

By: Eissler

H.B. No. 4757

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 118; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8366 to read as follows:

CHAPTER 8366. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 118

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8366.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Montgomery County Municipal Utility District No. 118.

Sec. 8366.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8366.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8366.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8366.003 until each municipality in whose corporate limits or

1 extraterritorial jurisdiction the district is located has
2 consented by ordinance or resolution to the creation of the
3 district and to the inclusion of land in the district.

4 Sec. 8366.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
5 The district is created to serve a public purpose and benefit.

6 (b) The district is created to accomplish the purposes of:

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

9 (2) Section 52, Article III, Texas Constitution, that
10 relate to the construction, acquisition, improvement, operation,
11 or maintenance of macadamized, graveled, or paved roads, or
12 improvements, including storm drainage, in aid of those roads.

13 Sec. 8366.006. INITIAL DISTRICT TERRITORY. (a) The
14 district is initially composed of the territory described by
15 Section 2 of the Act creating this chapter.

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

20 (1) organization, existence, or validity;

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

24 (3) right to impose a tax; or

25 (4) legality or operation.

26 [Sections 8366.007-8366.050 reserved for expansion]

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 8366.051. GOVERNING BODY; TERMS. (a) The district is
3 governed by a board of five elected directors.

4 (b) Except as provided by Section 8366.052, directors serve
5 staggered four-year terms.

6 Sec. 8366.052. TEMPORARY DIRECTORS. (a) On or after the
7 effective date of the Act creating this chapter, the owner or owners
8 of a majority of the assessed value of the real property in the
9 district may submit a petition to the Texas Commission on
10 Environmental Quality requesting that the commission appoint as
11 temporary directors the five persons named in the petition. The
12 commission shall appoint as temporary directors the five persons
13 named in the petition.

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

15 (1) the date permanent directors are elected under
16 Section 8366.003; or

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

19 (c) If permanent directors have not been elected under
20 Section 8366.003 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:

24 (1) the date permanent directors are elected under
25 Section 8366.003; or

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

1 (d) If Subsection (c) applies, the owner or owners of a
2 majority of the assessed value of the real property in the district
3 may submit a petition to the Texas Commission on Environmental
4 Quality requesting that the commission appoint as successor
5 temporary directors the five persons named in the petition. The
6 commission shall appoint as successor temporary directors the five
7 persons named in the petition.

8 [Sections 8366.053-8366.100 reserved for expansion]

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 8366.101. GENERAL POWERS AND DUTIES. The district has
11 the powers and duties necessary to accomplish the purposes for
12 which the district is created.

13 Sec. 8366.102. MUNICIPAL UTILITY DISTRICT POWERS AND
14 DUTIES. The district has the powers and duties provided by the
15 general law of this state, including Chapters 49 and 54, Water Code,
16 applicable to municipal utility districts created under Section 59,
17 Article XVI, Texas Constitution.

18 Sec. 8366.103. AUTHORITY FOR ROAD PROJECTS. (a) Under
19 Section 52, Article III, Texas Constitution, the district may
20 design, acquire, construct, finance, issue bonds for, improve, and
21 convey to this state, a county, or a municipality for operation and
22 maintenance macadamized, graveled, or paved roads described by
23 Section 54.234, Water Code, or improvements, including storm
24 drainage, in aid of those roads.

25 (b) The district may exercise the powers provided by this
26 section without submitting a petition to or obtaining approval from
27 the Texas Commission on Environmental Quality as required by

1 Section 54.234, Water Code.

2 Sec. 8366.104. APPROVAL OF ROAD PROJECT. (a) The district
3 may not undertake a road project authorized by Section 8366.103
4 unless:

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

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

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

16 Sec. 8366.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
17 OR RESOLUTION. The district shall comply with all applicable
18 requirements of any ordinance or resolution that is adopted under
19 Section 54.016 or 54.0165, Water Code, and that consents to the
20 creation of the district or to the inclusion of land in the
21 district.

22 Sec. 8366.106. LIMITATION ON USE OF EMINENT DOMAIN. The
23 district may not exercise the power of eminent domain outside the
24 district to acquire a site or easement for:

25 (1) a road project authorized by Section 8366.103; or

26 (2) a recreational facility as defined by Section
27 49.462, Water Code.

1 [Sections 8366.107-8366.150 reserved for expansion]

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3 Sec. 8366.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
4 district may issue, without an election, bonds and other
5 obligations secured by:

6 (1) revenue other than ad valorem taxes; or

7 (2) contract payments described by Section 8366.153.

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

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

16 Sec. 8366.152. OPERATION AND MAINTENANCE TAX. (a) If
17 authorized at an election held under Section 8366.151, the district
18 may impose an operation and maintenance tax on taxable property in
19 the district in accordance with Section 49.107, Water Code.

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

22 Sec. 8366.153. CONTRACT TAXES. (a) In accordance with
23 Section 49.108, Water Code, the district may impose a tax other than
24 an operation and maintenance tax and use the revenue derived from
25 the tax to make payments under a contract after the provisions of
26 the contract have been approved by a majority of the district voters
27 voting at an election held for that purpose.

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

4 [Sections 8366.154-8366.200 reserved for expansion]

5 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

6 Sec. 8366.201. AUTHORITY TO ISSUE BONDS AND OTHER
7 OBLIGATIONS. The district may issue bonds or other obligations
8 payable wholly or partly from ad valorem taxes, impact fees,
9 revenue, contract payments, grants, or other district money, or any
10 combination of those sources, to pay for any authorized district
11 purpose.

12 Sec. 8366.202. TAXES FOR BONDS. At the time the district
13 issues bonds payable wholly or partly from ad valorem taxes, the
14 board shall provide for the annual imposition of a continuing
15 direct ad valorem tax, without limit as to rate or amount, while all
16 or part of the bonds are outstanding as required and in the manner
17 provided by Sections 54.601 and 54.602, Water Code.

18 Sec. 8366.203. BONDS FOR ROAD PROJECTS. At the time of
19 issuance, the total principal amount of bonds or other obligations
20 issued or incurred to finance road projects and payable from ad
21 valorem taxes may not exceed one-fourth of the assessed value of the
22 real property in the district.

23 SECTION 2. The Montgomery County Municipal Utility District
24 No. 118 initially includes all the territory contained in the
25 following area:

26 All that certain 875.426 acre (38,133,574 square feet) parcel
27 of land situated in the Joseph A. Parker Survey, Abstract Number

1 418, in Montgomery County, Texas, and being a portion of that
2 certain call 2,086.441 acre tract described in a Warranty Deed to
3 Pacific Indio Properties, Inc. recorded in Montgomery County
4 Clerk's File (M.C.C.F.) Number 2005-116973 of the Official Public
5 Records of Real Property at Montgomery County, Texas
6 (O.P.R.R.P.M.C.T), and being all of that certain call 347.750 net
7 acres described in a Warranty Deed to Pacific Indio Properties in
8 M.C.C.F. Number 2006-026099 of the O.P.R.R.P.M.C.T, SAVE AND EXCEPT
9 that certain call 14.9 acres described in a deed to the City of
10 Houston in Volume 287, Page 22, of the M.C.D.R. and resulting in a
11 net acreage of 860.526 acres (37,484,513 square feet), said 875.426
12 acre tract being more particularly described by metes and bounds as
13 follows: (All bearings are referenced to the Texas State Plane
14 Coordinate System, South Central Zone)

15 COMMENCING at a 90d nail found for an interior corner of said
16 2,086.441 acre tract and the northwest corner of said 347.750 acre
17 tract;

18 THENCE, generally along a barbed wire fence line marking the
19 occupied southerly line of said 2,086.441 acre tract and the
20 occupied northerly line of said 347.750 acre tract, the following
21 three (3) courses:

22 1) North 76 Degrees 42 Minutes 28 Seconds East, a
23 distance of 1,639.86 feet to a 5/8-inch iron rod with plastic cap
24 stamped "BENCHMARK ENGR." found for an angle point;

25 2) North 77 Degrees 50 Minutes 35 Seconds East, a
26 distance of 1,494.90 feet to a 5/8-inch iron rod with plastic cap
27 stamped "BENCHMARK ENGR." found for an angle point;

1 3) North 73 Degrees 20 Minutes 40 Seconds East, a
2 distance of 896.00 feet to the intersection of the north line of
3 said 347.570 acre tract and the west bank of the West Fork of the San
4 Jacinto River for the POINT OF BEGINNING of the herein described
5 tract;

6 THENCE, southerly, with the meanders of the west bank of the
7 West Fork of the San Jacinto River, the following fifty-five (55)
8 courses:

9 1) South 13 Degrees 34 Minutes 14 Seconds West, a
10 distance of 16.30 feet;

11 2) South 09 Degrees 53 Minutes 26 Seconds East, a
12 distance of 133.74 feet;

13 3) South 16 Degrees 38 Minutes 15 Seconds East, a
14 distance of 73.61 feet;

15 4) South 19 Degrees 31 Minutes 13 Seconds East, a
16 distance of 116.98 feet;

17 5) South 32 Degrees 54 Minutes 28 Seconds East, a
18 distance of 145.16 feet;

19 6) South 38 Degrees 38 Minutes 20 Seconds East, a
20 distance of 103.32 feet;

21 7) South 41 Degrees 57 Minutes 28 Seconds East, a
22 distance of 118.10 feet;

23 8) South 54 Degrees 00 Minutes 34 Seconds East, a
24 distance of 129.83 feet;

25 9) South 55 Degrees 39 Minutes 23 Seconds East, a
26 distance of 110.71 feet

27 10) South 66 Degrees 53 Minutes 44 Seconds East, a

1 distance of 73.22 feet;
2 11) South 72 Degrees 25 Minutes 29 Seconds East, a
3 distance of 88.16 feet;
4 12) South 65 Degrees 50 Minutes 00 Seconds East, a
5 distance of 65.94 feet;
6 13) South 79 Degrees 17 Minutes 56 Seconds East, a
7 distance of 92.74 feet;
8 14) South 78 Degrees 35 Minutes 31 Seconds East, a
9 distance of 79.11 feet;
10 15) South 58 Degrees 09 Minutes 49 Seconds East, a
11 distance of 56.76 feet;
12 16) South 88 Degrees 59 Minutes 24 Seconds East, a
13 distance of 70.62 feet;
14 17) South 54 Degrees 16 Minutes 32 Seconds East, a
15 distance of 41.79 feet;
16 18) South 78 Degrees 54 Minutes 47 Seconds East, a
17 distance of 69.93 feet;
18 19) North 59 Degrees 26 Minutes 39 Seconds East, a
19 distance of 59.52 feet;
20 20) South 71 Degrees 42 Minutes 48 Seconds East, a
21 distance of 70.58 feet;
22 21) South 70 Degrees 36 Minutes 57 Seconds East, a
23 distance of 57.20 feet;
24 22) South 82 Degrees 34 Minutes 32 Seconds East, a
25 distance of 43.73 feet;
26 23) North 85 Degrees 40 Minutes 02 Seconds East, a
27 distance of 75.16 feet;

- 1 24) North 67 Degrees 42 Minutes 24 Seconds East, a
2 distance of 47.81 feet;
- 3 25) South 85 Degrees 01 Minute 45 Seconds East, a
4 distance of 20.48 feet;
- 5 26) South 73 Degrees 26 Minutes 33 Seconds East, a
6 distance of 28.81 feet;
- 7 27) South 68 Degrees 02 Minutes 14 Seconds East, a
8 distance of 158.38 feet;
- 9 28) South 63 Degrees 08 Minutes 39 Seconds East, a
10 distance of 88.71 feet;
- 11 29) South 56 Degrees 06 Minutes 22 Seconds East, a
12 distance of 123.11 feet;
- 13 30) South 49 Degrees 42 Minutes 41 Seconds East, a
14 distance of 102.06 feet;
- 15 31) South 48 Degrees 16 Minutes 29 Seconds East, a
16 distance of 116.52 feet;
- 17 32) South 43 Degrees 01 Minutes 51 Seconds East, a
18 distance of 119.92 feet;
- 19 33) South 12 Degrees 48 Minutes 47 Seconds East, a
20 distance of 104.77 feet;
- 21 34) South 31 Degrees 16 Minutes 58 Seconds East, a
22 distance of 116.13 feet;
- 23 35) South 18 Degrees 57 Minutes 55 Seconds East, a
24 distance of 108.66 feet;
- 25 36) South 14 Degrees 02 Minutes 37 Seconds East, a
26 distance of 112.14 feet;
- 27 37) South 20 Degrees 36 Minutes 57 Seconds East, a

1 distance of 99.63 feet;
2 38) South 17 Degrees 52 Minutes 48 Seconds East, a
3 distance of 121.18 feet;
4 39) South 17 Degrees 33 Minutes 50 Seconds East, a
5 distance of 140.50 feet;
6 40) South 11 Degrees 20 Minutes 12 Seconds East, a
7 distance of 78.23 feet;
8 41) South 08 Degrees 46 Minutes 43 Seconds East, a
9 distance of 70.75 feet;
10 42) South 09 Degrees 28 Minutes 02 Seconds East, a
11 distance of 74.18 feet;
12 43) South 08 Degrees 38 Minutes 18 Seconds East, a
13 distance of 116.59 feet;
14 44) South 14 Degrees 33 Minutes 32 Seconds East, a
15 distance of 100.26 feet;
16 45) South 12 Degrees 02 Minutes 45 Seconds East, a
17 distance of 102.47 feet;
18 46) South 12 Degrees 22 Minutes 20 Seconds East, a
19 distance of 92.49 feet;
20 47) South 00 Degrees 03 Minutes 09 Seconds East, a
21 distance of 72.45 feet;
22 48) South 10 Degrees 50 Minutes 22 Seconds East, a
23 distance of 37.82 feet;
24 49) South 08 Degrees 02 Minutes 58 Seconds East, a
25 distance of 102.61 feet;
26 50) South 00 Degrees 09 Minutes 26 Seconds East, a
27 distance of 143.92 feet;

1 51) South 04 Degrees 42 Minutes 52 Seconds East, a
2 distance of 150.23 feet;

3 52) South 09 Degrees 19 Minutes 25 Seconds East, a
4 distance of 115.79 feet;

5 53) South 08 Degrees 57 Minutes 42 Seconds East, a
6 distance of 70.29 feet;

7 54) South 24 Degrees 11 Minutes 10 Seconds East, a
8 distance of 53.99 feet;

9 55) South 16 Degrees 29 Minutes 30 Seconds East, a
10 distance of 9.15 feet to the point of intersection of the west bank
11 of the west fork of the San Jacinto River with the north bank of
12 Spring Creek;

13 THENCE, westerly, with the meanders of the north bank of
14 Spring Creek, the following one hundred eleven (111) courses:

15 1) South 84 Degrees 10 Minutes 17 Seconds West, a
16 distance of 12.16 feet;

17 2) North 82 Degrees 05 Minutes 24 Seconds West, a
18 distance of 52.61 feet;

19 3) South 87 Degrees 30 Minutes 52 Seconds West, a
20 distance of 53.69 feet;

21 4) North 85 Degrees 13 Minutes 30 Seconds West, a
22 distance of 55.97 feet;

23 5) North 89 Degrees 58 Minutes 05 Seconds West, a
24 distance of 63.43 feet;

25 6) South 83 Degrees 59 Minutes 32 Seconds West, a
26 distance of 56.18 feet;

27 7) South 83 Degrees 08 Minutes 53 Seconds West, a

1 distance of 57.94 feet;
2 8) South 87 Degrees 05 Minutes 35 Seconds West, a
3 distance of 54.78 feet;
4 9) South 79 Degrees 12 Minutes 39 Seconds West, a
5 distance of 57.57 feet;
6 10) North 87 Degrees 18 Minutes 08 Seconds West, a
7 distance of 53.43 feet;
8 11) South 78 Degrees 02 Minutes 27 Seconds West, a
9 distance of 66.74 feet;
10 12) South 81 Degrees 04 Minutes 10 Seconds West, a
11 distance of 59.60 feet;
12 13) South 80 Degrees 01 Minutes 09 Seconds West, a
13 distance of 65.19 feet;
14 14) South 83 Degrees 14 Minutes 43 Seconds West, a
15 distance of 56.92 feet;
16 15) North 86 Degrees 02 Minutes 02 Seconds West, a
17 distance of 70.98 feet;
18 16) South 80 Degrees 01 Minute 36 Seconds West, a
19 distance of 30.04 feet;
20 17) South 79 Degrees 51 Minutes 57 Seconds West, a
21 distance of 45.86 feet;
22 18) South 82 Degrees 10 Minutes 15 Seconds West, a
23 distance of 51.35 feet;
24 19) South 88 Degrees 49 Minutes 36 Seconds West, a
25 distance of 112.54 feet;
26 20) South 86 Degrees 30 Minutes 18 Seconds West, a
27 distance of 72.53 feet;

- 1 21) North 88 Degrees 51 Minutes 59 Seconds West, a
2 distance of 68.44 feet;
- 3 22) North 64 Degrees 05 Minutes 26 Seconds West, a
4 distance of 114.39 feet;
- 5 23) North 71 Degrees 33 Minutes 04 Seconds West, a
6 distance of 103.48 feet;
- 7 24) North 76 Degrees 15 Minutes 50 Seconds West, a
8 distance of 103.87 feet;
- 9 25) North 73 Degrees 28 Minutes 22 Seconds West, a
10 distance of 104.56 feet;
- 11 26) North 81 Degrees 02 Minutes 43 Seconds West, a
12 distance of 90.53 feet;
- 13 27) North 83 Degrees 54 Minutes 04 Seconds West, a
14 distance of 58.82 feet;
- 15 28) North 78 Degrees 20 Minutes 21 Seconds West, a
16 distance of 58.65 feet;
- 17 29) North 76 Degrees 33 Minutes 35 Seconds West, a
18 distance of 145.88 feet;
- 19 30) North 68 Degrees 50 Minutes 05 Seconds West, a
20 distance of 103.05 feet;
- 21 31) South 84 Degrees 44 Minutes 17 Seconds West, a
22 distance of 105.88 feet;
- 23 32) South 88 Degrees 03 Minutes 24 Seconds West, a
24 distance of 183.85 feet;
- 25 33) South 88 Degrees 18 Minutes 37 Seconds West, a
26 distance of 67.90 feet;
- 27 34) South 83 Degrees 52 Minutes 15 Seconds West, a

1 distance of 94.33 feet;
2 35) South 78 Degrees 45 Minutes 34 Seconds West, a
3 distance of 185.77 feet;
4 36) South 68 Degrees 52 Minutes 14 Seconds West, a
5 distance of 96.12 feet;
6 37) South 89 Degrees 42 Minutes 53 Seconds West, a
7 distance of 114.36 feet;
8 38) South 69 Degrees 18 Minutes 57 Seconds West, a
9 distance of 182.63 feet;
10 39) South 65 Degrees 05 Minutes 47 Seconds West, a
11 distance of 131.79 feet;
12 40) South 67 Degrees 49 Minutes 48 Seconds West, a
13 distance of 118.11 feet;
14 41) South 67 Degrees 30 Minutes 43 Seconds West, a
15 distance of 78.96 feet;
16 42) South 65 Degrees 36 Minutes 02 Seconds West, a
17 distance of 107.52 feet;
18 43) South 63 Degrees 46 Minutes 55 Seconds West, a
19 distance of 95.81 feet;
20 44) South 66 Degrees 23 Minutes 06 Seconds West, a
21 distance of 90.69 feet;
22 45) South 65 Degrees 35 Minutes 24 Seconds West, a
23 distance of 154.98 feet;
24 46) South 70 Degrees 11 Minutes 48 Seconds West, a
25 distance of 137.88 feet;
26 47) South 68 Degrees 16 Minutes 20 Seconds West, a
27 distance of 134.82 feet;

- 1 48) South 73 Degrees 02 Minutes 10 Seconds West, a
2 distance of 58.11 feet;
- 3 49) South 87 Degrees 44 Minutes 52 Seconds West, a
4 distance of 67.81 feet;
- 5 50) South 64 Degrees 43 Minutes 04 Seconds West, a
6 distance of 177.66 feet;
- 7 51) South 72 Degrees 04 Minutes 22 Seconds West, at
8 69.77 feet pass the southeast corner of said 2086.441 acre tract and
9 the southwest corner of said 347.750 acre tract, and continue, a
10 distance of 83.18 feet;
- 11 52) South 73 Degrees 00 Minutes 42 Seconds West, a
12 distance of 117.01 feet;
- 13 53) South 72 Degrees 17 Minutes 35 Seconds West, a
14 distance of 92.37 feet;
- 15 54) South 74 Degrees 11 Minutes 33 Seconds West, a
16 distance of 108.18 feet;
- 17 55) South 79 Degrees 35 Minutes 08 Seconds West, a
18 distance of 78.91 feet;
- 19 56) South 75 Degrees 45 Minutes 12 Seconds West, a
20 distance of 102.58 feet;
- 21 57) South 77 Degrees 55 Minutes 50 Seconds West, a
22 distance of 80.73 feet;
- 23 58) South 82 Degrees 28 Minutes 28 Seconds West, a
24 distance of 71.66 feet;
- 25 59) South 81 Degrees 17 Minutes 42 Seconds West, a
26 distance of 109.60 feet;
- 27 60) North 83 Degrees 14 Minutes 34 Seconds West, a

1 distance of 106.79 feet;
2 61) North 86 Degrees 49 Minutes 24 Seconds West, a
3 distance of 410.41 feet;
4 62) South 79 Degrees 58 Minutes 36 Seconds West, a
5 distance of 109.74 feet;
6 63) South 68 Degrees 32 Minutes 22 Seconds West, a
7 distance of 95.21 feet;
8 64) South 71 Degrees 53 Minutes 23 Seconds West, a
9 distance of 129.93 feet;
10 65) South 68 Degrees 57 Minutes 45 Seconds West, a
11 distance of 82.76 feet;
12 66) South 72 Degrees 17 Minutes 01 Second West, a
13 distance of 97.06 feet;
14 67) South 69 Degrees 59 Minutes 14 Seconds West, a
15 distance of 102.77 feet;
16 68) South 64 Degrees 30 Minutes 13 Seconds West, a
17 distance of 57.73 feet;
18 69) South 69 Degrees 58 Minutes 22 Seconds West, a
19 distance of 93.93 feet;
20 70) South 69 Degrees 12 Minutes 15 Seconds West, a
21 distance of 70.45 feet;
22 71) South 64 Degrees 35 Minutes 58 Seconds West, a
23 distance of 59.79 feet;
24 72) South 64 Degrees 44 Minutes 57 Seconds West, a
25 distance of 59.16 feet;
26 73) South 60 Degrees 13 Minutes 56 Seconds West, a
27 distance of 252.86 feet;

- 1 74) South 64 Degrees 10 Minutes 28 Seconds West, a
2 distance of 62.59 feet;
- 3 75) South 65 Degrees 06 Minutes 39 Seconds West, a
4 distance of 91.82 feet;
- 5 76) South 59 Degrees 53 Minutes 47 Seconds West, a
6 distance of 163.90 feet;
- 7 77) South 54 Degrees 16 Minutes 56 Seconds West, a
8 distance of 74.01 feet;
- 9 78) South 61 Degrees 44 Minutes 05 Seconds West, a
10 distance of 60.82 feet;
- 11 79) South 64 Degrees 41 Minutes 37 Seconds West, a
12 distance of 111.39 feet;
- 13 80) South 66 Degrees 07 Minutes 21 Seconds West, a
14 distance of 98.40 feet;
- 15 81) South 57 Degrees 41 Minutes 49 Seconds West, a
16 distance of 68.10 feet;
- 17 82) South 47 Degrees 45 Minutes 02 Seconds West, a
18 distance of 170.94 feet;
- 19 83) South 35 Degrees 08 Minutes 27 Seconds West, a
20 distance of 103.10 feet;
- 21 84) South 24 Degrees 52 Minutes 57 Seconds West, a
22 distance of 90.42 feet;
- 23 85) South 22 Degrees 05 Minutes 54 Seconds West, a
24 distance of 76.13 feet;
- 25 86) South 25 Degrees 51 Minutes 39 Seconds West, a
26 distance of 122.93 feet;
- 27 87) South 41 Degrees 59 Minutes 34 Seconds West, a

1 distance of 113.29 feet;
2 88) South 34 Degrees 52 Minutes 05 Seconds West, a
3 distance of 131.64 feet;
4 89) South 31 Degrees 35 Minutes 15 Seconds West, a
5 distance of 151.54 feet;
6 90) South 43 Degrees 25 Minutes 49 Seconds West, a
7 distance of 56.67 feet;
8 91) South 52 Degrees 48 Minutes 42 Seconds West, a
9 distance of 70.82 feet;
10 92) South 63 Degrees 40 Minutes 47 Seconds West, a
11 distance of 73.57 feet;
12 93) South 72 Degrees 43 Minutes 32 Seconds West, a
13 distance of 68.14 feet;
14 94) South 82 Degrees 33 Minutes 04 Seconds West, a
15 distance of 68.37 feet;
16 95) South 86 Degrees 13 Minutes 24 Seconds West, a
17 distance of 82.31 feet;
18 96) South 89 Degrees 05 Minutes 31 Seconds West, a
19 distance of 140.91 feet;
20 97) North 73 Degrees 28 Minutes 38 Seconds West, a
21 distance of 122.17 feet;
22 98) North 62 Degrees 37 Minutes 33 Seconds West, a
23 distance of 93.38 feet;
24 99) North 71 Degrees 03 Minutes 25 Seconds West, a
25 distance of 140.97 feet;
26 100) North 23 Degrees 11 Minutes 48 Seconds West, a
27 distance of 72.02 feet;

1 101) North 10 Degrees 48 Minutes 54 Seconds West, a
2 distance of 100.46 feet;
3 102) North 36 Degrees 54 Minutes 49 Seconds West, a
4 distance of 77.90 feet;
5 103) North 30 Degrees 44 Minutes 55 Seconds West, a
6 distance of 98.44 feet;
7 104) North 22 Degrees 41 Minutes 08 Seconds West, a
8 distance of 68.29 feet;
9 105) North 10 Degrees 14 Minutes 18 Seconds West, a
10 distance of 68.35 feet;
11 106) North 14 Degrees 47 Minutes 43 Seconds West, a
12 distance of 97.80 feet;
13 107) North 21 Degrees 31 Minutes 02 Seconds West, a
14 distance of 154.31 feet;
15 108) North 24 Degrees 31 Minutes 13 Seconds West, a
16 distance of 106.92 feet;
17 109) North 28 Degrees 31 Minutes 21 Seconds West, a
18 distance of 106.37 feet;
19 110) North 33 Degrees 54 Minutes 39 Seconds West, a
20 distance of 94.11 feet;
21 111) North 49 Degrees 05 Minutes 53 Seconds West, a
22 distance of 166.66 feet to the intersection of the southerly line of
23 said 2,086.441 acre tract and a west line of the City of Houston
24 City Limits, as prepared by the City of Houston Geographic
25 Information System Office and made available to the public in
26 Release 12, dated June 2006;

27 THENCE, departing the north high bank of Spring Creek,

1 through and across said 2,086.441 acre tract, and with the west line
2 of said City of Houston City Limit Line, the following two (2)
3 courses:

4 1) North 02 Degrees 47 Minutes 12 Seconds West, a
5 distance of 3,425.25 feet to an angle point;

6 2) North 02 Degree 47 Minutes 24 Seconds West, a
7 distance of 1,365.81 feet to an exterior corner of said City of
8 Houston City Limit line and the northwest corner of the herein
9 described tract;

10 THENCE, continuing through and across said 2,086.441 acre
11 tract and with a north line of said City of Houston City Limit Line
12 and the north line of the herein described tract, the following
13 three (3) courses:

14 1) North 88 Degrees 42 Minutes 54 Seconds East, a
15 distance of 5,691.72 feet to an angle point;

16 2) North 87 Degrees 57 Minutes 42 Seconds East, a
17 distance of 6.34 feet to an angle point;

18 3) North 88 Degrees 08 Minutes 36 Seconds East, a
19 distance of 1,430.41 feet to the intersection of the north line of
20 said City of Houston City Limit Line with the west bank of the west
21 fork of the San Jacinto River;

22 THENCE, southerly, with the meanders of the west bank of the
23 West Fork of the San Jacinto River, the following three (3) courses:

24 1) South 24 Degrees 34 Minutes 53 Seconds West, a
25 distance of 88.11 feet;

26 2) South 17 Degrees 20 Minutes 07 Seconds West, a
27 distance of 78.44 feet;

1 3) South 13 Degrees 34 Minutes 14 Seconds West, a
2 distance of 118.21 feet to the POINT OF BEGINNING and containing
3 875.426 acres (gross) (38,133,574 square feet) of land, SAVE AND
4 EXCEPT said call 14.9 acres described in a deed to the City of
5 Houston in Volume 287, Page 22, of the M.C.D.R., resulting in a net
6 acreage of 860.526 Acres (37,484,513 square feet) of land.

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

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

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

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

25 SECTION 4. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 4757

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2009.