 35.301 acres.

17 TRACT 3

18 BEING 48.315 ACRES (2,104,590 SQUARE FEET) OF LAND SITUATED
19 IN THE JOHN JONES SURVEY, ABSTRACT NO. 481, HARRIS COUNTY, TEXAS;
20 SAID 48.315 ACRES OF LAND BEING ALL OF A CERTAIN TRACT OF LAND
21 CONVEYED TO D. M. BEST COMPANY, INC., AS RECORDED IN FILE NO.
22 20090321484 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF
23 HARRIS COUNTY, TEXAS (O.P.R.R.P.H.C., TX.), A CERTAIN TRACT OF LAND
24 CONVEYED TO VICTORIA BEST, AS RECORDED IN FILE NO. T058355,
25 O.P.R.R.P.H.C., TX. AND A CERTAIN TRACT OF LAND CONVEYED TO MARK
26 BRISTOL RUSSELL, AS RECORDED IN FILE NO. 20140367068,
27 O.P.R.R.P.H.C., TX.; SAID 48.315 ACRES OF LAND BEING MORE

1 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

2 BEGINNING at a 5/8-inch iron rod with "Davis 4464" cap found
3 in the end of Juniper Lane [width varies per Volume 5136, Page 396
4 of the Harris County Deed Records (H.C.D.R.) and Harris County Road
5 Log No. 4209001] for the northwest corner of a certain tract of land
6 conveyed to Springwoods Realty, Inc., as recorded in File
7 No. 20140581329, O.P.R.R.P.H.C., TX. and the southwest corner of
8 said D. M. Best Company, Inc. tract and the herein described parcel
9 (from which a found 3/4-inch iron rod with cap bears North 55°20'
10 West, 0.1 feet);

11 1) THENCE, North 01°06'30" West, along the west line of said
12 D. M. Best Company, Inc. tract and the east line of said Juniper
13 Lane, at a distance of 33.40 feet to the southeast corner of Lot 84,
14 Mossy Oaks Section Two (unrecorded subdivision) and a certain tract
15 of land conveyed to Patsy Marie Courtney, as recorded in File
16 No. T655668, O.P.R.R.P.H.C., TX. and the northeast corner of said
17 Juniper Lane, continuing along the west line of said D. M. Best
18 Company, Inc. tract and the east line of said Lot 84 and said Patsy
19 Marie Courtney tract, in all a distance of 315.08 feet to a 3/8-inch
20 iron rod with "Landtech" cap set for the south corner of a boundary
21 line agreement, as recorded in File No. 20140029653,
22 O.P.R.R.P.H.C., TX. and a corner of the herein described parcel;

23 2) THENCE, North 01°39'45" East, continuing along the east
24 line of said boundary line agreement, a distance of 123.47 feet to a
25 3/8-inch iron rod with "Landtech" cap set for the east corner of
26 said boundary line agreement and a corner of the herein described
27 parcel;

1 3) THENCE, North 02°45'25" West, continuing along the east
2 line of said boundary line agreement, a distance of 207.47 feet to a
3 magnetic nail set in the west line of said Victoria Best tract and
4 in the east right-of-way line of Mossy Oaks East Road (60.0 feet
5 wide per Volume 3902, Page 54, H.C.D.R.) for the north corner of
6 said boundary line agreement and a corner of the herein described
7 parcel;

8 4) THENCE, North 01°06'30" West, along the west line of said
9 Victoria Best tract and the east right-of-way line of said Mossy
10 Oaks East Road, a distance of 85.81 feet to a 3/8-inch iron rod with
11 "Landtech" cap set in a curve to the right, the southeast corner of
12 Lot 10, Mossy Oaks Section One (unrecorded subdivision) and said
13 Mark Bristol Russell tract, the northeast corner of said Mossy Oaks
14 East Road and an ell corner of the herein described parcel;

15 5) THENCE, along the south line of said Lot 10 and said Mark
16 Bristol Russell tract and the north right-of-way line of said Mossy
17 Oaks East Road with said curve to the right, having a radius of
18 759.02 feet, an arc length of 188.51 feet, a central angle of
19 14°13'47", and a chord which bears South 46°14'33" West, 188.02 feet
20 to a 3/8-inch iron rod with "Landtech" cap set for the southwest
21 corner of said Mark Bristol Russell tract, the southeast corner of a
22 certain tract of land conveyed to Gaines M. Watkins, and wife, Nancy
23 B. Watkins, as recorded in File No. U517546, O.P.R.R.P.H.C., TX.
24 and the most westerly southwest corner of the herein described
25 parcel (from which a found 5/8-inch iron rod bears North 25°28'
26 East, 3.0 feet, a found 3/8-inch iron rod bears South 79°09' West,
27 3.8 feet and a found 1-1/4-inch iron pipe bears South 80°24' West,

1 4.4 feet);

2 6) THENCE, North 12°27'19" East, along the west line of said
3 Mark Bristol Russell tract and the east line of said Gaines M.
4 Watkins and wife, Nancy B. Watkins tract, a distance of 213.15 feet
5 to a 1/2-inch iron rod found for a corner of the herein described
6 parcel;

7 7) THENCE, North 06°16'48" West, continuing along the west
8 line of said Mark Bristol Russell tract and the east line of said
9 Gaines M. Watkins and wife, Nancy B. Watkins tract, at a distance of
10 542.68 feet to a 3/8-inch iron rod with "Landtech" cap set for a
11 reference corner, continuing with a total distance of 667.49 feet
12 to a point in the centerline of Spring Creek and in the south line of
13 a certain tract of land conveyed to Montgomery County, Texas, as
14 recorded in Document Nos. 201204859 and 2012050748 of the Official
15 Public Records of Montgomery County, Texas (O.P.R.M.C., TX.) for
16 the northwest corner of the herein described parcel;

17 8) THENCE, meander along the centerline of said Spring Creek
18 with the following courses:

19 With said curve to the left, having a radius of 150.00 feet,
20 an arc length of 8.25 feet, a central angle of 03°09'04", and a chord
21 which bears North 45°09'08" East, 8.25 feet to a point;

22 North 43°34'36" East, a distance of 99.60 feet to a point of
23 curvature;

24 With said curve to the left, having a radius of 100.00 feet,
25 an arc length of 53.41 feet, a central angle of 30°35'55", and a
26 chord which bears North 28°16'39" East, 52.77 feet to a point of
27 curvature;

1 With said curve to the right, having a radius of 150.00 feet,
2 an arc length of 90.74 feet, a central angle of $34^{\circ}39'32''$, and a
3 chord which bears North $30^{\circ}18'27''$ East, 89.36 feet to a point of
4 curve for the northeast corner of said Mark Bristol Russell tract
5 and the northwest corner of said Victoria Best tract;

6 With said curve to the right, having a radius of 150.00 feet,
7 an arc length of 26.98 feet, a central angle of $10^{\circ}18'25''$, and a
8 chord which bears North $52^{\circ}47'29''$ East, 26.95 feet to a point;

9 North $57^{\circ}56'43''$ East, a distance of 109.91 feet to a point of
10 curvature;

11 With said curve to the left, having a radius of 100.00 feet,
12 an arc length of 31.92 feet, a central angle of $18^{\circ}17'21''$, and a
13 chord which bears North $48^{\circ}48'03''$ East, 31.79 feet to a point;

14 North $39^{\circ}25'06''$ East, a distance of 162.78 feet to a point for
15 the northeast corner of said Victoria Best tract and the northwest
16 corner of said D. M. Best Company, Inc. tract;

17 North $39^{\circ}40'08''$ East, a distance of 67.81 feet to a point of
18 curvature;

19 With said curve to the right, having a radius of 110.00 feet,
20 an arc length of 321.17 feet, a central angle of $167^{\circ}17'20''$, and a
21 chord which bears South $56^{\circ}41'37''$ East, 218.65 feet to a point;

22 South $26^{\circ}57'03''$ West, a distance of 110.00 feet to a point of
23 curvature;

24 With said curve to the left, having a radius of 100.00 feet,
25 an arc length of 88.82 feet, a central angle of $50^{\circ}53'27''$, and a
26 chord which bears South $01^{\circ}30'19''$ West, 85.93 feet to a point;

27 South $23^{\circ}56'24''$ East, a distance of 93.07 feet to a point of

1 curvature;

2 With said curve to the left, having a radius of 125.00 feet,
3 an arc length of 218.38 feet, a central angle of $100^{\circ}05'58''$, and a
4 chord which bears South $73^{\circ}59'23''$ East, 191.65 feet to a point;

5 North $55^{\circ}57'39''$ East, a distance of 105.14 feet to a point of
6 curvature;

7 With said curve to the left, having a radius of 100.00 feet,
8 an arc length of 63.18 feet, a central angle of $36^{\circ}11'59''$, and a
9 chord which bears North $37^{\circ}51'39''$ East, 62.14 feet to a point;

10 North $19^{\circ}45'41''$ East, a distance of 127.78 feet to a point of
11 curvature;

12 With said curve to the right, having a radius of 100.00 feet,
13 an arc length of 108.70 feet, a central angle of $62^{\circ}16'56''$, and a
14 chord which bears North $50^{\circ}54'09''$ East, 103.43 feet to a point;

15 North $82^{\circ}02'35''$ East, a distance of 128.31 feet to a point of
16 curvature;

17 With said curve to the left, having a radius of 200.00 feet,
18 an arc length of 29.95 feet, a central angle of $08^{\circ}34'47''$, and a
19 chord which bears North $77^{\circ}45'11''$ East, 29.92 feet to a point;

20 North $71^{\circ}53'11''$ East, a distance of 91.52 feet to a point of
21 curvature;

22 With said curve to the left, having a radius of 300.00 feet,
23 an arc length of 97.62 feet, a central angle of $18^{\circ}38'35''$, and a
24 chord which bears North $62^{\circ}33'53''$ East, 97.19 feet to a point;

25 North $52^{\circ}43'16''$ East, a distance of 75.08 feet to a point for
26 the northwest corner of a certain tract of land conveyed to White
27 Oak Equities, LLC, as recorded in File No. 20090587861,

1 O.P.R.R.P.H.C., TX. and the northeast corner of said D. M. Best
2 Company, Inc. tract and the herein described parcel;

3 9) THENCE, South 01°52'51" East, along the west line of said
4 White Oak Equities, LLC tract and the east line of said D. M. Best
5 Company, Inc. tract, at a distance of 188.13 feet to a 3/4-inch iron
6 rod with "Landtech" cap set for a reference corner, continuing at a
7 distance of 797.60 feet to a 3/4-inch iron pipe found for the
8 southwest corner of said White Oak Equities, LLC tract and the most
9 easterly northwest corner of said Springwoods Realty, Inc. tract,
10 continuing along the east line of said D. M. Best Company, Inc.
11 tract and the west line of said Springwoods Realty, Inc. tract, in
12 all a distance of 1514.20 feet to a 1/2-inch iron pipe found for an
13 ell corner of said Springwoods Realty, Inc. tract and the southeast
14 corner of said D. M. Best Company, Inc. tract and the herein
15 described parcel (from which another found 1/2-inch iron rod with
16 cap bears South 70°03' West, 3.8 feet);

17 10) THENCE, South 71°40'18" West, along the north line of
18 said Springwoods Realty, Inc. tract and the south line of said D. M.
19 Best Company, Inc. tract, a distance of 1361.79 feet to the POINT OF
20 BEGINNING and containing 48.315 acres (2,104,590 square feet) of
21 land.

22 Bearings are referenced to the 30 feet access easement being
23 South 71°40'18" West, as recorded in File No 20120202269,
24 O.P.R.R.P.H.C., TX.

25 TRACT 4

26 BEING 8.331 ACRES (362,877 SQUARE FEET) OF LAND SITUATED IN
27 THE JOHN JONES SURVEY, ABSTRACT NO. 481, HARRIS COUNTY, TEXAS; SAID

1 8.331 ACRES OF LAND BEING THE RESIDUE OF A CERTAIN TRACT OF LAND
2 CONVEYED TO WHITE OAK EQUITIES, LLC, AS RECORDED IN FILE NOS.
3 20090587861 AND 20110086533 OF THE OFFICIAL PUBLIC RECORDS OF REAL
4 PROPERTY OF HARRIS COUNTY, TEXAS (O.P.R.R.P.H.C., TX.); SAID 8.331
5 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS
6 AS FOLLOWS:

7 BEGINNING at a 5/8-inch iron rod with cap stamped "Rainwater"
8 found in the west line of a certain tract of land conveyed to KAPA
9 Spring 35 Series, LLC, as recorded in File No. 20140356975,
10 O.P.R.R.P.H.C., TX. for a corner of a certain tract of land conveyed
11 to Springwoods Realty, Inc., as recorded in File No. 20140581329,
12 O.P.R.R.P.H.C., TX. and the southeast corner of said White Oak
13 Equities, LLC tract and the herein described parcel (from which a
14 found 1/2-inch iron pipe bears South 22° East, 2.1 feet);

15 1) THENCE, South 87°57'48" West, along the north line of said
16 Springwoods Realty, Inc. tract and the south line of said White Oak
17 Equities, LLC tract, a distance of 320.48 feet to a 1/2-inch iron
18 pipe found for an ell corner of said Springwoods Realty, Inc. tract
19 and the most southerly southwest corner of said White Oak Equities,
20 LLC tract and the herein described parcel;

21 2) THENCE, North 01°49'06" West, along the east line of said
22 Springwoods Realty, Inc. tract and the west line of said White Oak
23 Equities, LLC tract, a distance of 715.66 feet to a 1/2-inch iron
24 pipe found for a corner of said Springwoods Realty, Inc. tract and
25 an ell corner of said White Oak Equities, LLC tract and the herein
26 described parcel;

27 3) THENCE, South 88°08'26" West, along the north line of said

1 Springwoods Realty, Inc. tract and the south line of said White Oak
2 Equities, LLC tract, a distance of 321.11 feet to a 3/4-inch iron
3 pipe found in the east line of a certain tract of land conveyed to D.
4 M. Best Company, Inc., as recorded in File No. 20090321484,
5 O.P.R.R.P.H.C., TX. for a corner of said Springwoods Realty, Inc.
6 tract and the most westerly southwest corner of said White Oak
7 Equities, LLC tract and the herein described parcel;

8 4) THENCE, North 01°52'51" West, along the east line of said
9 D. M. Best Company, Inc. tract and the west line of said White Oak
10 Equities, LLC tract, a distance of 189.73 feet to a 5/8-inch iron
11 rod with cap stamped "LJA" found for the southwest corner of a
12 certain tract of land conveyed to Harris County, Texas, as recorded
13 in File No. RP-2016-334636, O.P.R.R.P.H.C., TX. and the northwest
14 corner of the herein described parcel;

15 5) THENCE, North 84°39'01" East, along the south line of said
16 Harris County, Texas tract, a distance of 641.69 feet to a 3/8-inch
17 iron rod with cap stamped "Landtech" set in the west line of said
18 KAPA Spring 35 Series, LLC tract and in the east line of said White
19 Oak Equities, LLC tract for the northeast corner of the herein
20 described parcel (from which a found 5/8-inch iron rod with cap
21 stamped "LJA" bears North 86° East, 2.0 feet);

22 6) THENCE, South 01°53'56" East, along the west line of said
23 KAPA Spring 35 Series, LLC tract and the east line of said White Oak
24 Equities, LLC tract, a distance of 943.46 feet to the POINT OF
25 BEGINNING and containing 8.331 acres (362,877 square feet) of land.

26 Bearings are referenced to the 30 feet access easement being
27 South 88°08'26" West, as recorded in File No 20120202269,

1 O.P.R.R.P.H.C., TX.

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

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

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

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

20 SECTION 4. (a) If this Act does not receive a two-thirds
21 vote of all the members elected to each house, Subchapter C, Chapter
22 7927A, Special District Local Laws Code, as added by Section 1 of
23 this Act, is amended by adding Section 7927A.0306 to read as
24 follows:

25 Sec. 7927A.0306. NO EMINENT DOMAIN POWER. The district may
26 not exercise the power of eminent domain.

27 (b) This section is not intended to be an expression of a

1 legislative interpretation of the requirements of Section 17(c),
2 Article I, Texas Constitution.

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