

By: Eissler

H.B. No. 4073

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the creation of the Montgomery County Municipal Utility  
3 District No. 103; providing authority to impose taxes and issue  
4 bonds.

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

6 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
7 Code, is amended by adding Chapter 8262 to read as follows:

8 CHAPTER 8262. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 103

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 8262.001. DEFINITIONS. In this chapter:

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

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

14 (3) "District" means the Montgomery County Municipal  
15 Utility District No. 103.

16 Sec. 8262.002. NATURE OF DISTRICT. The district is a  
17 municipal utility district in Montgomery County created under and  
18 essential to accomplish the purposes of Section 59, Article XVI,  
19 Texas Constitution.

20 Sec. 8262.003. CONFIRMATION ELECTION REQUIRED. If the  
21 creation of the district is not confirmed at a confirmation  
22 election held under Section 8262.023 before September 1, 2015:

23 (1) the district is dissolved September 1, 2015,  
24 except that the district shall:

1           (A) pay any debts incurred;

2           (B) transfer to Montgomery County any assets that  
3 remain after the payment of debts; and

4           (C) maintain the organization of the district  
5 until all debts are paid and remaining assets are transferred; and

6           (2) this chapter expires September 1, 2016.

7           Sec. 8262.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

8 All land and other property included in the district will benefit  
9 from the improvements and services to be provided by the district.

10          (b) The district is created to accomplish:

11           (1) the purposes of a municipal utility district as  
12 provided by general law; and

13           (2) to the extent authorized by Section 52, Article  
14 III, Texas Constitution, the construction, acquisition,  
15 improvement, maintenance, or operation of arterial or main feeder  
16 roads or improvements in aid of those roads.

17          Sec. 8262.005. INITIAL DISTRICT TERRITORY. (a) The  
18 district is initially composed of the territory described by  
19 Section 2 of the Act creating this chapter.

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

24           (1) organization, existence, or validity;

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

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

2           (4) legality or operation.

3           [Sections 8262.006-8262.020 reserved for expansion]

4           SUBCHAPTER A-1. TEMPORARY PROVISIONS

5           Sec. 8262.021. TEMPORARY DIRECTORS. (a) The temporary  
6 board consists of:

7           (1) Chris Corbin;

8           (2) Julie Collette;

9           (3) Michael Friedman;

10          (4) Gregg Esses; and

11          (5) Hance V. Myers III.

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

13           (1) the date initial directors are elected under  
14 Section 8262.023; or

15           (2) the date this subchapter expires under Section  
16 8262.025.

17          Sec. 8262.022. ORGANIZATIONAL MEETING OF TEMPORARY  
18 DIRECTORS. As soon as practicable after all the temporary  
19 directors have qualified under Section 49.055, Water Code, the  
20 temporary directors shall meet at a location in the district  
21 agreeable to a majority of the directors. At the meeting, the  
22 temporary directors shall elect officers from among the temporary  
23 directors and conduct any other district business.

24          Sec. 8262.023. CONFIRMATION AND INITIAL DIRECTORS'  
25 ELECTION. Not later than the second anniversary of the  
26 organizational meeting held under Section 8262.022, the temporary  
27 directors shall hold an election to confirm the creation of the

1 district and to elect five initial directors as provided by Section  
2 49.102, Water Code.

3 Sec. 8262.024. INITIAL ELECTED DIRECTORS; TERMS. Unless  
4 the initial board otherwise agrees, the directors elected under  
5 Section 8262.023 shall draw lots to determine which two shall serve  
6 until the first regularly scheduled election of directors under  
7 Section 8262.052 and which three shall serve until the second  
8 regularly scheduled election of directors.

9 Sec. 8262.025. EXPIRATION OF SUBCHAPTER. This subchapter  
10 expires September 1, 2015.

11 [Sections 8262.026-8262.050 reserved for expansion]

12 SUBCHAPTER B. BOARD OF DIRECTORS

13 Sec. 8262.051. DIRECTORS; TERMS. (a) The district is  
14 governed by a board of five directors.

15 (b) Except for temporary or initial directors, directors  
16 serve staggered four-year terms.

17 Sec. 8262.052. ELECTION OF DIRECTORS. On the uniform  
18 election date in May of each even-numbered year, the appropriate  
19 number of directors shall be elected.

20 [Sections 8262.053-8262.100 reserved for expansion]

21 SUBCHAPTER C. POWERS AND DUTIES

22 Sec. 8262.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
23 DUTIES. (a) The district has the powers and duties provided by the  
24 general law of this state, including Chapters 49 and 54, Water Code,  
25 applicable to municipal utility districts created under Section 59,  
26 Article XVI, Texas Constitution.

27 (b) The district has the powers and duties necessary to

1 accomplish the purposes for which the district is created.

2 Sec. 8262.102. ROAD PROJECTS. (a) To the extent authorized  
3 by Section 52, Article III, Texas Constitution, the district may  
4 acquire, construct, or finance a road that meets the criteria or  
5 requirements for a thoroughfare, arterial, or collector road of the  
6 county in which the road is located or the municipality in whose  
7 corporate limits or extraterritorial jurisdiction the road is  
8 located or improvements in aid of that road.

9 (b) A road project must meet all applicable standards,  
10 regulations, and ordinances of the municipality or county in whose  
11 jurisdiction the district is located.

12 Sec. 8262.103. RECREATIONAL FACILITIES; LIMIT ON EMINENT  
13 DOMAIN POWER. (a) In this section, "recreational facilities" and  
14 "develop and maintain" have the meanings assigned by Section  
15 49.462, Water Code.

16 (b) The district may develop and maintain recreational  
17 facilities.

18 (c) The district may not, for the development or maintenance  
19 of a recreational facility, acquire by condemnation land, an  
20 easement, or other property inside or outside the district.

21 Sec. 8262.104. COMPLIANCE WITH MUNICIPAL CONSENT  
22 ORDINANCES OR RESOLUTIONS. Subject to the limitations of Section  
23 54.016, Water Code, the district shall comply with all applicable  
24 requirements of any ordinance or resolution adopted by the  
25 governing body of the municipality that consents to the creation of  
26 the district or to the inclusion of lands within the district.

27 [Sections 8262.105-8262.150 reserved for expansion]

1           SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2           Sec. 8262.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
3 district may issue, without an election, bonds and other  
4 obligations secured by revenue or contract payments from any source  
5 other than ad valorem taxation.

6           (b) The district must hold an election in the manner  
7 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
8 before the district may impose an operation and maintenance tax or  
9 issue bonds payable from ad valorem taxes.

10          Sec. 8262.152. OPERATION AND MAINTENANCE TAX. (a) If  
11 authorized at an election held under Section 8262.151, the district  
12 may impose an operation and maintenance tax on taxable property in  
13 the district in accordance with Section 49.107, Water Code.

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

16           [Sections 8262.153-8262.200 reserved for expansion]

17           SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

18          Sec. 8262.201. AUTHORITY TO ISSUE BONDS AND OTHER  
19 OBLIGATIONS. The district may issue bonds or other obligations  
20 payable wholly or partly from ad valorem taxes, impact fees,  
21 revenue, grants, or other district money, or any combination of  
22 those sources, to pay for any authorized district purpose.

23          Sec. 8262.202. BONDS FOR ROAD PROJECTS. (a) The district  
24 may not issue bonds to finance projects authorized by Section  
25 8262.102 unless the issuance is approved by a vote of a two-thirds  
26 majority of the voters of the district voting at an election called  
27 for that purpose.

1       (b) Bonds or other obligations issued or incurred to finance  
2 projects authorized by Section 8262.102 may not exceed one-fourth  
3 of the assessed value of the real property in the district.

4       Sec. 8262.203. BONDS FOR RECREATIONAL FACILITIES. If  
5 authorized at an election under Section 8262.151, the district may  
6 issue bonds payable from ad valorem taxes to pay for the development  
7 and maintenance of recreational facilities.

8       Sec. 8262.204. TAXES FOR BONDS. At the time bonds payable  
9 wholly or partly from ad valorem taxes are issued:

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

13           (2) the district annually shall impose an ad valorem  
14 tax on all taxable property in the district in an amount sufficient  
15 to:

16                   (A) pay the interest on the bonds as the interest  
17 becomes due;

18                   (B) create a sinking fund for the payment of the  
19 principal of the bonds when due or the redemption price at any  
20 earlier required redemption date; and

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

22       SECTION 2. The Montgomery County Municipal Utility District  
23 No. 103 initially includes all the territory contained in the  
24 following area:

25 TRACT 1

26 All that certain 757.744 acre (33,007,331 square feet) parcel of  
27 land situated in the Joseph A. Parker Survey, Abstract Number 418,

1 in Montgomery County, Texas, and being a portion of that certain  
2 call 1,554.570 acre tract described in a Warranty Deed to Pacific  
3 Indio Properties, Inc. recorded in Clerk's File Number 2006-013955  
4 of the Official Public Records of Real Property at Montgomery  
5 County Texas (O.P.R.R.P.M.C.T.), and a portion of that certain call  
6 877.775 acre tract described in a Warranty Deed to Pacific Indio  
7 Properties, Inc. recorded in Clerk's File Number 2005-116796 of the  
8 O.P.R.R.P.M.C.T., said 757.744 acre tract being more particularly  
9 described by metes and bounds as follows: (All bearings are  
10 referenced to the Texas State Plane Coordinate System, South  
11 Central Zone)

12 BEGINNING at a 3/4 inch iron pipe found in the recognized north line  
13 of said Joseph A. Parker Survey for the southeast corner of that  
14 certain call 2,883.06 acre tract described in a Deed to LGI LAND,  
15 L.L.C. in County Clerk's File Number 2004-114162 of the  
16 O.P.R.R.P.M.C.T., an interior corner of said 1,554.570 acre tract,  
17 and the southwest corner of the herein described tract, and from  
18 which a 100D nail found for reference bears North 35 Degrees 02  
19 Minutes 54 Seconds East, a distance of 12.69 feet, and from which a  
20 "PK" nail found in a 4 inch wooden post bears South 51 Degrees 13  
21 Minutes 29 Seconds West, a distance of 8.04 feet;

22 THENCE, through and across said 1554.570 acre tract and with the  
23 recognized north line of said Joseph A. Parker Survey, North 50  
24 Degrees 32 Minutes 13 Seconds East, a distance of 889.47 feet to an  
25 angle point;

26 THENCE, departing the recognized north line of said Joseph A.  
27 Parker Survey, and continuing through and across said 1554.570 acre



1 tract, South 87 Degrees 41 Minutes 21 Seconds East, a distance of  
2 797.17 feet to a point in the proposed westerly right-of-way  
3 (R.O.W.) line of Townsen Road (100 feet wide) for the northeast  
4 corner of the herein described tract;

5 THENCE, continuing through and across said 1,554.570 acre tract,  
6 through and across said 877.775 acre tract, respectively, and with  
7 the westerly R.O.W. line of said proposed Townsen Road, the  
8 following four (4) courses:

9           1) 1,336.14 feet along the arc of a curve to the  
10           left having a radius of 2,050.00 feet, a central angle  
11           of 37 Degrees 20 Minutes 39 Seconds, and a chord that  
12           bears South 26 Degrees 34 Minutes 56 Seconds East, a  
13           distance of 1,312.62 feet;

14           2) South 45 Degrees 15 Minutes 15 Seconds East, a  
15           distance of 1,595.17 feet to the beginning of a curve to  
16           the right;

17           3) 2,365.43 feet along the arc of said curve to  
18           the right having a radius of 2,950.00 feet, a central  
19           angle of 45 Degrees 56 Minutes 31 Seconds, and a chord  
20           that bears South 22 Degrees 17 Minutes 00 Seconds East,  
21           a distance of 2,302.57 feet;

22           4) South 00 Degrees 41 Minutes 16 Seconds West, a  
23           distance of 392.57 feet to the intersection of the  
24           westerly R.O.W. line of said proposed Townsen Road with  
25           the northerly R.O.W. line of a proposed 100 foot wide  
26           R.O.W. for the southeast corner of the herein described  
27           tract;

1 THENCE, continuing through and across said 877.775 acre tract, and  
2 with the northerly line of said proposed 100 foot wide R.O.W., the  
3 following three (3) courses:

4 1) North 89 Degrees 18 Minutes 44 Seconds West, a  
5 distance of 818.57 feet to the beginning of a curve to  
6 the left;

7 2) 1,527.01 feet along the arc of said curve to  
8 the left having a radius of 2,050.00 feet, a central  
9 angle of 42 Degrees 40 Minutes 43 Seconds, and a chord  
10 that bears South 69 Degrees 20 Minutes 55 Seconds West,  
11 a distance of 1,491.95 feet;

12 3) South 48 Degrees 00 Minutes 33 Seconds West, a  
13 distance of 2,488.25 feet to a point in the east bank of  
14 Spring Creek for the southwest corner of the herein  
15 described tract;

16 THENCE, with the meanders of the east bank of Spring Creek, the  
17 following thirty seven (37) courses:

18 1) North 34 Degrees 40 Minutes 52 Seconds West, a  
19 distance of 82.86 feet;

20 2) North 51 Degrees 58 Minutes 06 Seconds West, a  
21 distance of 248.75 feet;

22 3) North 80 Degrees 17 Minutes 53 Seconds West, a  
23 distance of 236.06 feet;

24 4) South 70 Degrees 11 Minutes 27 Seconds West, a  
25 distance of 165.57 feet;

26 5) South 59 Degrees 43 Minutes 45 Seconds West, a  
27 distance of 433.12 feet;

- 1                   6) South 53 Degrees 49 Minutes 01 Second West, a  
2 distance of 109.00 feet;
- 3                   7) South 55 Degrees 54 Minutes 36 Seconds West, a  
4 distance of 129.70 feet;
- 5                   8) South 55 Degrees 02 Minutes 17 Seconds West, a  
6 distance of 101.37 feet;
- 7                   9) South 68 Degrees 15 Minutes 19 Seconds West, a  
8 distance of 217.79 feet;
- 9                   10) South 81 Degrees 01 Minute 41 Seconds West, a  
10 distance of 125.07 feet;
- 11                  11) North 84 Degrees 25 Minutes 15 Seconds West, a  
12 distance of 114.05 feet;
- 13                  12) North 77 Degrees 11 Minutes 12 Seconds West, a  
14 distance of 94.98 feet;
- 15                  13) North 67 Degrees 18 Minutes 28 Seconds West, a  
16 distance of 127.04 feet;
- 17                  14) North 50 Degrees 13 Minutes 23 Seconds West, a  
18 distance of 56.72 feet;
- 19                  15) North 46 Degrees 23 Minutes 16 Seconds West, a  
20 distance of 197.98 feet;
- 21                  16) North 36 Degrees 54 Minutes 43 Seconds West, a  
22 distance of 155.51 feet;
- 23                  17) North 27 Degrees 37 Minutes 55 Seconds West, a  
24 distance of 182.32 feet;
- 25                  18) North 12 Degrees 43 Minutes 47 Seconds West, a  
26 distance of 137.95 feet;
- 27                  19) North 10 Degrees 40 Minutes 53 Seconds West, a

- 1 distance of 145.75 feet;
- 2 20) North 16 Degrees 45 Minutes 07 Seconds West,  
3 at 28.32 feet pass the call northwest corner of said  
4 877.75 acre tract and the call southwest corner of said  
5 1554.570 acre tract, and continue, in all, a distance of  
6 152.15 feet;
- 7 21) North 36 Degrees 16 Minutes 24 Seconds West, a  
8 distance of 161.65 feet;
- 9 22) North 44 Degrees 40 Minutes 15 Seconds West, a  
10 distance of 137.01 feet;
- 11 23) North 59 Degrees 54 Minutes 35 Seconds West, a  
12 distance of 96.16 feet;
- 13 24) North 51 Degrees 04 Minutes 33 Seconds West, a  
14 distance of 146.07 feet;
- 15 25) North 66 Degrees 00 Minutes 48 Seconds West, a  
16 distance of 114.41 feet;
- 17 26) North 62 Degrees 48 Minutes 10 Seconds West, a  
18 distance of 162.52 feet;
- 19 27) North 68 Degrees 13 Minutes 47 Seconds West, a  
20 distance of 197.70 feet;
- 21 28) North 63 Degrees 28 Minutes 43 Seconds West, a  
22 distance of 217.62 feet;
- 23 29) North 54 Degrees 54 Minutes 15 Seconds West, a  
24 distance of 203.99 feet;
- 25 30) North 36 Degrees 27 Minutes 27 Seconds West, a  
26 distance of 174.12 feet;
- 27 31) North 37 Degrees 11 Minutes 05 Seconds West, a

1 distance of 148.14 feet;  
2 32) North 32 Degrees 29 Minutes 54 Seconds West, a  
3 distance of 177.76 feet;  
4 33) North 27 Degrees 17 Minutes 55 Seconds West, a  
5 distance of 165.20 feet;  
6 34) North 13 Degrees 38 Minutes 16 Seconds West, a  
7 distance of 175.51 feet;  
8 35) North 05 Degrees 56 Minutes 49 Seconds East, a  
9 distance of 147.57 feet;  
10 36) North 02 Degrees 43 Minutes 41 Seconds West, a  
11 distance of 160.23 feet;  
12 37) North 08 Degrees 48 Minutes 24 Seconds West, a  
13 distance of 8.98 feet to a point in the east bank of  
14 Spring Creek for the lower northwest corner of the  
15 herein described tract, and from which the call  
16 southwest corner of a said 2,883.06 acre tract bears  
17 South 48 Degrees 24 Minutes 25 Seconds West, a distance  
18 of 60.50 feet;  
19 THENCE, departing the meanders of the east bank of Spring Creek, and  
20 with the lower southerly line of said 2,883.06 acre tract and the  
21 lower northerly line of the herein described tract, North 50  
22 Degrees 31 Minutes 16 Seconds East, at 139.56 feet pass a 5/8 inch  
23 iron rod stamped "LJA ENG." found 2.23 feet right, at 827.01 feet  
24 pass a 3/4 inch iron pipe, and continue, in all, a distance of  
25 2,839.95 to a 4 inch concrete monument found for an exterior corner  
26 of said 2,833.06 acre tract and an interior corner of the herein  
27 described tract;

1 THENCE, with the lower easterly line of said 2,883.06 acre tract,  
2 North 39 Degrees 30 Minutes 01 Second West, a distance of 558.28  
3 feet to a 4 inch concrete monument found in the recognized north  
4 line of said Joseph A. Parker Survey for an interior corner of said  
5 2,883.06 acre tract and an exterior corner of the herein described  
6 tract;

7 THENCE, with the recognized north line of said Joseph A. Parker  
8 Survey, the southerly line of said 2,883.06 acre tract and the upper  
9 northerly line of the herein described tract, North 50 Degrees 32  
10 Minutes 13 Seconds East, a distance of 2,768.00 feet to the POINT OF  
11 BEGINNING and containing 757.744 acres (33,007,331 square feet) of  
12 land.

13 TRACT 2

14 All that certain 313.559 acre (13,658,610 square feet) parcel of  
15 land situated in the Joseph A. Parker Survey, Abstract Number 418,  
16 in Montgomery County, Texas, and being a portion of that certain  
17 call 2,086.441 acre tract described in a Warranty Deed to Pacific  
18 Indio Properties, Inc. recorded in Clerk's File Number 2005-116793  
19 of the Official Public Records of Real Property at Montgomery  
20 County, Texas (O.P.R.R.P.M.C.T.), and a portion of that certain  
21 call 877.775 acre tract described in a Warranty Deed to Pacific  
22 Indio Properties, Inc. recorded in Clerk's File Number 2005-116796  
23 of the O.P.R.R.P.M.C.T., said 313.559 acre tract being more  
24 particularly described by metes and bounds as follows: (All  
25 bearings are referenced to the Texas State Plane Coordinate System,  
26 South Central Zone)

27 COMMENCING at a 5/8-inch iron rod with plastic cap stamped

1 "BENCHMARK ENGR." found in the south line of said 877.775 acre tract  
2 for the northwest corner of that certain call 435.784 acre tract  
3 described in a Warranty Deed to Pacific Indio Properties, Inc., in  
4 Clerk's File Number 2005-116793 of the O.P.R.R.P.M.C.T., and the  
5 upper northeast corner of said 2,086.441 acre tract;

6 THENCE, with the southerly line of said 877.775 acre tract and the  
7 northerly line of said 2,086.441 acre tract, South 56 Degrees 46  
8 Minutes 11 Seconds West, a distance of 1,634.37 to the intersection  
9 of the north line of said 2,086.441 acre tract with the westerly  
10 right-of-way (R.O.W.) line of proposed Townsen Road (100 feet wide)  
11 for the POINT OF BEGINNING;

12 THENCE, through and across said 2,086.441 acre tract and with the  
13 westerly R.O.W. line of said proposed Townsen Road, the following  
14 three (3) courses:

15 1) 1,017.44 feet along the arc of a curve to the  
16 right having a radius of 1,950.00 feet, a central angle  
17 of 29 Degrees 53 Minutes 42 Seconds, and a chord that  
18 bears South 18 Degrees 45 Minutes 49 Seconds East, a  
19 distance of 1,005.94 feet;

20 2) South 03 Degrees 48 Minutes 58 Seconds East, a  
21 distance of 458.87 feet to the beginning of a curve to  
22 the left;

23 3) 485.84 feet along the arc of said curve to the  
24 left having a radius of 2,050.00 feet, a central angle  
25 of 13 Degrees 34 Minutes 44 Seconds, and a chord that  
26 bears South 10 Degrees 36 Minutes 19 Seconds East, a  
27 distance of 484.70 feet to the southeast corner of the

1           herein described tract;

2   THENCE, continuing through and across said 2,086.441 acre tract and  
3   said 877.775 acre tract, respectively, South 00 Degrees 00 Minutes  
4   00 Seconds West, at 3,323.25 feet pass the northerly line of said  
5   2,086.441 acre tract and the southerly line of said 877.775 acre  
6   tract, and continue, in all, a distance of 4,220.17 feet to a point  
7   in the east bank of Spring Creek for the southwest corner of the  
8   herein described tract;

9   THENCE, with the meanders of the east bank of Spring Creek, the  
10   following thirteen (13) courses:

11                 1) North 07 Degrees 36 Minutes 39 Seconds West, a  
12                 distance of 104.90 feet;

13                 2) North 07 Degrees 36 Minutes 39 Seconds West, a  
14                 distance of 104.90 feet;

15                 3) North 16 Degrees 38 Minutes 31 Seconds West, a  
16                 distance of 182.58

17                 4) North 15 Degrees 45 Minutes 24 Seconds West, a  
18                 distance of 152.10 feet;

19                 5) North 18 Degrees 13 Minutes 52 Seconds West, a  
20                 distance of 143.53 feet;

21                 6) North 28 Degrees 04 Minutes 03 Seconds West, a  
22                 distance of 197.45 feet;

23                 7) North 40 Degrees 44 Minutes 03 Seconds West, a  
24                 distance of 186.52 feet;

25                 8) North 44 Degrees 58 Minutes 04 Seconds West, a  
26                 distance of 167.13 feet;

27                 9) North 46 Degrees 33 Minutes 09 Seconds West, a



1 distance of 142.41 feet;

2 10) North 41 Degrees 29 Minutes 01 Second West, a  
3 distance of 130.34 feet;

4 11) North 35 Degrees 56 Minutes 07 Seconds West, a  
5 distance of 194.37 feet;

6 12) North 26 Degrees 18 Minutes 17 Seconds West, a  
7 distance of 121.60 feet;

8 13) North 34 Degrees 40 Minutes 52 Seconds West, a  
9 distance of 137.17 feet to the intersection of the east  
10 bank of Spring Creek with the southerly line of a  
11 proposed 100 foot wide R.O.W. for the northwest corner  
12 of the herein described tract;

13 THENCE, through and across said 877.775 acre tract and with the  
14 southerly line of said proposed R.O.W, the following three (3)  
15 courses:

16 1) North 48 Degrees 00 Minutes 33 Seconds East, a  
17 distance of 2,501.08 feet to the beginning of a curve to  
18 the right;

19 2) 1,452.52 feet along the arc of said curve to  
20 the right having a radius of 1,950.00 feet, a central  
21 angle of 42 Degrees 40 Minutes 43 Seconds, and a chord  
22 that bears North 69 Degrees 20 Minutes 55 Seconds East,  
23 a distance of 1,419.17 feet;

24 3) South 89 Degrees 18 Minutes 44 Seconds East, a  
25 distance of 818.57 feet to the intersection of the  
26 southerly line of said proposed 100 wide R.O.W. with the  
27 westerly R.O.W. line of said proposed Townsen Road;

1 THENCE, continuing through and across said 877.775 acre tract and  
2 with the westerly R.O.W. line of said proposed Townsen Road, the  
3 following four (4) courses:

4           1) South 00 Degrees 41 Minutes 16 Seconds West, a  
5 distance of 200.00 feet to the beginning of a curve to  
6 the left;

7           2) 1,319.07 feet along the arc of said curve to  
8 the left having a radius of 2,050.00 feet, a central  
9 angle of 36 Degrees 52 Minutes 01 Second, and a chord  
10 that bears South 17 Degrees 44 Minutes 44 Seconds East,  
11 a distance of 1,296.43 feet;

12           3) South 36 Degrees 10 Minutes 45 Seconds East, a  
13 distance of 425.92 feet to the beginning of a curve to  
14 the right;

15           4) 84.00 feet along the arc of said curve to the  
16 right having a radius of 1,950.00 feet, a central angle  
17 of 02 Degrees 28 Minutes 05 Seconds, and a chord that  
18 bears South 34 Degrees 56 Minutes 42 Seconds East, a  
19 distance of 84.00 feet to the POINT OF BEGINNING and  
20 containing 313.559 acres (13,658,610 square feet) of  
21 land.

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

1 Government Code.

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

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

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

13 SECTION 4. The legislature finds that:

14 (1) the Montgomery County Municipal Utility District  
15 No. 103, as created by Chapter 8262, Special District Local Laws  
16 Code, as added by this Act, is not officially created until  
17 confirmed by a majority of the voters of the district voting at an  
18 election held for that purpose;

19 (2) securing the consent of political subdivisions to  
20 the creation of the district before the introduction or passage of  
21 this Act may be impractical because of the uncertainties of the  
22 legislative process; and

23 (3) the constitutional requirement for the district's  
24 compliance with the provisions of the general laws relating to the  
25 consent of political subdivisions to the creation of the district  
26 and the inclusion of land within the district is satisfied if that  
27 consent is secured before the date and hour of canvassing the

1 returns and declaring the results of the confirmation election.

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, 2007.