

By: Metcalf

H.B. No. 5315

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 219; 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 7960A to read as follows:

CHAPTER 7960A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT

NO. 219

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7960A.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 Montgomery County Municipal Utility District No. 219.

Sec. 7960A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7960A.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

1 directors as provided by Section 49.102, Water Code.

2 Sec. 7960A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
3 temporary directors may not hold an election under Section
4 7960A.0103 until each municipality in whose corporate limits or
5 extraterritorial jurisdiction the district is located has
6 consented by ordinance or resolution to the creation of the
7 district and to the inclusion of land in the district.

8 Sec. 7960A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

17 Sec. 7960A.0106. INITIAL DISTRICT TERRITORY. (a) The
18 district is initially composed of the territory described by
19 Section 2 of the Act enacting this chapter.

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

24 (1) organization, existence, or validity;

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

1 (3) right to impose a tax; or

2 (4) legality or operation.

3 SUBCHAPTER B. BOARD OF DIRECTORS

4 Sec. 7960A.0201. GOVERNING BODY; TERMS. (a) The district
5 is governed by a board of five elected directors.

6 (b) Except as provided by Section 7960A.0202, directors
7 serve staggered four-year terms.

8 Sec. 7960A.0202. TEMPORARY DIRECTORS. (a) The temporary
9 board consists of:

10 (1) Kim Wood;

11 (2) Natalie Davis;

12 (3) Shannon Watson;

13 (4) Jeff Ebersole; and

14 (5) Kimberly Whitaker.

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

16 (1) the date permanent directors are elected under
17 Section 7960A.0103; or

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

20 (c) If permanent directors have not been elected under
21 Section 7960A.0103 and the terms of the temporary directors have
22 expired, successor temporary directors shall be appointed or
23 reappointed as provided by Subsection (d) to serve terms that
24 expire on the earlier of:

25 (1) the date permanent directors are elected under
26 Section 7960A.0103; or

27 (2) the fourth anniversary of the date of the

1 appointment or reappointment.

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

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 7960A.0301. GENERAL POWERS AND DUTIES. The district
11 has the powers and duties necessary to accomplish the purposes for
12 which the district is created.

13 Sec. 7960A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
14 DUTIES. The district has the powers and duties provided by the
15 general law of this state, including Chapters 49 and 54, Water Code,
16 applicable to municipal utility districts created under Section 59,
17 Article XVI, Texas Constitution.

18 Sec. 7960A.0303. AUTHORITY FOR ROAD PROJECTS. Under
19 Section 52, Article III, Texas Constitution, the district may
20 design, acquire, construct, finance, issue bonds for, improve,
21 operate, maintain, and convey to this state, a county, or a
22 municipality for operation and maintenance macadamized, graveled,
23 or paved roads, or improvements, including storm drainage, in aid
24 of those roads.

25 Sec. 7960A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
26 road project must meet all applicable construction standards,
27 zoning and subdivision requirements, and regulations of each

1 municipality in whose corporate limits or extraterritorial
2 jurisdiction the road project is located.

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

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

11 Sec. 7960A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
12 ORDINANCE OR RESOLUTION. The district shall comply with all
13 applicable requirements of any ordinance or resolution that is
14 adopted under Section 54.016 or 54.0165, Water Code, and that
15 consents to the creation of the district or to the inclusion of land
16 in the district.

17 Sec. 7960A.0306. DIVISION OF DISTRICT. (a) The district
18 may be divided into two or more new districts only if the district:

- 19 (1) has no outstanding bonded debt; and
20 (2) is not imposing ad valorem taxes.

21 (b) This chapter applies to any new district created by the
22 division of the district, and a new district has all the powers and
23 duties of the district.

24 (c) Any new district created by the division of the district
25 may not, at the time the new district is created, contain any land
26 outside the area described by Section 2 of the Act enacting this
27 chapter.

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

5 (e) The board may adopt an order dividing the district
6 before or after the date the board holds an election under Section
7 7960A.0103 to confirm the district's creation.

8 (f) An order dividing the district shall:

9 (1) name each new district;

10 (2) include the metes and bounds description of the
11 territory of each new district;

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

13 and

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

16 (g) On or before the 30th day after the date of adoption of
17 an order dividing the district, the district shall file the order
18 with the commission and record the order in the real property
19 records of each county in which the district is located.

20 (h) Any new district created by the division of the district
21 shall hold a confirmation and directors' election as required by
22 Section 7960A.0103. If the voters of a new district do not confirm
23 the creation of the new district, the assets, obligations,
24 territory, and governance of the new district revert to the
25 original district.

26 (i) If the creation of the new district is confirmed, the
27 new district shall provide the election date and results to the

1 commission.

2 (j) Municipal consent to the creation of the district and to
3 the inclusion of land in the district granted under Section
4 7960A.0104 acts as municipal consent to the creation of any new
5 district created by the division of the district and to the
6 inclusion of land in the new district.

7 (k) Any new district created by the division of the district
8 must hold an election as required by this chapter to obtain voter
9 approval before the district may impose a maintenance tax or issue
10 bonds payable wholly or partly from ad valorem taxes.

11 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

12 Sec. 7960A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
13 The district may issue, without an election, bonds and other
14 obligations secured by:

- 15 (1) revenue other than ad valorem taxes; or
16 (2) contract payments described by Section
17 7960A.0403.

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

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

26 Sec. 7960A.0402. OPERATION AND MAINTENANCE TAX. (a) If
27 authorized at an election held under Section 7960A.0401, the

1 district may impose an operation and maintenance tax on taxable
2 property in the district in accordance with Section 49.107, Water
3 Code.

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

6 Sec. 7960A.0403. CONTRACT TAXES. (a) In accordance with
7 Section 49.108, Water Code, the district may impose a tax other than
8 an operation and maintenance tax and use the revenue derived from
9 the tax to make payments under a contract after the provisions of
10 the contract have been approved by a majority of the district voters
11 voting at an election held for that purpose.

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

15 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

16 Sec. 7960A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
17 OBLIGATIONS. The district may issue bonds or other obligations
18 payable wholly or partly from ad valorem taxes, impact fees,
19 revenue, contract payments, grants, or other district money, or any
20 combination of those sources, to pay for any authorized district
21 purpose.

22 Sec. 7960A.0502. TAXES FOR BONDS. At the time the district
23 issues bonds payable wholly or partly from ad valorem taxes, the
24 board shall provide for the annual imposition of a continuing
25 direct ad valorem tax, without limit as to rate or amount, while all
26 or part of the bonds are outstanding as required and in the manner
27 provided by Sections 54.601 and 54.602, Water Code.

1 Sec. 7960A.0503. BONDS FOR ROAD PROJECTS. At the time of
2 issuance, the total principal amount of bonds or other obligations
3 issued or incurred to finance road projects and payable from ad
4 valorem taxes may not exceed one-fourth of the assessed value of the
5 real property in the district.

6 SECTION 2. The Montgomery County Municipal Utility District
7 No. 219 initially includes all the territory contained in the
8 following area:

9 Being 547.147 acres of land located in the Walker County
10 School Land Survey, Abstract Number 494 and the Michael H. Hinch
11 Survey, Abstract Number 253, Montgomery County, Texas, being all of
12 a certain called 547.147 acre tract described by deed in document
13 number 2022012353 Official Public Records of Montgomery County,
14 Texas (O.P.R.M.C.), said 547.147 acre tract being more particularly
15 described by metes and bounds as follows (all bearings referenced
16 to the Texas Coordinate Grid System of 1983, Central Zone:

17 BEGINNING at the intersection of the Northerly right-of-way
18 line of F.M. 2090 (variable width right-of-way), and the easterly
19 line of Jake Goodman Road, for the southwest corner of the herein
20 described tract, lying in the westerly line of said Walker County
21 School Land Survey, Abstract Number 494, also being the easterly
22 line of the Clark Beach Survey, Abstract Number 79, Montgomery
23 County, Texas;

24 Thence North 03° 12' 04" West, 75.78 feet, with and adjoining
25 said easterly line of Jake Goodman Road to the most southerly corner
26 of a certain 748.451 acre tract conveyed to Spring Branch 630 LTD as
27 recorded under County Clerks File Number 2021105902 of the

1 O.P.R.M.C.;

2 Thence with and adjoining the easterly line of said 748.451
3 acre tract, the following 15 courses and distances;

4 1. North 02° 56' 13" East, 113.49 feet to a point for corner;

5 2. North 00° 52' 40" West, 1,383.54 feet to a point for
6 corner;

7 3. North 01° 07' 18" West, 665.69 feet to a point for corner;

8 4. North 01° 37' 05" West, 198.54 feet to a point for corner;

9 5. North 03° 18' 31" West, 754.07 feet to a point for corner;

10 6. North 02° 31' 27" West, 406.41 feet to a point for corner;

11 7. North 02° 12' 54" West, 201.58 feet to a point for corner;

12 8. North 04° 57' 26" West, 143.51 feet to a point for corner;

13 9. North 06° 11' 50" West, 176.27 feet to a point for corner;

14 10. North 03° 14' 41" East, 60.48 feet to a point for corner;

15 11. North 07° 36' 04" West, 61.80 feet to a point for corner;

16 12. North 02° 24' 35" West, 376.04 feet to a point for
17 corner;

18 13. North 03° 04' 02" West, 1,033.04 feet to a point for
19 corner;

20 14. North 02° 45' 54" West, 1,080.63 feet to a point for
21 corner;

22 15. North 03° 58' 49" West, 547.45 feet to a point for corner
23 lying in the centerline of the West Fork of Spring Branch Creek;

24 Thence, along Spring Branch Creek the following Three Hundred
25 and Forty-Eight (348) courses and distances:

26 1. North 84° 39' 33" East, 145.03 feet to a point for corner;

27 2. South 00° 18' 36" East, 64.31 feet to a point for corner;

- 1 3. North 69° 08' 32" East, 145.74 feet to a point for corner;
- 2 4. South 14° 06' 02" East, 27.23 feet to a point for corner;
- 3 5. South 52° 38' 08" West, 69.06 feet to a point for corner;
- 4 6. South 42° 31' 32" East, 25.21 feet to a point for corner;
- 5 7. North 67° 39' 21" East, 32.29 feet to a point for corner;
- 6 8. South 80° 36' 03" East, 33.68 feet to a point for corner;
- 7 9. South 52° 25' 12" East, 71.11 feet to a point for corner;
- 8 10. North 59° 19' 08" East, 32.83 feet to a point for corner;
- 9 11. South 84° 05' 21" East, 21.18 feet to a point for corner;
- 10 12. South 51° 18' 38" East, 39.11 feet to a point for corner;
- 11 13. North 62° 22' 02" East, 77.77 feet to a point for corner;
- 12 14. North 25° 54' 10" West, 80.57 feet to a point for corner;
- 13 15. North 29° 49' 01" East, 18.84 feet to a point for corner;
- 14 16. South 71° 49' 51" East, 132.29 feet to a point for
15 corner;
- 16 17. South 09° 25' 25" East, 61.49 feet to a point for corner;
- 17 18. South 87° 19' 28" East, 28.98 feet to a point for corner;
- 18 19. North 08° 44' 46" East, 58.66 feet to a point for corner;
- 19 20. North 28° 24' 20" West, 68.23 feet to a point for corner;
- 20 21. North 26° 24' 49" East, 26.04 feet to a point for corner;
- 21 22. South 83° 24' 51" East, 86.66 feet to a point for corner;
- 22 23. South 49° 48' 59" East, 80.68 feet to a point for corner;
- 23 24. South 07° 19' 00" East, 111.64 feet to a point for
24 corner;
- 25 25. South 82° 08' 46" East, 38.28 feet to a point for corner;
- 26 26. North 50° 18' 35" East, 56.31 feet to a point for corner;
- 27 27. North 01° 23' 27" West, 75.32 feet to a point for corner;

- 1 28. North 25° 02' 10" East, 30.46 feet to a point for corner;
- 2 29. North 82° 04' 32" East, 35.24 feet to a point for corner;
- 3 30. South 34° 50' 48" East, 43.92 feet to a point for corner;
- 4 31. South 66° 42' 50" East, 92.71 feet to a point for corner;
- 5 32. North 31° 11' 01" East, 49.35 feet to a point for corner;
- 6 33. South 41° 23' 13" East, 177.82 feet to a point for
- 7 corner;
- 8 34. North 87° 25' 02" East, 158.36 feet to a point for
- 9 corner;
- 10 35. South 62° 47' 24" East, 25.22 feet to a point for corner;
- 11 36. South 14° 55' 31" East, 64.96 feet to a point for corner;
- 12 37. South 54° 02' 43" West, 31.24 feet to a point for corner;
- 13 38. South 28° 51' 04" West, 41.29 feet to a point for corner;
- 14 39. South 65° 02' 42" East, 24.29 feet to a point for corner;
- 15 40. North 61° 57' 16" East, 108.56 feet to a point for
- 16 corner;
- 17 41. North 39° 16' 50" East, 26.93 feet to a point for corner;
- 18 42. South 66° 06' 16" East, 17.42 feet to a point for corner;
- 19 43. South 30° 12' 49" East, 68.45 feet to a point for corner;
- 20 44. South 39° 12' 39" West, 74.67 feet to a point for corner;
- 21 45. South 81° 59' 48" West, 129.31 feet to a point for
- 22 corner;
- 23 46. South 16° 54' 52" East, 32.93 feet to a point for corner;
- 24 47. South 61° 44' 17" East, 71.77 feet to a point for corner;
- 25 48. South 39° 22' 36" East, 48.73 feet to a point for corner;
- 26 49. South 74° 04' 20" East, 21.15 feet to a point for corner;
- 27 50. North 41° 18' 14" East, 67.61 feet to a point for corner;

- 1 51. South 88° 37' 11" East, 36.32 feet to a point for corner;
- 2 52. South 35° 46' 28" East, 137.48 feet to a point for
- 3 corner;
- 4 53. South 71° 44' 47" West, 70.12 feet to a point for corner;
- 5 54. South 27° 50' 39" West, 55.56 feet to a point for corner;
- 6 55. South 74° 34' 26" East, 91.99 feet to a point for corner;
- 7 56. South 27° 46' 32" East, 46.36 feet to a point for corner;
- 8 57. South 21° 25' 30" West, 79.59 feet to a point for corner;
- 9 58. South 17° 40' 32" East, 38.96 feet to a point for corner;
- 10 59. South 33° 21' 28" East, 39.21 feet to a point for corner;
- 11 60. South 20° 18' 55" East, 25.03 feet to a point for corner;
- 12 61. North 86° 45' 37" East, 20.14 feet to a point for corner;
- 13 62. North 37° 06' 00" East, 123.03 feet to a point for
- 14 corner;
- 15 63. North 13° 48' 39" West, 69.99 feet to a point for corner;
- 16 64. South 63° 09' 19" East, 68.55 feet to a point for corner;
- 17 65. South 00° 54' 22" East, 105.03 feet to a point for
- 18 corner;
- 19 66. South 68° 05' 49" West, 36.49 feet to a point for corner;
- 20 67. South 32° 20' 06" West, 37.76 feet to a point for corner;
- 21 68. South 04° 02' 36" West, 43.65 feet to a point for corner;
- 22 69. North 78° 37' 43" East, 150.58 feet to a point for
- 23 corner;
- 24 70. North 25° 09' 55" East, 37.23 feet to a point for corner;
- 25 71. North 51° 00' 21" East, 93.28 feet to a point for corner;
- 26 72. South 39° 20' 24" East, 17.60 feet to a point for corner;
- 27 73. South 12° 21' 50" West, 81.55 feet to a point for corner;

- 1 74. South 33° 58' 54" East, 92.83 feet to a point for corner;
- 2 75. South 46° 12' 34" East, 70.48 feet to a point for corner;
- 3 76. South 08° 53' 40" East, 37.77 feet to a point for corner;
- 4 77. South 46° 29' 02" West, 46.99 feet to a point for corner;
- 5 78. South 09° 26' 08" East, 25.99 feet to a point for corner;
- 6 79. South 71° 52' 39" East, 53.31 feet to a point for corner;
- 7 80. South 50° 10' 03" East, 27.85 feet to a point for corner;
- 8 81. South 16° 04' 35" West, 59.18 feet to a point for corner;
- 9 82. South 81° 55' 57" East, 40.26 feet to a point for corner;
- 10 83. North 87° 56' 51" East, 36.19 feet to a point for corner;
- 11 84. South 56° 03' 00" East, 19.56 feet to a point for corner;
- 12 85. South 19° 23' 20" East, 20.72 feet to a point for corner;
- 13 86. South 52° 46' 33" West, 24.00 feet to a point for corner;
- 14 87. North 88° 03' 50" West, 117.65 feet to a point for
- 15 corner;
- 16 88. South 06° 02' 43" West, 26.48 feet to a point for corner;
- 17 89. South 38° 18' 41" East, 38.90 feet to a point for corner;
- 18 90. South 87° 33' 29" East, 137.90 feet to a point for
- 19 corner;
- 20 91. South 70° 26' 05" East, 18.43 feet to a point for corner;
- 21 92. South 36° 27' 22" East, 69.86 feet to a point for corner;
- 22 93. South 38° 17' 21" East, 12.55 feet to a point for corner;
- 23 94. South 25° 13' 21" East, 35.03 feet to a point for corner;
- 24 95. South 83° 01' 38" East, 59.80 feet to a point for corner;
- 25 96. South 50° 43' 41" East, 64.78 feet to a point for corner;
- 26 97. South 47° 54' 00" East, 71.59 feet to a point for corner;
- 27 98. North 00° 30' 48" East, 48.65 feet to a point for corner;

- 1 99. North 23° 52' 50" East, 17.38 feet to a point for corner;
- 2 100. North 61° 25' 55" East, 22.12 feet to a point for
- 3 corner;
- 4 101. South 69° 27' 12" East, 37.72 feet to a point for
- 5 corner;
- 6 102. North 74° 48' 05" East, 61.54 feet to a point for
- 7 corner;
- 8 103. South 05° 07' 17" East, 81.69 feet to a point for
- 9 corner;
- 10 104. South 41° 24' 19" East, 49.20 feet to a point for
- 11 corner;
- 12 105. South 04° 47' 36" West, 29.10 feet to a point for
- 13 corner;
- 14 106. South 46° 06' 44" West, 37.38 feet to a point for
- 15 corner;
- 16 107. South 11° 51' 28" West, 54.37 feet to a point for
- 17 corner;
- 18 108. South 48° 28' 26" East, 62.45 feet to a point for
- 19 corner;
- 20 109. South 23° 41' 51" West, 37.12 feet to a point for
- 21 corner;
- 22 110. South 19° 48' 54" East, 22.58 feet to a point for
- 23 corner;
- 24 111. South 60° 59' 05" East, 34.02 feet to a point for
- 25 corner;
- 26 112. South 45° 20' 14" East, 44.95 feet to a point for
- 27 corner;

- 1 113. South 72° 36' 30" East, 47.74 feet to a point for
2 corner;
- 3 114. North 87° 09' 36" East, 53.02 feet to a point for
4 corner;
- 5 115. North 64° 33' 09" East, 57.85 feet to a point for
6 corner;
- 7 116. South 38° 46' 23" East, 31.88 feet to a point for
8 corner;
- 9 117. South 07° 12' 34" East, 80.76 feet to a point for
10 corner;
- 11 118. South 08° 09' 39" West, 48.73 feet to a point for
12 corner;
- 13 119. South 78° 05' 59" West, 48.36 feet to a point for
14 corner;
- 15 120. South 05° 08' 28" East, 46.22 feet to a point for
16 corner;
- 17 121. South 02° 51' 31" West, 47.22 feet to a point for
18 corner;
- 19 122. South 55° 52' 24" East, 38.70 feet to a point for
20 corner;
- 21 123. North 68° 04' 53" East, 55.62 feet to a point for
22 corner;
- 23 124. North 43° 53' 44" East, 49.67 feet to a point for
24 corner;
- 25 125. North 80° 12' 20" East, 129.28 feet to a point for
26 corner;
- 27 126. South 74° 41' 12" East, 197.33 feet to a point for

- 1 corner;
2 127. South 53° 15' 23" East, 39.25 feet to a point for
3 corner;
4 128. South 21° 42' 49" East, 40.22 feet to a point for
5 corner;
6 129. South 61° 16' 45" East, 70.50 feet to a point for
7 corner;
8 130. South 28° 06' 59" East, 53.32 feet to a point for
9 corner;
10 131. North 82° 20' 39" East, 38.88 feet to a point for
11 corner;
12 132. North 88° 08' 34" East, 154.86 feet to a point for
13 corner;
14 133. South 13° 06' 30" East, 34.00 feet to a point for
15 corner;
16 134. South 40° 05' 46" East, 86.95 feet to a point for
17 corner;
18 135. South 81° 07' 51" East, 39.64 feet to a point for
19 corner;
20 136. North 26° 48' 00" West, 20.08 feet to a point for
21 corner;
22 137. North 14° 06' 42" West, 25.98 feet to a point for
23 corner;
24 138. North 28° 10' 28" West, 52.07 feet to a point for
25 corner;
26 139. North 19° 38' 02" East, 53.94 feet to a point for
27 corner;

- 1 140. North 83° 26' 27" East, 31.61 feet to a point for
2 corner;
- 3 141. North 39° 34' 22" East, 40.02 feet to a point for
4 corner;
- 5 142. South 62° 56' 23" East, 20.08 feet to a point for
6 corner;
- 7 143. South 07° 27' 27" East, 72.55 feet to a point for
8 corner;
- 9 144. South 48° 58' 14" East, 45.58 feet to a point for
10 corner;
- 11 145. South 81° 23' 42" East, 45.05 feet to a point for
12 corner;
- 13 146. North 36° 34' 41" East, 17.24 feet to a point for
14 corner;
- 15 147. North 07° 08' 01" East, 80.40 feet to a point for
16 corner;
- 17 148. North 67° 38' 02" East, 27.28 feet to a point for
18 corner;
- 19 149. South 43° 18' 09" East, 86.60 feet to a point for
20 corner;
- 21 150. North 86° 26' 02" East, 37.36 feet to a point for
22 corner;
- 23 151. North 29° 08' 18" East, 62.30 feet to a point for
24 corner;
- 25 152. North 30° 26' 12" West, 16.23 feet to a point for
26 corner;
- 27 153. North 83° 11' 06" West, 59.57 feet to a point for

- 1 corner;
2 154. North 08° 56' 34" West, 22.72 feet to a point for
3 corner;
4 155. North 68° 26' 53" East, 59.09 feet to a point for
5 corner;
6 156. South 67° 45' 20" East, 22.64 feet to a point for
7 corner;
8 157. South 22° 46' 43" East, 26.61 feet to a point for
9 corner;
10 158. South 47° 20' 29" East, 24.80 feet to a point for
11 corner;
12 159. North 21° 30' 58" East, 51.08 feet to a point for
13 corner;
14 160. North 71° 18' 28" East, 60.89 feet to a point for
15 corner;
16 161. North 48° 57' 06" East, 52.62 feet to a point for
17 corner;
18 162. South 84° 00' 50" East, 19.91 feet to a point for
19 corner;
20 163. South 39° 44' 50" East, 45.08 feet to a point for
21 corner;
22 164. South 03° 40' 30" West, 53.11 feet to a point for
23 corner;
24 165. South 39° 21' 20" East, 19.95 feet to a point for
25 corner;
26 166. North 71° 41' 48" East, 40.88 feet to a point for
27 corner;

- 1 167. North 34° 06' 56" East, 53.25 feet to a point for
2 corner;
- 3 168. South 71° 18' 51" East, 23.98 feet to a point for
4 corner;
- 5 169. South 00° 02' 07" East, 69.79 feet to a point for
6 corner;
- 7 170. South 44° 33' 17" East, 19.57 feet to a point for
8 corner;
- 9 171. North 58° 38' 07" East, 29.11 feet to a point for
10 corner;
- 11 172. North 18° 09' 33" East, 56.36 feet to a point for
12 corner;
- 13 173. North 09° 45' 12" West, 73.95 feet to a point for
14 corner;
- 15 174. North 45° 11' 39" East, 31.28 feet to a point for
16 corner;
- 17 175. South 54° 19' 32" East, 93.30 feet to a point for
18 corner;
- 19 176. North 58° 13' 40" East, 45.02 feet to a point for
20 corner;
- 21 177. North 06° 35' 07" East, 40.18 feet to a point for
22 corner;
- 23 178. North 25° 22' 53" West, 32.74 feet to a point for
24 corner;
- 25 179. North 53° 20' 38" East, 35.58 feet to a point for
26 corner;
- 27 180. North 13° 31' 31" East, 40.85 feet to a point for

- 1 corner;
2 181. South 07° 09' 04" East, 56.75 feet to a point for
3 corner;
4 182. South 73° 34' 16" East, 60.79 feet to a point for
5 corner;
6 183. South 55° 48' 31" East, 99.68 feet to a point for
7 corner;
8 184. South 02° 44' 42" East, 26.56 feet to a point for
9 corner;
10 185. South 74° 54' 09" West, 62.95 feet to a point for
11 corner;
12 186. South 14° 18' 42" West, 27.39 feet to a point for
13 corner;
14 187. South 10° 38' 09" East, 76.93 feet to a point for
15 corner;
16 188. South 42° 54' 59" East, 141.96 feet to a point for
17 corner;
18 189. North 85° 47' 49" East, 78.41 feet to a point for
19 corner;
20 190. South 14° 51' 03" East, 43.30 feet to a point for
21 corner;
22 191. South 22° 58' 55" West, 76.87 feet to a point for
23 corner;
24 192. South 36° 18' 43" West, 66.47 feet to a point for
25 corner;
26 193. South 23° 25' 07" East, 35.34 feet to a point for
27 corner;

- 1 194. South 56° 43' 19" East, 74.02 feet to a point for
2 corner;
- 3 195. South 77° 47' 25" East, 76.52 feet to a point for
4 corner;
- 5 196. South 50° 56' 57" East, 25.84 feet to a point for
6 corner;
- 7 197. South 01° 16' 38" West, 39.97 feet to a point for
8 corner;
- 9 198. South 36° 20' 59" West, 65.09 feet to a point for
10 corner;
- 11 199. South 03° 05' 55" West, 113.86 feet to a point for
12 corner;
- 13 200. South 09° 01' 37" East, 77.01 feet to a point for
14 corner;
- 15 201. South 09° 53' 40" West, 118.96 feet to a point for
16 corner;
- 17 202. South 55° 42' 27" West, 75.00 feet to a point for
18 corner;
- 19 203. South 12° 53' 38" West, 175.25 feet to a point for
20 corner;
- 21 204. South 67° 17' 50" West, 76.02 feet to a point for
22 corner;
- 23 205. South 01° 54' 55" West, 72.74 feet to a point for
24 corner;
- 25 206. South 21° 47' 47" West, 50.63 feet to a point for
26 corner;
- 27 207. South 30° 34' 07" West, 69.93 feet to a point for

- 1 corner;
2 208. South 01° 56' 11" East, 81.41 feet to a point for
3 corner;
4 209. South 26° 22' 42" West, 34.57 feet to a point for
5 corner;
6 210. South 67° 05' 51" West, 48.34 feet to a point for
7 corner;
8 211. South 43° 05' 05" West, 88.84 feet to a point for
9 corner;
10 212. South 06° 12' 06" West, 32.76 feet to a point for
11 corner;
12 213. South 53° 52' 09" West, 35.31 feet to a point for
13 corner;
14 214. South 35° 27' 25" West, 93.16 feet to a point for
15 corner;
16 215. South 69° 02' 41" West, 26.32 feet to a point for
17 corner;
18 216. South 34° 55' 54" West, 62.47 feet to a point for
19 corner;
20 217. South 59° 30' 54" West, 34.80 feet to a point for
21 corner;
22 218. South 31° 35' 36" West, 54.99 feet to a point for
23 corner;
24 219. South 80° 38' 53" West, 17.59 feet to a point for
25 corner;
26 220. North 51° 17' 05" West, 58.54 feet to a point for
27 corner;

- 1 221. South 85° 12' 03" West, 41.54 feet to a point for
2 corner;
- 3 222. South 24° 59' 59" West, 91.00 feet to a point for
4 corner;
- 5 223. South 14° 46' 54" East, 72.19 feet to a point for
6 corner;
- 7 224. South 47° 49' 37" East, 17.58 feet to a point for
8 corner;
- 9 225. North 82° 33' 42" East, 18.98 feet to a point for
10 corner;
- 11 226. North 62° 05' 32" East, 49.47 feet to a point for
12 corner;
- 13 227. South 32° 37' 24" East, 21.13 feet to a point for
14 corner;
- 15 228. South 07° 10' 45" East, 68.85 feet to a point for
16 corner;
- 17 229. South 02° 25' 39" West, 25.29 feet to a point for
18 corner;
- 19 230. North 79° 02' 40" West, 66.16 feet to a point for
20 corner;
- 21 231. South 59° 02' 13" West, 28.47 feet to a point for
22 corner;
- 23 232. South 23° 47' 48" West, 31.28 feet to a point for
24 corner;
- 25 233. South 06° 18' 03" East, 34.66 feet to a point for
26 corner;
- 27 234. South 48° 52' 43" West, 70.17 feet to a point for

- 1 corner;
- 2 235. South 18° 07' 53" West, 25.89 feet to a point for
- 3 corner;
- 4 236. South 29° 37' 25" East, 16.81 feet to a point for
- 5 corner;
- 6 237. South 09° 35' 03" West, 18.94 feet to a point for
- 7 corner;
- 8 238. South 59° 28' 11" West, 41.78 feet to a point for
- 9 corner;
- 10 239. North 66° 25' 04" West, 53.16 feet to a point for
- 11 corner;
- 12 240. South 69° 43' 44" West, 29.88 feet to a point for
- 13 corner;
- 14 241. South 16° 40' 35" West, 18.93 feet to a point for
- 15 corner;
- 16 242. South 46° 16' 51" East, 103.13 feet to a point for
- 17 corner;
- 18 243. South 28° 15' 53" West, 34.48 feet to a point for
- 19 corner;
- 20 244. South 30° 08' 49" East, 38.27 feet to a point for
- 21 corner;
- 22 245. South 54° 36' 23" West, 36.18 feet to a point for
- 23 corner;
- 24 246. North 87° 15' 40" West, 40.81 feet to a point for
- 25 corner;
- 26 247. South 43° 10' 16" West, 36.27 feet to a point for
- 27 corner;

- 1 248. South 01° 27' 54" West, 63.63 feet to a point for
2 corner;
- 3 249. South 22° 42' 55" East, 112.45 feet to a point for
4 corner;
- 5 250. North 83° 08' 57" West, 61.61 feet to a point for
6 corner;
- 7 251. South 55° 46' 35" West, 22.40 feet to a point for
8 corner;
- 9 252. South 19° 08' 34" East, 62.65 feet to a point for
10 corner;
- 11 253. South 34° 22' 11" West, 45.42 feet to a point for
12 corner;
- 13 254. South 22° 58' 01" East, 64.31 feet to a point for
14 corner;
- 15 255. South 79° 27' 25" West, 57.59 feet to a point for
16 corner;
- 17 256. South 36° 43' 17" West, 32.32 feet to a point for
18 corner;
- 19 257. South 74° 52' 42" West, 42.12 feet to a point for
20 corner;
- 21 258. South 27° 50' 45" West, 34.61 feet to a point for
22 corner;
- 23 259. South 31° 19' 18" East, 49.54 feet to a point for
24 corner;
- 25 260. South 06° 12' 13" West, 33.42 feet to a point for
26 corner;
- 27 261. South 60° 17' 32" West, 61.93 feet to a point for

- 1 corner;
2 262. South 39° 44' 32" West, 121.22 feet to a point for
3 corner;
4 263. South 83° 16' 38" West, 28.02 feet to a point for
5 corner;
6 264. South 58° 26' 10" West, 28.83 feet to a point for
7 corner;
8 265. South 08° 13' 32" East, 30.85 feet to a point for
9 corner;
10 266. South 34° 30' 19" East, 48.11 feet to a point for
11 corner;
12 267. South 68° 00' 38" West, 76.73 feet to a point for
13 corner;
14 268. South 28° 09' 54" East, 54.38 feet to a point for
15 corner;
16 269. South 34° 01' 05" West, 18.94 feet to a point for
17 corner;
18 270. South 84° 54' 15" West, 30.85 feet to a point for
19 corner;
20 271. South 11° 15' 51" East, 46.88 feet to a point for
21 corner;
22 272. South 87° 31' 48" West, 25.80 feet to a point for
23 corner;
24 273. North 79° 40' 58" West, 23.21 feet to a point for
25 corner;
26 274. South 24° 43' 54" West, 14.68 feet to a point for
27 corner;

- 1 275. South 18° 45' 47" East, 93.00 feet to a point for
2 corner;
- 3 276. South 71° 08' 09" West, 25.29 feet to a point for
4 corner;
- 5 277. North 77° 46' 11" West, 33.88 feet to a point for
6 corner;
- 7 278. South 80° 11' 57" West, 38.23 feet to a point for
8 corner;
- 9 279. North 00° 36' 07" East, 47.79 feet to a point for
10 corner;
- 11 280. North 32° 38' 19" West, 26.35 feet to a point for
12 corner;
- 13 281. South 47° 30' 41" West, 25.30 feet to a point for
14 corner;
- 15 282. South 02° 17' 21" West, 94.71 feet to a point for
16 corner;
- 17 283. South 20° 38' 43" West, 73.61 feet to a point for
18 corner;
- 19 284. North 74° 41' 52" West, 14.28 feet to a point for
20 corner;
- 21 285. South 37° 35' 50" West, 27.33 feet to a point for
22 corner;
- 23 286. South 39° 04' 52" East, 31.93 feet to a point for
24 corner;
- 25 287. South 18° 15' 18" West, 18.63 feet to a point for
26 corner;
- 27 288. North 60° 28' 54" West, 30.92 feet to a point for

- 1 corner;
- 2 289. North 46° 52' 21" West, 30.19 feet to a point for
- 3 corner;
- 4 290. South 84° 54' 43" West, 30.43 feet to a point for
- 5 corner;
- 6 291. South 27° 52' 15" West, 24.75 feet to a point for
- 7 corner;
- 8 292. South 42° 24' 24" West, 8.11 feet to a point for corner;
- 9 293. South 06° 34' 16" West, 143.30 feet to a point for
- 10 corner;
- 11 294. South 04° 01' 21" East, 37.45 feet to a point for
- 12 corner;
- 13 295. South 41° 41' 59" West, 41.33 feet to a point for
- 14 corner;
- 15 296. South 08° 41' 16" West, 87.67 feet to a point for
- 16 corner;
- 17 297. North 89° 20' 42" East, 18.46 feet to a point for
- 18 corner;
- 19 298. North 37° 05' 49" East, 15.91 feet to a point for
- 20 corner;
- 21 299. South 80° 41' 32" East, 59.15 feet to a point for
- 22 corner;
- 23 300. South 20° 27' 10" East, 17.03 feet to a point for
- 24 corner;
- 25 301. South 39° 59' 03" West, 43.56 feet to a point for
- 26 corner;
- 27 302. South 25° 25' 48" East, 17.02 feet to a point for

- 1 corner;
2 303. North 68° 44' 47" East, 12.02 feet to a point for
3 corner;
4 304. South 46° 48' 40" East, 27.43 feet to a point for
5 corner;
6 305. South 64° 52' 17" West, 32.97 feet to a point for
7 corner;
8 306. South 28° 57' 12" West, 48.82 feet to a point for
9 corner;
10 307. South 16° 43' 49" East, 21.92 feet to a point for
11 corner;
12 308. South 52° 41' 44" West, 51.99 feet to a point for
13 corner;
14 309. North 08° 31' 54" West, 46.17 feet to a point for
15 corner;
16 310. South 72° 07' 52" West, 28.23 feet to a point for
17 corner;
18 311. South 01° 47' 25" East, 34.99 feet to a point for
19 corner;
20 312. South 14° 38' 49" East, 44.21 feet to a point for
21 corner;
22 313. South 36° 01' 18" East, 78.59 feet to a point for
23 corner;
24 314. South 04° 39' 33" West, 31.06 feet to a point for
25 corner;
26 315. South 29° 07' 48" East, 44.33 feet to a point for
27 corner;

- 1 316. South 40° 54' 36" West, 61.46 feet to a point for
2 corner;
- 3 317. South 24° 21' 02" West, 78.32 feet to a point for
4 corner;
- 5 318. South 29° 57' 15" East, 47.19 feet to a point for
6 corner;
- 7 319. North 71° 20' 15" East, 50.64 feet to a point for
8 corner;
- 9 320. South 42° 17' 13" East, 24.19 feet to a point for
10 corner;
- 11 321. South 21° 52' 21" West, 49.78 feet to a point for
12 corner;
- 13 322. South 89° 27' 24" West, 89.75 feet to a point for
14 corner;
- 15 323. South 42° 24' 07" West, 21.50 feet to a point for
16 corner;
- 17 324. South 16° 33' 12" East, 150.40 feet to a point for
18 corner;
- 19 325. North 78° 49' 48" West, 64.29 feet to a point for
20 corner.
- 21 326. North 58° 59' 03" West, 42.43 feet to a point for
22 corner;
- 23 327. South 23° 09' 10" West, 114.96 feet to a point for
24 corner;
- 25 328. South 24° 35' 10" East, 41.72 feet to a point for
26 corner;
- 27 329. South 74° 47' 21" East, 33.23 feet to a point for

- 1 corner;
2 330. South 27° 19' 09" East, 105.62 feet to a point for
3 corner;
4 331. South 32° 34' 11" West, 75.88 feet to a point for
5 corner;
6 332. South 06° 42' 20" East, 33.01 feet to a point for
7 corner;
8 333. South 75° 32' 01" East, 35.47 feet to a point for
9 corner;
10 334. North 40° 27' 24" East, 105.97 feet to a point for
11 corner;
12 335. South 56° 26' 22" East, 26.27 feet to a point for
13 corner;
14 336. South 05° 57' 05" West, 72.29 feet to a point for
15 corner;
16 337. South 12° 19' 55" East, 38.97 feet to a point for
17 corner;
18 338. South 35° 59' 47" West, 36.09 feet to a point for
19 corner;
20 339. North 60° 35' 48" West, 53.40 feet to a point for
21 corner;
22 340. South 09° 32' 00" West, 34.94 feet to a point for
23 corner;
24 341. South 41° 30' 30" East, 75.96 feet to a point for
25 corner;
26 342. North 57° 03' 06" East, 43.87 feet to a point for
27 corner;

1 343. South 27° 46' 00" East, 70.84 feet to a point for
2 corner;

3 344. South 49° 10' 04" East, 119.49 feet to a point for
4 corner;

5 345. South 13° 51' 19" East, 35.83 feet to a point for
6 corner;

7 346. South 50° 09' 16" East, 33.56 feet to a point for
8 corner;

9 347. South 78° 44' 37" East, 32.15 feet to a point for
10 corner;

11 348. South 21° 12' 23" East, 11.73 feet to a point for corner
12 in the north right-of-way line of F.M. 2090 (width varies)
13 described in Volume 214, Page 237, Volume 685, Page 123 and Volume
14 309, Page 575 of the Montgomery County Deed Records (M.C.D.R.);

15 Thence, along the north right-of-way line of said F.M. 2090
16 the following seven (7) courses and distances:

17 1. South 69° 22' 24" West, 174.58 feet to a point for corner;

18 2. South 61° 36' 43" West, 225.56 feet to a point for corner;

19 3. 672.43 feet along the arc of a non-tangent curve to the
20 right, having a radius of 2,846.48 feet, a central angle of 13° 32'
21 06", and a chord which bears South 77° 13' 53" West, with a chord
22 length of 670.87 feet to a point for corner;

23 4. South 81° 47' 39" West, 187.79 feet to a point for corner;

24 5. South 84° 52' 16" West, 256.08 feet to a point for corner;

25 6. 880.84 feet along the arc of a non-tangent curve to the
26 right, having a radius of 2,814.79 feet, a central angle of 17° 55'
27 47", and a chord which bears North 86° 05' 51" West, with a chord

1 length of 877.25 feet to a point for corner;

2 7. North 77° 19' 09" West, 894.91 feet to the POINT OF
3 BEGINNING, and containing 547.147 Acres (23,833,736 Square Feet) of
4 land.

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

12 (b) The governor, one of the required recipients, has
13 submitted the notice and Act to the Texas Commission on
14 Environmental Quality.

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

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

23 SECTION 4. (a) If this Act does not receive a two-thirds
24 vote of all the members elected to each house, Subchapter C, Chapter
25 7960A, Special District Local Laws Code, as added by Section 1 of
26 this Act, is amended by adding Section 7960A.0307 to read as
27 follows:

1 Sec. 7960A.0307. NO EMINENT DOMAIN POWER. The district may
2 not exercise the power of eminent domain.

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

6 SECTION 5. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2023.