

1 AN ACT

2 relating to the creation of the Harris County Improvement District
3 No. 8; providing authority to impose a tax and issue bonds.

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

5 SECTION 1. LEGISLATIVE FINDINGS. (a) The legislature
6 finds that the Harris County Improvement District No. 8 is created
7 under the general authority of the Texas Legislature to legislate
8 for the public good.

9 (b) The legislature further finds that:

10 (1) the area of the proposed Harris County Improvement
11 District No. 8 is in an area that will develop into one of the
12 state's most dynamic activity centers and will be the location of
13 numerous commercial, office, retail, and residential buildings;

14 (2) the area is presently served with an inadequate
15 public transportation system and has an inadequate system of
16 streets and public parking facilities;

17 (3) residents, workers, visitors, customers, and
18 other persons accessing the area must primarily use motor vehicles,
19 which use will place an undue burden on the street system in the
20 district and result in severe congestion that retards mobility of
21 persons and property and impairs the use of the area as one of the
22 state's primary economic and business centers;

23 (4) the absence of an adequate system of parking
24 facilities, including park and ride facilities, discourages the use

1 of public transportation and further aggravates vehicular
2 congestion in the area;

3 (5) motor vehicles are generally powered by internal
4 combustion engines that emit pollutants into the air, which results
5 in dangers to the public health and welfare;

6 (6) the proliferation of the use of motor vehicles for
7 passenger transportation in the area will be caused in substantial
8 part by the absence of an adequate public transportation system and
9 an adequate system or network of public parking facilities;

10 (7) provision of an adequate system of public parking
11 facilities and public transit and transportation facilities will
12 accomplish the public purposes of Section 52-a, Article III, Texas
13 Constitution, by stimulating transportation and commerce in the
14 area and in the state and will serve the further public purpose of
15 reducing the pollutants discharged into the air, thus reducing the
16 threat to the public health and welfare and preserving and
17 conserving the natural resources of this state as mandated by
18 Section 59, Article XVI, Texas Constitution; and

19 (8) in order for the area to have an adequate public
20 transit system and an adequate system of public parking it will be
21 necessary for the district to be able to take advantage of all
22 public and private funds and opportunities available and be
23 empowered to contract with other public agencies and with private
24 entities to jointly provide the systems.

25 SECTION 2. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 8.
26 Subtitle C, Title 4, Special District Local Laws Code, is amended by
27 adding Chapter 3848 to read as follows:

1 CHAPTER 3848. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 8

2 SUBCHAPTER A. GENERAL PROVISIONS

3 Sec. 3848.001. DEFINITIONS. In this chapter:

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

6 (2) "District" means the Harris County Improvement
7 District No. 8.

8 Sec. 3848.002. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 8.

9 The Harris County Improvement District No. 8 is a special district
10 created under Section 59, Article XVI, Texas Constitution.

11 Sec. 3848.003. PURPOSE; DECLARATION OF INTENT. (a) The

12 creation of the district is essential to accomplish the purposes of
13 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
14 Texas Constitution, and other public purposes stated in this
15 chapter. By creating the district and in authorizing Harris
16 County, the City of Houston, the Metropolitan Transit Authority of
17 Harris County, and other political subdivisions to contract with
18 the district, the legislature has established a program to
19 accomplish the public purposes set out in Section 52-a, Article
20 III, Texas Constitution.

21 (b) The creation of the district is necessary to promote,
22 develop, encourage, and maintain transportation, parking, housing,
23 recreation, the arts, safety, scenic beauty, and the public welfare
24 in the area of the district.

25 (c) This chapter and the creation of the district may not be
26 interpreted to relieve Harris County or the City of Houston from
27 providing the level of services provided as of September 1, 2007, to

1 the area in the district. The district is created to supplement and
2 not to supplant the county or city services provided in the area in
3 the district.

4 Sec. 3848.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

5 (a) The district is created to serve a public use and benefit.

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

11 (c) The district will:

12 (1) promote the health, safety, and general welfare of
13 district residents and the public;

14 (2) provide needed funding for the district to
15 preserve, maintain, and enhance the economic health and vitality of
16 the area as a residential neighborhood and a commercially viable
17 area; and

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

22 (d) Pedestrian ways along or across a street, whether at
23 grade or above or below the surface, and street lighting, street
24 landscaping, and street art objects are parts of and necessary
25 components of a street and are considered to be a street or road
26 improvement.

27 (e) The district will not act as the agent or

1 instrumentality of any private interest even though the district
2 will benefit many private interests as well as the public.

3 Sec. 3848.005. DISTRICT TERRITORY. The district is
4 composed of the territory described by Section 3 of the Act
5 enacting this chapter, as that territory may have been modified
6 under:

- 7 (1) Subchapter J, Chapter 49, Water Code; or
8 (2) other law.

9 Sec. 3848.006. APPLICABILITY OF MUNICIPAL MANAGEMENT
10 DISTRICTS LAW. Except as otherwise provided by this chapter,
11 Chapter 375, Local Government Code, applies to the district.

12 Sec. 3848.007. LIBERAL CONSTRUCTION OF CHAPTER. This
13 chapter shall be liberally construed in conformity with the
14 findings and purposes stated in this chapter.

15 [Sections 3848.008-3848.050 reserved for expansion]

16 SUBCHAPTER B. BOARD OF DIRECTORS

17 Sec. 3848.051. COMPOSITION; TERMS. (a) The district is
18 governed by a board of nine voting directors who serve staggered
19 terms of four years, with four or five directors' terms expiring
20 June 1 of each odd-numbered year.

21 (b) The board by resolution may increase or decrease the
22 number of voting directors on the board, but only if it is in the
23 best interest of the district to do so. The board may not:

- 24 (1) increase the number of directors to more than
25 nine; or
26 (2) decrease the number of directors to fewer than
27 five.

1 Sec. 3848.052. APPOINTMENT OF DIRECTORS. The mayor and
2 members of the governing body of the City of Houston shall appoint
3 voting directors from persons recommended by the board. A person is
4 appointed if a majority of the members of the governing body,
5 including the mayor, vote to appoint that person.

6 Sec. 3848.053. NONVOTING DIRECTORS. (a) The following
7 persons serve as nonvoting directors:

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

10 (A) parks and recreation;

11 (B) planning and development; and

12 (C) public works; and

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

14 (b) If a department described by Subsection (a) is
15 consolidated, renamed, or changed, the board may appoint a director
16 of the consolidated, renamed, or changed department as a nonvoting
17 director. If a department described by Subsection (a) is
18 abolished, the board may appoint a representative of another
19 department that performs duties comparable to those performed by
20 the abolished department.

21 Sec. 3848.054. QUORUM. (a) A majority of the board is a
22 quorum.

23 (b) Nonvoting directors and vacant director positions are
24 not counted for the purposes of establishing a board quorum.

25 Sec. 3848.055. COMPENSATION OF VOTING DIRECTORS. Voting
26 directors may receive fees of office and reimbursement of expenses
27 as provided by Section 49.060, Water Code.

1 Sec. 3848.056. INITIAL VOTING DIRECTORS. (a) The initial
2 board consists of the following voting directors:

	<u>Pos. No.</u>	<u>Name of Director</u>
3		
4	<u>1</u>	<u>Marilee Maden</u>
5	<u>2</u>	<u>David Angel</u>
6	<u>3</u>	<u>Mike McIver</u>
7	<u>4</u>	<u>Jeff Lagow</u>
8	<u>5</u>	<u>Wayne Davis</u>
9	<u>6</u>	<u>Derrick Mitchell</u>
10	<u>7</u>	<u>Theldon Branch</u>
11	<u>8</u>	<u>Tiffany Bingham-Briscoe</u>
12	<u>9</u>	<u>Gail Jackson</u>

13 (b) Of the initial voting directors, the terms of directors
14 appointed for positions 1 through 5 expire June 1, 2009, and the
15 terms of directors appointed for positions 6 through 9 expire June
16 1, 2011.

17 (c) Section 3848.052 does not apply to this section.

18 (d) This section expires September 1, 2011.

19 [Sections 3848.057-3848.100 reserved for expansion]

20 SUBCHAPTER C. POWERS AND DUTIES

21 Sec. 3848.101. DEVELOPMENT CORPORATION AND HOUSING
22 CORPORATION POWERS OF DISTRICT. The district may exercise the
23 powers given to:

24 (1) a corporation under Section 4B, Development
25 Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil
26 Statutes), including the power to own, operate, acquire, construct,
27 lease, improve, and maintain the projects described by that

1 section; and

2 (2) a housing finance corporation under Chapter 394,
3 Local Government Code, to provide housing or residential
4 development projects in the district.

5 Sec. 3848.102. NONPROFIT CORPORATION. (a) The board by
6 resolution may authorize the creation of a nonprofit corporation to
7 assist and act for the district in implementing a project or
8 providing a service authorized by this chapter.

9 (b) The nonprofit corporation:

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

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

15 (c) The board shall appoint the board of directors of the
16 nonprofit corporation. The board of directors of the nonprofit
17 corporation shall serve in the same manner as, for the same term as,
18 and on the same conditions as the board of directors of a local
19 government corporation created under Chapter 431, Transportation
20 Code.

21 Sec. 3848.103. AGREEMENTS; GRANTS. (a) The district may
22 make an agreement with or accept a gift, grant, or loan from any
23 person.

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

27 Sec. 3848.104. CONTRACT FOR LAW ENFORCEMENT SERVICES. To

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

4 Sec. 3848.105. APPROVAL BY CITY OF HOUSTON. (a) Except as
5 provided by Subsection (b), the district must obtain the approval
6 of the City of Houston's governing body for:

7 (1) the issuance of a bond for each improvement
8 project;

9 (2) the plans and specifications of the improvement
10 project financed by the bond; and

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

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

20 Sec. 3848.106. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
21 district may join and pay dues to an organization that:

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

24 (2) performs a service or provides an activity
25 consistent with the furtherance of a district purpose.

26 Sec. 3848.107. ROAD POWERS. The district may exercise the
27 powers given to:

1 (1) a road district created under Chapter 257,
2 Transportation Code; and

3 (2) a road utility district created under Chapter 441,
4 Transportation Code.

5 Sec. 3848.108. AIR RIGHTS; CONSTRUCTION. The district may
6 acquire air rights and may construct improvements on property on
7 which it only owns air rights.

8 Sec. 3848.109. ADDITIONAL PROPERTY RIGHTS; LEASEHOLDS. The
9 district may construct improvements on property on which it only
10 has a leasehold interest and may own undivided interests in
11 buildings and other improvements.

12 Sec. 3848.110. NO EMINENT DOMAIN POWER. The district may
13 not exercise the power of eminent domain.

14 [Sections 3848.111-3848.150 reserved for expansion]

15 SUBCHAPTER D. PUBLIC TRANSIT SYSTEM AND PARKING FACILITIES

16 Sec. 3848.151. PUBLIC TRANSIT SYSTEM. The district may
17 acquire, lease as lessor or lessee, construct, develop, own,
18 operate, and maintain a public transit system to serve the area
19 within the boundaries of the district.

20 Sec. 3848.152. PARKING FACILITIES AUTHORIZED; OPERATION BY
21 PRIVATE ENTITY; TAX EXEMPTION. (a) The district may acquire,
22 lease as lessor or lessee, construct, develop, own, operate, and
23 maintain parking facilities, including:

24 (1) lots, garages, parking terminals, or other
25 structures or accommodations for the parking of motor vehicles; and

26 (2) equipment, entrances, exits, fencing, and other
27 accessories necessary for safety and convenience in the parking of

1 vehicles.

2 (b) A parking facility of the district must be either leased
3 to or operated on behalf of the district by a private entity or an
4 entity other than the district. The district's parking facilities
5 are a program authorized by the legislature under Section 52-a,
6 Article III, Texas Constitution, and accomplish a public purpose
7 under that section even if leased or operated by a private entity
8 for a term of years.

9 (c) The district's public parking facilities and any lease
10 to a private entity are exempt from the payment of ad valorem taxes
11 and state and local sales and use taxes.

12 Sec. 3848.153. RULES. The district may adopt rules
13 covering its public transit system or its public parking facilities
14 except that a rule relating to or affecting the use of the public
15 right-of-way or a requirement for off-street parking is subject to
16 all applicable municipal charter, code, or ordinance requirements.

17 Sec. 3848.154. FINANCING OF PUBLIC TRANSIT SYSTEM OR
18 PARKING FACILITIES. (a) The district may use any of its
19 resources, including revenue, assessments, taxes, and grant or
20 contract proceeds, to pay the cost of acquiring and operating a
21 public transit system or public parking facilities.

22 (b) The district may set and impose fees, charges, or tolls
23 for the use of the public transit system or the public parking
24 facilities and may issue bonds or notes to finance the cost of these
25 facilities.

26 [Sections 3848.155-3848.200 reserved for expansion]

1 SUBCHAPTER E. FINANCIAL PROVISIONS

2 Sec. 3848.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The
3 board by resolution shall establish the number of directors'
4 signatures and the procedure required for a disbursement or
5 transfer of the district's money.

6 Sec. 3848.202. MAINTENANCE TAX. (a) If authorized at an
7 election held in accordance with Section 3848.207, the district may
8 impose an annual ad valorem tax on taxable property in the district
9 to:

- 10 (1) administer the district;
11 (2) maintain and operate the district;
12 (3) construct or acquire improvements; or
13 (4) provide a service.

14 (b) The board shall determine the tax rate.

15 (c) An owner of real property in the district, except
16 property exempt under the Texas or United States Constitution or
17 under the Tax Code, is liable for the payment of ad valorem taxes
18 imposed by the district on the property.

19 Sec. 3848.203. ASSESSMENTS; LIENS FOR ASSESSMENTS.

20 (a) The board by resolution may impose and collect an assessment
21 for any purpose authorized by this chapter.

22 (b) An assessment, a reassessment, or an assessment
23 resulting from an addition to or correction of the assessment roll
24 by the district, penalties and interest on an assessment or
25 reassessment, an expense of collection, and reasonable attorney's
26 fees incurred by the district:

- 27 (1) are a first and prior lien against the property

1 assessed;

2 (2) are superior to any other lien or claim other than
3 a lien or claim for county, school district, or municipal ad valorem
4 taxes; and

5 (3) are the personal liability of and a charge against
6 the owners of the property even if the owners are not named in the
7 assessment proceedings.

8 (c) The lien is effective from the date of the board's
9 resolution imposing the assessment until the date the assessment is
10 paid. The board may enforce the lien in the same manner that the
11 board may enforce an ad valorem tax lien against real property.

12 (d) The board may make a correction to or deletion from the
13 assessment roll that does not increase the amount of assessment of
14 any parcel of land without providing notice and holding a hearing in
15 the manner required for additional assessments.

16 Sec. 3848.204. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
17 ASSESSMENTS. The district may not impose an impact fee or
18 assessment on the property, including the equipment,
19 rights-of-way, facilities, or improvements, of:

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

22 (2) a gas utility as defined by Section 101.003 or
23 121.001, Utilities Code;

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

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

1 Sec. 3848.205. BONDS AND OTHER OBLIGATIONS. (a) The
2 district may issue bonds or other obligations payable wholly or
3 partly from assessments, impact fees, revenue, grants, or other
4 money of the district, or any combination of those sources of money,
5 to pay for any authorized purpose of the district.

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

11 Sec. 3848.206. LIMIT ON PARKS AND RECREATION BONDS. Bonds
12 issued to finance parks and recreational facilities may not exceed
13 one percent of the assessed value of the real property in the
14 district according to the most recent certified tax appraisal roll
15 for Harris County.

16 Sec. 3848.207. TAX AND BOND ELECTIONS. (a) The district
17 shall hold an election in the manner provided by Subchapter L,
18 Chapter 375, Local Government Code, to obtain voter approval before
19 the district imposes a maintenance tax or issues bonds payable from
20 ad valorem taxes.

21 (b) The board may not include more than one purpose in a
22 single proposition at an election.

23 Sec. 3848.208. MUNICIPALITY NOT REQUIRED TO PAY DISTRICT
24 OBLIGATIONS. Except as provided by Section 375.263, Local
25 Government Code, a municipality is not required to pay a bond, note,
26 or other obligation of the district.

27 [Sections 3848.209-3848.250 reserved for expansion]

1 SUBCHAPTER F. DISSOLUTION

2 Sec. 3848.251. DISSOLUTION OF DISTRICT WITH OUTSTANDING
3 DEBT. (a) The board may dissolve the district regardless of
4 whether the district has debt. Section 375.264, Local Government
5 Code, does not apply to the district.

6 (b) If the district has debt when it is dissolved, the
7 district shall remain in existence solely for the purpose of
8 discharging its debts. The dissolution is effective when all debts
9 have been discharged.

10 SECTION 3. BOUNDARIES. As of the effective date of this
11 Act, the Harris County Improvement District No. 8 includes all
12 territory contained in the following described area:

13 METES AND BOUNDS DESCRIPTION OF 104.196 ACRES OF LAND IN THE JOHN
14 WALTERS SURVEY, ABSTRACT NUMBER 874 HOUSTON, HARRIS COUNTY, TEXAS.

15 104.196 acres (4,538,793 square feet) of land, being three
16 non-contiguous tracts, being all of Unrestricted Reserves "A", "B"
17 and "C" of Six Flags Astroworld, Replat No. 1, as recorded under
18 Film Code Number 580010 of Harris County Map Records, in the John
19 Walters Survey, Abstract Number 874, Houston, Harris County, Texas,
20 said 104.196 acres being more particularly described as follows
21 (bearings are based on the Texas State Plane Coordinate System,
22 South Central Zone (NAD 83), as derived from GPS observations based
23 on Continuously Operating Reference Station (CORS) Houston 2
24 (COH2)):

25 UNRESTRICTED RESERVE "A" 101.832 acres (4,435,829 square feet)
26 BEGINNING at a 5/8-Inch Iron rod found In the southerly
27 right-of-way line of Interstate Highway 610 (South Loop West) (350

1 feet wide) as recorded In Harris County Clerk's File Number
2 B532643, for the most northerly northwest corner of said Reserve
3 "A" and the northeast corner of the residue of a called 7.697 acre
4 tract of land described in a deed to John Jay Davis. and James
5 Donahue Davis, as recorded under Harris County Clerk's File Number
6 N205522;
7 THENCE, along the southerly right-of-way line of said Interstate
8 Highway 610, as follows:
9 North 85 degrees 43 minutes 49 seconds East, a distance of 764.67
10 feet, to a 3/4-inch iron rod with "CLR" cap found for a point of
11 curve;
12 Along the arc of a 5938.17 foot radius curve to the left, having a
13 central angle of 10 degrees 56 minutes 34 seconds, an arc length of
14 1134.11 feet, and a chord
15 which bears North 80 degrees 15 minutes 33 seconds East, a distance
16 of 1132.39 feet, to a 5/8-inch iron rod found for a point of
17 tangency;
18 North 74 degrees 47 minutes 16 seconds East, a distance of 474.85
19 feet, to a 3/4-inch iron rod with "CLR" cap found for a point of
20 curve;
21 THENCE, leaving the southerly right-of-way line of said Interstate
22 Highway 610, along the arc of a 25.00 foot radius curve to the
23 right, having a central angle of 46 degrees 50 minutes 13 seconds,
24 an arc length of 20.44 feet, and a chord which bears South 81
25 degrees 47 minutes 38 seconds East, a distance of 19..87 feet, to a
26 point for corner in the west right-of-way line of *Fannin Street*
27 (*width varies*) (*comer unable to be set*);

1 THENCE, along the westerly right-of-way line of said Fannin Street,
2 as follows:

3 South 03 degrees 37 minutes 26 seconds East, a distance of 13.64
4 feet, to a point of curve (corner unable to be set);

5 Along the arc of a 3010.00 foot radius curve to the left, having a
6 central angle of 01 degree 13 minutes 03 seconds, an arc length of
7 63.96 feet, and a chord which bears South 04 degrees 13 minutes 57
8 seconds East, a distance of 63.96 feet, to a 3/4-inch iron rod with
9 "CLR" cap found for a point of tangency;

10 South 04 degrees 50 minutes 28 seconds East, a distance of 212.17
11 feet, to a 3/4-inch iron rod with "CLR" cap found for corner;

12 South 02 degrees 28 minutes 41 seconds East, a distance of 136.62
13 feet, to a point for corner (corner unable to be set);

14 South 00 degrees 40 minutes 14 seconds East, a distance of 870.60
15 feet, to a 5/8-inch iron rod with "Clarkson" cap found in the north
16 line of a called 6.289 acre tract of land described In a deed to
17 Metropolitan Transit Authority of Harris County, Texas, as recorded
18 under Harris County Clerk's File Number V491408, for the most
19 easterly southeast corner hereof;

20 THENCE, South 68 degrees 55 minutes 46 seconds West, a distance of
21 526.60 feet, leaving the westerly right-of-way line of said Fannin
22 Street, to a 5/8-inch iron rod found for the northwest corner of
23 said called 6.289 acre tract and for an interior corner hereof;

24 THENCE, South 16 degrees 48 minutes 57 seconds East, a distance of
25 592.88 feet, to a cut "X" in the top of a concrete wall found in the
26 northerly right-of-way

27 line of West Bellfort Avenue (width varies), for the southwest

1 corner of said called 6.289 acre tract and the most southerly
2 southeast corner hereof;

3 THENCE, along the northerly right-of-way line of said West Bellfort
4 Avenue, as follows;

5 Along the arc of a 1094.45 foot radius non-tangent curve to the
6 right, having a central angle of 04 degrees 38 minutes 31 seconds,
7 an arc length of 88.67 feet, and a chord which bears South 84
8 degrees 25 minutes 50 seconds West, a distance of 88.65 feet, to a
9 cut "X" in the top of a concrete wall found for a point of tangency;
10 South 86 degrees 45 minutes 05 seconds West, a distance of 1296.70
11 feet, to a 3/4-inch Iron rod with "CLR" cap found for a point of
12 curve;

13 *Along the arc of a 1960.00 foot radius curve to the right, having a*
14 *central angle of 16 degrees 59 minutes 02 seconds, an arc length of*
15 *580.99 feet, and a chord which bears North 84 degrees 45 minutes 24*
16 *seconds West, a distance of 578.87 feet, to a 3/4-inch iron rod with*
17 *"CLR" cap found for a point of tangency;*

18 North 76 degrees 15 minutes 52 seconds West, a distance of 359.92
19 feet, to a 3/4-inch Iron rod with "CLR" cap found for a point of
20 curve;

21 Along the arc of a 2050.00 foot radius non-tangent curve to the
22 left, having a central angle of 02 degrees 20 minutes 12 seconds, an
23 arc length of 83.60 feet, and a chord which bears North 77 degrees
24 34 minutes 45 seconds West, a distance of 83.59 feet, to a 3/4-inch
25 iron rod with "CLR" cap found for a point of tangency;

26 North 40 degrees 38 minutes 02 seconds West, a distance of 31.42
27 feet, to a 3/4-inch iron rod with "CLR" cap found for the northwest

1 end of a cut-back at the northeast corner of the intersection of
2 said West Bellfort Drive and Kirby Drive (width varies) for the most
3 westerly southwest corner hereof;
4 THENCE, North 02 degrees 27 minutes 33 seconds West, a distance of
5 713.06 feet, along the easterly right-of-way line of said Kirby
6 Drive, to a 5/8-inch iron rod found for the southwest corner of the
7 aforementioned called 7.697 acre tract, and the most westerly
8 northwest corner hereof;
9 THENCE, North 86 degrees 33 minutes 51 seconds East, a distance of
10 399.78 feet, leaving the easterly right-of-way line of said Kirby
11 Drive, to a 3/4-Inch rod found for the southeast corner of said
12 called 7.697 acre tract, and an interior corner hereof;
13 THENCE, North 02 degrees 16 minutes 18 seconds West, a distance of
14 848.62 feet, to the POINT OF BEGINNING and containing a computed
15 area of 101.832 acres (4,435,829 square feet) of land in said.
16 Unrestricted Reserve "A".
17 UNRESTRICTED RESERVE "B" 1.909 acres (83,157 square feet)
18 BEGINNING at a 5/8-Inch Iron rod found in the easterly right-of-way
19 line of said Kirby Drive, for the northwest corner of Unrestricted
20 Reserve "F" in Section I of South Point Business Park, as recorded
21 in Volume 230, Page 136, Harris County Map Records, and the
22 southwest corner *hereof*;
23 THENCE, North 02 degrees 27 minutes 33 seconds West, a distance of
24 145.37 feet, along the *easterly right-of-way* line of said Kirby
25 Drive, to a point for corner in a power pole at the southwesterly
26 end of a curve return at the southeast corner of the intersection of
27 said Kirby Drive and the aforementioned West Bellfort Drive;

1 THENCE, leaving the easterly right-of-way line of said Kirby Drive,
2 along the arc of a 50.00 foot radius non-tangent curve to the right,
3 having a central angle of 106 degrees 46 minutes 14 seconds, an arc
4 length of 9317 feet, and a chord which bears North 50 degrees 41
5 minutes 45 seconds East, a distance of 80.27 feet, to a 3/4-inch
6 iron rod with "CLR" cap found for a point of compound curve;
7 THENCE, along the south right-of-way line of said West Bellfort
8 Avenue, as follows;
9 Along the arc of a 1950.00 foot radius curve to the right, having a
10 central angle of 00 degrees 15 minutes 30 seconds, an arc length of
11 8.79 feet, and a chord which bears South 76 degrees 23 minutes 37
12 seconds East, a distance of 8.79 feet, to a 3/4-inch iron rod with
13 "CLR" cap found for a point of tangency;
14 South 76 degrees 15 minutes 52 seconds East, a distance of 294.43
15 feet, to a 3/4-inch iron rod with "CLR" cap found for a point of
16 curve;
17 Along the arc of a 2040.00 foot radius non-tangent curve to the
18 left, having a central angle of 16 degrees 59 minutes 03 seconds, an
19 arc length of 604.71 feet, and a chord which bears South 84 degrees
20 46 minutes 12 seconds East, a distance of 602.50 feet, to a 3/4-inch
21 iron rod with "CLR" cap found for a point of tangency;
22 North 86 degrees 44 minutes 17 seconds East, a distance of 88.58
23 feet, to a 3/4-inch Iron rod with "CLR" cap found for the northwest
24 end of a cut-back corner at the southwest corner of the intersection
25 of said West Bellfort Drive and Centerpoint Drive (60 feet wide);
26 THENCE, South 47 degrees 54 minutes 45 seconds East, a distance of
27 21.14 feet, leaving the south right-of-way line of said West

1 Bellfort Drive, to a 3/4-inch iron rod with "CLR" cap found for the
2 southeast end of said cut-back corner in the westerly right-of-way
3 line of said Centerpoint Drive, the northeast corner of
4 Unrestricted Reserve "B" in Section II of said South Point Business
5 Park, and the southeast corner hereof;
6 THENCE, South 86 degrees 44 minutes 26 seconds West, a distance of
7 1056.25 feet, leaving the westerly right-of-way line of said
8 Centerpoint Drive, with the north line of Section I and Section II
9 of said South Point Business Park, to the POINT OF BEGINNING and
10 containing a computed area of 1.909 acres (83,157 square feet) of
11 land in said Unrestricted Reserve "B".
12 UNRESTRICTED RESERVE "C" 0.455 acres (19,807 square feet)
13 BEGINNING at a 3/4-inch iron rod with "CLR" cap found in the
14 northerly right-of-way line of the aforementioned West Bellfort
15 Drive, for the northwest corner of the residue of a Houston Lighting
16 & Power Company Fee Strip, recorded in Volume 1781, Page 199, of the
17 Harris County Deed Records, and the northeast corner hereof;
18 THENCE, South 16 degrees 48 minutes 57 seconds East, a distance of
19 19.94 feet, to a 1-inch galvanized iron pipe found in the north line
20 of Unrestricted Reserve "A" in Section III of the aforementioned
21 South Point Business Park, and the southeast corner hereof;
22 THENCE, South 86 degrees 44 minutes 26 seconds West, a distance of
23 1313.64 feet, along the north line Section III and Section II of
24 said South Point Business Park, to a cut "X" set in the tip of a
25 concrete culvert in the easterly right-of-way line of the
26 aforementioned Centerpoint Drive, being the southwest end of
27 a cut-back corner at the southeast corner of the Intersection of

1 said West Bellfort Drive and said Centerpoint Drive and the
2 southwest corner hereof;

3 THENCE, North 42 degrees 05 minutes 15 seconds East, a distance of
4 21.40 feet, to a 3/4-inch iron rod with "CLR" cap found in the
5 southerly right-of-way line of said West Bellfort Drive, for the
6 northeast end of said cut-back corner and the northwest corner
7 hereof;

8 THENCE, North 86 degrees 44 minutes 17 seconds East, a distance of
9 1186.52 feet, along the southerly right-of-way line of said West
10 Bellfort Drive, to a 3/4-inch iron rod with "CLR" cap found for a
11 point of curve;

12 THENCE, continuing along the southerly right-of-way line of said
13 West Bellfort Drive, along the arc of a 1341.97 foot radius curve to
14 the left, having a central angle of 04 degrees 34 minutes 58
15 seconds, an arc length of 107.34 feet, and a chord which bears North
16 84 degrees 26 minutes 48 seconds East, a distance of 107.31 feet, to
17 the POINT OF BEGINNING and containing a computed area of 0.455 acres
18 (19,807 square feet) of land in said Unrestricted Reserve "C", and
19 containing a total aggregate area of 104.196 acres (4,538,793
20 square feet) of land.

21 SECTION 4. REIMBURSEMENT FOR COST OF CREATION. The Harris
22 County Improvement District No. 8 may reimburse the cost of
23 creating the district from assessments or other revenues created by
24 the district.

25 SECTION 5. ADDITIONAL LEGISLATIVE FINDINGS. The
26 legislature finds that:

27 (1) proper and legal notice of the intention to

1 introduce this Act, setting forth the general substance of this
2 Act, has been published as provided by law, and the notice and a
3 copy of this Act have been furnished to all persons, agencies,
4 officials, or entities to which they are required to be furnished by
5 the constitution and laws of this state, including the governor,
6 who has submitted the notice and Act to the Texas Commission on
7 Environmental Quality;

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

12 (3) the general law relating to consent by political
13 subdivisions to the creation of districts with conservation,
14 reclamation, and road powers and the inclusion of land in those
15 districts has been complied with; and

16 (4) all requirements of the constitution and laws of
17 this state and the rules and procedures of the legislature with
18 respect to the notice, introduction, and passage of this Act have
19 been fulfilled and accomplished.

20 SECTION 6. EFFECTIVE DATE. This Act takes effect
21 immediately if it receives a vote of two-thirds of all the members
22 elected to each house, as provided by Section 39, Article III, Texas
23 Constitution. If this Act does not receive the vote necessary for
24 immediate effect, this Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1123 passed the Senate on April 26, 2007, by the following vote: Yeas 31, Nays 0; May 21, 2007, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 25, 2007, House granted request of the Senate; May 26, 2007, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1123 passed the House, with amendment, on May 17, 2007, by the following vote: Yeas 143, Nays 0, two present not voting; May 25, 2007, House granted request of the Senate for appointment of Conference Committee; May 26, 2007, House adopted Conference Committee Report by the following vote: Yeas 141, Nays 1, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor