

1-1 By: Hegar S.B. No. 682  
1-2 (In the Senate - Filed February 15, 2007; February 28, 2007,  
1-3 read first time and referred to Committee on Intergovernmental  
1-4 Relations; March 19, 2007, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 3, Nays 0;  
1-6 March 19, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 682 By: Wentworth

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the creation of the Fulshear Municipal Utility District  
1-11 No. 1 of Fort Bend County; providing authority to impose a tax and  
1-12 issue bonds; granting the power of eminent domain.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-15 Code, is amended by adding Chapter 8207 to read as follows:

1-16 CHAPTER 8207. FULSHEAR MUNICIPAL UTILITY DISTRICT

1-17 NO. 1 OF FORT BEND COUNTY

1-18 SUBCHAPTER A. GENERAL PROVISIONS

1-19 Sec. 8207.001. DEFINITIONS. In this chapter:

1-20 (1) "Board" means the district's board of directors.

1-21 (2) "Director" means a board member.

1-22 (3) "District" means the Fulshear Municipal Utility  
1-23 District No. 1 of Fort Bend County.

1-24 Sec. 8207.002. NATURE OF DISTRICT. The district is a  
1-25 municipal utility district in Fort Bend County created under and  
1-26 essential to accomplish the purposes of Section 52, Article III,  
1-27 and Section 59, Article XVI, Texas Constitution.

1-28 Sec. 8207.003. CONFIRMATION ELECTION REQUIRED. If the  
1-29 creation of the district is not confirmed at a confirmation  
1-30 election held under Section 8207.024 before September 1, 2011:

1-31 (1) the district is dissolved September 1, 2011,  
1-32 except that the district shall:

1-33 (A) pay any debts incurred;

1-34 (B) transfer to Fort Bend County any assets that  
1-35 remain after the payment of debts; and

1-36 (C) maintain the organization of the district  
1-37 until all debts are paid and remaining assets are transferred; and

1-38 (2) this chapter expires September 1, 2014.

1-39 Sec. 8207.004. INITIAL DISTRICT TERRITORY. (a) The  
1-40 district is initially composed of the territory described by  
1-41 Section 2 of the Act creating this chapter.

1-42 (b) The boundaries and field notes contained in Section 2 of  
1-43 the Act creating this chapter form a closure. A mistake made in the  
1-44 field notes or in copying the field notes in the legislative process  
1-45 does not affect:

1-46 (1) the organization, existence, or validity of the  
1-47 district;

1-48 (2) the right of the district to impose taxes;

1-49 (3) the validity of the district's bonds, notes, or  
1-50 indebtedness; or

1-51 (4) the legality or operation of the district or the  
1-52 board.

1-53 [Sections 8207.005-8207.020 reserved for expansion]

1-54 SUBCHAPTER A-1. TEMPORARY PROVISIONS

1-55 Sec. 8207.021. TEMPORARY DIRECTORS. (a) The temporary  
1-56 board consists of:

1-57 (1) Simmi Jaggi Basra;

1-58 (2) Elizabeth Clampitt;

1-59 (3) Derek Hargrove;

1-60 (4) William Swanson; and

1-61 (5) Hank Kidd.

1-62 (b) If a temporary director fails to qualify for office, the  
1-63 Texas Commission on Environmental Quality shall appoint a person to

2-1 fill the vacancy.

2-2 (c) Temporary directors serve until the earlier of:

2-3 (1) the date directors are elected under Section  
2-4 8207.024; or

2-5 (2) the date this chapter expires under Section  
2-6 8207.003.

2-7 Sec. 8207.022. ORGANIZATIONAL MEETING OF TEMPORARY  
2-8 DIRECTORS. As soon as practicable after all the temporary  
2-9 directors have qualified under Section 49.055, Water Code, the  
2-10 temporary directors shall meet at a location in the district  
2-11 agreeable to a majority of the directors. If a location cannot be  
2-12 agreed upon, the directors shall meet at the Fort Bend County  
2-13 Courthouse. At the meeting, the temporary directors shall elect  
2-14 officers from among the temporary directors and conduct any other  
2-15 district business.

2-16 Sec. 8207.023. CONSENT OF MUNICIPALITY REQUIRED. The  
2-17 temporary directors may not hold an election under Section 8207.024  
2-18 until each municipality in whose corporate limits or  
2-19 extraterritorial jurisdiction the district is located has adopted a  
2-20 resolution consenting to the creation of the district.

2-21 Sec. 8207.024. CONFIRMATION AND INITIAL DIRECTORS'  
2-22 ELECTION. The temporary directors shall hold an election to  
2-23 confirm the creation of the district and to elect five directors as  
2-24 provided by Section 49.102, Water Code.

2-25 Sec. 8207.025. INITIAL ELECTED DIRECTORS; TERMS. The  
2-26 directors elected under Section 8207.024 shall draw lots to  
2-27 determine which two shall serve until the first regularly scheduled  
2-28 election of directors and which three shall serve until the second  
2-29 regularly scheduled election of directors.

2-30 Sec. 8207.026. EXPIRATION OF SUBCHAPTER. This subchapter  
2-31 expires September 1, 2014.

2-32 [Sections 8207.027-8207.050 reserved for expansion]

2-33 SUBCHAPTER B. BOARD OF DIRECTORS

2-34 Sec. 8207.051. GOVERNING BODY; TERMS. (a) The district is  
2-35 governed by a board of five directors.

2-36 (b) Directors serve staggered four-year terms.

2-37 [Sections 8207.052-8207.100 reserved for expansion]

2-38 SUBCHAPTER C. POWERS AND DUTIES

2-39 Sec. 8207.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
2-40 DUTIES. The district has the powers and duties provided by the  
2-41 general law of this state, including Chapters 49 and 54, Water Code,  
2-42 applicable to municipal utility districts created under Section 59,  
2-43 Article XVI, Texas Constitution.

2-44 Sec. 8207.102. ROAD PROJECTS. (a) To the extent  
2-45 authorized by Section 52, Article III, Texas Constitution, the  
2-46 district may construct, acquire, improve, maintain, or operate  
2-47 macadamized, graveled, or paved roads or turnpikes, or improvements  
2-48 in aid of those roads or turnpikes, inside the district.

2-49 (b) A road project must meet all applicable construction  
2-50 standards, zoning and subdivision requirements, and regulations of  
2-51 each municipality in whose corporate limits or extraterritorial  
2-52 jurisdiction the district is located. If the district is not  
2-53 located in the corporate limits or extraterritorial jurisdiction of  
2-54 a municipality, a road project must meet all applicable  
2-55 construction standards, zoning and subdivision requirements, and  
2-56 regulations of each county in which the district is located.

2-57 (c) The district may not undertake a road project unless  
2-58 each municipality in whose corporate limits or extraterritorial  
2-59 jurisdiction the district is located consents by resolution.

2-60 Sec. 8207.103. COMPLIANCE WITH MUNICIPAL ORDINANCES OR  
2-61 RESOLUTIONS. The district shall comply with all applicable  
2-62 requirements of any ordinance or resolution adopted by the  
2-63 governing body of the City of Fulshear.

2-64 [Sections 8207.104-8207.150 reserved for expansion]

2-65 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2-66 Sec. 8207.151. TAX TO REPAY BONDS. The district may impose  
2-67 a tax to pay the principal of or interest on bonds or other  
2-68 obligations issued under Section 8207.201.

2-69 [Sections 8207.152-8207.200 reserved for expansion]



4-1 corner;

4-2 Thence S 1° 27' 32" E - 430.22', with the east line of said 59.93 acre

4-3 tract to a found 5/8", iron rod with cap for corner;

4-4 Thence N 88° 30' 44" E - 2332.55', with the south line of said 59.93

4-5 acre tract to a found 5/8" iron rod with cap for corner;

4-6 Thence S 1° 40' 54" E - 1095.91', with the west line of a called

4-7 101.3597 acre tract of land conveyed to George Gayle Jr. filed at

4-8 Volume 629, Page 43 Fort Bend County Deed Records to a found 5/8"

4-9 iron rod with cap for angle point;

4-10 Thence S 2° 23' 52" E - 476.42', continuing with said west line to a

4-11 found 4" iron pipe for corner;

4-12 Thence S 87° 45' 13" W - 14.70' to a found 5/8" iron rod with cap for

4-13 corner;

4-14 Thence S 2° 06' 35" E - 3042.83', with the west line of a called

4-15 101.782 acre tract of land conveyed to George Gayle Jr. described in

4-16 a deed filed at Volume 672, Page 169 Fort Bend County Deed Records

4-17 to a found 5/8" iron rod with cap for corner;

4-18 Thence S 88° 46' 07" W - 14.40' to a found 5/8" iron rod with cap for

4-19 corner;

4-20 Thence S 1° 20' 46" E - 1743.09', with the west line of a called 125

4-21 acre tract of land conveyed to Dan Harrison Jr. described in a deed

4-22 filed at Volume 557, Page 227 Fort Bend County Deed Records to a

4-23 found 5/8" iron rod with cap for corner;

4-24 Thence S 88' 39' 14" W - 2303.93', to a found 5/8" iron rod with cap

4-25 for corner;

4-26 Thence N 62° 16' 40" W - 1252.23' with the north line of a tract of

4-27 land conveyed to Dan J. Harrison III and Bruce Finch Harrison in a

4-28 deed filed at Volume 565, Page 244 Fort Bend County Deed Records;

4-29 Thence along the margin of Grassy Lake for the following six courses

4-30 and distances:

4-31 Thence N 31° 24' 28" E - 152.31' to an angle point;

4-32 Thence N 34° 24' 37" E - 154.00' to an angle point;

4-33 Thence N 23° 55' 37" E - 116.30' to an angle point;

4-34 Thence N 36° 00' 37" E - 224.00' to an angle point;

4-35 Thence N 21° 02' 37" E - 261.80' to an angle point;

4-36 Thence N 17° 46' 37" E - 288.22' to an angle point;

4-37 Thence N 68° 58' 13" W - 994.83', with the north line of a called

4-38 17.806 acre tract of land described in a deed dated 01-10-1987 from

4-39 Anna Ruth Turner McCann to McCann Family Trusts filed at Volume

4-40 1928, Pg. 827 Fort Bend County Deed Records to a found 3/4" iron

4-41 pipe for corner;

4-42 Thence N 1° 34' 03" W - 1445.29', with the east line of a called 190

4-43 acre tract of land described in a deed dated 07-17-1987 from P.

4-44 Michael Wells to P. Michael Wells, Trustee filed at Volume 1963,

4-45 Page 1436 Fort Bend County Deed Records to a found 3/4" iron pipe

4-46 for angle point;

4-47 Thence N 1° 32' 09" W - 3846.77', continuing with said east line to

4-48 the POINT OF BEGINNING containing 559.97 acres (24,392,276 square

4-49 feet) of land for Fulshear M.U.D. No. 1 more or less.

4-50 SECTION 3. (a) The legal notice of the intention to

4-51 introduce this Act, setting forth the general substance of this

4-52 Act, has been published as provided by law, and the notice and a

4-53 copy of this Act have been furnished to all persons, agencies,

4-54 officials, or entities to which they are required to be furnished

4-55 under Section 59, Article XVI, Texas Constitution, and Chapter 313,

4-56 Government Code.

4-57 (b) The governor, one of the required recipients, has

4-58 submitted the notice and Act to the Texas Commission on

4-59 Environmental Quality.

4-60 (c) The Texas Commission on Environmental Quality has filed

4-61 its recommendations relating to this Act with the governor, the

4-62 lieutenant governor, and the speaker of the house of

4-63 representatives within the required time.

4-64 (d) All requirements of the constitution and laws of this

4-65 state and the rules and procedures of the legislature with respect

4-66 to the notice, introduction, and passage of this Act are fulfilled

4-67 and accomplished.

4-68 SECTION 4. This Act takes effect September 1, 2007.

4-69

\* \* \* \* \*