

By: Van Arsdale

H.B. No. 3583

Substitute the following for H.B. No. 3583:

By: Puente

C.S.H.B. No. 3583

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Harris County Municipal Utility District No. 464; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

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 8158 to read as follows:

CHAPTER 8158. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT

NO. 464

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8158.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a member of the board.

(3) "District" means the Harris County Municipal Utility District No. 464.

Sec. 8158.002. NATURE OF DISTRICT. The district is a municipal utility district in Harris County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8158.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8158.023 before September 1, 2007:

(1) the district is dissolved September 1, 2007,

1 except that:

2 (A) any debts incurred shall be paid;

3 (B) any assets that remain after the payment of  
4 debts shall be transferred to Harris County; and

5 (C) the organization of the district shall be  
6 maintained until all debts are paid and remaining assets are  
7 transferred; and

8 (2) this chapter expires September 1, 2010.

9 Sec. 8158.004. INITIAL DISTRICT TERRITORY. (a) The  
10 district is initially composed of the territory described by  
11 Section 2 of the Act creating this chapter.

12 (b) The boundaries and field notes contained in Section 2 of  
13 the Act creating this chapter form a closure. A mistake made in the  
14 field notes or in copying the field notes in the legislative process  
15 does not affect:

16 (1) the organization, existence, or validity of the  
17 district;

18 (2) the right of the district to impose taxes; or

19 (3) the legality or operation of the board.

20 [Sections 8158.005-8158.020 reserved for expansion]

21 SUBCHAPTER A1. TEMPORARY PROVISIONS

22 Sec. 8158.021. TEMPORARY DIRECTORS. (a) On or after  
23 September 1, 2005, a person who owns land in the district may submit  
24 a petition to the Texas Commission on Environmental Quality to  
25 appoint as temporary directors the five persons named in the  
26 petition.

27 (b) The commission shall appoint as temporary directors the

1 five persons named in the first petition received by the commission  
2 under Subsection (a).

3 (c) If a temporary director fails to qualify for office, the  
4 commission shall appoint a person to fill the vacancy.

5 (d) Temporary directors serve until the earlier of:

6 (1) the date directors are elected under Section  
7 8158.023; or

8 (2) the date this chapter expires under Section  
9 8158.003.

10 Sec. 8158.022. ORGANIZATIONAL MEETING OF TEMPORARY  
11 DIRECTORS. As soon as practicable after all the temporary  
12 directors have qualified under Section 49.055, Water Code, the  
13 temporary directors shall meet at a location in the district  
14 agreeable to a majority of the directors. If a location cannot be  
15 agreed upon, the meeting shall be at the Harris County Courthouse.  
16 At the meeting, the temporary directors shall elect officers from  
17 among the temporary directors and conduct any other district  
18 business.

19 Sec. 8158.023. CONFIRMATION AND INITIAL DIRECTORS'  
20 ELECTION. The temporary directors shall hold an election to  
21 confirm the creation of the district and to elect five directors as  
22 provided by Section 49.102, Water Code.

23 Sec. 8158.024. INITIAL ELECTED DIRECTORS; TERMS. The  
24 directors elected under Section 8158.023 shall draw lots to  
25 determine which two shall serve until the first regularly scheduled  
26 election of directors under Section 8158.052 and which three shall  
27 serve until the second regularly scheduled election of directors.

1       Sec. 8158.025. EXPIRATION OF SUBCHAPTER. This subchapter  
2 expires September 1, 2010.

3       [Sections 8158.026-8158.050 reserved for expansion]

4               SUBCHAPTER B. BOARD OF DIRECTORS

5       Sec. 8158.051. DIRECTORS; TERMS. (a) The district is  
6 governed by a board of five directors.

7       (b) Directors serve staggered four-year terms.

8       Sec. 8158.052. ELECTION OF DIRECTORS. On the uniform  
9 election date in May of each even-numbered year, the appropriate  
10 number of directors shall be elected.

11       [Sections 8158.053-8158.100 reserved for expansion]

12               SUBCHAPTER C. POWERS AND DUTIES

13       Sec. 8158.101. 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. 8158.102. ROAD PROJECTS. (a) To the extent authorized  
19 by Section 52, Article III, Texas Constitution, the district may  
20 construct, acquire, improve, maintain, or operate macadamized,  
21 graveled, or paved roads or turnpikes, or improvements in aid of  
22 those roads or turnpikes, inside the district.

23       (b) A road project must meet all applicable construction  
24 standards, zoning and subdivision requirements, and regulatory  
25 ordinances of the municipality or county in whose jurisdiction the  
26 district is located.

27       (c) The district may not undertake a road project unless

1 each municipality or county in whose jurisdiction the district is  
2 located consents by ordinance or resolution.

3 Sec. 8158.103. COMPLIANCE WITH MUNICIPAL CONSENT  
4 ORDINANCES OR RESOLUTIONS. Subject to the limitations of Section  
5 54.016, Water Code, the district shall comply with all applicable  
6 requirements of any ordinance or resolution adopted by the city  
7 council of the City of Houston, including an ordinance or  
8 resolution adopted before September 1, 2005, that consents to the  
9 creation of the district or to the inclusion of lands within the  
10 district.

11 Sec. 8158.104. LIMITATION ON USE OF EMINENT DOMAIN. The  
12 district may exercise the power of eminent domain outside the  
13 district only to acquire an easement necessary for a pipeline that  
14 serves the district.

15 [Sections 8158.105-8158.150 reserved for expansion]

16 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

17 Sec. 8158.151. TAX TO REPAY BONDS. The district may impose  
18 a tax to pay the principal of or interest on bonds issued under  
19 Section 8158.201.

20 Sec. 8158.152. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND  
21 ASSESSMENTS. The district may not impose an impact fee or  
22 assessment on the property, including the equipment,  
23 rights-of-way, facilities, or improvements, of:

24 (1) an electric utility or a power generation company  
25 as defined by Section 31.002, Utilities Code;

26 (2) a gas utility as defined by Section 101.003 or  
27 121.001, Utilities Code;

1           (3) a telecommunications provider as defined by  
2 Section 51.002, Utilities Code; or

3           (4) a person who provides to the public cable  
4 television or advanced telecommunications services.

5           [Sections 8158.153-8158.200 reserved for expansion]

6                           SUBCHAPTER E. BONDS

7           Sec. 8158.201. AUTHORITY TO ISSUE BONDS AND OTHER  
8 OBLIGATIONS. (a) The district may issue bonds or other obligations  
9 as provided by Chapters 49 and 54, Water Code, to finance the  
10 construction, maintenance, or operation of projects under Sections  
11 8158.101 and 8158.102.

12           (b) The district may not issue bonds to finance projects  
13 authorized by Section 8158.102 unless the issuance is approved by a  
14 vote of a two-thirds majority of the voters of the district voting  
15 at an election called for that purpose.

16           (c) Bonds or other obligations issued or incurred to finance  
17 projects authorized by Section 8158.102 may not exceed one-fourth  
18 of the assessed value of the real property in the district.

19           (d) Sections 49.181 and 49.182, Water Code, do not apply to  
20 a project undertaken by the district under Section 8158.102 or to  
21 bonds issued by the district to finance the project.

22           SECTION 2. The Harris County Municipal Utility District No.  
23 464 initially includes all the territory contained in the following  
24 area:

25 TRACT 1:

26 FIELD NOTES FOR A 78.95 16 ACRE TRACT OF LAND BEING THE SOUTH 1/2 OF  
27 THE SOUTHWEST 1/4 OF THE H. & T. C. RMLROAD COMPANY SURVEY SECTION

1 59 ABSTRACT 444, HARRIS COUNTY, TEXAS, SAID 78.95 16 ACRE TRACT  
2 BEING THAT CERTAIN CALLED 80.2305 ACRES (TRACT 1) LYLE TALBERT  
3 JORDAN, TRUSTEE OF THE LYLE TALBERT JORDAN NON GST TRUST, MYRNA JEAN  
4 JORDAN NAIL, TRUSTEE OF THE MYRNA JEAN JORDAN NAIL NON GST TRUSTEE  
5 TRUST COUNTY CLERK'S FILE NO. U348230, OFFICIAL PUBLIC RECORDS OF  
6 REAL PROPERTY, HARRIS COUNTY, TEXAS, THE BASE BEARING OF THE HEREIN  
7 DESCRIBED TRACT IS THE SOUTH LINE OF THE EAST 1/2 OF THE  
8 AFOREMENTIONED H & T. C. RAILROAD COMPANY SURVEY, SECTION 59,  
9 ABSTRACT 444, SAID BEARING BEING EAST.  
10 BEGINNING at a 1 inch iron rod found at the southeast corner of the  
11 south 1/2 of the southwest 1/4 of said Section 59 for the southeast  
12 corner Place of Beginning of the herein described 78.9516 acre  
13 tract of land, said point also being a southwest corner of the west  
14 1/2 of said Section 59, same being the northwest corner of the  
15 adjoining (tract 2) of the Lyle Talbert Jordan Trustee of the Lyle  
16 Talbert Jordan Non GST Trust, the Myrna Jean Jordan Nail Trustee of  
17 the Myrna Than Jordan Nail Non GST Trust, County Clerk's File  
18 U348230, Official Public Records of Real Property, Harris County,  
19 Texas, said point also being the northeast corner of the adjoining  
20 Dennis Donahue and wife, Pauline Donahue called 78 acre tract  
21 recorded in County Clerk's File No. P-955853, Official Public  
22 Records of Real Property, Harris County, Texas;  
23 THENCE South 89 degrees 58 minutes 50 seconds West along the south  
24 line of the herein described tract being a north line of the  
25 aforementioned adjoining called 78 acre tract and a north line of  
26 the adjoining Melvin Jordan (called 14 acre tract) recorded in  
27 Volume 2936, Page 109, Deed Records, Harris County, Texas, for a

1 distance of 2,601.80 feet to a 5/8 inch iron rod with cap marked  
2 "Kalkomey Surveying" set on the existing east margin of Katy  
3 Hockley Cut-Off Road for the southwest corner of the herein  
4 described tract being on the north line of the aforementioned  
5 Melvin Jordan called 14 acre tract;  
6 THENCE North 00 degrees 07 minutes 58 seconds West along the  
7 existing fenced east line of Katy Hockley Cut-Off Road for a  
8 distance of 1,321.97 feet to a 5/8 inch iron rod with cap marked  
9 "Kalkorney Surveying" set on said line for the northwest corner of  
10 the herein described tract, same being on the south line of the  
11 adjoining Hidden Forest Estate Subdivision recorded in Volume 410,  
12 Page 35, Harris County Map Records;  
13 THENCE North 89 degrees 58 minutes 50 seconds East along the common  
14 line of the herein described tract and the aforementioned adjoining  
15 Hidden Forest Estates Subdivision, at 641.39 feet pass a 5/8 inch  
16 iron rode at 848.22 feet pass a 5/8 inch iron rod, at 0.22 feet  
17 North, at 1058.40 feet pass a 5/8 inch. iron rod, 0.25 feet North,  
18 at 1,268.51 feet pass a 5/8 inch iron rod, 0.34 North and 1,478.41  
19 feet pass a 5/8 inch iron rod, 0.27 feet North, at 1,688.36 feet  
20 pass a 5/8 inch iron rod, 0.16 feet North, at 1,898.37 feet pass a  
21 5/8 inch iron rod, 0.19 North, at 2,108.32 feet pass a 5/8 inch iron  
22 rod, 0.18 feet North and continuing for a total distance of 2,604.73  
23 feet to a 1-1/4 inch iron pipe found for the northeast corner of the  
24 herein described tract being the southeast corner of the  
25 aforementioned Hidden Forest Estates Subdivision and being in the  
26 west line of the adjoining 156.6146 acre tract (County Clerk's File  
27 No. W-871836, Official Public Records of Real Property, Harris



1 County, Texas);

2 THENCE South 00 degrees 00 minutes 21 seconds East along the east  
3 line of the herein described tract and the west line of the  
4 aforementioned 156.6 146 acre tract, for a distance of 1,320.20  
5 feet to the Place of Beginning and containing 78.9516 acres of land,  
6 more or less, of which 1.7719 acres lie within the limits of a  
7 30-foot wide easement along the south line of the herein described  
8 tract (Beckendorff Road) leaving a net acreage of 77.1597 acres of  
9 land, more or less.

10 TRACT 2:

11 FIELD NOTES FOR A 156.6146 ACRE TRACT OF LAND BEING THE SOUTHWEST  
12 1/4 AND THE NORTHWEST 1/4 OF THE EAST 1/4 OF THE H. & T. C. RAILROAD  
13 COMPANY SURVEY, SECTION 59, ABSTRACT 444, AND BEING THAT CERTAIN  
14 CALLED 159.736 ACRE TRACT IN DEED TO JDP/EHP, ET. LP., A TEXAS  
15 LIMITED PARTNERSHIP, RECORDED IN COUNTY CLERK'S FILE NO. W871836,  
16 OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS, THE  
17 BASE BEARING FOR THE HEREIN DESCRIBED TRACT IS THE SOUTH LINE OF  
18 SAID SECTION 59 AND SAID BEARING BEING EAST.

19 BEGINNING at a 1 inch iron rod found at the southwest corner of the  
20 east 1/2 of the aforementioned Section 59 for the southwest corner  
21 and Place of Beginning of the herein described 156.6 146 acre tract  
22 of land, same being the southeast corner of the west 14 of said  
23 Section 59, said corner also being the southeast corner of a called  
24 80,2305 acre tract (Tract 1) Lyle Talbert Jordan, Trustee of the  
25 Lyle Talbert Non GST Trust, and Myrna Jean Jordan Nail, Trustee of  
26 the Myrna Jean Jordan Nail, Non GST Trust and being of record in  
27 County Clerk's File No. U348230, Official Records of Real Property,

1 Harris County, Texas, said point also being the northeast corner of  
2 the adjoining Dennis O. Donahue and wife, Pauline O. Donahue called  
3 78 acre tract recorded in County Clerk's File No. P-955853,  
4 Official Public Records of Real Property, Harris County, Texas and  
5 the northwest corner of the adjoining 160.00 acre tract (Tract 2)  
6 Lyle Talbert Jordan, Trustee of the Lyle Talbert Jordan Non GST  
7 Trust, Myrna Jean Jordan Nail Trustee of the Myrna Jean Jordan Nail  
8 Non GST Trust County Clerk's File No. U348230, Official Public  
9 Records of Real Property, Harris County, Texas;  
10 THENCE North 00 degrees 00 minutes 21 seconds West along the west  
11 line of the herein described tract being the east line of the  
12 aforementioned adjoining called 80.2305 acre tract, 1,320.20 feet  
13 to a 1-1/4 iron pipe found on said line being the northeast corner  
14 of the aforementioned adjoining 80.2305 acre tract and being a  
15 southeast corner of the Hidden Forest Estates Subdivision recorded  
16 in Volume 410, Page 35, Harris County Map Records;  
17 THENCE North 00 degrees 01 minute 59 seconds East continuing along  
18 the west line of the herein described tract being the east line of  
19 the aforementioned Hidden Forest Estate Subdivision, 1,319.86 feet  
20 to a 1-1/4 iron pipe found at the northeast corner of said  
21 subdivision for an angle point, same being the southeast corner of  
22 the adjoining Jawad N. Alsheikh called 54.245 acre tract recorded  
23 in County Clerk's File No. J-047965, Official Public Records, of  
24 Real Property, Harris County, Texas;  
25 THENCE North 00 degrees 18 minutes 55 seconds West continuing along  
26 the west line of the herein described tract being an east line of  
27 the aforementioned adjoining called 54.245 acre tract, at 875 feet

1 pass a fence corner post (7.8 feet east) being the north line of the  
2 aforementioned adjoining 54.245 acre tract and the south line of  
3 the adjoining David Gerber, Trustee No. 2 called 100.00 acre tract  
4 recorded under County Clerk's File No. H541658, Official Public  
5 Records of Real Property, Harris County, Texas, and continuing  
6 along the common line of the herein described tract and the  
7 aforementioned adjoining called 100.00 acre tract, a total distance  
8 of 2,588.27 feet to a 5/8 inch iron rod found on said line at its  
9 point of intersection with the south right-of-way line of F.M  
10 Highway 529 (120 foot right-of-way);

11 THENCE South 89 degrees 36 minutes 38 seconds East along the  
12 southerly right-of-way line of F.M. Highway 529 being the northerly  
13 line of the herein described tract, 1,306.22 feet to a 5/8 inch iron  
14 rod found on said line for the northeast corner of the herein  
15 described tract, same being a northwest corner of the adjoining  
16 Akram A. Muihtaha called 158.039 acre tract recorded in County  
17 Clerk's File No. W-268492, Official Public Records of Real  
18 Property, Harris County, Texas;

19 THENCE South 00 degrees 13 minutes 28 seconds East (called South 00  
20 degrees 36 minutes 25 seconds East) at 5,189.43 feet pass a 5/8 inch  
21 iron rod with cap marked "Kalkomey Surveying" set on said line being  
22 the north margin of a 30-foot wide easement and continuing, for a  
23 total distance of 5,219.46 feet to a 5/8 inch iron rod, with cap  
24 marked "Kalkomey Surveying" set for the southeast corner of the  
25 herein described 156.6 146 acre tract of land, same being on the  
26 common line of the aforementioned H. & T. C. Railroad Company  
27 Section 59 and the adjoining W. M. Salyars Survey, Abstract 1532,

1 Harris County, Texas;

2 THENCE West along the south line of the herein described tract being  
3 the north line of the aforementioned adjoining called 160.00 acre  
4 tract and the common, line of the H. & T. C. Railroad Company  
5 Survey, Section 59 and the adjoining W. M. Salyars Survey, Abstract  
6 1532 (called South 89 degrees 26 minutes 49 seconds West, 1,313.02  
7 feet) for a distance of 1,313.03 feet to the Place of Beginning and  
8 containing 156.6146 acres of land, more or less, of which 0.9043  
9 acres lie within the limits of a 30-foot wide easement along the  
10 south line of said 156.6146 acre tract (Beckendorff Road) leaving a  
11 net acreage of 155.7103 acres of land, more or less.

12 TRACT 3:

13 FIELD NOTES FOR A 160.0000 ACRE TRACT OF LAND IN THE W. M. SALYARS  
14 SURVEY, ABSTRACT 1532, HARRIS COUNTY, TEXAS, BEING THE EAST 1/4 OF  
15 THE H. & T. C. RAILROAD COMPANY SURVEY, SECTION 60 (TRACT 2) LYLE  
16 TALBERT JORDAN, TRUSTEE OF THE LYLE TAIJBERT JORDAN NON GST TRUST,  
17 MYRNA JEAN JORDAN NAIL, TRUSTEE OF THE MYRNA JEAN JORDAN NAIL NON  
18 GST TRUST, RECORDED IN COUNTY CLERK'S FILE NO. U348230, OFFICIAL  
19 PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS, THE BASE  
20 BEARING FOR THE HEREIN DESCRIBED TRACT IS THE NORTH LINE OF SAID  
21 160.0000 ACRE TRACT BEING THE NORTH LINE OF THE AFOREMENTIONED W. M.  
22 SALYARS SURVEY, ABSTRACT 1532, SAME BEING A SOUTH LINE OF THE  
23 ADJOINING H. & T. C. RAILROAD COMPANY SURVEY, SECTION 59, ABSTRACT  
24 444, SAID BEARING BEING EAST.

25 BEGINNING at a 1 inch iron rod found at the northwest corner of the  
26 aforementioned W. M. Salyars Survey, Abstract 1532, for the  
27 northwest corner and Place of Beginning of the herein described

1 160.0000 acre tract of land, same being a northeast corner of the  
2 adjoining Dennis Donahue and wife, Pauline Donahue called 78 acre  
3 tract recorded in County Clerk's File No. P-955853, Official Public  
4 Records of Real Property, Harris County, Texas, same being a  
5 southeast corner of the adjoining 78.9516 acre tract, Lyle Talbert  
6 Jordan, Trustee of the Lyle Talbert Jordan Non GST Trust, Myrna Jean  
7 Jordan Nail, Trustee of the Myrna Jean Jordan Nail Non GST Trust,  
8 said point also being a southwest corner of the west 1/2 of said  
9 Section 59, same being a southwest corner of the adjoining 156.6146  
10 acre tract, JDP/EHP, ET. LP. a Texas Limited Partnership, recorded  
11 in County Clerk's File W-871836, Official Public Records, Harris  
12 County, Texas;

13 THENCE East along the north line of the herein described tract being  
14 a south line of the aforementioned adjoining 156.6146 acre tract,  
15 at 1,313.03 feet pass a 5/8 inch iron rod set on said line at the  
16 southeast corner of the aforementioned adjoining 156.6146 acre  
17 tract and continuing for a total distance of 2,639.75 feet to a 3/4  
18 inch iron pipe found on said line for the northeast corner of the  
19 herein described tract, same being a southeast corner of the  
20 aforementioned H. & T. C. Railroad Company Survey, Section 59,  
21 Abstract 444, said point also being a southwest corner of the  
22 adjoining A.R Connell Survey, Abstract 1387, said point also being  
23 a northwest corner of the H. & T. C. Railroad Company Section 47,  
24 Abstract 440;

25 THENCE South 00 degrees 03 minutes 53 seconds East along the east  
26 line of the herein described tract being the west line of the  
27 aforementioned H. & T. C, Railroad Company Survey, Section 47,

1 Abstract 440, same being the west line of a called 73.8972 acre  
2 tract recorded in County Clerk's File No, R 7108 Official Public  
3 Records of Real Property, Harris County, Texas and a portion of the  
4 west line of an adjoining called 84.6828 acre tract recorded in  
5 County Clerk's File No. R789123, Official Public Records of Real  
6 Property, Harris County, Texas for a distance of 2,640.00 feet to a  
7 1-1/4 inch iron pipe found on said line for the southeast corner of  
8 the herein described tract, same being a northeast corner of an  
9 adjoining called 160 acre tract recorded in Volume 7035, Page 410 &  
10 Volume 857, Page 640, Deed Records, Harris County, Texas, and being  
11 the southeast 1/4 of the H. & T. C. Railroad Company Survey, Section  
12 60;

13 THENCE South 89 degrees 59 minutes 43 seconds West along the south  
14 line of the herein described tract and the aforementioned adjoining  
15 called 160.00 acre tract, 2,640.00 feet to a 1-1/4 iron pipe found  
16 on said line for the southwest corner of the herein described  
17 160.0000 acre tract of land, same being a northwest corner of the  
18 aforementioned adjoining 160.00 acre tract, said point also being  
19 the southeast corner of adjoining Farid Bakht Trustee, called 17.00  
20 acre tract (Tract A), recorded in S1 47734, Official Public Records  
21 of Real Property, Harris County, Texas;

22 THENCE North 00 degrees 03 minutes 36 seconds West along the west  
23 line of the herein described tract being the east line of the  
24 aforementioned adjoining tract, at 280.54 feet pass a 1/2 inch iron  
25 pipe found with cap 0.88 feet East, being the northeast corner of  
26 the aforementioned adjoining called 17.00 acre tract, (Tract A) and  
27 the southeast corner of the adjoining called 17 acre tract, (Tract

1 B) recorded in County Clerk's File No. S345743, Official Public  
2 Records of Real Property, Harris County, Texas, at 560.78 feet pass  
3 a 1/2 inch iron rod 1.35 feet east, being the northeast corner of  
4 the aforementioned Tract B, same being the southeast corner of the  
5 adjoining Tract C, recorded in County Clerk's File No. P006246,  
6 Official Public Records of Real Property, Harris County, Texas, at  
7 841.51 feet pass a 3/4 inch iron pipe being 2.2 feet east, being the  
8 northeast corner of the aforementioned Tract C and the southeast  
9 corner of Tract B recorded in County Clerk's File P006244, Official  
10 Public Records, Harris County, Texas, at 1,122.45 feet pass a 5/8  
11 inch iron rod with cap marked "Kalkomey Surveying" set on said line  
12 for the northeast corner of the aforementioned Tract D, same being a  
13 southeast corner of the adjoining Dennis Donahue and wife, Pauline  
14 Donahue called 78 acre tract recorded in County Clerk's File No.  
15 P955853, Official Public Records, Harris County, Texas and  
16 continuing for a total distance of 2,640.22 feet to the Place of  
17 Beginning and containing 160.0000 acres of land, of which 1.8180  
18 acres lie within the limits of a 30-foot wide easement adjoining the  
19 north line of the herein described tract and 1.7974 acres lie within  
20 the limits of a 30-foot wide strip of land along the east line of the  
21 herein described tract leaving a net acreage of 156.3845 acres of  
22 land, more or less.

23 SECTION 3. (a) The legal notice of the intention to  
24 introduce this Act, setting forth the general substance of this  
25 Act, has been published as provided by law, and the notice and a  
26 copy of this Act have been furnished to all persons, agencies,  
27 officials, or entities to which they are required to be furnished

1 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
2 Government Code.

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

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

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

14 SECTION 4. This Act takes effect September 1, 2005.