

1-1 By: Eissler (Senate Sponsor - Williams) H.B. No. 4084  
1-2 (In the Senate - Received from the House May 10, 2007;  
1-3 May 14, 2007, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 18, 2007, reported favorably by  
1-5 the following vote: Yeas 4, Nays 0; May 18, 2007, sent to  
1-6 printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the creation of the Montgomery County Municipal Utility  
1-10 District No. 120; providing authority to impose taxes and issue  
1-11 bonds.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-14 Code, is amended by adding Chapter 8267 to read as follows:

1-15 CHAPTER 8267. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 120

1-16 SUBCHAPTER A. GENERAL PROVISIONS

1-17 Sec. 8267.001. DEFINITIONS. In this chapter:

1-18 (1) "Board" means the board of directors of the  
1-19 district.

1-20 (2) "Director" means a member of the board.

1-21 (3) "District" means the Montgomery County Municipal  
1-22 Utility District No. 120.

1-23 Sec. 8267.002. NATURE OF DISTRICT. The district is a  
1-24 municipal utility district in Montgomery County created under and  
1-25 essential to accomplish the purposes of Section 59, Article XVI,  
1-26 Texas Constitution.

1-27 Sec. 8267.003. CONFIRMATION ELECTION REQUIRED. If the  
1-28 creation of the district is not confirmed at a confirmation  
1-29 election held under Section 8267.023 before September 1, 2015:

1-30 (1) the district is dissolved September 1, 2015,  
1-31 except that the district shall:

1-32 (A) pay any debts incurred;

1-33 (B) transfer to Montgomery County any assets that  
1-34 remain after the payment of debts; and

1-35 (C) maintain the organization of the district  
1-36 until all debts are paid and remaining assets are transferred; and

1-37 (2) this chapter expires September 1, 2016.

1-38 Sec. 8267.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
1-39 All land and other property included in the district will benefit  
1-40 from the improvements and services to be provided by the district.

1-41 (b) The district is created to accomplish:

1-42 (1) the purposes of a municipal utility district as  
1-43 provided by general law; and

1-44 (2) to the extent authorized by Section 52, Article  
1-45 III, Texas Constitution, the construction, acquisition,  
1-46 improvement, maintenance, or operation of arterial or main feeder  
1-47 roads or improvements in aid of those roads.

1-48 Sec. 8267.005. INITIAL DISTRICT TERRITORY. (a) The  
1-49 district is initially composed of the territory described by  
1-50 Section 2 of the Act creating this chapter.

1-51 (b) The boundaries and field notes contained in Section 2 of  
1-52 the Act creating this chapter form a closure. A mistake made in the  
1-53 field notes or in copying the field notes in the legislative process  
1-54 does not affect the district's:

1-55 (1) organization, existence, or validity;

1-56 (2) right to issue any type of bond for the purposes  
1-57 for which the district is created or to pay the principal of and  
1-58 interest on a bond;

1-59 (3) right to impose or collect an assessment or tax; or

1-60 (4) legality or operation.

1-61 [Sections 8267.006-8267.020 reserved for expansion]

1-62 SUBCHAPTER A-1. TEMPORARY PROVISIONS

1-63 Sec. 8267.021. TEMPORARY DIRECTORS. (a) The temporary  
1-64 board consists of:

2-1                   (1) Kent Puckett;  
 2-2                   (2) Tammy Evans;  
 2-3                   (3) Andy Taylor;  
 2-4                   (4) Roy Knowles; and  
 2-5                   (5) Keith Behrens.  
 2-6                   (b) Temporary directors serve until the earlier of:  
 2-7                   (1) the date initial directors are elected under  
 2-8 Section 8267.023; or  
 2-9                   (2) the date this subchapter expires under Section  
 2-10 8267.025.  
 2-11                   Sec. 8267.022. ORGANIZATIONAL MEETING OF TEMPORARY  
 2-12 DIRECTORS. As soon as practicable after all the temporary  
 2-13 directors have qualified under Section 49.055, Water Code, the  
 2-14 temporary directors shall meet at a location in the district  
 2-15 agreeable to a majority of the directors. At the meeting, the  
 2-16 temporary directors shall elect officers from among the temporary  
 2-17 directors and conduct any other district business.  
 2-18                   Sec. 8267.023. CONFIRMATION AND INITIAL DIRECTORS'  
 2-19 ELECTION. Not later than the second anniversary of the  
 2-20 organizational meeting held under Section 8267.022, the temporary  
 2-21 directors shall hold an election to confirm the creation of the  
 2-22 district and to elect five initial directors as provided by Section  
 2-23 49.102, Water Code.  
 2-24                   Sec. 8267.024. INITIAL ELECTED DIRECTORS; TERMS. Unless  
 2-25 the initial board otherwise agrees, the directors elected under  
 2-26 Section 8267.023 shall draw lots to determine which two shall serve  
 2-27 until the first regularly scheduled election of directors under  
 2-28 Section 8267.052 and which three shall serve until the second  
 2-29 regularly scheduled election of directors.  
 2-30                   Sec. 8267.025. EXPIRATION OF SUBCHAPTER. This subchapter  
 2-31 expires September 1, 2015.  
 2-32                   [Sections 8267.026-8267.050 reserved for expansion]  
 2-33                   SUBCHAPTER B. BOARD OF DIRECTORS  
 2-34                   Sec. 8267.051. DIRECTORS; TERMS. (a) The district is  
 2-35 governed by a board of five directors.  
 2-36                   (b) Except for temporary or initial directors, directors  
 2-37 serve staggered four-year terms.  
 2-38                   Sec. 8267.052. ELECTION OF DIRECTORS. On the uniform  
 2-39 election date in May of each even-numbered year, the appropriate  
 2-40 number of directors shall be elected.  
 2-41                   [Sections 8267.053-8267.100 reserved for expansion]  
 2-42                   SUBCHAPTER C. POWERS AND DUTIES  
 2-43                   Sec. 8267.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-44 DUTIES. (a) The district has the powers and duties provided by the  
 2-45 general law of this state, including Chapters 49 and 54, Water Code,  
 2-46 applicable to municipal utility districts created under Section 59,  
 2-47 Article XVI, Texas Constitution.  
 2-48                   (b) The district has the powers and duties necessary to  
 2-49 accomplish the purposes for which the district is created.  
 2-50                   Sec. 8267.102. ROAD PROJECTS. (a) To the extent authorized  
 2-51 by Section 52, Article III, Texas Constitution, the district may  
 2-52 acquire, construct, or finance a road that meets the criteria or  
 2-53 requirements for a thoroughfare, arterial, or collector road of the  
 2-54 county in which the road is located or the municipality in whose  
 2-55 corporate limits or extraterritorial jurisdiction the road is  
 2-56 located or improvements in aid of that road.  
 2-57                   (b) A road project must meet all applicable standards,  
 2-58 regulations, and ordinances of the municipality or county in whose  
 2-59 jurisdiction the district is located.  
 2-60                   Sec. 8267.103. RECREATIONAL FACILITIES; LIMIT ON EMINENT  
 2-61 DOMAIN POWER. (a) In this section, "recreational facilities" and  
 2-62 "develop and maintain" have the meanings assigned by Section  
 2-63 49.462, Water Code.  
 2-64                   (b) The district may develop and maintain recreational  
 2-65 facilities.  
 2-66                   (c) The district may not, for the development or maintenance  
 2-67 of a recreational facility, acquire by condemnation land, an  
 2-68 easement, or other property inside or outside the district.  
 2-69                   Sec. 8267.104. COMPLIANCE WITH MUNICIPAL CONSENT

3-1 ORDINANCES OR RESOLUTIONS. Subject to the limitations of Section  
3-2 54.016, Water Code, the district shall comply with all applicable  
3-3 requirements of any ordinance or resolution adopted by the  
3-4 governing body of the municipality that consents to the creation of  
3-5 the district or to the inclusion of lands within the district.

3-6 [Sections 8267.105-8267.150 reserved for expansion]

3-7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-8 Sec. 8267.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
3-9 district may issue, without an election, bonds and other  
3-10 obligations secured by revenue or contract payments from any source  
3-11 other than ad valorem taxation.

3-12 (b) The district must hold an election in the manner  
3-13 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
3-14 before the district may impose an operation and maintenance tax or  
3-15 issue bonds payable from ad valorem taxes.

3-16 Sec. 8267.152. OPERATION AND MAINTENANCE TAX. (a) If  
3-17 authorized at an election held under Section 8267.151, the district  
3-18 may impose an operation and maintenance tax on taxable property in  
3-19 the district in accordance with Section 49.107, Water Code.

3-20 (b) The board shall determine the tax rate. The rate may not  
3-21 exceed the rate approved at the election.

3-22 [Sections 8267.153-8267.200 reserved for expansion]

3-23 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-24 Sec. 8267.201. AUTHORITY TO ISSUE BONDS AND OTHER  
3-25 OBLIGATIONS. The district may issue bonds or other obligations  
3-26 payable wholly or partly from ad valorem taxes, impact fees,  
3-27 revenue, grants, or other district money, or any combination of  
3-28 those sources, to pay for any authorized district purpose.

3-29 Sec. 8267.202. BONDS FOR ROAD PROJECTS. (a) The district  
3-30 may not issue bonds to finance projects authorized by Section  
3-31 8267.102 unless the issuance is approved by a vote of a two-thirds  
3-32 majority of the voters of the district voting at an election called  
3-33 for that purpose.

3-34 (b) Bonds or other obligations issued or incurred to finance  
3-35 projects authorized by Section 8267.102 may not exceed one-fourth  
3-36 of the assessed value of the real property in the district.

3-37 Sec. 8267.203. BONDS FOR RECREATIONAL FACILITIES. If  
3-38 authorized at an election under Section 8267.151, the district may  
3-39 issue bonds payable from ad valorem taxes to pay for the development  
3-40 and maintenance of recreational facilities.

3-41 Sec. 8267.204. TAXES FOR BONDS. At the time bonds payable  
3-42 wholly or partly from ad valorem taxes are issued:

3-43 (1) the board shall impose a continuing direct annual  
3-44 ad valorem tax, without limit as to rate or amount, for each year  
3-45 that all or part of the bonds are outstanding; and

3-46 (2) the district annually shall impose an ad valorem  
3-47 tax on all taxable property in the district in an amount sufficient  
3-48 to:

3-49 (A) pay the interest on the bonds as the interest  
3-50 becomes due;

3-51 (B) create a sinking fund for the payment of the  
3-52 principal of the bonds when due or the redemption price at any  
3-53 earlier required redemption date; and

3-54 (C) pay the expenses of imposing the taxes.

3-55 SECTION 2. The Montgomery County Municipal Utility District  
3-56 No. 120 initially includes all the territory contained in the  
3-57 following area:

3-58 BEING A 545.93 ACRE (23,780,883 SQUARE FOOT) PARCEL SITUATED IN THE  
3-59 MONTGOMERY COUNTY SCHOOL LAND SURVEY, ABSTRACT 351, MONTGOMERY  
3-60 COUNTY, TEXAS, OUT OF A CALLED 1,023.05 ACRE TRACT CONVEYED TO LAND  
3-61 TEJAS SPRING TRAILS, LTD. BY DEED RECORDED UNDER CLERK'S FILE NO.  
3-62 2006-102227 OF THE MONTGOMERY COUNTY OFFICIAL PUBLIC RECORDS OF  
3-63 REAL PROPERTY, SAID 545.93 ACRE TRACT MORE PARTICULARLY DESCRIBED  
3-64 BY METES AND BOUNDS AS FOLLOWS;

3-65 COMMENCING at a 5/8-inch iron rod found with cap in the south  
3-66 right-of-way line of Riley Fuzzel Road (width varies), for the most  
3-67 westerly corner of a 60.25 acre tract conveyed to Sowell  
3-68 Equities-Lockeridge, L.P. by Deed recorded under Clerks' File No.  
3-69 2005-070370 of the Montgomery County Official Public Records of

4-1 Real Property, and a northwesterly corner of said 1,023.05 acre  
4-2 tract;  
4-3 THENCE, South 48°22'09" East, 1628.43 feet along the southwest line  
4-4 of said 60.25 acre tract, and a northerly line of said 1,023.05  
4-5 acres to a 1-3/4 inch axle found for the most southerly corner of  
4-6 said 78.5 acre tract;  
4-7 THENCE, North 40°56'58" East, 2,384.78 feet along the southeast line  
4-8 of said 60.25 acre tract, and a northerly line of said 1,023.05 acre  
4-9 tract to a 3/4-inch iron rod found with cap in the southwest line of  
4-10 Benders Landing Section 1 according to the map or plat thereof  
4-11 recorded under Cabinet P, Sheets 140-146 of the Montgomery County  
4-12 Map Records;  
4-13 THENCE, South 46°25'01" East, 6,701.58 feet along the southwest line  
4-14 of said Benders Landing Section 1, and Benders Landing Section 2  
4-15 according to the map or plat thereof recorded under Cabinet R,  
4-16 Sheets 142-149 of the Montgomery County Map Records, and a  
4-17 northeasterly line of said 1,023.05 acres to a 5/8-inch iron rod  
4-18 found with cap;  
4-19 THENCE, South 39°38'05" West, 134.12 feet to a 5/8-inch iron rod set  
4-20 (with cap stamped "Montgomery and Associates") for a northeasterly  
4-21 corner and POINT OF BEGINNING of the herein described parcel;  
4-22 THENCE, along the westerly line of said Benders Landing Section 2,  
4-23 and an easterly line of said 1,023.05 acre tract the following  
4-24 courses and distances:  
4-25 South 39°38'05" West, 864.71 feet to a 5/8-inch iron rod found  
4-26 with cap;  
4-27 South 18°40'11" West, 945.72 feet to a 5/8-inch iron rod found  
4-28 with cap;  
4-29 South 06°57'50" West, 538.98 feet to a 5/8-inch iron rod found  
4-30 with cap;  
4-31 South 00°37'32" East, 639.78 feet to a 5/8-inch iron rod found  
4-32 with cap;  
4-33 South 34°25'08" West, 261.49 feet to a 5/8-inch iron rod found  
4-34 with cap;  
4-35 South 00°45'04" East, 455.55 feet to a 5/8-inch iron rod found  
4-36 with cap;  
4-37 South 16°54'59" East, 260.08 feet to a 5/8-inch iron rod found  
4-38 with cap;  
4-39 South 39°25'26" East, 91.46 feet to a 5/8-inch iron rod found  
4-40 with cap;  
4-41 South 16°53'19" East, 475.42 feet to a 5/8-inch iron rod found  
4-42 with cap;  
4-43 South 78°13'35" East, 749.53 feet to a 5/8-inch iron rod found  
4-44 with cap;  
4-45 South 40°35'45" East, 1,096.38 feet to a 5/8-inch iron rod found  
4-46 with cap;  
4-47 North 49°17'52" East, 306.41 feet to a 5/8-inch iron rod found  
4-48 with cap in the southwesterly line of Benders Landing estates  
4-49 Section 1 according to the map or plat thereof recorded under  
4-50 Cabinet X, Sheet 157-165 of the Montgomery County Map Records;  
4-51 THENCE, South 40°32'09" East, 3,520.80 feet to a point in the  
4-52 centerline of Spring Creek for a southeasterly corner of the herein  
4-53 described parcel;  
4-54 THENCE, in a westerly direction along the south line of said  
4-55 1,023.05 acres, and along the centerline of said Spring Creek the  
4-56 following courses and distances;  
4-57 North 58°27'16" West, 67.02 feet;  
4-58 North 65°47'28" West, 79.43 feet;  
4-59 South 87°45'24" West, 98.65 feet;  
4-60 South 86°18'05" West, 112.17 feet;  
4-61 South 74°34'12" West, 107.49 feet;  
4-62 South 67°37'57" West, 96.64 feet;  
4-63 South 69°08'33" West, 87.21 feet;  
4-64 South 78°17'27" West, 61.17 feet;  
4-65 South 86°54'50" West, 53.19 feet;  
4-66 South 63°38'03" West, 89.66 feet;  
4-67 South 63°42'43": West, 90.99 feet;  
4-68 South 52°38'43" West, 109.56 feet;  
4-69 South 66°16'35" West, 104.22 feet;

5-1 South 59°39'29" West, 101.53 feet;  
 5-2 South 78°44'54" West, 69.23 feet  
 5-3 North 69°54'12" West, 60.22 feet;  
 5-4 North 70°17'19" West, 60.20 feet;  
 5-5 North 39°45'54" West, 89.91 feet;  
 5-6 North 28°31'01" West, 130.66 feet;  
 5-7 North 37°25'52" West, 81.24 feet;  
 5-8 North 23°29'15" West, 110.37 feet;  
 5-9 North 40°28'00" West, 50.10 feet;  
 5-10 North 41°09'40" West, 79.98 feet;  
 5-11 North 46°55'19" West, 86.64 feet;  
 5-12 North 64°57'37" West, 110.45 feet;  
 5-13 North 57°25'24" West, 105.72 feet;  
 5-14 North 77°19'52" West, 86.19 feet;  
 5-15 North 65°11'30" West, 121.39 feet;  
 5-16 South 67°59'24" West, 66.46 feet;  
 5-17 South 65°16'51" West, 91.66 feet;  
 5-18 South 71°05'48" West, 109.76 feet;  
 5-19 South 70°55'36" West, 84.10 feet;  
 5-20 South 63°59'21" West, 107.46 feet;  
 5-21 South 41°58'45" West, 88.22 feet;  
 5-22 South 55°24'41" West, 134.36 feet;  
 5-23 South 34°44'42" West, 107.29 feet;  
 5-24 South 33°46'12" West, 88.55 feet;  
 5-25 South 40°53'08" West, 67.02 feet;  
 5-26 South 84°08'22" West, 48.85 feet;  
 5-27 North 81°48'14" West, 80.25 feet;  
 5-28 North 60°56'37" West, 83.79 feet;  
 5-29 North 81°47'33" West, 107.63 feet;  
 5-30 North 67°42'36" West, 96.65 feet;  
 5-31 North 75°46'15" West, 117.30 feet;  
 5-32 North 63°56'54" West, 107.32 feet;  
 5-33 North 75°51'46" West, 87.19 feet;  
 5-34 North 75°40'47" West, 98.56 feet;  
 5-35 North 70°30'22" West, 108.24 feet;  
 5-36 North 86°01'14" West, 114.79 feet;  
 5-37 South 80°55'22" West, 77.17 feet;  
 5-38 North 65°31'45" West, 50.61 feet to a point in the northeasterly  
 5-39 line of a called 4.386 acre tract conveyed to Patricia Carothers by  
 5-40 Deed Clerk's File No. 2000-070063 of the Montgomery County Official  
 5-41 Public Records of Real Property, for a southerly corner of the  
 5-42 herein described parcel;  
 5-43 THENCE, North 34°25'42" West, 1,314.18 feet along the northeasterly  
 5-44 line of said 4.386 acre tract, a called 16.2 acre tract conveyed to  
 5-45 Carl Brendgen by Deed recorded under Clerk's File No. 8726592 of the  
 5-46 Montgomery County Official Public Records of Real Property, and a  
 5-47 southwesterly line of said 1,023.05 acre tract to a 5/8-inch iron  
 5-48 rod found for an angle point in the southwesterly line of the herein  
 5-49 described parcel;  
 5-50 THENCE, North 34°14'25" West, 855.12 feet along the northeasterly  
 5-51 line of a called 22 acre tract conveyed to Leroy Dreggors by Deed  
 5-52 recorded under Clerk's File No. 8632433 of the Montgomery County  
 5-53 Official Public Records of Real Property, and a southwesterly line  
 5-54 of said 1,023.05 acre tract to a 3/4-inch iron rod found for an  
 5-55 angle point in the southwesterly line of the herein described  
 5-56 parcel;  
 5-57 THENCE, North 34°33'24" West, 868.59 feet along the northeasterly  
 5-58 line of a called 5.91 acre tract conveyed to the Immanuel United  
 5-59 Church of Christ by Deed recorded under Clerk's File No.  
 5-60 2001-077792 of the Montgomery County Official Public Records of  
 5-61 Real Property, a called 5.91 acre tract conveyed to Donald Wunsche  
 5-62 by Deed recorded under Clerk's File No. 83538809 of the Montgomery  
 5-63 County Official Public Records of Real Property, the remainder of a  
 5-64 called 101 acre tract conveyed to William Wunsche by Deed recorded  
 5-65 under Volume 844, Page 303 of the Montgomery County Deed Records, a  
 5-66 called 6.1466 acre tract conveyed to Ralph Shirley by Deed recorded  
 5-67 under Clerk's File No. 8300577 of the Montgomery County Official  
 5-68 Public Records of Real Property, a called 6.6876 acre tract  
 5-69 conveyed to Ralph Shirley by Deed recorded under Clerk's File No.

6-1 8353185 of the Montgomery County Official Public Records of Real  
6-2 Property, and a southwesterly line of said 1,023.05 acre tract to a  
6-3 1-inch axle found for an angle point in the southwesterly line of  
6-4 the herein described parcel;  
6-5 THENCE, North 34°39'00" West, 878.70 feet along the northeasterly  
6-6 line of a called 8.2613 acre tract conveyed to Ralph Shirley by Deed  
6-7 recorded under Clerk's File No. 8300574 of the Montgomery County  
6-8 Official Public Records of Real Property, a called 7.7258 acre  
6-9 tract conveyed to Ralph Shirley by Deed recorded under Clerk's File  
6-10 No. 8300579 of the Montgomery County Official Public Records of  
6-11 Real Property, a called 2.1 acre tract conveyed to Houston Lighting  
6-12 and Power by Deed recorded under Clerk's File No. 8108035 of the  
6-13 Montgomery County Official Public Records of Real Property, and a  
6-14 called 7.44 acre tract conveyed to L.T. Wunsche by Deed recorded  
6-15 under Volume 630, Page 198 of the Montgomery County Deed Records,  
6-16 and a southwesterly line of said 1,023.05 acre tract to a 1-inch  
6-17 axle found for an angle point in the southwesterly line of the  
6-18 herein described parcel;  
6-19 THENCE, North 35°09'47" West, 254.61 feet to a 1-1/2" axle found for  
6-20 an angle point in the southwesterly line of the herein described  
6-21 parcel;  
6-22 THENCE, North 34°11'55" West, 586.07 feet along the northeasterly  
6-23 line of a called 11.057 acre tract conveyed to the Houston Audubon  
6-24 Society by Deed recorded under Clerk's File No. 8243154 of the  
6-25 Montgomery County Official Public Records of Real Property, and a  
6-26 southwesterly line of said 1,023.05 acre tract to a 3/4-inch iron  
6-27 pipe inside a 1-inch iron pipe found for an angle point in the  
6-28 southwesterly line of the herein described parcel;  
6-29 THENCE, North 34°38'25" West, 848.51 feet along the northeasterly  
6-30 line of a called 20.1 acre tract conveyed to Diana Dushkin by Deed  
6-31 recorded under Clerk's File No. 8328156 of the Montgomery County  
6-32 Official Public Records of Real Property, and a southwesterly line  
6-33 of said 1,023.05 acre tract to an angle point in the southwesterly  
6-34 line of the herein described parcel;  
6-35 THENCE, along the northeasterly line of a called 998.5360 acre  
6-36 tract conveyed to Midway Spring Trails Partners, L.P. by Deed  
6-37 recorded under Clerk's File No. 2000-081148 of the Montgomery  
6-38 County Official Public Records of Real Property the following  
6-39 courses and distances:  
6-40 North 34°04'57" West, 1024.35 feet to a 5/8-inch iron rod  
6-41 found with cap;  
6-42 South 79°24'08" West, 32.60 feet to a point;  
6-43 North 67°44'22" West, 136.84 feet to a 5/8-inch iron rod found  
6-44 with cap;  
6-45 North 30°40'58" West, 204.47 feet to a 5/8-inch iron rod found  
6-46 with cap;  
6-47 North 17°23'50" West, 409.17 feet to a 3/4-inch iron rod in  
6-48 concrete;  
6-49 North 43°10'54" East, 105.00 feet to a 5/8-inch iron rod found  
6-50 with cap for a northwesterly corner of the herein described parcel;  
6-51 THENCE, North 51°31'37" East, 450.95 feet to a 5/8-inch iron rod set  
6-52 (with cap stamped "Montgomery and Associates") for a northerly  
6-53 corner of the herein described parcel;  
6-54 THENCE, South 42°47'40" East, 236.36 feet to a 5/8-inch iron rod set  
6-55 (with cap stamped "Montgomery and Associates") for a northerly  
6-56 corner of the herein described parcel;  
6-57 THENCE, North 87°33'13" East, 557.05 feet to a 5/8-inch iron rod set  
6-58 (with cap stamped "Montgomery and Associates") for a northerly  
6-59 corner of the herein described parcel;  
6-60 THENCE, North 21°37'03" East, 827.36 feet to a 5/8-inch iron rod set  
6-61 (with cap stamped "Montgomery and Associates") for a northerly  
6-62 corner of the herein described parcel beginning a curve to the  
6-63 right;  
6-64 THENCE, along the arc of said curve to the right having a radius of  
6-65 25.00 feet, an arc length of 38.61 feet, through a delta of  
6-66 88°28'52", and a chord bearing North 65°51'29" East, 34.88 feet to a  
6-67 5/8-inch iron rod set (with cap stamped "Montgomery and  
6-68 Associates") beginning a curve to the left;  
6-69 THENCE, along the arc of said curve to the left having a radius of

7-1 2050.00 feet, an arc length of 1242.72 feet, through a delta of  
 7-2 34°43'59", and a chord bearing South 87°16'04" East, 1223.78 feet to  
 7-3 a 5/8-inch iron rod set (with cap stamped "Montgomery and  
 7-4 Associates") for a northerly corner of the herein described parcel;  
 7-5 THENCE, North 75°21'56" East, 1587.09 feet to a 5/8-inch iron rod  
 7-6 set (with cap stamped "Montgomery and Associates") for a northerly  
 7-7 corner of the herein described parcel beginning a curve to the  
 7-8 right;  
 7-9 THENCE, along the arc of said curve to the right having a radius of  
 7-10 1950.00 feet, an arc length of 433.26 feet, through a delta of  
 7-11 12°43'49", and a chord bearing North 81°43'51" East, 432.37 feet to a  
 7-12 5/8-inch iron rod set (with cap stamped "Montgomery and  
 7-13 Associates") for a northerly corner of the herein described parcel;  
 7-14 THENCE, North 88°05'45" East, 245.40 feet to the POINT OF BEGINNING,  
 7-15 CONTAINING 545.93 acres (23,780,883 square feet) of land in  
 7-16 Montgomery County, Texas.

7-17 SECTION 3. (a) The legal notice of the intention to  
 7-18 introduce this Act, setting forth the general substance of this  
 7-19 Act, has been published as provided by law, and the notice and a  
 7-20 copy of this Act have been furnished to all persons, agencies,  
 7-21 officials, or entities to which they are required to be furnished  
 7-22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
 7-23 Government Code.

7-24 (b) The governor, one of the required recipients, has  
 7-25 submitted the notice and Act to the Texas Commission on  
 7-26 Environmental Quality.

7-27 (c) The Texas Commission on Environmental Quality has filed  
 7-28 its recommendations relating to this Act with the governor, the  
 7-29 lieutenant governor, and the speaker of the house of  
 7-30 representatives within the required time.

7-31 (d) All requirements of the constitution and laws of this  
 7-32 state and the rules and procedures of the legislature with respect  
 7-33 to the notice, introduction, and passage of this Act are fulfilled  
 7-34 and accomplished.

7-35 SECTION 4. The legislature finds that:

7-36 (1) the Montgomery County Municipal Utility District  
 7-37 No. 120, as created by Chapter 8267, Special District Local Laws  
 7-38 Code, as added by this Act, is not officially created until  
 7-39 confirmed by a majority of the voters of the district voting at an  
 7-40 election held for that purpose;

7-41 (2) securing the consent of political subdivisions to  
 7-42 the creation of the district before the introduction or passage of  
 7-43 this Act may be impractical because of the uncertainties of the  
 7-44 legislative process; and

7-45 (3) the constitutional requirement for the district's  
 7-46 compliance with the provisions of the general laws relating to the  
 7-47 consent of political subdivisions to the creation of the district  
 7-48 and the inclusion of land within the district is satisfied if that  
 7-49 consent is secured before the date and hour of canvassing the  
 7-50 returns and declaring the results of the confirmation election.

7-51 SECTION 5. This Act takes effect immediately if it receives  
 7-52 a vote of two-thirds of all the members elected to each house, as  
 7-53 provided by Section 39, Article III, Texas Constitution. If this  
 7-54 Act does not receive the vote necessary for immediate effect, this  
 7-55 Act takes effect September 1, 2007.

7-56 \* \* \* \* \*