

By: Metcalf

H.B. No. 5324

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 216; 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 7958A to read as follows:

CHAPTER 7958A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT

NO. 216

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7958A.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. 216.

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

Sec. 7958A.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. 7958A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
3 temporary directors may not hold an election under Section
4 7958A.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 as required by
8 applicable law.

9 Sec. 7958A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

18 Sec. 7958A.0106. INITIAL DISTRICT TERRITORY. (a) The
19 district is initially composed of the territory described by
20 Section 2 of the Act enacting this chapter.

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

25 (1) organization, existence, or validity;

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

1 interest on a bond;

2 (3) right to impose a tax; or

3 (4) legality or operation.

4 SUBCHAPTER B. BOARD OF DIRECTORS

5 Sec. 7958A.0201. GOVERNING BODY; TERMS. (a) The district
6 is governed by a board of five elected directors.

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

9 Sec. 7958A.0202. TEMPORARY DIRECTORS. (a) On or after
10 January 1, 2024, the owner or owners of a majority of the assessed
11 value of the real property in the district may submit a petition to
12 the commission requesting that the commission appoint as temporary
13 directors the five persons named in the petition. The commission
14 shall appoint as temporary directors the five persons named in the
15 petition.

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

17 (1) the date permanent directors are elected under
18 Section 7958A.0103; or

19 (2) January 1, 2028.

20 (c) If permanent directors have not been elected under
21 Section 7958A.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 7958A.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. 7958A.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. 7958A.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. 7958A.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. 7958A.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. 7958A.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 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

18 Sec. 7958A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
19 The district may issue, without an election, bonds and other
20 obligations secured by:

- 21 (1) revenue other than ad valorem taxes; or
22 (2) contract payments described by Section
23 7958A.0403.

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

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

5 Sec. 7958A.0402. OPERATION AND MAINTENANCE TAX. (a) If
6 authorized at an election held under Section 7958A.0401, the
7 district may impose an operation and maintenance tax on taxable
8 property in the district in accordance with Section 49.107, Water
9 Code.

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

12 Sec. 7958A.0403. CONTRACT TAXES. (a) In accordance with
13 Section 49.108, Water Code, the district may impose a tax other than
14 an operation and maintenance tax and use the revenue derived from
15 the tax to make payments under a contract after the provisions of
16 the contract have been approved by a majority of the district voters
17 voting at an election held for that purpose.

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

21 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

22 Sec. 7958A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
23 OBLIGATIONS. The district may issue bonds or other obligations
24 payable wholly or partly from ad valorem taxes, impact fees,
25 revenue, contract payments, grants, or other district money, or any
26 combination of those sources, to pay for any authorized district
27 purpose.

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

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

12 SECTION 2. The Montgomery County Municipal Utility District
13 No. 216 initially includes all the territory contained in the
14 following area:

15 TRACT 1: 401.4 Acres

16 A 401.4 ACRE TRACT OF LAND IN THE JAMES EDWARDS SURVEYS,
17 ABSTRACT NO. 189, 190, AND IN THE ROBERT MARSH SURVEY ABSTRACT NO.
18 355, MONTGOMERY COUNTY, TEXAS, BEING OUT OF AND A PART OF A CALLED
19 47.932 ACRE TRACT (TRACT ONE), ALL OF A CALLED 65.153 ACRE TRACT
20 (TRACT TWO), AND OUT OF AND A PART OF A CALLED 410.539 ACRE TRACT
21 (TRACT FOUR), ALL CONVEYED TO CONROE VENTURE, LTD. AND RECORDED
22 UNDER MONTGOMERY COUNTY CLERK'S FILE (M.C.C.F.) NO. 9149317, THE
23 SAID 401.4 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES
24 AND BOUNDS AS FOLLOWS, (WITH BEARINGS BASED ON TEXAS STATE PLANE
25 COORDINATE SYSTEM OF 1983, CENTRAL ZONE, AS DETERMINED BY GPS
26 MEASUREMENTS):

27 BEGINNING at a 3/4 inch iron pipe found marking the most

1 northerly corner of a called 55.369 acre tract (TREND tract 2),
2 conveyed to Trendmaker Homes, Inc. as recorded under M.C.C.F. NO.
3 2019104424, and an angle in the southerly line of said TRACT FOUR,
4 and the herein described tract;

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

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

1 corner of said TRACT TWO, and the herein described tract;

2 THENCE, departing the northerly line of said 210.3078 acre
3 tract, and along the westerly line of said TRACT TWO, common with
4 the easterly line of said 10.45 acre tract the following six (6)
5 courses and distances;

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

8 North 00°53'08" East, along said high bank, a distance of
9 69.28 feet, to an angle in the said common line;

10 North 22°13'01" East, along said high bank, a distance of
11 59.71 feet, to an angle in the said common line;

12 North 56°36'03" East, along said high bank, a distance of
13 117.87 feet, to an angle in the said common line;

14 North 23°27'25" East, along said high bank, a distance of
15 191.76 feet, to an angle in the said common line;

16 North 27°00'38" West, along said high bank, a distance of
17 50.96 feet, to the southwest corner of a called 87.22 acre tract
18 conveyed to San Jacinto River Authority, as recorded under VOL.
19 563, PG. 219 M.C.D.R., and the northwest corner of said TRACT TWO
20 and the herein described tract;

21 THENCE, North 58°48'27" East, along the southerly line of said
22 87.22 acre tract, common with the northerly line of said TRACT TWO,
23 and said TRACT FOUR, passing at a distance of 1,573.75 feet, a
24 1-inch iron pipe (bent) found marking the common northerly corner
25 of said TRACT TWO and TRACT FOUR, continuing a total distance of
26 3,242.65 feet, to a 2-inch iron pipe found marking the southeast
27 corner of said 87.22 acre tract, the southwest corner of a called

1 43.796 acre tract conveyed to San Jacinto River Authority as
2 recorded under M.C.C.F. NO. 2009114038, and a northerly corner of
3 said TRACT FOUR, and the herein described tract;

4 THENCE, South 76°41'28" East, along the south line of said
5 43.796 acre tract, and a called 4.321 acre tract conveyed to Aqua
6 Texas, Inc. as recorded under M.C.C.F. NO. 2013074043, common with
7 the north line of said TRACT FOUR, passing at a distance 1,274.47
8 feet, a 5-8-inch iron rod found marking the southwest corner of said
9 4.321 acre tract, continuing a total distance of 1,664.37 feet, to a
10 1-inch iron rod (bent) found marking the southeast corner of said
11 4.321 acre tract, and an interior corner of said TRACT FOUR, and the
12 herein described tract;

13 THENCE, North 12°48'52" East, along the westerly line of said
14 TRACT FOUR, common with the easterly line of said 4.321 acre tract,
15 and said 43.796 acre tract, passing at a distance of 400.00 feet,
16 the northeast corner of said 4.321 acre tract, from which a 5/8-inch
17 iron rod with cap stamped "S&V Surveying" found bears, South 60°06'
18 West, 0.2 feet, continuing a total distance of 767.77 feet, to a
19 1/2-inch iron rod found marking the most westerly southwest corner
20 of the south Right-Of-Way (R.O.W.) line of Pine Valley Drive (based
21 on a variable width) as dedicated under Cabinet (CAB.) Z, Sheet
22 (SHT.) 4404 of the Montgomery County Map Records (M.C.M.R.), and a
23 northerly corner of the herein described tract;

24 THENCE, departing said common line, and along the southerly
25 R.O.W. line of said Pine Valley Drive, and over and across said
26 TRACT FOUR, and said TRACT ONE, the following eleven (11) courses
27 and distances:

1 South 76°37'29" East, a distance of 583.23 feet, to a 5/8-inch
2 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking the
3 beginning of a curve to the left;

4 In a northeasterly direction, along said curve to the left,
5 having a radius of 991.00 feet, a central angle of 60°39'48" (chord
6 bears North 73°02'38" East, 1,000.92 feet) and an arc distance of
7 1049.25 feet, to a 5/8-inch iron rod with cap stamped "E.H.R.A.
8 713-784-4500" set marking the point of tangency;

9 North 42°42'44" East, a distance of 209.59 feet, to a 5/8-inch
10 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking an
11 exterior corner of the herein described tract;

12 South 47°17'16" East, a distance of 13.87 feet, to a 5/8-inch
13 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking an
14 exterior corner of the herein described tract, and the beginning of
15 a non-tangent curve to the right;

16 In a northeasterly direction, along said curve to the right,
17 having a radius of 746.00 feet, a central angle of 26°37'47" (chord
18 bears, North 58°47'35" East, 343.61 feet) and an arc distance of
19 346.72 feet, to the point of tangency, from which a 5/8-inch iron
20 rod found bears, South 79 12' East, 0.6 feet;

21 North 72°06'29" East, a distance of 52.46 feet, to a 5/8-inch
22 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking the
23 beginning of a curve to the right;

24 In an easterly direction, along said curve to the right,
25 having a radius of 946.00 feet, a central angle of 28°03'11" (chord
26 bears, North 86°08'05" East, 458.57 feet) and an arc distance of
27 463.18 feet, to a 5/8-inch iron rod with cap stamped "E.H.R.A.

1 713-784-4500" set marking the point of tangency;

2 South 79°50'20" East, a distance of 1,282.23 feet, to a
3 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set
4 marking the beginning of a curve to the right;

5 In a southeasterly direction, along said curve to the right,
6 having a radius of 1,146.00 feet, a central angle of 38°55'52"
7 (chord bears, South 60°22'24" East, 763.79 feet) and an arc distance
8 of 778.68 feet, to the point of tangency, from which a 5/8-inch iron
9 rod with cap stamped "Jeff Moon RPLS 4639" found bears, South 76
10 43', 0.7 feet;

11 South 40°54'28" East, a distance of 298.45 feet, to a 5/8-inch
12 iron rod with cap stamped "E.H.R.A. 713-784-4500" set marking the
13 beginning of a curve to the left;

14 In a southwesterly direction, along said curve to the left,
15 having a radius of 1,254.00 feet, a central angle of 26°56'38"
16 (chord bears, South 54°22'42" east, 584.29 feet) and an arc distance
17 of 589.71 feet, to a 1/2-inch iron rod found marking the northwest
18 corner of a called 20.00 acre tract conveyed to Board of Trustees of
19 the Willis Independent School District, as recorded under M.C.C.F.
20 NO. 2019109575, the northwest corner of Restricted Reserve "A" of
21 Willis ISD Elementary No. 6, map or plat thereof recorded under
22 Cabinet Z, Sheet 6802, M.C.M.R., and the northeast corner of the
23 herein described tract;

24 THENCE, South 22°12'21" West, departing the southerly R.O.W.
25 line of said Pine Valley Drive, and along the westerly line of said
26 20.00 acre tract and said Reserve "A", a distance of 550.24 feet to
27 a 5/8-inch iron rod found marking an exterior corner of said 20.00

1 acre tract and an interior corner of the herein describe tract;

2 THENCE, South 18°27'27" East, continuing along said westerly
3 line, a distance of 504.76 feet, to a 5/8-inch iron rod with cap
4 stamped "WEST BELT SURVEYING INC" found marking the southwest
5 corner of said 20.00 acre tract and said Reserve "A", and in the
6 south line of said TRACT FOUR, and in the north line of a called
7 7.4806 acre tract conveyed to William Lewis Pattillo III, ET UX. as
8 recorded under M.C.C.F. NO. 2005137433, and marking the southeast
9 corner of the herein described tract;

10 THENCE, South 71°32'33" West, along the south line of said
11 TRACT FOUR, common with the northerly line of said 7.4806 acre
12 tract, and a called 7.0047 acre tract conveyed to Darrel Caldwell,
13 ET UX., passing at a distance of 369.97 feet, a 1/2-inch iron rod
14 found marking the common north corner of said 7.4806 acre tract and
15 said 7.0047 acre tract, continuing a total distance of 423.29 feet,
16 to an angle in the said common line, from which a found 1/2-inch
17 iron pipe bears, South 64 39' 0.2 feet;

18 THENCE, North 77°47'56" West, along the southerly line of said
19 TRACT FOUR, common with the northerly lines of said 7.0047 acre
20 tract, a called 8.005 acre tract conveyed to Michelle and Gregory
21 Mills as recorded under M.C.C.F. NO. 2021020741, Reserve "A", of
22 Replat of Willowridge Estates section One, as recorded under CAB.
23 D, SHT. 74 M.C.M.R., a called 5.98 acre tract conveyed to Diane and
24 Daniel Erb as recorded under M.C.C.F NO. 2021021750, and said TREND
25 tract 2, passing at a distance of 336.33 feet, a 1/2-inch iron rod
26 found marking the common north corner of said 7.0047 acre tract and
27 said 8.000 acre tract, continuing a total distance of 2,221.10

1 feet, to the POINT OF BEGINNING and containing 401.4 acres of land.

2 TRACT 2: 76.55 Acres

3 A 76.55 ACRE TRACT OF LAND IN THE JAMES EDWARDS SURVEY,
4 ABSTRACT NO. 190, MONTGOMERY COUNTY, TEXAS, BEING OUT OF AND A PART
5 OF A CALLED 47.932 ACRE TRACT (TRACT ONE), AND OUT OF AND A PART OF A
6 CALLED 410.539 ACRE TRACT (TRACT FOUR), BOTH CONVEYED TO CONROE
7 VENTURE, LTD. AND RECORDED UNDER MONTGOMERY COUNTY CLERK'S FILE
8 (M.C.C.F.) NO. 9149317, THE SAID 76.55 ACRE TRACT BEING MORE
9 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (WITH
10 BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM OF 1983,
11 CENTRAL ZONE, AS DETERMINED BY GPS MEASUREMENTS):

12 BEGINNING at a 5/8-inch iron rod with cap stamped "E.H.R.A.
13 713-784-4500" set in the northerly Right-Of-Way (R.O.W.) line of
14 Pine Valley Drive (based on a variable width) dedicated under
15 Cabinet (CAB.) Z, Sheet (SHT.) 4404 of the Montgomery County Map
16 Records (M.C.M.R.), and in the southeasterly line of a called
17 43.796 acre tract conveyed to San Jacinto River Authority as
18 recorded under Montgomery County Clerk's File Number (M.C.C.F. NO.)
19 2009114038, common with the northwesterly line of said TRACT FOUR
20 marking the most westerly southwest corner of the herein described
21 tract;

22 THENCE, North 12°48'52" East, departing the northerly R.O.W.
23 line of said Pine Valley Drive, and along said common line, passing
24 at a distance of 1,035.12 feet, a 5/8-inch iron rod with cap stamped
25 "S&V Surveying" found marking the northeast corner of said 43.796
26 acre tract, and the southeast corner of Restricted Reserve "E",
27 Villas at White Oak Ranch, Section 1, map or plat thereof recorded

1 under CAB. Z, SHT. 4853 M.C.M.R., continuing a total distance of
2 1,135.27 feet, to a 1-inch iron rod found marking an interior corner
3 of said Restricted Reserve "E", and the northwest corner of said
4 TRACT FOUR, and the herein described tract;

5 THENCE, North 79°02'55" East, along the northerly line of said
6 TRACT FOUR, common with the southerly lines of said Villas at White
7 Oak Ranch, Section 1, Restricted Reserve "C", White Oak Ranch
8 Section 1, map or plat thereof recorded under CAB. Q, SHT. 74
9 M.C.M.R., Villas at White Oak Ranch, Section 2, map or plat thereof
10 recorded under CAB. Z, SHT. 6099 M.C.M.R., and a called 0.608 acre
11 tract conveyed to Aquasource Development Company, as recorded under
12 M.C.C.F. NO. 2001060128, passing at 18.40 feet a 1/2-inch iron rod
13 with cap stamped "TPS 100834-00" found marking the common south
14 corner between said Reserve "E", and Lot 28, Block 1 of said Villas
15 at White Oak Ranch Section 1, passing at a distance of 1,528.75
16 feet, a 5/8-inch iron rod found marking the common southerly corner
17 of said 0.608 acre tract, and Reserve "D", of said Villas at White
18 Oak Ranch, Section 2, continuing a total distance of 1,711.69 feet,
19 to the west line of Reserve "C", of said Villas at White Oak Ranch,
20 Section 2, marking the southeast corner of said 0.608 acre tract and
21 the most northerly corner of said TRACT FOUR, from which a nail
22 found bears, South 09°59' West, 0.9 feet;

23 THENCE, South 09°58'31" West, along the west line of said
24 Reserve "C", and a called 31.430 acre tract conveyed to John R.
25 Collett as recorded under M.C.C.F. NO. 2020139248, common with the
26 east line of said TRACT FOUR, a distance of 778.74 feet, to a
27 1/2-inch iron rod with cap stamped "TPS 1000-834-00" found marking

1 the southwest corner of said 31.430 acre tract, and an interior
2 corner of said TRACT FOUR, and the herein described tract;

3 THENCE, South 79°46'17" East, along the southerly line of said
4 31.430 acre tract, a distance of 1,357.92 feet, to a 5/8-inch iron
5 rod with cap stamped "E.H.R.A. 713-784-4500" set marking the
6 southeast corner of said 31.430 acre tract, common with the
7 southwest corner of Lot 1, Stovall West, map or plat thereof
8 recorded under CAB. Z, SHT. 3834 M.C.M.R., from which a found
9 1/2-inch iron rod bears North 12°41' East, 1.2 feet;

10 THENCE, South 79°56'30" East, along the southerly line of said
11 Stovall West subdivision, and White Oak Manor, map of plat thereof
12 recorded under CAB. A, SHT. 23 M.C.M.R., passing at a distance of
13 519.57 feet, a 1/2-inch iron rod found marking the common southerly
14 corners of Stovall West section 1, and White Oak Manor, passing at a
15 distance of 764.77 feet, a 1/2-inch iron pipe (bent) found marking
16 the common southerly corner of Lot 9 and 10, White Oak Manor,
17 continuing a total distance of 2,058.31 feet, to a 5/8-inch iron rod
18 with cap stamped "E.H.R.A. 713-784-4500" set in the south line of
19 Lot 14, White Oak Manor, marking the northwest corner of a called
20 6.045 acre tract conveyed to Stephen Scott Spiller as recorded
21 under M.C.C.F. NO. 2009086905, and a northerly corner of said TRACT
22 ONE, and the herein described tract;

23 THENCE, South 0°13'07" East, departing the southerly line of
24 said White Oak Manor, and along the easterly line of said TRACT ONE,
25 common with the westerly lines of said 6.045 acre tract, and a
26 called 4.058 acre tract conveyed to Bonnie Jean Laramore as
27 recorded under M.C.C.F. NO. 2018085525, a distance of 662.85 feet,

1 to a 5/8-inch iron rod found marking the southwest corner of said
2 4.058 acre tract, and an interior corner of said TRACT ONE, and the
3 herein describe tract;

4 THENCE, North 69°14'55" East, along the southerly line of said
5 4.058 acre tract common with the north line of said TRACT ONE, a
6 distance of 552.90 feet, to a 5/8-inch iron rod with cap stamped
7 "E.H.R.A. 713-784-4500" set marking an angle in the said common
8 line;

9 THENCE, North 24°15'41" West, along said common line, a
10 distance of 126.31 feet to a 5/8-inch iron rod with cap stamped
11 "E.H.R.A. 713-784-4500" set marking an angle in the said common
12 line;

13 THENCE, North 65°29'42" East, along said common line a
14 distance of 581.14 feet, to a 1/2-inch iron rod with cap stamped
15 "Jeff Moon RPLS 4639" found in the southwesterly R.O.W. line of
16 Longmire Road (based on a variable width) marking the northwest
17 corner of a called 0.150 acre public street easement granted to the
18 city of Conroe as recorded under M.C.C.F. NO. 2012011632, and the
19 most easterly southeast corner of said 4.058 acre tract, and the
20 most easterly northeast corner of said TRACT ONE, and the herein
21 described tract;

22 THENCE, South 30°28'33" East, along the west line of said
23 0.150 acre public street easement, a distance of 341.77 feet, to a
24 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set
25 marking the southwest corner of said called 0.150 acre public
26 street easement, and the northwest corner of a called 0.578 acre
27 public street easement granted to city of Conroe as recorded under

1 M.C.C.F. NO. 2012011630, and an angle in the westerly R.O.W. line of
2 said Longmire Road;

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

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

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

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

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

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

27 In a northwesterly direction, along said curve to the left,

1 having a radius of 1,244.00 feet, a central angle of 38°55'52"
2 (chord bears, North 60°22'24" West, 829.10 feet) and an arc distance
3 of 845.27 feet, to a 5/8-inch iron rod (bent) found marking the
4 point of tangency;

5 North 79°50'20" West, a distance of 1,282.23 feet, to a
6 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set
7 marking the beginning of a curve to the left;

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

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

16 In a southwesterly direction, along said curve to the left,
17 having a radius of 844.00 feet, a central angle of 28°18'34" (chord
18 bears, South 57°57'12" West, 412.79 feet) and an arc distance of
19 417.01 feet, to a 5/8-inch iron rod with cap stamped "Jeff Moon RPLS
20 4639" found marking the end of said curve;

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

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

27 In a southwesterly direction, along said curve to the right,

1 having a radius of 931.00 feet, a central angle of 60°39'48" (chord
2 bears, South 73°02'37" West, 940.32 feet) and an arc distance of
3 985.72 feet, to a 5/8-inch iron rod with cap stamped "Jeff Moon RPLS
4 4639" found marking the point of tangency;

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

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

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

13 TRACT 3: 16.40 Acres

14 A 16.40 ACRE TRACT OF LAND IN THE JAMES EDWARDS SURVEY,
15 ABSTRACT NO. 190, MONTGOMERY COUNTY, TEXAS, BEING ALL OF A CALLED
16 7.5 ACRE TRACT (TRACT THREE) AND OUT OF AND A PART OF A CALLED
17 410.539 ACRE TRACT (TRACT FOUR), BOTH CONVEYED TO CONROE VENTURE,
18 LTD. AND RECORDED UNDER MONTGOMERY COUNTY CLERK'S FILE (M.C.C.F.)
19 NO. 9149317, THE SAID 16.40 ACRE TRACT BEING MORE PARTICULARLY
20 DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (WITH BEARINGS BASED ON
21 TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL ZONE, AS
22 DETERMINED BY GPS MEASUREMENTS):

23 BEGINNING at a 1/2-inch iron rod found in the southwesterly
24 Right-Of-Way (R.O.W.) line of Longmire Road (base on a variable
25 width) marking the southwest corner of a called 0.283 acre Public
26 Street Easement granted to City of Conroe as recorded under
27 M.C.C.F. NO. 2012011629, and the northeast corner of Lot 1, Block 1,

1 of Smith Place on Longmire Section 1, map or plat thereof recorded
2 under Cabinet (CAB.) Z, Sheet (SHT.) 4635 Montgomery County Map
3 Records (M.C.M.R.), and the southeast corner of said TRACT THREE
4 and the herein described tract;

5 THENCE, South 71°38'45" West, departing the southwesterly
6 R.O.W. line of said Longmire road, along the south line of said
7 TRACT THREE, common with the north line of said Lot 1, Block 1, a
8 distance of 774.14 feet, to the northeast line of a called 3.979
9 acre tract conveyed to Charles P. Peters III, ET UX. as recorded
10 under M.C.C.F. NO. 9143598, marking the northwest corner of said
11 Lot 1, Block 1, and the southwest corner of said TRACT THREE, and
12 the herein described tract, from which a found 1/2-inch iron rod
13 bears, South 30°26' East, 0.3 feet;

14 THENCE, North 18°17'47" West, along the northeasterly line of
15 said 3.979 acre tract, common with the southwest line of said TRACT
16 THREE, a distance of 433.40 feet, to a 1/2-inch iron rod found in
17 the southerly line of said TRACT FOUR, marking the northeast corner
18 of said 3.979 acre tract, the southeast corner of a called 20.00
19 acre tract conveyed to Board of Trustees of the Willis Independent
20 School District as recorded under M.C.C.F. NO. 2019109575, and the
21 northwest corner of said 7.5 acre tract, and an angle in the west
22 line of the herein described tract;

23 THENCE, North 18°30'26" West, along the east line of said
24 20.00 acre tract, and the west line of the herein described tract, a
25 distance of 621.17 feet, to a 5/8-inch iron rod with cap stamped
26 "E.H.R.A. 713-784-4500", set in the southerly R.O.W. line of Pine
27 Valley Drive (based on a variable width) as dedicated in CAB. Z,

1 SHT. 4404 M.C.M.R., marking the northeast corner of said 20.00 acre
2 tract, and the northwest corner of the herein described tract, and
3 the beginning of a non-tangent curve to the left;

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

10 THENCE, North 59°14'37" East, continuing along the southerly
11 R.O.W. line of said Pine Valley Drive, a distance of 289.20 feet, to
12 a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set
13 marking the beginning of a curve to the right;

14 THENCE, in a southeasterly direction, continuing along said
15 southerly R.O.W. line, along said curve to the right, having a
16 radius of 25.00 feet, a central angle of 92°04'20" (chord bears,
17 South 76°41'06" East, 35.99 feet) and an arc distance of 40.17, to
18 the southwesterly line of a called 0.578 acre public street
19 easement granted to city of Conroe as recorded under M.C.C.F. NO.
20 2012011630 and the southwesterly R.O.W. line of said Longmire Road,
21 and the northeast corner of the herein described tract, from which a
22 found 5/8-inch iron rod with cap stamped "Jeff Moon RPLS 4639"
23 bears, South 39°53' West, 1.5 feet;

24 THENCE, South 29°44'08" East, along the southwesterly R.O.W.
25 line of said Longmire Road, and said 0.578 acre tract, a distance of
26 389.61 feet, to a 5/8-inch iron rod with cap stamped "E.H.R.A.
27 713-784-4500" set marking an angle in said 0.578 acre tract and the

1 R.O.W. line of Longmire Road;

2 THENCE, South 31°06'09" East, continuing along the
3 southwesterly R.O.W. line of said Longmire Road, a distance of
4 762.81 feet, to the POINT OF BEGINNING and containing 16.40 acres of
5 land.

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

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

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

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

24 SECTION 4. (a) If this Act does not receive a two-thirds
25 vote of all the members elected to each house, Subchapter C, Chapter
26 7958A, Special District Local Laws Code, as added by Section 1 of
27 this Act, is amended by adding Section 7958A.0306 to read as

1 follows:

2 Sec. 7958A.0306. NO EMINENT DOMAIN POWER. The district may
3 not exercise the power of eminent domain.

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

7 SECTION 5. This Act takes effect January 1, 2024.