

1-1 By: Zerwas (Senate Sponsor - Hegar) H.B. No. 1596  
1-2 (In the Senate - Received from the House May 18, 2009;  
1-3 May 19, 2009, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 22, 2009, reported favorably by  
1-5 the following vote: Yeas 5, Nays 0; May 22, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the creation of the Fort Bend County Municipal Utility  
1-9 District No. 204; providing authority to impose a tax and issue  
1-10 bonds; granting a limited power of eminent domain.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-13 Code, is amended by adding Chapter 8331 to read as follows:

1-14 CHAPTER 8331. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 204

1-15 SUBCHAPTER A. GENERAL PROVISIONS

1-16 Sec. 8331.001. DEFINITIONS. In this chapter:

1-17 (1) "Board" means the district's board of directors.

1-18 (2) "Director" means a board member.

1-19 (3) "District" means the Fort Bend County Municipal  
1-20 Utility District No. 204.

1-21 Sec. 8331.002. NATURE OF DISTRICT. The district is a  
1-22 municipal utility district created under Section 59, Article XVI,  
1-23 Texas Constitution.

1-24 Sec. 8331.003. CONFIRMATION AND DIRECTORS' ELECTION  
1-25 REQUIRED. The temporary directors shall hold an election to  
1-26 confirm the creation of the district and to elect five permanent  
1-27 directors as provided by Section 49.102, Water Code.

1-28 Sec. 8331.004. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)  
1-29 The district is created to serve a public purpose and benefit.

1-30 (b) The district is created to accomplish the purposes of:

1-31 (1) a municipal utility district as provided by  
1-32 general law and Section 59, Article XVI, Texas Constitution; and

1-33 (2) Section 52, Article III, Texas Constitution, that  
1-34 relate to the construction, acquisition, or improvement of  
1-35 macadamized, graveled, or paved roads described by Section 54.234,  
1-36 Water Code, or improvements, including storm drainage, in aid of  
1-37 those roads.

1-38 Sec. 8331.005. INITIAL DISTRICT TERRITORY. (a) The  
1-39 district is initially composed of the territory described by  
1-40 Section 2 of the Act creating this chapter.

1-41 (b) The boundaries and field notes contained in Section 2 of  
1-42 the Act creating this chapter form a closure. A mistake made in the  
1-43 field notes or in copying the field notes in the legislative process  
1-44 does not affect the district's:

1-45 (1) organization, existence, or validity;

1-46 (2) right to issue any type of bond for the purposes  
1-47 for which the district is created or to pay the principal of and  
1-48 interest on a bond;

1-49 (3) right to impose a tax; or

1-50 (4) legality or operation.

1-51 [Sections 8331.006-8331.050 reserved for expansion]

1-52 SUBCHAPTER B. BOARD OF DIRECTORS

1-53 Sec. 8331.051. GOVERNING BODY; TERMS. (a) The district is  
1-54 governed by a board of five elected directors.

1-55 (b) Except as provided by Section 8331.052, directors serve  
1-56 staggered four-year terms.

1-57 Sec. 8331.052. TEMPORARY DIRECTORS. (a) On or after the  
1-58 effective date of the Act creating this chapter, the owner or owners  
1-59 of a majority of the assessed value of the real property in the  
1-60 district may submit a petition to the Texas Commission on  
1-61 Environmental Quality requesting that the commission appoint as  
1-62 temporary directors the five persons named in the petition. The  
1-63 commission shall appoint as temporary directors the five persons  
1-64 named in the petition.

(b) Temporary directors serve until the earlier of:  
(1) the date permanent directors are elected under  
Section 8331.003; or

(2) the fourth anniversary of the effective date of  
the Act creating this chapter.

(c) If permanent directors have not been elected under  
Section 8331.003 and the terms of the temporary directors have  
expired, successor temporary directors shall be appointed or  
reappointed as provided by Subsection (d) to serve terms that  
expire on the earlier of:

(1) the date permanent directors are elected under  
Section 8331.003; or

(2) the fourth anniversary of the date of the  
appointment or reappointment.

(d) If Subsection (c) applies, the owner or owners of a  
majority of the assessed value of the real property in the district  
may submit a petition to the commission requesting that the  
commission appoint as successor temporary directors the five  
persons named in the petition. The commission shall appoint as  
successor temporary directors the five persons named in the  
petition.

[Sections 8331.053-8331.100 reserved for expansion]

#### SUBCHAPTER C. POWERS AND DUTIES

Sec. 8331.101. GENERAL POWERS AND DUTIES. The district has  
the powers and duties necessary to accomplish the purposes for  
which the district is created.

Sec. 8331.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
DUTIES. The district has the powers and duties provided by the  
general law of this state, including Chapters 49 and 54, Water Code,  
applicable to municipal utility districts created under Section 59,  
Article XVI, Texas Constitution.

Sec. 8331.103. AUTHORITY FOR ROAD PROJECTS. (a) Under  
Section 52, Article III, Texas Constitution, the district may  
design, acquire, construct, finance, issue bonds for, improve, and  
convey to this state, a county, or a municipality for operation and  
maintenance macadamized, graveled, or paved roads described by  
Section 54.234, Water Code, or improvements, including storm  
drainage, in aid of those roads.

(b) The district may exercise the powers provided by this  
section without submitting a petition to or obtaining approval from  
the Texas Commission on Environmental Quality as required by  
Section 54.234, Water Code.

Sec. 8331.104. APPROVAL OF ROAD PROJECT. (a) The district  
may not undertake a road project authorized by Section 8331.103  
unless:

(1) each municipality or county that will operate and  
maintain the road has approved the plans and specifications of the  
road project, if a municipality or county will operate and maintain  
the road; or

(2) the Texas Transportation Commission has approved  
the plans and specifications of the road project, if the state will  
operate and maintain the road.

(b) Except as provided by Subsection (a), the district is  
not required to obtain approval from the Texas Transportation  
Commission to design, acquire, construct, finance, issue bonds for,  
improve, or convey a road project.

Sec. 8331.105. LIMITATION ON USE OF EMINENT DOMAIN. The  
district may not exercise the power of eminent domain outside the  
district to acquire a site or easement for:

(1) a road project authorized by Section 8331.103; or

(2) a recreational facility as defined by Section  
49.462, Water Code.

[Sections 8331.106-8331.150 reserved for expansion]

#### SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8331.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
district may issue, without an election, bonds and other  
obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 8331.153.

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

(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

Sec. 8331.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8331.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 8331.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

[Sections 8331.154-8331.200 reserved for expansion]

#### SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8331.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 8331.202. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 8331.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. The Fort Bend County Municipal Utility District No. 204 initially includes all the territory contained in the following area:

Being 1411.108 acres of land located in the Noel F. Roberts League, Abstract 79, the Thomas Westall League, Abstract 92, and the Andrew Roberts Survey, Abstract 78, Fort Bend County, Texas, more particularly being a portion of that certain called 360.3145 acre tract conveyed to Ash Road Cattle Co., Inc., by instrument of record in File No. 2006100983, Official Public Records, of Fort Bend County (F.B.C.O.P.R.), being all of that certain called 9.32 acre tract conveyed to Riverbank Investments, Inc., by instrument of record in File No. 2006104798, F.B.C.O.P.R., being a portion of that certain called 52.71 acre tract conveyed to Riverbank Investments, Inc., by instrument of record in File No. 2006086205, F.B.C.O.P.R., being all of that certain called 4.4933 acre tract conveyed to Riverbank Investments, Inc., by instrument of record in File No. 2006133790, F.B.C.O.P.R., being all of that certain called 200.2961 acre tract conveyed to Riverbank Investments, Inc., by instrument of record in File No. 2007023698, F.B.C.O.P.R., all of that certain called 45.40 acre tract (described as Tract 1) conveyed to Riverbank Investments, Inc., by instrument of record in File No. 2007001713, F.B.C.O.P.R., all of that certain called 41.98 acre tract (described as Tract 2) conveyed to Riverbank Investments, Inc., by instrument of record in File No. 2007004160, F.B.C.O.P.R., being all of that certain called 11.1752 acre tract conveyed to Riverbank Investments, Inc., by instrument of record in File No. 2007023698, F.B.C.O.P.R., being a portion of that certain

4-1 called 2.65 acre tract conveyed to Riverbank Investments, Inc., by  
 4-2 instruments of record in File No's. 2007001713 and 2007004160,  
 4-3 F.B.C.O.P.R., being a portion of that certain called 4.9862 acre  
 4-4 tract conveyed to Twinwood (U.S.), Inc., by instrument of record in  
 4-5 File No. 2006121124, F.B.C.O.P.R., being a portion of that certain  
 4-6 called 5.000 acre tract conveyed to Twinwood (U.S.), Inc., by  
 4-7 instrument of record in File No. 2006108996, F.B.C.O.P.R., being a  
 4-8 portion of those certain called 53.6119 17.9178 acre tracts  
 4-9 conveyed to Twinwood (U.S.), Inc., by instrument of record in File  
 4-10 No. 1999037317, F.B.C.O.P.R., being all of that certain called  
 4-11 12.4259 acre tract conveyed to Twinwood (U.S.), Inc., by instrument  
 4-12 of record in File No. 2000105214, F.B.C.O.P.R., being all of that  
 4-13 certain called 34.8399 acre tract conveyed to Twinwood (U.S.),  
 4-14 Inc., by instrument of record in File No. 9145921, F.B.C.O.P.R.,  
 4-15 being all of that certain called 100.236 acre tract conveyed to  
 4-16 Twinwood (U.S.), Inc., by instrument of record in File No. 9403428,  
 4-17 F.B.C.O.P.R., being all of that certain called 172.658 acre tract  
 4-18 conveyed to 471 Pearson Farms, Inc., by instrument of record in File  
 4-19 No. 2006146530, F.B.C.O.P.R., being all of that certain called  
 4-20 471.04 acre tract conveyed to 471 Pearson Farms, Inc., by  
 4-21 instrument of record in File No. 2006102364, F.B.C.O.P.R., and  
 4-22 being all of that certain called 49.071 acre tract conveyed to 471  
 4-23 Pearson Farms, Inc., by instrument of record in File No.  
 4-24 2008047777, F.B.C.O.P.R., said 1411.108 acres being more  
 4-25 particularly described in six (6) parts by metes and bounds as  
 4-26 follows (all bearings are assumed);

## PART ONE

4-28 BEGINNING at the southeast corner of said 360.3145 acre  
 4-29 tract, same being the southwest corner of that certain called  
 4-30 16.131 acre tract conveyed to Douglas W. Fisher, et al, by  
 4-31 instrument of record in Volume 887, Page 553, Deed Records, of said  
 4-32 Fort Bend County (F.B.C.D.R.), and on the north line of that certain  
 4-33 called 55.9951 acre tract conveyed to Michael R. Burns, et al, by  
 4-34 instrument of record in File No. 2005120041, F.B.C.O.P.R.;

4-35 Thence, with the south line of said 360.3145 acre tract, the  
 4-36 following thirteen (13) courses:

- 4-37 1) South 87° 31' 34" West (called South 87° 36' 41"  
 4-38 West), 219.82 feet to a point for corner;
- 4-39 2) North 72° 29' 30" West, 99.71 feet to a point for  
 4-40 corner;
- 4-41 3) North 87° 08' 02" West, 55.48 feet to a point for  
 4-42 corner;
- 4-43 4) North 18° 00' 45" West, 59.72 feet to a point for  
 4-44 corner;
- 4-45 5) North 70° 58' 36" West, 125.00 feet to a point for  
 4-46 corner;
- 4-47 6) North 57° 58' 26" West, 82.94 feet to a point for  
 4-48 corner;
- 4-49 7) North 56° 13' 55" West, 280.24 feet to a point for  
 4-50 corner;
- 4-51 8) North 64° 38' 33" West, 158.69 feet to a point for  
 4-52 corner;
- 4-53 9) North 72° 37' 06" West, 339.00 feet to a point for  
 4-54 corner;
- 4-55 10) North 84° 43' 06" West, 479.37 feet to a point for  
 4-56 corner;
- 4-57 11) South 75° 18' 44" West, 55.53 feet to a point for  
 4-58 corner;
- 4-59 12) South 54° 34' 59" West, 60.04 feet to a point for  
 4-60 corner;

4-61 13) South 73° 46' 30" West, 228.74 feet to southwest  
 4-62 corner of said 360.3145 acre tract, same being on the east line of  
 4-63 said 9.32 acre tract;

4-64 Thence, with the east line of said 9.32 acre tract, South 02°  
 4-65 28' 44" East (called South 02° 27' 11" East), 96.79 feet to the  
 4-66 southeast corner of said 9.32 acre tract;

4-67 Thence, with the south line of said 9.32 acre tract, the  
 4-68 following four (4) courses:

- 4-69 1) South 61° 33' 12" West, 47.68 feet to a point for

5-1 corner;  
 5-2 2) South 48° 37' 19" West, 199.25 feet to a point for  
 5-3 corner;  
 5-4 3) South 45° 15' 32" West, 176.55 feet to a point for  
 5-5 corner;  
 5-6 4) South 87° 27' 42" West, 422.19 feet to the southwest  
 5-7 corner of said 9.32 acre tract, same being on the east line of said  
 5-8 52.71 acre tract;  
 5-9 Thence, with the east line of said 52.71 acre tract, South 02°  
 5-10 32' 18" East (called South 02° 30' 45" East), 632.20 feet to the  
 5-11 southeast corner of said 52.71 acre tract;  
 5-12 Thence, with the south line of said 52.71 acre tract, the  
 5-13 following three (3) courses:  
 5-14 1) South 30° 27' 35" West, 240.83 feet to a point for  
 5-15 corner;  
 5-16 2) South 22° 45' 01" West, 290.49 feet to a point for  
 5-17 corner;  
 5-18 3) South 26° 09' 57" West, 763.79 feet to the southwest  
 5-19 corner of said 52.71 acre tract;  
 5-20 Thence, with the west line of said 52.71 acre tract, North 01°  
 5-21 48' 07" West, 3097.84 feet to a point for corner;  
 5-22 Thence, continuing with said west line, North 02° 02' 18"  
 5-23 West, 986.87 feet to a point for corner;  
 5-24 Thence, leaving said west line, North 87° 02' 32" East, 572.57  
 5-25 feet to a point for corner on the east line of said 52.71 acre tract;  
 5-26 Thence, with the east line of said 52.71 acre tract, South 02°  
 5-27 54' 50" East, 169.19 feet to a point for corner;  
 5-28 Thence, continuing with said east line, South 02° 32' 18"  
 5-29 East, 1549.89 feet to the northwest corner of said 9.32 acre tract;  
 5-30 Thence, with the north line of said 9.32 acre tract, North 87°  
 5-31 27' 50" East, 751.16 feet to the northeast corner of said 9.32 acre  
 5-32 tract, same being on the west line of said 360.3145 acre tract;  
 5-33 Thence, with the west line of said 360.3145 acre tract, North  
 5-34 02° 32' 18" West, 1826.89 feet to a point for corner;  
 5-35 Thence, leaving said west line, North 71° 01' 02" East, 236.27  
 5-36 feet to a point for corner;  
 5-37 Thence, North 61° 57' 09" East, 486.25 feet to a point for  
 5-38 corner;  
 5-39 Thence, North 52° 07' 38" East, 485.75 feet to a point for  
 5-40 corner;  
 5-41 Thence, North 42° 01' 38" East, 486.53 feet to a point for  
 5-42 corner;  
 5-43 Thence, North 31° 59' 52" East, 486.24 feet to a point for  
 5-44 corner;  
 5-45 Thence, North 22° 04' 57" East, 485.76 feet to a point for  
 5-46 corner;  
 5-47 Thence, North 12° 02' 52" East, 485.45 feet to a point for  
 5-48 corner;  
 5-49 Thence, North 02° 41' 07" East, 729.64 feet to a point for  
 5-50 corner on the east line of said 360.3145 acre tract;  
 5-51 Thence, with the east line of said 360.3145 acre tract, the  
 5-52 following four (4) courses:  
 5-53 1) South 02° 21' 36" East, 204.90 feet to a point for  
 5-54 corner;  
 5-55 2) South 02° 25' 17" East, 3016.66 feet to a point for  
 5-56 corner;  
 5-57 3) South 02° 20' 57" East, 1297.76 feet to a point for  
 5-58 corner;  
 5-59 4) South 02° 22' 26" East, 1004.27 feet to the POINT OF  
 5-60 BEGINNING and containing 196.430 acres of land.  
 5-61 PART TWO  
 5-62 BEGINNING at the northeast corner of said 4.4933 acre tract,  
 5-63 same being on the west line of said 360.3145 acre tract;  
 5-64 Thence, with the common line of said 4.4933 and 360.3145 acre  
 5-65 tracts, South 02° 32' 18" East (called South 02° 27' 11" East),  
 5-66 260.16 feet to the southeast corner of said 4.4933 acre tract;  
 5-67 Thence, with the south line of said 4.4933 acre tract, South  
 5-68 87° 31' 16" West, 751.16 feet to the southwest corner of said 4.4933  
 5-69 acre tract;

6-1 Thence, with the west line of said 4.4933 acre tract, North  
6-2 02° 32' 18" West, 260.16 feet to the northwest corner of said 4.4933  
6-3 acre tract;

6-4 Thence, with the north line of said 4.4933 acre tract, North  
6-5 87° 31' 16" East, 751.16 feet to the POINT OF BEGINNING and  
6-6 containing 4.486 acres of land.

6-7 PART THREE

6-8 BEGINNING at the northwest corner of said 200.2961 acre  
6-9 tract, same being the southwest corner of that certain called 10.69  
6-10 acre tract conveyed to Jean Thompson, et vir, by instrument of  
6-11 record in Volume 512, Page 560, F.B.C.D.R., and on the east  
6-12 right-of-way line of F.M. 1489 (width varies);

6-13 Thence, with the common line of said 200.2961 and 10.69 acre  
6-14 tracts, North 87° 55' 46" East (called South 89° 14' 32" East),  
6-15 1557.79 feet to the northeast corner of said 200.2961 acre tract, on  
6-16 the west line of said 11.1752 acre tract and on the common line of  
6-17 said Thomas Westall League and said Noel F. Roberts League;

6-18 Thence, with the west line of said 11.1752 acre tract and said  
6-19 common survey line, North 02° 19' 50" West (called North 00° 29' 52"  
6-20 East), 300.50 feet to the northwest corner of said 11.1752 acre  
6-21 tract;

6-22 Thence, leaving said common survey line and with the north  
6-23 line of said 11.1752 acre tract, North 87° 45' 58" East, 1009.18 feet  
6-24 to the northeast corner of said 11.1752 acre tract, same being on  
6-25 the west line of said 2.65 acre tract;

6-26 Thence, with the west line of said 2.65 acre tract, North 02°  
6-27 29' 30" West (called North 00° 12' 11" West), 947.23 feet to the  
6-28 southeast corner of said 4.9862 acre tract;

6-29 Thence, with the south line of said 4.9862 acre tract, South  
6-30 87° 24' 11" West (called South 89° 44' 50" West), 1000.31 feet to the  
6-31 southwest corner of said 4.9862 acre tract, on the east line of said  
6-32 53.6119 acre tract and on the common line of said Thomas Westall  
6-33 League and said Noel F. Roberts League;

6-34 Thence, with the east line of said 53.6119 acre tract and with  
6-35 said common survey line, South 02° 31' 27" East (called South 00° 15'  
6-36 51" West), 226.21 feet to a the southeast corner of said 53.6119  
6-37 acre tract;

6-38 Thence, leaving said common survey line and with the south  
6-39 line of said 53.6119 acre tract, South 88° 04' 23" West, 1547.74 feet  
6-40 to the southwest corner of said 53.6119 acre tract and on the east  
6-41 line of said F.M. 1489;

6-42 Thence, with the common line of said 53.6119 acre tract and  
6-43 said F.M. 1489, North 01° 44' 43" West, 1519.01 feet to the northwest  
6-44 corner of said 53.6119 acre tract, same being the southwest corner  
6-45 of said 14.9178 acre tract;

6-46 Thence, continuing with the common line of said 14.9178 acre  
6-47 tract and said F.M. 1489, North 01° 44' 43" West (called North 01° 02'  
6-48 35" East), 493.35 feet to the northwest corner of said 14.9178 acre  
6-49 tract;

6-50 Thence, with the north line of said 14.9178 acre tract, the  
6-51 following five (5) courses:

- 6-52 1) North 88° 37' 58" East, 310.50 feet to a point for  
6-53 corner;
- 6-54 2) South 68° 05' 12" East, 257.20 feet to a point for  
6-55 corner;
- 6-56 3) South 87° 15' 22" East, 370.54 feet to a point for  
6-57 corner;
- 6-58 4) North 01° 39' 08" West, 25.06 feet to a point for  
6-59 corner;
- 6-60 5) South 87° 24' 33" East, 23.86 feet to a point for  
6-61 corner;

6-62 Thence, leaving said north line, South 27° 58' 11" East,  
6-63 355.16 feet to a point for corner;

6-64 Thence, South 37° 55' 31" East, 486.29 feet to a point for  
6-65 corner;

6-66 Thence, South 47° 56' 06" East, 208.22 feet to a point for  
6-67 corner on the east line of said 53.6119 acre tract and on the common  
6-68 line of said Thomas Westall League and said Noel F. Roberts League;

6-69 Thence, with the east line of said 53.6119 acre tract and with

7-1 said common survey line, South 02° 31' 27" East, 382.51 feet to the  
7-2 northwest corner of said 5.000 acre tract;  
7-3 Thence, leaving said common survey line and with the north  
7-4 line of said 5.000 acre tract, North 87° 23' 13" East (called North  
7-5 89° 44' 50" East), 469.45 feet to a point for corner;  
7-6 Thence, leaving said north line, South 58° 01' 26" East,  
7-7 156.48 feet to a point for corner;  
7-8 Thence, South 67° 52' 22" East, 486.38 feet to a point for  
7-9 corner;  
7-10 Thence, South 77° 58' 23" East, 20.59 feet to a point for  
7-11 corner on the east line of said 2.65 acre tract;  
7-12 Thence, with the east line of said 2.65 acre tract, South 02°  
7-13 29' 30" East, 1623.17 feet to the southeast corner of said 2.65 acre  
7-14 tract;  
7-15 Thence, with the south line of said 2.65 acre tract, South 87°  
7-16 00' 22" West, 60.17 feet to the southwest corner of said 2.65 acre  
7-17 tract, same being the most southerly northeast corner of said 41.98  
7-18 acre tract;  
7-19 Thence, with a south line of said 41.98 acre tract, South 87°  
7-20 30' 57" West (called South 89° 57' 44" West), 207.08 feet to a  
7-21 reentrant corner of said 41.98 acre tract;  
7-22 Thence, with the east line of said 41.98 acre tract, South 02°  
7-23 19' 50" East (called South), 4322.10 feet to the southeast corner of  
7-24 said 41.98 acre tract;  
7-25 Thence, with the south line of said 41.98 acre tract, the  
7-26 following three (3) courses:  
7-27 1) South 40° 39' 15" West, 181.22 feet to a point for  
7-28 corner;  
7-29 2) South 48° 32' 58" West, 308.00 feet to a point for  
7-30 corner;  
7-31 3) South 52° 20' 58" West, 47.50 feet to the southwest  
7-32 corner of said 41.98 acre tract, same being the southeast corner of  
7-33 said 45.40 acre tract;  
7-34 Thence, with the south line of said 45.40 acre tract, the  
7-35 following three (3) courses:  
7-36 1) South 52° 20' 58" West (called South 54° 40' 48"  
7-37 West), 232.21 feet to a point for corner;  
7-38 2) South 58° 09' 10" West, 244.44 feet to a point for  
7-39 corner;  
7-40 3) North 02° 19' 50" West, 27.44 feet to the southwest  
7-41 corner of said 45.40 acre tract, same being on the on the common  
7-42 line of said Thomas Westall League and said Noel F. Roberts League;  
7-43 Thence, with the west line of said 45.40 acre tract and said  
7-44 common survey line, South 44° 27' 09" West, 4.49 feet to a point for  
7-45 corner, the southeast corner of said 200.2961 acre tract;  
7-46 Thence, leaving said common survey line and with the south  
7-47 line of said 200.2961 acre tract, the following nineteen (19)  
7-48 courses:  
7-49 1) South 63° 35' 50" West, 70.07 feet to a point for  
7-50 corner;  
7-51 2) South 78° 36' 41" West, 58.46 feet to a point for  
7-52 corner;  
7-53 3) South 53° 26' 35" West, 50.18 feet to a point for  
7-54 corner;  
7-55 4) South 59° 46' 48" West, 121.83 feet to a point for  
7-56 corner;  
7-57 5) South 53° 30' 56" West, 104.37 feet to a point for  
7-58 corner;  
7-59 6) South 56° 10' 29" West, 90.56 feet to a point for  
7-60 corner;  
7-61 7) South 62° 00' 00" West, 179.22 feet to a point for  
7-62 corner;  
7-63 8) South 52° 38' 17" West, 101.01 feet to a point for  
7-64 corner;  
7-65 9) South 50° 07' 56" West, 119.96 feet to a point for  
7-66 corner;  
7-67 10) South 49° 49' 54" West, 136.72 feet to a point for  
7-68 corner;  
7-69 11) South 53° 22' 53" West, 100.97 feet to a point for

8-1 corner;  
 8-2 12) South 04° 59' 07" West, 21.97 feet to a point for  
 8-3 corner;  
 8-4 13) South 44° 09' 14" West, 54.71 feet to a point for  
 8-5 corner;  
 8-6 14) South 63° 08' 28" West, 53.08 feet to a point for  
 8-7 corner;  
 8-8 15) South 45° 29' 40" West, 62.34 feet to a point for  
 8-9 corner;  
 8-10 16) South 59° 07' 52" West, 72.79 feet to a point for  
 8-11 corner;  
 8-12 17) South 85° 38' 24" West, 47.15 feet to a point for  
 8-13 corner;  
 8-14 18) South 60° 47' 03" West, 137.17 feet to a point for  
 8-15 corner;  
 8-16 19) South 57° 56' 35" West, 19.68 feet to the southwest  
 8-17 corner of said 200.2961 acre tract and on the east line of said F.M.  
 8-18 1489;  
 8-19 Thence, with the common line of said 200.2961 acre tract and  
 8-20 said F.M. 1489, the following five (5) courses:  
 8-21 1) North 13° 25' 49" West, 1101.82 feet to a point for  
 8-22 corner, the beginning of a curve;  
 8-23 2) 654.25 feet along the arc of a non-tangent curve to  
 8-24 the right, having a radius of 5679.65 feet, a central angle of 06°  
 8-25 36' 00" and a chord which bears North 05° 03' 49" West, 653.89 feet  
 8-26 to a point for corner;  
 8-27 3) North 01° 45' 49" West, 1139.56 feet to a point for  
 8-28 corner;  
 8-29 4) North 01° 46' 49" West, 1352.30 feet to a point for  
 8-30 corner;  
 8-31 5) North 01° 45' 49" West, 1740.64 feet to the POINT OF  
 8-32 BEGINNING and containing 370.613 acres of land.  
 8-33 PART FOUR  
 8-34 BEGINNING at the northeast corner of said 12.4259 acre tract,  
 8-35 same being the southeast corner of that certain called 18.17 acre  
 8-36 tract conveyed to Donald P. Rettig, by instrument of record in  
 8-37 Volume 464, Page 158, F.B.C.D.R., and on the west right-of-way line  
 8-38 of F.M. 1489;  
 8-39 Thence, with the common line of said 12.4259 acre tract and  
 8-40 said F.M. 1489, South 01° 41' 29" East (called South 01° 05' 32"  
 8-41 West), 502.32 feet to the southeast corner of said 12.4259 acre  
 8-42 tract;  
 8-43 Thence, with the south line of said 12.4259 acre tract, South  
 8-44 88° 03' 02" West, 1076.49 feet to the southwest corner of said  
 8-45 12.4259 acre tract;  
 8-46 Thence, with the west line of said 12.4259 acre tract, North  
 8-47 02° 26' 34" West, 500.28 feet to the northwest corner of said 12.4259  
 8-48 acre tract;  
 8-49 Thence, with the north line of said 12.4259 acre tract, North  
 8-50 87° 56' 31" East, 1083.06 feet to the POINT OF BEGINNING and  
 8-51 containing 12.426 acres of land.  
 8-52 PART FIVE  
 8-53 BEGINNING at the northeast corner of said 34.8399 acre tract,  
 8-54 same being the southeast corner of that certain called 54.4349 acre  
 8-55 tract conveyed to Twinwood (U.S.), Inc., by instrument of record in  
 8-56 File No. 2007046885, F.B.C.O.P.R., and on the west right-of-way  
 8-57 line of F.M. 1489;  
 8-58 Thence, with the common line of said 34.8399 acre tract and  
 8-59 said F.M. 1489, South 01° 42' 54" East (called South 01° 04' 32"  
 8-60 West), 980.70 feet to the southeast corner of said 34.8399 acre  
 8-61 tract;  
 8-62 Thence, with the south line of said 34.8399 acre tract, South  
 8-63 87° 58' 18" West, 1539.02 feet to the southwest corner of said  
 8-64 34.8399 acre tract, same being on the east line of said 100.236 acre  
 8-65 tract;  
 8-66 Thence, with the east line of said 100.236 acre tract, South  
 8-67 02° 02' 49" East (called South 00° 19' 52" West), 497.23 feet to the  
 8-68 southeast corner of said 100.236 acre tract;  
 8-69 Thence, with the south line of said 100.236 acre tract, South



9-1 87° 55' 33" West, 4070.78 feet to the southwest corner of said  
 9-2 100.236 acre tract, same being on the common line of said Thomas  
 9-3 Westall League and said Andrew Roberts League;  
 9-4 Thence, with west line of said 100.236 acre tract and with  
 9-5 said common survey line, North 01° 36' 56" West, 1072.03 feet to the  
 9-6 northwest corner of said 100.236 acre tract;  
 9-7 Thence, leaving said common survey line and with the north  
 9-8 line of said 100.236 acre tract, North 88° 02' 10" East, 4058.63 feet  
 9-9 to the northeast corner of said 100.236 acre tract, same being on  
 9-10 the west line of said 34.8399 acre tract;  
 9-11 Thence, with the west line of said 34.8399 acre tract, North  
 9-12 02° 27' 34" West, 416.43 feet to the northwest corner of said 34.8399  
 9-13 acre tract;  
 9-14 Thence, with the north line of said 34.8399 acre tract, North  
 9-15 88° 04' 15" East, 1551.78 feet to the POINT OF BEGINNING and  
 9-16 containing 134.530 acres of land.  
 9-17 PART SIX  
 9-18 BEGINNING at the northeast corner of said 172.658 acre tract,  
 9-19 same being the southeast corner of that certain called 6.0152 acre  
 9-20 tract conveyed to Russell S. Cosbey, et ux, by instrument of record  
 9-21 in File No. 2000099907, F.B.C.O.P.R., and on the west right-of-way  
 9-22 line of F.M. 1489;  
 9-23 Thence, with the common line of said 172.658 acre tract and  
 9-24 said F.M. 1489, the following six (6) courses:  
 9-25 1) South 01° 49' 04" East (called South 00° 37' 36"  
 9-26 West), 3396.51 feet to a point for corner;  
 9-27 2) South 03° 48' 40" West, 1091.60 feet to a point for  
 9-28 corner;  
 9-29 3) South 45° 16' 44" East, 36.50 feet to a point for  
 9-30 corner;  
 9-31 4) South 18° 38' 33" East, 268.23 feet to a point for  
 9-32 corner;  
 9-33 5) South 55° 31' 29" East, 68.72 feet to a point for  
 9-34 corner;  
 9-35 6) South 18° 32' 36" East, 22.00 feet to the southeast  
 9-36 corner of said 172.658 acre tract;  
 9-37 Thence, with the south line of said 172.658 acre tract, the  
 9-38 following eight (8) courses:  
 9-39 1) South 74° 43' 52" West, 41.05 feet to a point for  
 9-40 corner;  
 9-41 2) South 53° 51' 27" West, 333.34 feet to a point for  
 9-42 corner;  
 9-43 3) South 64° 46' 07" West, 85.48 feet to a point for  
 9-44 corner;  
 9-45 4) South 54° 55' 11" West, 591.64 feet to a point for  
 9-46 corner;  
 9-47 5) South 64° 32' 52" West, 162.51 feet to a point for  
 9-48 corner;  
 9-49 6) South 53° 08' 15" West, 254.36 feet to a point for  
 9-50 corner;  
 9-51 7) South 75° 55' 50" West, 136.41 feet to a point for  
 9-52 corner;  
 9-53 8) South 48° 54' 57" West, 165.71 feet to the southwest  
 9-54 corner of said 172.658 acre tract, same being on the east line of  
 9-55 said 471.04 acre tract;  
 9-56 Thence, with the east line of said 471.04 acre tract, South  
 9-57 02° 33' 03" East (called South 02° 37' 51" East), 41.13 feet to the  
 9-58 southeast corner of said 471.04 acre tract;  
 9-59 Thence, with the south line of said 471.04 acre tract, the  
 9-60 following seventeen (17) courses:  
 9-61 1) South 62° 48' 58" West, 688.77 feet to a point for  
 9-62 corner;  
 9-63 2) South 69° 16' 19" West, 497.92 feet to a point for  
 9-64 corner;  
 9-65 3) South 76° 04' 09" West, 385.16 feet to a point for  
 9-66 corner;  
 9-67 4) South 82° 31' 57" West, 266.60 feet to a point for  
 9-68 corner;  
 9-69 5) South 75° 39' 34" West, 356.46 feet to a point for

10-1 corner;  
 10-2 6) South 70° 58' 32" West, 496.84 feet to a point for  
 10-3 corner;  
 10-4 7) South 64° 12' 51" West, 306.60 feet to a point for  
 10-5 corner;  
 10-6 8) South 61° 01' 35" West, 164.27 feet to a point for  
 10-7 corner;  
 10-8 9) South 53° 40' 33" West, 699.98 feet to a point for  
 10-9 corner;  
 10-10 10) South 45° 05' 57" West, 588.54 feet to a point for  
 10-11 corner;  
 10-12 11) South 41° 22' 52" West, 759.42 feet to a point for  
 10-13 corner;  
 10-14 12) South 53° 58' 32" West, 254.99 feet to a point for  
 10-15 corner;  
 10-16 13) South 65° 44' 23" West, 300.33 feet to a point for  
 10-17 corner;  
 10-18 14) South 49° 10' 22" West, 311.59 feet to a point for  
 10-19 corner;  
 10-20 15) South 67° 11' 14" West, 413.50 feet to a point for  
 10-21 corner;  
 10-22 16) South 78° 33' 42" West, 240.12 feet to a point for  
 10-23 corner;  
 10-24 17) North 77° 12' 44" West, 1142.94 feet to the  
 10-25 southwest corner of said 471.04 acre tract;  
 10-26 Thence, with the west line of said 471.04 acre tract, North  
 10-27 01° 54' 52" West, 2799.94 feet to the most westerly northwest corner  
 10-28 of said 471.04 acre tract;  
 10-29 Thence, with a north line of said 471.04 acre tract, North 87°  
 10-30 06' 14" East, 1779.70 feet to a point for corner;  
 10-31 Thence, North 87° 04' 07" East, 1131.82 feet to a reentrant  
 10-32 corner of said 471.04 acre tract, same being on the common line of  
 10-33 said Thomas Westall League and said Andrew Roberts League;  
 10-34 Thence, with a west line of said 471.04 acre tract and with  
 10-35 said common survey line, North 02° 32' 08" West, 1603.47 feet to a  
 10-36 point for corner;  
 10-37 Thence, continuing with said west line and said common survey  
 10-38 line, North 01° 58' 25" West, 540.08 feet to the most northerly  
 10-39 northwest corner of said 471.04 acre tract, same being the  
 10-40 southwest corner of said 49.071 acre tract;  
 10-41 Thence, continuing with said common survey line and with the  
 10-42 west line of said 49.071 acre tract, North 02° 38' 19" West, (called  
 10-43 North 00° 05' 14" East), 532.05 feet to the northwest corner of said  
 10-44 49.071 acre tract;  
 10-45 Thence, leaving said common survey line and with the north  
 10-46 line of said 49.071 acre tract, North 87° 49' 27" East, 4041.06 feet  
 10-47 to the northeast corner of said 49.071 acre tract;  
 10-48 Thence, with the east line of said 49.071 acre tract, South  
 10-49 01° 40' 42" East, 526.97 feet to the southeast corner of said 49.071  
 10-50 acre tract, same being the northeast corner of said 471.04 acre  
 10-51 tract;  
 10-52 Thence, with the east line of said 471.04 acre tract, South  
 10-53 01° 40' 42" East, 538.41 feet to a reentrant corner of said 471.04  
 10-54 acre tract;  
 10-55 Thence, South 88° 26' 34" East, 31.72 feet to the most  
 10-56 easterly northeast corner of said 471.04 acre tract, same being on  
 10-57 the west line of said 172.658 acre tract;  
 10-58 Thence, with said west line, North 02° 33' 03" West, 3490.59  
 10-59 feet to most westerly northwest corner of said 172.658 acre tract;  
 10-60 Thence, with the north line of said 172.658 acre tract, the  
 10-61 following three (3) courses:  
 10-62 1) North 87° 50' 31" East, 624.00 feet to a point for  
 10-63 corner;  
 10-64 2) North 02° 30' 43" West, 475.30 feet to a point for  
 10-65 corner;  
 10-66 3) North 87° 49' 51" East, 898.58 feet to the POINT OF  
 10-67 BEGINNING and containing 694.217 gross acres of land save and  
 10-68 except, however, the following described tract of land.  
 10-69 SAVE AND EXCEPT TRACT FOR PART SIX

Being a called 1.59 acre tract conveyed to Texas Illinois Natural Gas Pipeline Company, by instrument of record in Volume 273, Page 583. F.B.C.D.R.

COMMENCING for reference at the southwest corner of said 172.658 acre tract, same being on the east line of said 471.04 acre tract;

Thence, with the common line of said 172.658 and 471.04 acre tracts, North 02° 33' 03" West, 196.66 feet to the southeast corner of said 1.59 acre tract and the POINT OF BEGINNING;

Thence, with the south line of said 1.59 acre tract, South 87° 06' 36" West, 140.03 feet to the southwest corner of said 1.59 acre tract;

Thence, with the westerly line of said 1.59 acre tract, North 28° 52' 29" West, 431.44 feet to the northwest corner of said 1.59 acre tract;

Thence, with the northerly line of said 1.59 acre tract, North 61° 07' 31" East, 149.98 feet to the northeast corner of said 1.59 acre tract;

Thence, with the easterly line of said 1.59 acre tract, South 28° 52' 20" East, 444.10 feet to the most northerly southeast corner of said 1.59 acre tract and on the west line of said 172.658 acre tract;

Thence, with the common line of said 1.59 and 172.658 acre tracts, South 02° 33' 03" East, 54.32 feet to the POINT OF BEGINNING and containing 1.594 acres of land.

Resulting in a net area for Part Six of 692.623 acres of land.

Said Part One, Part Two, Part Three, Part Four, Part Five and Part Six containing a total of 1411.108 acres of land.

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

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

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

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

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

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