

By: Thompson of Brazoria

H.B. No. 5403

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Manvel Sports Facilities District;
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 C, Title 4, Special District Local Laws
Code, is amended by adding Chapter 4004 to read as follows:

CHAPTER 4004. MANVEL SPORTS FACILITIES DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 4004.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Manvel.

(3) "County" means Brazoria County.

(4) "Director" means a board member.

(5) "District" means the Manvel Sports Facilities
District.

Sec. 4004.0102. NATURE OF DISTRICT. The Manvel Sports
Facilities District is a special district created under Section 59,
Article XVI, Texas Constitution.

Sec. 4004.0103. PURPOSE; DECLARATION OF INTENT. (a) The
creation of the district is essential to accomplish the purposes of
Sections 52 and 52-a, Article III, and Section 59, Article XVI,
Texas Constitution, and other public purposes stated in this
chapter.

1 (b) By creating the district and in authorizing the county,
2 the city, and other political subdivisions to contract with the
3 district, the legislature has established a program to accomplish
4 the public purposes set out in Section 52-a, Article III, Texas
5 Constitution.

6 (c) The creation of the district is necessary to promote,
7 develop, encourage, and maintain employment, commerce,
8 transportation, housing, tourism, recreation, the arts,
9 entertainment, economic development, safety, and the public
10 welfare in the district.

11 (d) This chapter and the creation of the district may not be
12 interpreted to relieve the county or the city from providing the
13 level of services provided as of the effective date of the Act
14 enacting this chapter to the area in the district. The district is
15 created to supplement and not to supplant county or city services
16 provided in the district.

17 Sec. 4004.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

18 (a) All land and other property included in the district will
19 benefit from the improvements and services to be provided by the
20 district under powers conferred by Sections 52 and 52-a, Article
21 III, and Section 59, Article XVI, Texas Constitution, and other
22 powers granted under this chapter.

23 (b) The district is created to serve a public use and
24 benefit.

25 (c) The creation of the district is in the public interest
26 and is essential to further the public purposes of:

27 (1) developing and diversifying the economy of the

1 state;

2 (2) eliminating unemployment and underemployment; and

3 (3) developing or expanding transportation and
4 commerce.

5 (d) The district will:

6 (1) promote the health, safety, and general welfare of
7 residents, employers, potential employees, employees, visitors,
8 and consumers in the district, and of the public;

9 (2) provide needed funding for the district to
10 preserve, maintain, and enhance the economic health and vitality of
11 the district territory as a community and business center;

12 (3) promote the health, safety, welfare, and enjoyment
13 of the public by providing pedestrian ways and by landscaping and
14 developing certain areas in the district, which are necessary for
15 the restoration, preservation, and enhancement of scenic beauty;
16 and

17 (4) provide for water, wastewater, drainage, road, and
18 recreational facilities for the district.

19 (e) Pedestrian ways along or across a street, whether at
20 grade or above or below the surface, and street lighting, street
21 landscaping, parking, and street art objects are parts of and
22 necessary components of a street and are considered to be a street
23 or road improvement.

24 (f) The district will not act as the agent or
25 instrumentality of any private interest even though the district
26 will benefit many private interests as well as the public.

27 Sec. 4004.0105. INITIAL DISTRICT TERRITORY. (a) The

1 district is initially composed of the territory described by
2 Section 2 of the Act enacting this chapter.

3 (b) The boundaries and field notes contained in Section 2 of
4 the Act enacting this chapter form a closure. A mistake in the
5 field notes or in copying the field notes in the legislative process
6 does not affect the district's:

7 (1) organization, existence, or validity;

8 (2) right to issue any type of bonds for the purposes
9 for which the district is created or to pay the principal of and
10 interest on the bonds;

11 (3) right to impose or collect an assessment or tax; or

12 (4) legality or operation.

13 Sec. 4004.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

14 All or any part of the area of the district is eligible to be
15 included in:

16 (1) a tax increment reinvestment zone created under
17 Chapter 311, Tax Code; or

18 (2) a tax abatement reinvestment zone created under
19 Chapter 312, Tax Code.

20 Sec. 4004.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
21 DISTRICTS LAW. Except as otherwise provided by this chapter,
22 Chapter 375, Local Government Code, applies to the district.

23 Sec. 4004.0108. CONSTRUCTION OF CHAPTER. This chapter
24 shall be liberally construed in conformity with the findings and
25 purposes stated in this chapter.

26 SUBCHAPTER B. BOARD OF DIRECTORS

27 Sec. 4004.0201. GOVERNING BODY; TERMS. (a) The district

1 is governed by a board of five voting directors who serve staggered
2 terms of four years, with two or three directors' terms expiring
3 June 1 of each odd-numbered year.

4 (b) The board by resolution may change the number of voting
5 directors on the board only if the board determines that the change
6 is in the best interest of the district. The board may not consist
7 of fewer than five or more than nine voting directors.

8 Sec. 4004.0202. APPOINTMENT OF VOTING DIRECTORS ON INCREASE
9 IN BOARD SIZE. If the board increases the number of directors under
10 Section 4004.0201, the board shall appoint qualified persons to
11 fill the new director positions and shall provide for staggering
12 the terms of the directors serving in the new positions.

13 Sec. 4004.0203. APPOINTMENT OF VOTING DIRECTORS. The mayor
14 and members of the governing body of the city shall appoint voting
15 directors from persons recommended by the board. A person is
16 appointed if a majority of the members of the governing body,
17 including the mayor, vote to appoint that person.

18 Sec. 4004.0204. NONVOTING DIRECTORS. The board may appoint
19 nonvoting directors to serve at the pleasure of the voting
20 directors.

21 Sec. 4004.0205. QUORUM. For purposes of determining the
22 requirements for a quorum of the board, the following are not
23 counted:

24 (1) a board position vacant for any reason, including
25 death, resignation, or disqualification;

26 (2) a director who is abstaining from participation in
27 a vote because of a conflict of interest; or

1 (3) a nonvoting director.

2 Sec. 4004.0206. COMPENSATION. A director is entitled to
3 receive fees of office and reimbursement for actual expenses as
4 provided by Section 49.060, Water Code. Sections 375.069 and
5 375.070, Local Government Code, do not apply to the board.

6 Sec. 4004.0207. INITIAL VOTING DIRECTORS. (a) The initial
7 board consists of:

<u>Pos. No.</u>	<u>Name of Director:</u>
9 <u>1</u>	<u>Debra Davison</u>
10 <u>2</u>	<u>Derek Hehn</u>
11 <u>3</u>	<u>Robina Spruill</u>
12 <u>4</u>	<u>Nicole Mitchell</u>
13 <u>5</u>	<u>Karen Kinlaw</u>

14 (b) Of the initial directors, the terms of directors
15 appointed for positions one through three expire June 1, 2025, and
16 the terms of directors appointed for positions four and five expire
17 June 1, 2027.

18 (c) Section 4004.0203 does not apply to this section.

19 SUBCHAPTER C. POWERS AND DUTIES

20 Sec. 4004.0301. GENERAL POWERS AND DUTIES. The district
21 has the powers and duties necessary to accomplish the purposes for
22 which the district is created.

23 Sec. 4004.0302. IMPROVEMENT PROJECTS AND SERVICES. (a)
24 The district, using any money available to the district for the
25 purpose, may provide, design, construct, acquire, improve,
26 relocate, operate, maintain, or finance an improvement project or
27 service authorized under this chapter or Chapter 375, Local

1 Government Code.

2 (b) The district may contract with a governmental or private
3 entity to carry out an action under Subsection (a).

4 (c) The implementation of a district project or service is a
5 governmental function or service for the purposes of Chapter 791,
6 Government Code.

7 Sec. 4004.0303. LAW ENFORCEMENT SERVICES. To protect the
8 public interest, the district may contract with a qualified party,
9 including the county or the city, to provide law enforcement
10 services in the district for a fee.

11 Sec. 4004.0304. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
12 The district may join and pay dues to a charitable or nonprofit
13 organization that performs a service or provides an activity
14 consistent with the furtherance of a district purpose.

15 Sec. 4004.0305. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
16 district may engage in activities that accomplish the economic
17 development purposes of the district.

18 (b) The district may establish and provide for the
19 administration of one or more programs to promote state or local
20 economic development and to stimulate business and commercial
21 activity in the district, including programs to:

22 (1) make loans and grants of public money; and

23 (2) provide district personnel and services.

24 (c) The district may create economic development programs
25 and exercise the economic development powers provided to
26 municipalities by:

27 (1) Chapter 380, Local Government Code; and

1 (2) Subchapter A, Chapter 1509, Government Code.

2 Sec. 4004.0306. PARKING FACILITIES. (a) The district may
3 acquire, lease as lessor or lessee, construct, develop, own,
4 operate, and maintain parking facilities or a system of parking
5 facilities, including lots, garages, parking terminals, or other
6 structures or accommodations for parking motor vehicles off the
7 streets and related appurtenances.

8 (b) The district's parking facilities serve the public
9 purposes of the district and are owned, used, and held for a public
10 purpose even if leased or operated by a private entity for a term of
11 years.

12 (c) The district's parking facilities are parts of and
13 necessary components of a street and are considered to be a street
14 or road improvement.

15 (d) The development and operation of the district's parking
16 facilities may be considered an economic development program.

17 Sec. 4004.0307. ADDING OR EXCLUDING LAND. The district may
18 add or exclude land in the manner provided by Subchapter J, Chapter
19 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

20 Sec. 4004.0308. DISBURSEMENTS AND TRANSFERS OF MONEY. The
21 board by resolution shall establish the number of directors'
22 signatures and the procedure required for a disbursement or
23 transfer of district money.

24 Sec. 4004.0309. NO EMINENT DOMAIN POWER. The district may
25 not exercise the power of eminent domain.

26 SUBCHAPTER D. ASSESSMENTS

27 Sec. 4004.0401. PETITION REQUIRED FOR FINANCING SERVICES

1 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
2 service or improvement project with assessments under this chapter
3 unless a written petition requesting that service or improvement
4 has been filed with the board.

5 (b) A petition filed under Subsection (a) must be signed by
6 the owners of a majority of the assessed value of real property in
7 the district subject to assessment according to the most recent
8 certified tax appraisal roll for the county.

9 Sec. 4004.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
10 The board by resolution may impose and collect an assessment for any
11 purpose authorized by this chapter in all or any part of the
12 district.

13 (b) An assessment, a reassessment, or an assessment
14 resulting from an addition to or correction of the assessment roll
15 by the district, penalties and interest on an assessment or
16 reassessment, an expense of collection, and reasonable attorney's
17 fees incurred by the district:

18 (1) are a first and prior lien against the property
19 assessed;

20 (2) are superior to any other lien or claim other than
21 a lien or claim for county, school district, or municipal ad valorem
22 taxes; and

23 (3) are the personal liability of and a charge against
24 the owners of the property even if the owners are not named in the
25 assessment proceedings.

26 (c) The lien is effective from the date of the board's
27 resolution imposing the assessment until the date the assessment is

1 paid. The board may enforce the lien in the same manner that the
2 board may enforce an ad valorem tax lien against real property.

3 (d) The board may make a correction to or deletion from the
4 assessment roll that does not increase the amount of assessment of
5 any parcel of land without providing notice and holding a hearing in
6 the manner required for additional assessments.

7 SUBCHAPTER E. TAXES AND BONDS

8 Sec. 4004.0501. TAX ELECTION REQUIRED. (a) The district
9 must hold an election in the manner provided by Chapter 49, Water
10 Code, or, if applicable, Chapter 375, Local Government Code, to
11 obtain voter approval before the district may impose an ad valorem
12 tax.

13 (b) Section 375.243, Local Government Code, does not apply
14 to the district.

15 Sec. 4004.0502. OPERATION AND MAINTENANCE TAX. (a) If
16 authorized by a majority of the district voters voting at an
17 election under Section 4004.0501, the district may impose an
18 operation and maintenance tax on taxable property in the district
19 in the manner provided by Section 49.107, Water Code, for any
20 district purpose, including to:

21 (1) maintain and operate the district;

22 (2) construct or acquire improvements; or

23 (3) provide a service.

24 (b) The board shall determine the operation and maintenance
25 tax rate. The rate may not exceed the rate approved at the
26 election.

27 Sec. 4004.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE

1 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
2 terms determined by the board.

3 (b) The district may issue bonds, notes, or other
4 obligations payable wholly or partly from ad valorem taxes,
5 assessments, impact fees, revenue, contract payments, grants, or
6 other district money, or any combination of those sources of money,
7 to pay for any authorized district purpose.

8 (c) The limitation on the outstanding principal amount of
9 bonds, notes, or other obligations provided by Section 49.4645,
10 Water Code, does not apply to the district.

11 Sec. 4004.0504. BONDS SECURED BY REVENUE OR CONTRACT
12 PAYMENTS. The district may issue, without an election, bonds
13 secured by:

14 (1) revenue other than ad valorem taxes, including
15 contract revenues; or

16 (2) contract payments, provided that the requirements
17 of Section 49.108, Water Code, have been met.

18 Sec. 4004.0505. BONDS SECURED BY AD VALOREM TAXES;
19 ELECTIONS. (a) If authorized at an election under Section
20 4004.0501, the district may issue bonds payable from ad valorem
21 taxes.

22 (b) At the time the district issues bonds payable wholly or
23 partly from ad valorem taxes, the board shall provide for the annual
24 imposition of a continuing direct annual ad valorem tax, without
25 limit as to rate or amount, for each year that all or part of the
26 bonds are outstanding as required and in the manner provided by
27 Sections 54.601 and 54.602, Water Code.

1 (c) All or any part of any facilities or improvements that
2 may be acquired by a district by the issuance of its bonds may be
3 submitted as a single proposition or as several propositions to be
4 voted on at the election.

5 Sec. 4004.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The
6 board may not issue bonds until each municipality in whose
7 corporate limits or extraterritorial jurisdiction the district is
8 located has consented by ordinance or resolution to the creation of
9 the district and to the inclusion of land in the district.

10 (b) This section applies only to the district's first
11 issuance of bonds payable from ad valorem taxes.

12 SUBCHAPTER I. DISSOLUTION

13 Sec. 4004.0901. DISSOLUTION. (a) The board shall dissolve
14 the district on written petition filed with the board by the owners
15 of at least two-thirds of the assessed value of the property subject
16 to assessment or taxation by the district based on the most recent
17 certified county property tax rolls.

18 (b) The board by majority vote may dissolve the district at
19 any time.

20 (c) The district may not be dissolved by its board under
21 Subsection (a) or (b) if the district:

22 (1) has any outstanding bonded indebtedness until that
23 bonded indebtedness has been repaid or defeased in accordance with
24 the order or resolution authorizing the issuance of the bonds;

25 (2) has a contractual obligation to pay money until
26 that obligation has been fully paid in accordance with the
27 contract; or

1 (3) owns, operates, or maintains public works,
2 facilities, or improvements unless the district contracts with
3 another person for the ownership, operation, or maintenance of the
4 public works, facilities, or improvements.

5 (d) Sections 375.261, 375.262, and 375.264, Local
6 Government Code, do not apply to the district.

7 SECTION 2. The Manvel Sports Facilities District initially
8 includes all territory contained in the following area:

9 The following approximately 159.636-acre tract of land
10 situated in Brazoria County, Texas:

11 A 149.639 acre (6,518,259 square feet) tract being all of
12 Lots 1, 3, 4, 9, 10, 11, 12, 17, 18, 19, 20, 25, 26, 27 and 28 of the
13 Allison-Richey Gulf Coast Home Company Suburban Gardens
14 Subdivision of Section 73, H.T. & B. Railroad Company Survey,
15 Abstract 301, according to the map or plat thereof, recorded in
16 Volume 2, Page 91 and 92, of the Plat Records of Brazoria County,
17 Texas (B.C.P.R.) and being all of that certain tract conveyed to
18 Westbank Bayou, LP (called 9.99 acres), recorded in Brazoria County
19 Clerk's File Number (B.C.C.F. No.) 2008004368, and being all that
20 certain tract conveyed to 10929 Brazoria Inc. (called 34.90 acres),
21 recorded in B.C.C.F. No. 2005033429, and being all that certain
22 tract conveyed to Eastbank Bayou, LP (called 19.950 acres),
23 recorded in B.C.C.F. No. 2007022032, and being a part of that
24 certain tract conveyed to Four Forty-Three Ltd. (called 433.09
25 acres), recorded in Volume 1048, Page 760, deed records of Brazoria
26 County, Texas (B.C.D.R.), with said 6,518,259 square foot tract of
27 land being more particularly described by metes and bounds as

1 follows:

2 COMMENCING at a 1/2 inch iron rod found at the Northeast
3 corner of said Section 73 and an interior corner of the H.T. & B.
4 Railroad Company Survey, Section 74, Abstract 493, recorded in
5 Volume 2, Page 66, B.C.P.R.) and being at the centerline
6 intersection of 60 foot Pollard Drive (as occupied) (Platted as 40
7 feet - Volume 2, Page 91 and 92, B.C.P.R.) and 60 foot Del Bello
8 Boulevard (as occupied)(Platted as 50 feet - Volume 2, Page 66,
9 B.C.P.R.), marking the northeast corner of the Michael D. Roland
10 and Marcy D. Roland tract (called 5.46 acres), recorded in B.C.C.F.
11 No. 2004072423 and 2007030104, the northwest corner of the Michael
12 C. Black tract (called 4.00 acres), recorded in B.C.C.F.
13 No. 96-015514 and the Northeast corner of said Section 73;

14 THENCE S 86°50'29" W, along and with the common line of
15 Section 73 and 74 and centerline of said 40 foot platted road, at
16 658.00 feet pass a point marking the southwest corner of Lot 1 of
17 said Section 74 and the southeast corner of said Division "O", from
18 which a 5/8 inch iron rod bears, S 38°48'33" W, 3.08 feet, continuing
19 along and with the common line of Section 73 and Division "O" and
20 centerline of said 40 foot platted road, a total distance of 2633.86
21 feet (called 2640.00 feet) to a 5/8 inch iron rod with cap stamped
22 "FMS" set in the north line of Section 73, the north line of a 60
23 foot American Canal Company Easement, recorded in Volume 638, Page
24 127, B.C.D.R., the south line of the Mary V O'Donnell Survey,
25 Division "O", Abstract 469, recorded in Volume 2, Page 91 and 92,
26 B.C.P.R. the south line of the John and Edith Lebourgeois tract
27 (called 6.978 acres), recorded in B.C.C.F. No. 98-053061, the north

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1 line of the Eastbank Bayou, LP tract (called 19.950 acres),
2 recorded in B.C.C.F. No. 2007022032 and the centerline of said 40
3 foot platted road, marking the common corner of Lot 25 and 33 of
4 said Section 73 at the Northeast corner and POINT OF BEGINNING of
5 herein described tract, from which a 1/2 inch iron rod found, bears
6 S 82°35'47" E, 14.32 feet;

7 THENCE S 03°27'06" E, along and with the west line of said 60
8 foot American Canal Company Easement, the east line of herein
9 described tract and the common line of Lot 25 and 33, at 661.05 feet
10 pass a point, marking the common corner of Lots 25, 33, 34 and 26 of
11 said Section 73, continuing for a total distance of 2641.03 feet
12 (called 2640.00 feet) to a 5/8 inch iron rod with cap stamped "FMS"
13 set in the centerline of a 40 foot platted road and being in the west
14 line of said American Canal Company Easement, marking the southeast
15 corner of herein described tract and the common corner of Lots 28,
16 36, 37 and 29;

17 THENCE S 86°51'03" W, along and with the common line of Lots 28
18 and 29 and centerline of said 40 foot platted road at 658.45 feet
19 (called 660.00 feet) pass a 1/4 inch iron pipe found, marking the
20 common corner of Lots 28, 29, 21 and 20 and at 1974.69 feet (called
21 1980.00 feet) pass a 3/4 inch iron pipe found, marking the common
22 corner of Lots 12, 13, 5 and 4 of said Section 73 and the northeast
23 corner of the Westbank Bayou, LP tract (called 19.919 acres),
24 continuing for a total distance of 2632.44 feet (called 2640.00
25 feet) to a 1 inch iron pipe found in the centerline of a 40 foot
26 platted road and being in the west line of said Section 73 and the
27 east line of the H.T. & B. Railroad Company Survey, Section 72,

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1 Abstract 460, marking the southwest corner of herein described
2 tract, the northwest corner of said 19.919 acre tract, the
3 northwest corner of a 3.430 acre drainage easement, recorded in
4 B.C.C.F. No. 2016026156, the northeast corner of a Brazos River
5 Authority tract (called 6.676 acres), cause number 54, 761A, the
6 southeast corner of the Brazos River Authority Parcel "D" tract
7 (called 3.18 acres), recorded in Volume 1070, Page 315, B.C.D.R.,
8 the southwest corner of the Brazos River Authority Parcel "A" tract
9 (called 0.61 acres), recorded in Volume 1070, Page 318, B.C.D.R.,
10 the southwest corner of the Brazoria County Municipal Utility
11 District (M.U.D.) No. 43 Drainage Easement tract (called 1.739
12 acres), recorded in B.C.C.F. No. 2016011559 and the common corner
13 of Lots 4 and 5, Section 73, from which a 1/2 inch iron rod found
14 marking the southeast corner of the Joan Banneyer tract (called
15 1.367 acres), recorded in B.C.C.F. No. 2005003981, bears S
16 86°37'46" W, 649.82 feet;

17 THENCE N 03°28'57" W, continuing along and with the common
18 line of Section 73 and 72 and along and with the common line of said
19 Parcel "A", Parcel "D" and said 1.739 acre easement, at 659.57 feet
20 (called 660.00 feet) pass a 1-1/4 inch iron pipe found, marking the
21 common corner of Lots 3 and 4, the northwest corner of said 1.739
22 acre easement, the southwest corner of the Brazoria County M.U.D.
23 No. 43 Drainage Easement tract (called 1.755 acres), recorded in
24 B.C.C.F. No. 2016026131 and the southwest corner of a 20' easement
25 strip, recorded in Volume 181, Page 25, B.C.D.R., continuing for a
26 total distance of 1319.64 feet (called 1320.00 feet) to a 1/2 inch
27 iron rod with cap stamped "Adams RPLS 3666" found at an angle point

1 for corner of herein described tract, the southwest corner of the ID
2 Investments, Inc tract (called 10.00 acres), recorded in B.C.C.F.
3 No. 2004071747, the northwest corner of said 20' easement strip,
4 the northwest corner of said Parcel "A", the northwest corner of
5 said 1.755 acre easement and the common corner of Lots 3 and 2 in the
6 centerline of a 40 foot platted road;

7 THENCE N 86°50'32" E, along and with the common line of Lots 2
8 and 3, the centerline of said 40 foot platted road and the common
9 line of herein described tract and said 10.00 acre tract, a distance
10 of 659.25 feet (called 660.00 feet) to a 1/2 inch iron rod with cap
11 stamped "Adams RPLS 3666" found for interior corner of herein
12 described tract, the southeast corner of said 10.00 acre tract and
13 the common corner of Lots 3, 2, 10 and 11;

14 THENCE N 03°24'29" W, along and with the common line of herein
15 described tract and said 10.00 acre tract and the common line of
16 Lots 2 and 10, a distance of 659.94 feet (called 660.00 feet) to a
17 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found for
18 interior corner of herein described tract, the northeast corner of
19 said 10.00 acre tract and the common corner of Lots 1, 2, 9 and 10;

20 THENCE S 86°50'32" W, along and with the common line of herein
21 described tract and said 10.00 acre tract, a distance of 660.17 feet
22 (called 660.00 feet) to a 5/8 inch iron rod with cap stamped "FMS"
23 set at an angle point for corner of herein described tract in the
24 common line of Section 73 and 72, and being the southeast corner of
25 the Brazos River Authority Parcel "C" tract (called 1.61 acres),
26 recorded in Volume 1070, Page 315, B.C.D.R, the southwest corner of
27 the Brazos River Authority Parcel "A" tract (called 0.30 acre),

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1 recorded in Volume 1070, Page 318, B.C.D.R., the southwest corner
2 of the Brazoria County M.U.D. No. 43 Drainage Easement tract
3 (called 1.790 acres), recorded in B.C.C.F. No. 2016011558 and the
4 common corner of Lots 1 and 2, from which a 5/8 inch iron rod found
5 in the east right-of-way line of County Road 82 (a.k.a. Iowa Lane)
6 (called 70' width, B.C.C.F. No. 99-050385), marking the northwest
7 corner of the SLP 288 and Rodeo Palms II, LP tract (called 12.8576
8 acres), recorded in B.C.C.F. No. 2006036045 and the southwest
9 corner of the SLP 288 and Rodeo Palms IV, LP tract (called 13.2148
10 acres), recorded in B.C.C.F. No. 2005011681, bears S 86°39'50" W,
11 978.08 feet (called 1003.68 feet);

12 THENCE N 03°28'57" W, along and with the common line of said
13 Section 73 and 72, the centerline of said 40 foot platted road and
14 the common line of said Parcel "C", Parcel "A" and said 1.179 acre
15 easement, a distance of 661.02 feet (called 660.00 feet) to a 1/2
16 inch iron rod with cap stamped "Adams RPLS 3666" found in the south
17 line of the SLP 288 and Rodeo Palms II, LP tract (called 99.9653
18 acres), recorded in B.C.C.F. No. 2004064049, marking the northwest
19 corner of herein described tract, the northwest corner of said
20 1.790 easement, the northwest corner of said Parcel "A", the
21 northwest corner of Lot 1 and the called common corner of said
22 Section 73, 72, Division "O" and the southeast corner of the H.T. &
23 B. Railroad Company Survey, Section 90, Abstract 459, recorded in
24 Volume 2, Page 98, B.C.P.R.;

25 THENCE N 86°50'29" E, along and with the common line of said
26 Section 73 and Division "O" and the centerline of a 40 foot platted
27 road, at 28.79 feet pass a 5/8 inch iron rod found, marking the

1 southeast corner of said 99.9653 acre tract and the southwest
2 corner of the Four Forty-Three, Ltd. Tract (called 20 acres),
3 recorded in Volume 1048, Page 760, B.C.D.R., continuing for a total
4 distance of 2633.92 feet (called 2640.00 feet) to the POINT OF
5 BEGINNING and containing a calculated area of 149.639 acres of
6 land.

7 A 10.00 acre (435,365 square feet) tract being all of Lot 2 of
8 the Allison-Richey Gulf Coast Home Company Suburban Gardens
9 Subdivision of Section 73 (A.R.G.C.H.CO. Survey, Section 73), H.T.
10 & B. Railroad Company Survey, Abstract 301, according to the map or
11 plat thereof, recorded in Volume 2, Page 91 and 92, of the Plat
12 Records of Brazoria County, Texas (B.C.P.R.) and being all of that
13 certain tract of land described in deed to ID Investments, Inc.,
14 under Brazoria County Clerk's File Number (B.C.C.F. No.) 2004071747
15 of the deed records of Brazoria County, Texas (B.C.D.R.), with said
16 435,365 square foot tract of land being more particularly described
17 by metes and bounds as follows:

18 BEGINNING at a 5/8 inch iron rod with cap stamped "FMS" found
19 on the called centerline of a 40 foot wide platted road, at the
20 Southwest corner of Lot 1 of the A.R.G.C.H.CO. Survey, Section 73,
21 at the Northwest corner of Lot 2, same being the Northwest corner of
22 the herein described tract;

23 THENCE: N 86°50'32" E, along and with the common line of Lots 1
24 and 2 and the North line of this tract, a distance of 660.17 feet
25 (called 660.00 feet) to a 1/2 inch iron rod with cap stamped "ADAMS
26 RPLS 3666" found at the Southwest corner of Lot 9 of the
27 A.R.G.C.H.CO. Survey, Section 73, same being the Southeast corner

1 of Lot 1, the Northwest corner of Lot 10, the Northeast corner of
2 Lot 2 and the Northeast corner of this tract;

3 THENCE: S 03°24'29" E, along and with the common line of Lots 2
4 and 10 and the East line of this tract, a distance of 659.94 feet
5 (called 660.00 feet), to a 1/2 inch iron rod with cap stamped "ADAMS
6 RPLS 3664" found at the common corner of Lots 2, 3, 10 and 11, at the
7 Southeast corner of the herein described tract;

8 THENCE: S 86°50'32" W, along and with the common line of Lots 2
9 and 3 and the South line of this tract, a distance of 659.25 feet
10 (called 660.00 feet), to a 1/2 inch iron rod with cap stamped "ADAMS
11 RPLS 3666", in the centerline of a 40 foot platted road, on the East
12 line of a called 12.8576 acre tract of land described in deed to SLP
13 288 and Rodeo Palms II, LP., under B.C.C.F. No. 200603645, at the
14 common West corner of Lots 2 and 3 and at the Southwest corner of
15 this tract;

16 THENCE N 03°29'17" W, along and with the common of the SLP 288
17 and Rodeo Palms II, LP. tract and Lot 2, same being the West line of
18 this tract, a distance of 659.94 feet (called 600.00 feet) to the
19 POINT OF BEGINNING and containing a calculated area of 10.00 acres
20 of land.

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

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

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

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

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2023.