

By: Armbrister

S.B. No. 1873

Substitute the following for S.B. No. 1873:

By: Puente

C.S.S.B. No. 1873

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Fort Bend County Municipal Utility District No. 167; providing authority to impose taxes 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 8142 to read as follows:

CHAPTER 8142. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT

NO. 167

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8142.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Rosenberg, Texas.

(3) "County" means Fort Bend County.

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

(5) "District" means the Fort Bend County Municipal Utility District No. 167.

Sec. 8142.002. NATURE OF DISTRICT. The district is a municipal utility district in Fort Bend County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8142.003. CONFIRMATION ELECTION REQUIRED. The board shall hold an election to confirm the creation of the district as

1 provided by Section 49.102, Water Code.

2 Sec. 8142.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
3 All land and other property included in the district will benefit
4 from the improvements and services to be provided by the district
5 under powers conferred by Section 52, Article III, and Section 59,
6 Article XVI, Texas Constitution.

7 (b) The district is created to accomplish:

8 (1) the same purposes as a municipal utility district
9 as provided by Section 54.012, Water Code; and

10 (2) the construction, acquisition, improvement,
11 maintenance, or operation of macadamized, graveled, or paved roads
12 or turnpikes, or improvements in aid of those roads or turnpikes, to
13 the extent authorized by Section 52, Article III, Texas
14 Constitution.

15 Sec. 8142.005. INITIAL DISTRICT TERRITORY. (a) The
16 district is initially composed of the territory described by
17 Section 2 of the Act creating this chapter.

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

22 (1) organization, existence, or validity;

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

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

27 (4) legality or operation.

1 [Sections 8142.006-8142.050 reserved for expansion]

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 8142.051. DIRECTORS; TERMS. (a) The district is
4 governed by a board of five directors.

5 (b) Except as provided by Section 8142.053, directors serve
6 staggered four-year terms.

7 Sec. 8142.052. ELECTION OF DIRECTORS. On the uniform
8 election date in May of each even-numbered year, the appropriate
9 number of directors shall be elected.

10 Sec. 8142.053. INITIAL DIRECTORS. (a) The initial board
11 consists of:

12 (1) Lisa Prejean;

13 (2) Yvonne Cummins;

14 (3) James Swanson;

15 (4) Deana Day; and

16 (5) Jerry Schultza.

17 (b) The terms of the first three directors named in
18 Subsection (a) expire on the uniform election date in May of 2006,
19 and the terms of the last two directors named in Subsection (a)
20 expire on the uniform election date in May of 2008.

21 (c) This section expires September 1, 2009.

22 [Sections 8142.054-8142.100 reserved for expansion]

23 SUBCHAPTER C. GENERAL POWERS AND DUTIES

24 Sec. 8142.101. GENERAL POWERS AND DUTIES. The district has
25 the powers and duties necessary to accomplish the purposes for
26 which the district is created.

27 Sec. 8142.102. MUNICIPAL UTILITY DISTRICT POWERS AND

1 DUTIES. The district has the powers and duties provided by the
2 general law of this state, including Chapters 49 and 54, Water Code,
3 applicable to municipal utility districts created under Section 59,
4 Article XVI, Texas Constitution.

5 Sec. 8142.103. ROAD PROJECTS. The district may construct,
6 acquire, improve, maintain, or operate macadamized, graveled, or
7 paved roads or turnpikes, or improvements in aid of those roads or
8 turnpikes, inside the district.

9 Sec. 8142.104. MUNICIPAL OR COUNTY CONSENT AND STANDARDS.

10 (a) The district may not undertake a road project unless each
11 municipality in whose corporate limits or extraterritorial
12 jurisdiction the district is located consents by ordinance or
13 resolution. If the district is located outside the
14 extraterritorial jurisdiction of a municipality, the district may
15 not undertake a road project unless each county in which the
16 district is located consents by ordinance or resolution.

17 (b) A road project must meet all applicable construction
18 standards, zoning and subdivision requirements, and regulatory
19 ordinances of each municipality in whose corporate limits or
20 extraterritorial jurisdiction the district is located. If the
21 district is located outside the extraterritorial jurisdiction of a
22 municipality, a road project must meet all applicable construction
23 standards, zoning and subdivision requirements, and regulatory
24 ordinances of each county in which the district is located.

25 Sec. 8142.105. COMPLIANCE WITH MUNICIPAL CONSENT
26 ORDINANCES OR RESOLUTIONS. Subject to the limitations of Section
27 54.016, Water Code, the district shall comply with all applicable

1 requirements of any ordinance or resolution adopted by the city
2 council of the City of Rosenberg that consents to the creation of
3 the district or to the inclusion of lands within the district.

4 Sec. 8142.106. LIMITATION ON USE OF EMINENT DOMAIN. The
5 district may exercise the power of eminent domain outside the
6 district only to acquire an easement necessary for underground
7 water, sewage, or drainage facilities that serve the district.

8 [Sections 8142.107-8142.150 reserved for expansion]

9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

10 Sec. 8142.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
11 district may issue, without an election, bonds and other
12 obligations secured by revenue or contract payments from any lawful
13 source other than ad valorem taxation.

14 (b) The district must hold an election in the manner
15 provided by Chapters 49 and 54, Water Code, to obtain voter approval
16 before the district may impose a maintenance tax or issue bonds
17 payable from ad valorem taxes.

18 Sec. 8142.152. AD VALOREM TAX. (a) If authorized at an
19 election held under Section 8142.151, the district may impose an
20 annual ad valorem tax on taxable property in the district for the
21 provision of services or for the maintenance and operation of the
22 district, including the improvements constructed or acquired by the
23 district.

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

26 [Sections 8142.153-8142.200 reserved for expansion]

1 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

2 Sec. 8142.201. AUTHORITY TO ISSUE BONDS AND OTHER
3 OBLIGATIONS. (a) The district may issue bonds or other obligations
4 payable wholly or partly from ad valorem taxes, impact fees,
5 revenue, grants, or other district money, or any combination of
6 those sources, to pay for any authorized district purpose.

7 (b) In exercising the district's borrowing power, the
8 district may issue a bond or other obligation in the form of a bond,
9 note, certificate of participation, or other instrument evidencing
10 a proportionate interest in payments to be made by the district, or
11 other type of obligation.

12 (c) The district may not issue bonds to finance projects
13 authorized by Section 8142.103 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 (d) Bonds or other obligations issued or incurred to finance
17 projects authorized by Section 8142.103 may not exceed one-fourth
18 of the assessed value of the real property in the district.

19 Sec. 8142.202. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
20 the time bonds or other obligations payable wholly or partly from ad
21 valorem taxes are issued:

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

25 (2) the district annually shall impose an ad valorem
26 tax on all taxable property in the district in an amount sufficient
27 to:

1 (A) pay the interest on the bonds or other
2 obligations as the interest becomes due;

3 (B) create a sinking fund for the payment of the
4 principal of the bonds or other obligations when due or the
5 redemption price at any earlier required redemption date; and

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

7 Sec. 8142.203. CERTAIN AUTHORITY OF TEXAS COMMISSION ON
8 ENVIRONMENTAL QUALITY NOT APPLICABLE. Sections 49.181 and 49.182,
9 Water Code, do not apply to a road project undertaken by the
10 district or to bonds issued by the district to finance the project.

11 SECTION 2. The Fort Bend County Municipal Utility District
12 No. 167 initially includes all the territory contained in the
13 following area:

14 TRACT 1:

15 121.81 acres in the Jane H. Long League, Abstract No. 55, and
16 the Simon Jones Survey, Abstract No. 271, City of Rosenberg, Fort
17 Bend County, Texas

18 A FIELD NOTE DESCRIPTION of 121.81 acres of land in the Jane
19 H. Long League, Abstract No. 55 and in the Simon Jones Survey,
20 Abstract No. 271, City of Rosenberg, Fort Bend County, Texas; said
21 121 .81 acre tract being out of Reserve "H" and all of Reserve "K",
22 Block 4, The Villages At Rosenberg, according to the map or plat
23 recorded under Slide No. 1954 A&B of the Fort Bend County Plat
24 Records; said tract being more particularly described by metes and
25 bounds as follows with the bearings being based on Texas State Plane
26 Coordinate System, South Central Zone (NAD83) per GPS Observations
27 on May 07, 2004 using National Geodetic Survey Continuously

1 Operating Reference Stations:

2 BEGINNING at a 2-inch iron pipe found in the northeasterly
3 right-of-way line of Reading Road (60 feet wide) for a westerly
4 corner of said Reserve "H" and for a westerly corner of this tract;

5 THENCE; North 22° 17' 11" East - 1,438.33 feet (called North
6 22° 16' 48" East - 1,437.90 feet) with the southeasterly line of Fort
7 Bend Business Center according to the map or plat recorded under
8 Slide No. 1461 B of the Fort Bend County Plat Records to a 1/2-inch
9 iron pipe found for an angle point of this tract;

10 THENCE; North 22° 13' 39" East - 1,438.40 (called North 22° 12'
11 40" East) with the southeasterly line of a called 49.6426 acre tract
12 of land described as "Tract B" conveyed to Nancy McFarlane Bonner,
13 as recorded in Volume 1851, Page 424 of the Fort Bend County Deed
14 Records and with the southeasterly line of a called 49.6426 acre
15 tract of land described as "Tract A" conveyed to Thelma McFarlane
16 Zwiener, as recorded in Volume 1851, Page 424 of the Fort Bend
17 County Deed Records to a 2-inch iron pipe found for an interior
18 corner of this tract;

19 THENCE; North 68° 04' 11" West - 545.57 feet (called North 68°
20 03' 27" West - 545.08 feet) with the northeasterly line of said
21 "Tract A" to a 3/4-inch iron rod found for a westerly corner of this
22 tract;

23 THENCE; North 21° 41' 06" East - 1,979.04 feet (called North
24 21° 41' 49" East - 1,978.77 feet) with the southeasterly line of a
25 called 115.7247 acre tract of land conveyed to C.E. Myska, Trustee,
26 as recorded in Volume 934, Page 66 of the Fort Bend County Deed
27 Records to a 5/8-inch iron rod with cap set for the northerly corner

1 of this tract;

2 THENCE; South 37° 02' 26" East - 3,374.42 feet (called South
3 37° 01' 19" East) with the southwesterly right-of-way line of the
4 Gulf Coast & Santa Fe Railway Company right-of-way, as recorded in
5 Volume 75, Page 312 of the Fort Bend County Deed Records to point
6 for an easterly corner of this tract;

7 THENCE; South 52° 42' 48" West - 974.91 feet (called South 52°
8 43' 31" West) with the northwesterly line of Reserve "D" of said The
9 Villages At Rosenberg to a 5/8-inch iron rod with cap set for an
10 angle point of this tract;

11 THENCE; South 62° 39' 13" West - 1,205.30 feet (called South
12 62° 38' 30" West - 1,205.22 feet) with the northwesterly line of
13 Reserve "E" and Reserve "F" of said The Villages At Rosenberg to a
14 cut "x" in concrete found for a point-of-curvature;

15 THENCE; in an easterly direction with the northerly line of
16 said Reserve "F" and Reserve "G" of said The Villages At Rosenberg
17 and with said curve to the right having a radius of 100.00 feet, a
18 central angle of 50° 13' 34", a length of 87.66 feet and a chord
19 bearing South 87° 46' 00" West - 84.88 feet to a cut "x" in concrete
20 found for a point-of-tangency for this tract;

21 THENCE; North 67° 07' 14" West - 206.27 feet with the
22 northeasterly line of said Reserve "G" to a cut "x" in concrete
23 found for a southwesterly corner of this tract;

24 THENCE; North 22° 52' 43" East - 838.38 feet (called north 22°
25 52' 24" East - 838.44 feet) with the southeasterly line of Reserve
26 "A", The Villages At Rosenberg, Section 2, according to the map or
27 plat recorded under Slide No. 2214B; of the Fort Bend County Plat

1 Records conveyed to Rosenberg Venture LTD., as recorded under Fort
2 Bend County Clerk's File No. 2001119747 to a 5/8-inch iron rod found
3 for an interior corner of this tract;

4 THENCE; North 63° 20' 55" West - 400.66 feet (called North 63°
5 21' 05" West - 400.66 feet) with the northeasterly line of said
6 Reserve "A" to a point for an interior corner of this tract;

7 THENCE; South 61° 07' 04" West - 71.39 feet (called South 61°
8 06' 54" West - 71.39 feet) with a northwesterly line of said Reserve
9 "A" to an angle point of this tract;

10 THENCE; North 72° 59' 22" West - 163.95 feet (called North 73°
11 06' 44" West - 163.98 feet) with a northeasterly line of said
12 Reserve "A" to a hole punch in reinforced concrete pipe found for an
13 angle point of this tract;

14 THENCE; North 51° 19' 13" West - 19.63 feet (called North 50°
15 17' 30" West - 19.67 feet) with a northeasterly line of said Reserve
16 "A" to a 5/8-inch iron rod found for an angle point of this tract;

17 THENCE; North 22° 12' 51" East - 55.94 feet (called North 22°
18 12' 40" East - 55.84 feet) with the southeasterly right-of-way line
19 of Vista Drive (60 feet wide) according to the map or plat recorded
20 under Slide No. 2214 B of the Fort Bend County Plat Records to a
21 5/8-inch iron rod with cap set for an interior corner of this tract;

22 THENCE; North 67° 47' 09" West - 60.00 feet to a 5/8-inch iron
23 rod with cap set for an interior corner of this tract;

24 THENCE; South 22° 12' 51" West - 767.88 feet (called South 22°
25 12' 40" West - 761.21 feet) with the northwesterly right-of-way
26 line of said Vista Drive to a point for an angle point of this tract;

27 THENCE; South 22° 17' 31" West - 1,416.44 feet (called South

1 22° 16' 48" West - 1,423.85 feet) with the northwesterly
2 right-of-way line of said Vista Drive to a 5/8-inch iron rod with
3 cap set for the easterly end of a cutback at the intersection of the
4 northwesterly right-of-way line of said Vista Drive with the
5 northeasterly right-of-way line of said Reading Road;

6 THENCE; South 67° 34' 19" West - 21.11 feet (called South 67°
7 33' 28" West - 21,11 feet) with said cutback to a 5/8-inch iron rod
8 with cap set for an angle point of this tract;

9 THENCE; North 67° 08' 54" West - 84.71 feet (called North 67°
10 09' 53" West - 85.00 feet) with the northeasterly right-of-way line
11 of said Reading Road to the POINT OF BEGINNING and containing 121.81
12 acres (5,306,130 square feet) of land.

13 TRACT 2:

14 0.1377 acre in the Jane H. Long League, Abstract No. 55, City
15 of Rosenberg, Fort Bend County, Texas

16 A FIELD NOTE DESCRIPTION of 0.1377 acre (6,000 square feet)
17 of land in the Jane H. Long League, Abstract No. 55, City of
18 Rosenberg, Fort Bend County, Texas; said 0.1377 acre tract being
19 out of Reserve "H", Block 4, The Villages At Rosenberg, according to
20 the map or plat recorded under Slide No. 1954 A&B of the Fort Bend
21 County Plat Records; said tract being more particularly described
22 by metes and bounds as follows with the bearings being based on
23 Texas State Plane Coordinate System, South Central Zone (NAD83) per
24 GPS Observations on May 07, 2004 using National Geodetic Survey
25 Continuously Operating Reference Stations:

26 COMMENCING FOR REFERENCE at a 2-inch iron pipe found in the
27 northeasterly right-of-way line of Reading Road (60 feet wide) for

1 a southwesterly corner of said Reserve "H";

2 THENCE; North 22° 17' 11" East - 1,438.33 feet (called North
3 22° 16' 48" East - 1,437.90 feet) with the southeasterly line of Fort
4 Bend Business Center, according to the map or plat recorded under
5 Slide No. 1461 B of the Fort Bend County Plat Records to a 1/2-inch
6 iron pipe found;

7 THENCE; North 22° 13' 39" East - 1,438.40 feet (called North
8 22° 12' 40" East) with the southeasterly line of a called 49.6426
9 acre tract of land described as "Tract B" conveyed to Nancy
10 McFarlane Bonner, as recorded in Volume 1851, Page 424 of the Fort
11 Bend County Deed Records, with the southeasterly line of a called
12 49.6426 acre tract of land described as "Tract A" conveyed to Thelma
13 McFarlane Zwiener, as recorded in Volume 1851, Page 424 of the Fort
14 Bend County Deed Records and with the northwesterly line of said
15 Reserve "H" to a 2-inch iron pipe found for corner,

16 THENCE; South 68° 04' 11" East - 790.00 feet to a point for the
17 southwesterly corner and POINT OF BEGINNING of this tract;

18 THENCE; North 21' 55' 49" East - 100.00 feet to a point for the
19 northwesterly corner of this tract;

20 THENCE; South 68° 04' 11 " East - 60.00 feet to a point for the
21 northeasterly corner of this tract;

22 THENCE; South 21° 55' 49" West - 100.00 feet to a point for the
23 southeasterly corner of this tract;

24 THENCE; North 68° 04' 11" West - 60.00 feet to the POINT OF
25 BEGINNING and containing 0.1377 acre (6,000 square feet) of land.

26 TRACT 3:

27 0.1377 acre in the Jane H. Long League, Abstract No. 55, City

1 of Rosenberg, Fort Bend County, Texas

2 A FIELD NOTE DESCRIPTION of 0.1377 acre (6,000 square feet)
3 of land in the Jane H. Long League, Abstract No. 55, City of
4 Rosenberg, Fort Bend County, Texas; said 0.1377 acre tract being
5 out of Reserve "H", Block 4, The Villages At Rosenberg, according to
6 the map or plat recorded under Slide No. 1954 A&B of the Fort Bend
7 County Plat Records; said tract being more particularly described
8 by metes and bounds as follows with the bearings being based on
9 Texas State Plane Coordinate System, South Central Zone (NAD83) per
10 GPS Observations on May 07, 2004 using National Geodetic Survey
11 Continuously Operating Reference Stations:

12 COMMENCING FOR REFERENCE at a 2-inch iron pipe found in the
13 northeasterly right-of-way line of Reading Road (60 feet wide) for
14 a southwesterly corner of said Reserve "H";

15 THENCE; North 22° 17' 11" East- 1,438.33 feet (called North
16 22° 16' 48" East - 1,437.90 feet) with the southeasterly line of Fort
17 Bend Business Center, according to the map or plat recorded under
18 Slide No. 1461 B of the Fort Bend County Plat Records to a 1/2-inch
19 iron pipe found;

20 THENCE; North 22° 13' 39" East - 1,438.40 feet (called North
21 22° 12' 40" East) with the southeasterly line of a called 49.6426
22 acre tract of land described as "Tract B" conveyed to Nancy
23 McFarlane Bonner, as recorded in Volume 1851, Page 424 of the Fort
24 Bend County Deed Records, with the southeasterly line of a called
25 49.6426 acre tract of land described as "Tract A" conveyed to Thelma
26 McFarlane Zwiener, as recorded in Volume 1851, Page 424 of the Fort
27 Bend County Deed Records and with the northwesterly line of said

1 Reserve "H" to a 2-inch iron pipe found for corner,
2 THENCE; South 68° 04' 11" East - 730.00 feet to a point for the
3 southwesterly corner and POINT OF BEGINNING of this tract;
4 THENCE; North 21° 55' 49" East - 100.00 feet to a point for the
5 northwesterly corner of this tract;
6 THENCE; South 68° 04' 11" East - 60.00 feet to a point for the
7 northeasterly corner of this tract;
8 THENCE; South 21° 55' 49" West - 100.00 feet to a point for the
9 southeasterly corner of this tract;
10 THENCE; North 68° 04' 11" West - 60.00 feet to the POINT OF
11 BEGINNING and containing 0.1377 acre (6,000 square feet) of land.

12 TRACT 4:

13 0.1377 acre in the Jane H. Long League, Abstract No. 55, City
14 of Rosenberg, Fort Bend County, Texas

15 A FIELD NOTE DESCRIPTION of 0.1377 acre (6,000 square feet)
16 of land in the Jane H. Long League, Abstract No. 55, City of
17 Rosenberg, Fort Bend County, Texas; said 0.1377 acre tract being
18 out of Reserve "H", Block 4, The Villages At Rosenberg, according to
19 the map or plat recorded under Slide No. 1954 A&B of the Fort Bend
20 County Plat Records; said tract being more particularly described
21 by metes and bounds as follows with the bearings being based on
22 Texas State Plane Coordinate System, South Central Zone (NAD83) per
23 GPS Observations on May 07, 2004 using National Geodetic Survey
24 Continuously Operating Reference Stations:

25 COMMENCING FOR REFERENCE at a 2-inch iron pipe found in the
26 northeasterly right-of-way line of Reading Road (60 feet wide) for
27 a southwesterly corner of said Reserve "H";

1 THENCE; North 22° 17' 11" East - 1,438.33 feet (called North
2 22° 16' 48" East - 1,437.90 feet) with the southeasterly line of Fort
3 Bend Business Center, according to the map or plat recorded under
4 Slide No. 1461 B of the Fort Bend County Plat Records to a 1/2-inch
5 iron pipe found;

6 THENCE; North 22° 13' 39" East -1,438.40 feet (called North
7 22° 12' 40" East) with the southeasterly line of a called 49.6426
8 acre tract of land described as "Tract B" conveyed to Nancy
9 McFarlane Bonner, as recorded in Volume 1851, Page 424 of the Fort
10 Bend County Deed Records, with the southeasterly line of a called
11 49.6426 acre tract of land described as 'Tract A" conveyed to Thelma
12 McFarlane Zwiener, as recorded in Volume 1851, Page 424 of the Fort
13 Bend County Deed Records and with the northwesterly line of said
14 Reserve "H" to a 2-inch iron pipe found for corner;

15 THENCE; South 68° 04' 11" East - 670.00 feet to a point for the
16 southwesterly corner and POINT OF BEGINNING of this tract;

17 THENCE; North 21° 55' 49" East - 100.00 feet to a point for the
18 northwesterly corner of this tract;

19 THENCE; South 68° 04' 11" East - 60.00 feet to a point for the
20 northeasterly corner of this tract;

21 THENCE; South 21° 55' 49" West - 100.00 feet to a point for the
22 southeasterly corner of this tract;

23 THENCE; North 68° 04' 11" West - 60.00 feet to the POINT OF
24 BEGINNING and containing 0.1377 acre (6,000 square feet) of land.

25 TRACT 5:

26 0.1377 acre in the Jane H. Long League, Abstract No. 55, City
27 of Rosenberg, Fort Bend County, Texas

1 A FIELD NOTE DESCRIPTION of 0.1377 acre (6,000 square feet)
2 of land in the Jane H. Long League, Abstract No. 55, City of
3 Rosenberg, Fort Bend County, Texas; said 0.1377 acre tract being
4 out of Reserve "H", Block 4, The Villages At Rosenberg, according to
5 the map or plat recorded under Slide No. 1954 A&B of the Fort Bend
6 County Plat Records; said tract being more particularly described
7 by metes and bounds as follows with the bearings being based on
8 Texas State Plane Coordinate System, South Central Zone (NAD83) per
9 GPS Observations on May 07, 2004 using National Geodetic Survey
10 Continuously Operating Reference Stations:

11 COMMENCING FOR REFERENCE at a 2-inch iron pipe found in the
12 northeasterly right-of-way line of Reading Road (60 feet wide) for
13 a southwesterly corner of said Reserve "H";

14 THENCE; North 22° 17' 11" East - 1,438.33 feet (called North
15 22° 16' 48" East - 1,437.90 feet) with the southeasterly line of Fort
16 Bend Business Center, according to the map or plat recorded under
17 Slide No. 1461 B of the Fort Bend County Plat Records to a 1/2-inch
18 iron pipe found;

19 THENCE; North 22° 13' 39" East - 1,438.40 feet (called North
20 22° 12' 40" East) with the southeasterly line of a called 49.6426
21 acre tract of land described as "Tract B" conveyed to Nancy
22 McFarlane Bonner, as recorded in Volume 1851, Page 424 of the Fort
23 Bend County Deed Records, with the southeasterly line of a called
24 49.6426 acre tract of land described as "Tract A" conveyed to Thelma
25 McFarlane Zwiener, as recorded in Volume 1851, Page 424 of the Fort
26 Bend County Deed Records and with the northwesterly line of said
27 Reserve "H" to a 2-inch iron pipe found for corner;

1 THENCE; South 68° 04' 11" East - 610.00 feet to a point for the
2 southwesterly corner and POINT OF BEGINNING of this tract;

3 THENCE; North 21° 55' 49" East - 100.00 feet to a point for the
4 northwesterly corner of this tract;

5 THENCE; South 68° 04' 11" East - 60.00 feet to a point for the
6 northeasterly corner of this tract;

7 THENCE; South 21° 55' 49" West - 100.00 feet to a point for the
8 southeasterly corner of this tract;

9 THENCE; North 68° 04' 11" West - 60.00 feet to the POINT OF
10 BEGINNING and containing 0.1377 acre (6,000 square feet) of land.

11 TRACT 6:

12 0.1377 acre in the Jane H. Long League, Abstract No. 55, City
13 of Rosenberg, Fort Bend County, Texas

14 A FIELD NOTE DESCRIPTION of 0.1377 acre (6,000 square feet)
15 of land in the Jane H. Long League, Abstract No. 55, City of
16 Rosenberg, Fort Bend County, Texas; said 0.1377 acre tract being
17 out of Reserve "H", Block 4, The Villages At Rosenberg, according to
18 the map or plat recorded under Slide No. 1954 A&B of the Fort Bend
19 County Plat Records; said tract being more particularly described
20 by metes and bounds as follows with the bearings being based on
21 Texas State Plane Coordinate System, South Central Zone (NAD83) per
22 GPS Observations on May 07, 2004 using National Geodetic Survey
23 Continuously Operating Reference Stations:

24 COMMENCING FOR REFERENCE at a 2-inch iron pipe found in the
25 northeasterly right-of-way line of Reading Road (60 feet wide) for
26 a southwesterly corner of said Reserve "H";

27 THENCE; North 22° 17' 11" East - 1,438.33 feet (called North

1 22° 16' 48" East - 1,437.90 feet) with the southeasterly line of Fort
2 Bend Business Center, according to the map or plat recorded under
3 Slide No. 1461 B of the Fort Bend County Plat Records to a 1/2-inch
4 iron pipe found;

5 THENCE; North 22° 13' 39" East - 1,438.40 feet (called North
6 22° 12' 40" East) with the southeasterly line of a called 49.6426
7 acre tract of land described as "Tract B" conveyed to Nancy
8 McFarlane Bonner, as recorded in Volume 1851, Page 424 of the Fort
9 Bend County Deed Records, with the southeasterly line of a called
10 49.6426 acre tract of land described as "Tract A" conveyed to Thelma
11 McFarlane Zwiener, as recorded in Volume 1851, Page 424 of the Fort
12 Bend County Deed Records and with the northwesterly line of said
13 Reserve "H" to a 2-inch iron pipe found for corner;

14 THENCE; South 68° 04' 11" East - 550.0,0 feet to a point for
15 the southwesterly corner and POINT OF BEGINNING of this tract;

16 THENCE; North 21° 55' 49" East - 100.00 feet to a point for the
17 northwesterly corner of this tract;

18 THENCE; South 68° 04' 11" East - 60.00 feet to a point for the
19 northeasterly corner of this tract;

20 THENCE; South 21° 55' 49" West - 100.00 feet to a point for the
21 southeasterly corner of this tract;

22 THENCE; North 68° 04' 11" West - 60.00 feet to the POINT OF
23 BEGINNING and containing 0.1377 acre (6,000 square feet) of land.

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

1 officials, or entities to which they are required to be furnished
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
3 Government Code.

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

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

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

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