

By: Ellis

S.B. No. 1843

Substitute the following for S.B. No. 1843:

By: Allen of Harris

C.S.S.B. No. 1843

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of the International Management District;
3 providing authority to impose assessments and taxes and to issue
4 bonds.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subtitle C, Title 4, Special District Local Laws
7 Code, is amended by adding Chapter 3836 to read as follows:

8 CHAPTER 3836. INTERNATIONAL MANAGEMENT DISTRICT

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 3836.001. DEFINITIONS. In this chapter:

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

13 (2) "District" means the International Management
14 District.

15 Sec. 3836.002. INTERNATIONAL MANAGEMENT DISTRICT. The
16 International Management District is a special district created
17 under Section 59, Article XVI, Texas Constitution.

18 Sec. 3836.003. PURPOSE; DECLARATION OF INTENT. (a) The
19 creation of the district is essential to accomplish the purposes of
20 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
21 Texas Constitution, and other public purposes stated in this
22 chapter. By creating the district and in authorizing the City of
23 Houston, Harris County, and other political subdivisions to
24 contract with the district, the legislature has established a

1 program to accomplish the public purposes set out in Section 52-a,
2 Article III, Texas Constitution.

3 (b) The creation of the district is necessary to promote,
4 develop, encourage, and maintain employment, commerce,
5 transportation, housing, tourism, recreation, the arts,
6 entertainment, economic development, safety, and the public
7 welfare in the area of the district.

8 (c) This chapter and the creation of the district may not be
9 interpreted to relieve Harris County or the City of Houston from
10 providing the level of services provided as of the effective date of
11 this Act, to the area in the district. The district is created to
12 supplement and not to supplant the county or municipal services
13 provided in the area in the district.

14 Sec. 3836.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
15 The district is created to serve a public use and benefit.

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

21 (c) The creation of the district is in the public interest
22 and is essential to:

23 (1) further the public purposes of developing and
24 diversifying the economy of the state;

25 (2) eliminate unemployment and underemployment; and

26 (3) develop or expand transportation and commerce.

27 (d) The district will:

1 (1) promote the health, safety, and general welfare of
2 residents, employers, employees, visitors, and consumers in the
3 district, and of the public;

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

7 (3) promote the health, safety, welfare, and enjoyment
8 of the public by providing pedestrian ways and by landscaping and
9 developing certain areas in the district, which are necessary for
10 the restoration, preservation, and enhancement of scenic beauty.

11 (e) Pedestrian ways along or across a street, whether at
12 grade or above or below the surface, and street lighting, street
13 landscaping, and street art objects are parts of and necessary
14 components of a street and are considered to be a street or road
15 improvement.

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

19 Sec. 3836.005. DISTRICT TERRITORY. (a) The district is
20 composed of the territory described by Section 2 of the Act enacting
21 this chapter, as that territory may have been modified under:

22 (1) Subchapter J, Chapter 49, Water Code; or

23 (2) other law.

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

1 (1) organization, existence, or validity;

2 (2) right to issue any type of bond for a purpose for
3 which the district is created or to pay the principal of and
4 interest on the bond;

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

6 (4) legality or operation.

7 Sec. 3836.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

8 All or any part of the area of the district is eligible to be
9 included in:

10 (1) a tax increment reinvestment zone created by a
11 municipality under Chapter 311, Tax Code;

12 (2) a tax abatement reinvestment zone created by a
13 municipality under Chapter 312, Tax Code; or

14 (3) an enterprise zone created by a municipality under
15 Chapter 2303, Government Code.

16 Sec. 3836.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
17 DISTRICTS LAW. Except as otherwise provided by this chapter,
18 Chapter 375, Local Government Code, applies to the district.

19 Sec. 3836.008. LIBERAL CONSTRUCTION OF CHAPTER. This
20 chapter shall be liberally construed in conformity with the
21 findings and purposes stated in this chapter.

22 [Sections 3836.009-3836.050 reserved for expansion]

23 SUBCHAPTER B. BOARD OF DIRECTORS

24 Sec. 3836.051. BOARD OF DIRECTORS; TERMS. (a) The
25 district is governed by a board of nine voting directors who serve
26 staggered terms of four years, with four or five directors' terms
27 expiring June 1 of each odd-numbered year.

1 (b) The board by resolution may change the number of voting
2 directors on the board, but only if the board determines that the
3 change is in the best interest of the district. The board may not
4 consist of fewer than five or more than 15 voting directors.

5 Sec. 3836.052. APPOINTMENT OF DIRECTORS. The mayor and
6 members of the governing body of the City of Houston shall appoint
7 voting directors from persons recommended by the board. A person is
8 appointed if a majority of the members of the governing body,
9 including the mayor, vote to appoint that person.

10 Sec. 3836.053. NONVOTING DIRECTORS. (a) The following
11 persons serve as nonvoting directors:

12 (1) the directors of the following departments of the
13 City of Houston or a person designated by that director:

14 (A) parks and recreation;

15 (B) planning and development;

16 (C) public works; and

17 (D) civic center; and

18 (2) the City of Houston's chief of police.

19 (b) If a department described by Subsection (a) is
20 consolidated, renamed, or changed, the board may appoint a director
21 of the consolidated, renamed, or changed department as a nonvoting
22 director. If a department described by Subsection (a) is
23 abolished, the board may appoint a representative of another
24 department that performs duties comparable to those performed by
25 the abolished department.

26 Sec. 3836.054. QUORUM. For purposes of determining whether
27 a quorum of the board is present, the following are not counted:

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

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

5 (3) a nonvoting director.

6 Sec. 3836.055. INITIAL VOTING DIRECTORS. (a) The initial
7 board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Adrian K. Collins</u>
<u>2</u>	<u>Toni Franklin</u>
<u>3</u>	<u>Richard Chen</u>
<u>4</u>	<u>Bill Wong</u>
<u>5</u>	<u>Helene Le</u>
<u>6</u>	<u>Wea H. Lee</u>
<u>7</u>	<u>D. W. Tan</u>
<u>8</u>	<u>Michael Caomy Nguyen</u>
<u>9</u>	<u>Daniel Hrna</u>

18 (b) Of the initial voting directors, the terms of directors
19 appointed for positions 1 through 5 expire June 1, 2007, and the
20 terms of directors appointed for positions 6 through 9 expire June
21 1, 2009.

22 (c) Section 3836.052 does not apply to this section.

23 (d) This section expires September 1, 2010.

24 [Sections 3836.056-3836.100 reserved for expansion]

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 3836.101. EXERCISE OF POWERS OF DEVELOPMENT
27 CORPORATION. The district may exercise the powers of a corporation

1 created under Section 4B, Development Corporation Act of 1979
2 (Article 5190.6, Vernon's Texas Civil Statutes), including the
3 power to own, operate, acquire, construct, lease, improve, and
4 maintain projects described by that section.

5 Sec. 3836.102. NONPROFIT CORPORATION. (a) The board by
6 resolution may authorize the creation of a nonprofit corporation to
7 assist and act for the district in implementing a project or
8 providing a service authorized by this chapter.

9 (b) The nonprofit corporation:

10 (1) has each power of and is considered for purposes of
11 this chapter to be a local government corporation created under
12 Chapter 431, Transportation Code; and

13 (2) may implement any project and provide any service
14 authorized by this chapter.

15 (c) The board shall appoint the board of directors of the
16 nonprofit corporation. The board of directors of the nonprofit
17 corporation shall serve in the same manner as the board of directors
18 of a local government corporation created under Chapter 431,
19 Transportation Code, except that a board member is not required to
20 reside in the district.

21 Sec. 3836.103. AGREEMENTS; GRANTS. (a) The district may
22 make an agreement with or accept a gift, grant, or loan from any
23 person.

24 (b) The implementation of a project is a governmental
25 function or service for the purposes of Chapter 791, Government
26 Code.

27 Sec. 3836.104. AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT.

1 To protect the public interest, the district may contract with a
2 qualified party, including Harris County or the City of Houston, to
3 provide law enforcement services in the district for a fee.

4 Sec. 3836.105. APPROVAL BY CITY OF HOUSTON. (a) Except as
5 provided by Subsection (c), the district must obtain the approval
6 of the City of Houston's governing body for:

7 (1) the issuance of bonds for an improvement project;

8 (2) the plans and specifications of an improvement
9 project financed by the bonds; and

10 (3) the plans and specifications of an improvement
11 project related to the use of land owned by the City of Houston, an
12 easement granted by the City of Houston, or a right-of-way of a
13 street, road, or highway.

14 (b) The approval obtained under Subsection (a) for the
15 issuance of bonds must be a resolution by the City of Houston. The
16 approval obtained under Subsection (a) for plans and specifications
17 must be a permit issued by the City of Houston.

18 (c) If the district obtains the approval of the City of
19 Houston's governing body of a capital improvements budget for a
20 period not to exceed five years, the district may finance the
21 capital improvements and issue bonds specified in the budget
22 without further approval from the City of Houston.

23 Sec. 3836.106. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
24 district may join and pay dues to an organization that:

25 (1) enjoys tax-exempt status under Section 501(c)(3),
26 (4), or (6), Internal Revenue Code of 1986; and

27 (2) performs a service or provides an activity

1 consistent with the furtherance of a district purpose.

2 Sec. 3836.107. ECONOMIC DEVELOPMENT PROGRAMS AND OTHER
3 POWERS RELATED TO PLANNING AND DEVELOPMENT. (a) The district may
4 establish and provide for the administration of one or more
5 programs to promote state or local economic development and to
6 stimulate business and commercial activity in the district,
7 including programs to:

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

9 (2) provide district personnel and services.

10 (b) The district has all of the powers of a municipality
11 under Chapter 380, Local Government Code.

12 Sec. 3836.108. NO EMINENT DOMAIN. The district may not
13 exercise the power of eminent domain.

14 Sec. 3836.109. NOTICE OF LAW ESTABLISHING DISTRICT. (a)
15 The district by mail shall provide notification of the creation of
16 the district to each person who owns real property in the district,
17 according to the most recent certified tax appraisal roll for the
18 county in which the real property is owned. The notice, properly
19 addressed with postage paid, must be deposited with the United
20 States Postal Service not later than the 90th day after the
21 effective date of the Act enacting this chapter.

22 (b) The notice is sufficient if it contains a statement of
23 the general purpose and substance of this chapter. Notice of the
24 particular form of this chapter or the terms used in this chapter is
25 not required.

26 (c) The district is not required to mail notice to a person
27 who owns real property in the district if the property cannot be

1 subject to an assessment under this chapter.

2 (d) This section expires September 1, 2007.

3 [Sections 3836.110-3836.150 reserved for expansion]

4 SUBCHAPTER D. FINANCIAL PROVISIONS

5 Sec. 3836.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
6 board by resolution shall establish the number of directors'
7 signatures and the procedure required for a disbursement or
8 transfer of the district's money.

9 Sec. 3836.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
10 The district may acquire, construct, finance, operate, or maintain
11 any improvement or service authorized under this chapter or Chapter
12 375, Local Government Code, using any money available to the
13 district.

14 Sec. 3836.153. PETITION REQUIRED FOR FINANCING SERVICES AND
15 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
16 service or improvement project with assessments under this chapter
17 unless a written petition requesting that service or improvement
18 has been filed with the board.

19 (b) A petition requesting a project financed by assessment
20 must be signed by:

21 (1) the owners of a majority of the assessed value of
22 real property in the district subject to assessment according to
23 the most recent certified tax appraisal roll for Harris County; or

24 (2) at least 50 owners of real property in the
25 district, if more than 50 persons own real property in the district
26 according to the most recent certified tax appraisal roll for
27 Harris County.

1 Sec. 3836.154. METHOD OF NOTICE FOR HEARING. (a) The
2 district shall mail the notice required by Section 375.115(c),
3 Local Government Code, by certified or first class United States
4 mail. The board shall determine the type of notice required based
5 on whether adequate notice is provided by the method.

6 (b) If the district uses first class mail to provide the
7 notice, the district must also publish the notice in a newspaper of
8 general circulation in the district not later than the 20th day
9 before the date of the event for which notice was provided.

10 Sec. 3836.155. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
11 The board by resolution may impose and collect an assessment for any
12 purpose authorized by this chapter.

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 Sec. 3836.156. LIMITATION ON AMOUNT OF CERTAIN ASSESSMENTS.
8 An assessment based on the taxable value of real property may not
9 exceed 12 cents per \$100 of assessed valuation of taxable property
10 in the district, according to the most recent certified tax
11 appraisal roll for Harris County.

12 Sec. 3836.157. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
13 ASSESSMENTS. The district may not impose an impact fee or
14 assessment on the property, including the equipment,
15 rights-of-way, facilities, or improvements, of:

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

18 (2) a gas utility as defined by Section 101.003 or
19 121.001, Utilities Code;

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

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

24 Sec. 3836.158. AD VALOREM TAX. (a) If authorized at an
25 election held in accordance with Section 3836.161, the district may
26 impose an annual ad valorem tax on taxable property in the district
27 for any purpose, including to:

1 (1) maintain and operate the district;

2 (2) construct or acquire improvements; or

3 (3) provide a service.

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

6 Sec. 3836.159. BONDS AND OTHER OBLIGATIONS. (a) The
7 district may issue bonds or other obligations payable wholly or
8 partly from taxes, assessments, impact fees, revenue, grants, or
9 other money of the district, or any combination of those sources of
10 money, to pay for any authorized purpose of the district.

11 (b) The district may issue a bond or other obligation in the
12 form of a bond, note, certificate of participation or other
13 instrument evidencing a proportionate interest in payments to be
14 made by the district, or other type of obligation.

15 Sec. 3836.160. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
16 the time bonds or other obligations payable wholly or partly from ad
17 valorem taxes are issued:

18 (1) the board shall impose a continuing direct annual
19 ad valorem tax, without limit as to rate or amount, for each year
20 that all or part of the bonds are outstanding; and

21 (2) the district annually shall impose the continuing
22 direct ad valorem tax on all taxable property in the district in an
23 amount sufficient to:

24 (A) pay the interest on the bonds or other
25 obligations as the interest becomes due;

26 (B) create a sinking fund for the payment of the
27 principal of the bonds or other obligations when due or the

1 redemption price at any earlier required redemption date; and

2 (C) pay the expenses of imposing the taxes.

3 Sec. 3836.161. TAX AND BOND ELECTIONS. (a) The district
4 shall hold an election in the manner provided by Subchapter L,
5 Chapter 375, Local Government Code, to obtain voter approval before
6 the district imposes an ad valorem tax or issues bonds payable from
7 ad valorem taxes. The proposition for an election approving an ad
8 valorem tax must specify the maximum tax rate authorized.

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

11 Sec. 3836.162. CITY OF HOUSTON NOT REQUIRED TO PAY DISTRICT
12 OBLIGATIONS. Except as provided by Section 375.263, Local
13 Government Code, the City of Houston is not required to pay a bond,
14 note, or other obligation of the district.

15 Sec. 3836.163. COMPETITIVE BIDDING. Section 375.221, Local
16 Government Code, applies to the district only for a contract that
17 has a value greater than \$25,000.

18 Sec. 3836.164. TAX AND ASSESSMENT ABATEMENTS. The district
19 may grant in the manner authorized by Chapter 312, Tax Code, an
20 abatement for a tax or assessment owed to the district.

21 [Sections 3836.165-3836.200 reserved for expansion]

22 SUBCHAPTER E. DISSOLUTION

23 Sec. 3836.201. DISSOLUTION OF DISTRICT WITH OUTSTANDING
24 DEBT. (a) The board may dissolve the district regardless of
25 whether the district has debt. Section 375.264, Local Government
26 Code, does not apply to the district.

27 (b) If the district has debt when it is dissolved, the

1 district shall remain in existence solely for the purpose of
2 discharging its debts. The dissolution is effective when all debts
3 have been discharged.

4 SECTION 2. As of the effective date of this Act, the
5 International Management District includes all territory contained
6 in the following described area:

7 Beginning at the intersection of the South Right of Way of
8 Bellaire Boulevard and the East Right of Way of Beltway 8,

9 Thence South along the East Right of Way of Beltway 8 to the
10 South Right of Way of Highway 59, and at that intersection,
11 crossing the Right of Way of Beltway 8 to the North Right of Way of
12 Highway 59 following Southwest to the North Right of Way of West
13 Bellfort,

14 Thence West along the North Right of Way of West Bellfort to
15 the East Right of Way of Landsbury,

16 Thence North along the East Right of Way of Landsbury to the
17 South Right of Way of Stancliff,

18 Thence East along the South Right of Way of Stancliff to the
19 West Right of Way of Wilcrest,

20 Thence North along the West Right of Way of Wilcrest to the
21 South Right of Way of South Street,

22 Thence West along the South Right of Way of South Street to
23 the West Right of Way of Leawood Boulevard,

24 Thence North along the West Right of Way of Leawood Boulevard
25 to the South Right of Way of Bissonnet,

26 Thence West along the South Right of Way of Bissonnet for a
27 distance of 2,085 to the North East Corner of a 2.02 acre parcel,

1 (Utility Eastment)

2 Thence South for a distance of 2,203 feet along the East line
3 of a 2.02 acre parcel,

4 Thence West along a drainage easement for a total distance of
5 5,960 feet crossing the 2.02 acre parcel following the South line of
6 a 2.02 acre parcel crossing the Right of Way of Grove Glen; then
7 continuing west along the South line of a .82 acre parcel; then
8 continuing west along the South line of a .13 acre parcel; crossing
9 the Right of Way of Kirkwood, then continuing west along the South
10 line of a 1.3 acre parcel; crossing the Right of Way of Keegan Road;
11 then continuing west along the South line of a 1.13 acre parcel;
12 crossing the Right of Way of Cook Road; then continuing west along
13 the South line of a .77 acre parcel to the East Right of Way of
14 Huntington Place,

15 Thence South along the East Right of Way of Huntington Place
16 to the West Right of Way of Dairy Ashford,

17 Thence North along the West Right of Way of Dairy Ashford to
18 the North Right of Way of Beechnut,

19 Thence East along the North Right of Way of Beechnut to the
20 West Right of Way of Wilcrest,

21 Thence North along the West Right of Way of Wilcrest to the
22 South Right of Way of Stroud,

23 Thence West along the South Right of Way of Stroud to the East
24 Right of Way of Baneway,

25 Thence South along the East Right of Way of Baneway to the
26 South Right of Way of Sandstone,

27 Thence West along the South Right of Way of Sandstone to the

1 West Right of Way of Bellglen,

2 Thence North along the West Right of Way of Bellglen to the
3 South Right of Way of Stroud,

4 Thence West along the South Right of Way of Stroud to the East
5 Right of Way of Kirkwood,

6 Thence South along the East Right of Way of Kirkwood for a
7 distance of 134 feet,

8 Thence West crossing the Right of Way of Kirkwood following
9 the South Right of Way of Stroud to the East Right of Way of Jetty,

10 Thence South along the East Right of Way of Jetty for a
11 distance of 134 feet,

12 Thence West crossing the Right of Way of Jetty following the
13 South Right of Way of Sharpview to the East Right of Way of Cook
14 Road,

15 Thence South along the East Right of Way of Cook Road for a
16 distance of 447 feet,

17 Thence West crossing the Right of Way of Cook Road following
18 the South Right of Way of Sandstone to the West Right of Way of
19 Crownwest,

20 Thence North along the West Right of Way of Crownwest to the
21 South Right of Way of Sharpview,

22 Thence West along the South Right of Way of Sharpview as it
23 turns until it reaches the West Right of Way of Treewater,

24 Thence North along the West Right of Way of Treewater to the South
25 Right of Way of Sharpview,

26 Thence West along the South Right of Way of Sharpview to the
27 East Right of Way of Valvwind,

1 Thence South along the East Right of Way of Valvwind to the
2 South Right of Way of Wispwind,

3 Thence West along the South Right of Way of Wispwind to the
4 West Right of Way of Dairy Ashford,

5 Thence North along the West Right of Way of Dairy Ashford to
6 the South Right of Way of Leader,

7 Thence West along the South Right of Way of Leader to the West
8 Right of Way of Synott,

9 Thence North along the West Right of Way of Synott to the
10 South Right of Way of Bellaire Boulevard,

11 Thence West along the South Right of Way of Bellaire
12 Boulevard to the West line of the City of Houston City Limits,

13 Thence North for a distance of 1,264 feet along the West line
14 of the City of Houston City Limits to the Northwest Corner of a 23.7
15 acre parcel,

16 Thence East following the North line of a 23.7 acre parcel
17 crossing the Right of Way of Synott following the North Right of Way
18 of Clarewood to the West line of a 2.1 acre parcel,

19 Thence North for a distance of 30 feet along the West line of
20 a 2.1acre parcel to the Northwest corner of said 2.1 acre parcel,

21 Thence East for a distance of 9,174 feet following the North
22 line of a 2.1 acre parcel, crossing the Right of Way of Dairy
23 Ashford, then continuing east along the North line of a 3.05 acre
24 parcel, crossing the Right of Way of Cook Road, then continuing east
25 along the North line of a 4.03 acre parcel, then continuing east
26 along North line of a 6.27 acre parcel, crossing the Right of Way of
27 Kirkwood, then continuing east along the North line of a 6.77 acre

1 parcel, then continuing east along the North line of a .51 acre
2 parcel, crossing the Right of Way of Belle Park, then continuing
3 east along the North line of a .77 acre parcel to the East right of
4 Way of Brays Bayou,

5 Thence Southeast along the North Right of Way of Brays Bayou
6 until it crosses the Right of Way of Bellaire Boulevard to the South
7 Right of Way of Bellaire Boulevard,

8 Thence East along the South Right of Way of Bellaire
9 Boulevard to the East Right of Way of Beltway 8, to the Point of
10 Beginning.

11 SAVE AND EXCEPT the following parcel, identified by its
12 Harris County Appraisal District account number: 1107380000001 Res
13 B Blk 2 Westhampton Place.

14 Clarewood to the West line of a 2.1 acre parcel,
15 Thence North for a distance of 30 feet along the West line of a
16 2.1acre parcel to the Northwest corner of said 2.1 acre parcel,

17 Thence East for a distance of 9,174 feet following the North line of
18 a 2.1 acre parcel, crossing the Right of Way of Dairy Ashford, then
19 continuing east along the North line of a 3.05 acre parcel, crossing
20 the Right of Way of Cook Road, then continuing east along the North
21 line of a 4.03 acre parcel, then continuing east along North line of
22 a 6.27 acre parcel, crossing the Right of Way of Kirkwood, then
23 continuing east along the North line of a 6.77 acre parcel, then
24 continuing east along the North line of a .51 acre parcel, crossing
25 the Right of Way of Belle Park, then continuing east along the North
26 line of a .77 acre parcel to the East right of Way of Brays Bayou,

27 Thence Southeast along the North Right of Way of Brays Bayou until

1 it crosses the Right of Way of Bellaire Boulevard to the South Right
2 of Way of Bellaire Boulevard,
3 Thence East along the South Right of Way of Bellaire Boulevard to
4 the East Right of Way of Beltway 8, to the Point of Beginning.

5 SECTION 3. A petition filed under Section 3836.153, Special
6 District Local Laws Code, as added by this Act, may be dated before
7 the effective date of this Act.

8 SECTION 4. The legislature finds that:

9 (1) proper and legal notice of the intention to
10 introduce this Act, setting forth the general substance of this
11 Act, has been published as provided by law, and the notice and a
12 copy of this Act have been furnished to all persons, agencies,
13 officials, or entities to which they are required to be furnished by
14 the constitution and laws of this state, including the governor,
15 who has submitted the notice and Act to the Texas Commission on
16 Environmental Quality;

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

21 (3) the general law relating to consent by political
22 subdivisions to the creation of districts with conservation,
23 reclamation, and road powers and the inclusion of land in those
24 districts has been complied with; and

25 (4) all requirements of the constitution and laws of
26 this state and the rules and procedures of the legislature with
27 respect to the notice, introduction, and passage of this Act have

1 been fulfilled and accomplished.

2 SECTION 5. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2005.