

By: Hegar

S.B. No. 1116

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Fort Bend County Municipal Utility District No. 204; 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 8331 to read as follows:

CHAPTER 8331. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 204

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8331.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Fort Bend County Municipal Utility District No. 204.

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

Sec. 8331.003. 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. 8331.004. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

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

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

3           (2) Section 52, Article III, Texas Constitution, that  
4 relate to the construction, acquisition, or improvement of  
5 macadamized, graveled, or paved roads described by Section 54.234,  
6 Water Code, or improvements, including storm drainage, in aid of  
7 those roads.

8           Sec. 8331.005. INITIAL DISTRICT TERRITORY. (a) The  
9 district is initially composed of the territory described by  
10 Section 2 of the Act creating this chapter.

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

15                   (1) organization, existence, or validity;

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

19                   (3) right to impose a tax; or

20                   (4) legality or operation.

21           [Sections 8331.006-8331.050 reserved for expansion]

22                   SUBCHAPTER B. BOARD OF DIRECTORS

23           Sec. 8331.051. GOVERNING BODY; TERMS. (a) The district is  
24 governed by a board of five elected directors.

25           (b) Except as provided by Section 8331.052, directors serve  
26 staggered four-year terms.

27           Sec. 8331.052. TEMPORARY DIRECTORS. (a) On or after the

1 effective date of the Act creating this chapter, the owner or owners  
2 of a majority of the assessed value of the real property in the  
3 district may submit a petition to the Texas Commission on  
4 Environmental Quality requesting that the commission appoint as  
5 temporary directors the five persons named in the petition. The  
6 commission shall appoint as temporary directors the five persons  
7 named in the petition.

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

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

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

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

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

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

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

1 petition.

2 [Sections 8331.053-8331.100 reserved for expansion]

3 SUBCHAPTER C. POWERS AND DUTIES

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

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

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

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

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

26 (1) each municipality or county that will operate and  
27 maintain the road has approved the plans and specifications of the

1 road project, if a municipality or county will operate and maintain  
2 the road; or

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

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

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

- 13 (1) a road project authorized by Section 8331.103; or  
14 (2) a recreational facility as defined by Section  
15 49.462, Water Code.

16 [Sections 8331.106-8331.150 reserved for expansion]

17 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

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

- 21 (1) revenue other than ad valorem taxes; or  
22 (2) contract payments described by Section 8331.153.

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

27 (c) The district may not issue bonds payable from ad valorem

1 taxes to finance a road project unless the issuance is approved by a  
2 vote of a two-thirds majority of the district voters voting at an  
3 election held for that purpose.

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

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

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

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

19 [Sections 8331.154-8331.200 reserved for expansion]

20 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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

27 Sec. 8331.202. TAXES FOR BONDS. At the time the district

1 issues bonds payable wholly or partly from ad valorem taxes, the  
2 board shall provide for the annual imposition of a continuing  
3 direct ad valorem tax, without limit as to rate or amount, while all  
4 or part of the bonds are outstanding as required and in the manner  
5 provided by Sections 54.601 and 54.602, Water Code.

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

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

14 Being 1411.108 acres of land located in the Noel F. Roberts  
15 League, Abstract 79, the Thomas Westall League, Abstract 92, and  
16 the Andrew Roberts Survey, Abstract 78, Fort Bend County, Texas,  
17 more particularly being a portion of that certain called 360.3145  
18 acre tract conveyed to Ash Road Cattle Co., Inc., by instrument of  
19 record in File No. 2006100983, Official Public Records, of Fort  
20 Bend County (F.B.C.O.P.R.), being all of that certain called 9.32  
21 acre tract conveyed to Riverbank Investments, Inc., by instrument  
22 of record in File No. 2006104798, F.B.C.O.P.R., being a portion of  
23 that certain called 52.71 acre tract conveyed to Riverbank  
24 Investments, Inc., by instrument of record in File No. 2006086205,  
25 F.B.C.O.P.R., being all of that certain called 4.4933 acre tract  
26 conveyed to Riverbank Investments, Inc., by instrument of record in  
27 File No. 2006133790, F.B.C.O.P.R., being all of that certain called

1 200.2961 acre tract conveyed to Riverbank Investments, Inc., by  
2 instrument of record in File No. 2007023698, F.B.C.O.P.R., all of  
3 that certain called 45.40 acre tract (described as Tract 1)  
4 conveyed to Riverbank Investments, Inc., by instrument of record in  
5 File No. 2007001713, F.B.C.O.P.R., all of that certain called 41.98  
6 acre tract (described as Tract 2) conveyed to Riverbank  
7 Investments, Inc., by instrument of record in File No. 2007004160,  
8 F.B.C.O.P.R., being all of that certain called 11.1752 acre tract  
9 conveyed to Riverbank Investments, Inc., by instrument of record in  
10 File No. 2007023698, F.B.C.O.P.R., being a portion of that certain  
11 called 2.65 acre tract conveyed to Riverbank Investments, Inc., by  
12 instruments of record in File No's. 2007001713 and 2007004160,  
13 F.B.C.O.P.R., being a portion of that certain called 4.9862 acre  
14 tract conveyed to Twinwood (U.S.), Inc., by instrument of record in  
15 File No. 2006121124, F.B.C.O.P.R., being a portion of that certain  
16 called 5.000 acre tract conveyed to Twinwood (U.S.), Inc., by  
17 instrument of record in File No. 2006108996, F.B.C.O.P.R., being a  
18 portion of those certain called 53.6119 17.9178 acre tracts  
19 conveyed to Twinwood (U.S.), Inc., by instrument of record in File  
20 No. 1999037317, F.B.C.O.P.R., being all of that certain called  
21 12.4259 acre tract conveyed to Twinwood (U.S.), Inc., by instrument  
22 of record in File No. 2000105214, F.B.C.O.P.R., being all of that  
23 certain called 34.8399 acre tract conveyed to Twinwood (U.S.),  
24 Inc., by instrument of record in File No. 9145921, F.B.C.O.P.R.,  
25 being all of that certain called 100.236 acre tract conveyed to  
26 Twinwood (U.S.), Inc., by instrument of record in File No. 9403428,  
27 F.B.C.O.P.R., being all of that certain called 172.658 acre tract



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1 conveyed to 471 Pearson Farms, Inc., by instrument of record in File  
2 No. 2006146530, F.B.C.O.P.R., being all of that certain called  
3 471.04 acre tract conveyed to 471 Pearson Farms, Inc., by  
4 instrument of record in File No. 2006102364, F.B.C.O.P.R., and  
5 being all of that certain called 49.071 acre tract conveyed to 471  
6 Pearson Farms, Inc., by instrument of record in File No.  
7 2008047777, F.B.C.O.P.R., said 1411.108 acres being more  
8 particularly described in six (6) parts by metes and bounds as  
9 follows (all bearings are assumed);

10 PART ONE

11 BEGINNING at the southeast corner of said 360.3145 acre  
12 tract, same being the southwest corner of that certain called  
13 16.131 acre tract conveyed to Douglas W. Fisher, et al, by  
14 instrument of record in Volume 887, Page 553, Deed Records, of said  
15 Fort Bend County (F.B.C.D.R.), and on the north line of that certain  
16 called 55.9951 acre tract conveyed to Michael R. Burns, et al, by  
17 instrument of record in File No. 2005120041, F.B.C.O.P.R.;

18 Thence, with the south line of said 360.3145 acre tract, the  
19 following thirteen (13) courses:

20 1) South 87° 31' 34" West (called South 87° 36' 41"  
21 West), 219.82 feet to a point for corner;

22 2) North 72° 29' 30" West, 99.71 feet to a point for  
23 corner;

24 3) North 87° 08' 02" West, 55.48 feet to a point for  
25 corner;

26 4) North 18° 00' 45" West, 59.72 feet to a point for  
27 corner;

- 1                   5) North 70° 58' 36" West, 125.00 feet to a point for  
2 corner;  
3                   6) North 57° 58' 26" West, 82.94 feet to a point for  
4 corner;  
5                   7) North 56° 13' 55" West, 280.24 feet to a point for  
6 corner;  
7                   8) North 64° 38' 33" West, 158.69 feet to a point for  
8 corner;  
9                   9) North 72° 37' 06" West, 339.00 feet to a point for  
10 corner;  
11                  10) North 84° 43' 06" West, 479.37 feet to a point for  
12 corner;  
13                  11) South 75° 18' 44" West, 55.53 feet to a point for  
14 corner;  
15                  12) South 54° 34' 59" West, 60.04 feet to a point for  
16 corner;  
17                  13) South 73° 46' 30" West, 228.74 feet to southwest  
18 corner of said 360.3145 acre tract, same being on the east line of  
19 said 9.32 acre tract;

20                  Thence, with the east line of said 9.32 acre tract, South 02°  
21 28' 44" East (called South 02° 27' 11" East), 96.79 feet to the  
22 southeast corner of said 9.32 acre tract;

23                  Thence, with the south line of said 9.32 acre tract, the  
24 following four (4) courses:

- 25                   1) South 61° 33' 12" West, 47.68 feet to a point for  
26 corner;  
27                   2) South 48° 37' 19" West, 199.25 feet to a point for

1 corner;

2                   3) South 45° 15' 32" West, 176.55 feet to a point for  
3 corner;

4                   4) South 87° 27' 42" West, 422.19 feet to the southwest  
5 corner of said 9.32 acre tract, same being on the east line of said  
6 52.71 acre tract;

7           Thence, with the east line of said 52.71 acre tract, South 02°  
8 32' 18" East (called South 02° 30' 45" East), 632.20 feet to the  
9 southeast corner of said 52.71 acre tract;

10           Thence, with the south line of said 52.71 acre tract, the  
11 following three (3) courses:

12                   1) South 30° 27' 35" West, 240.83 feet to a point for  
13 corner;

14                   2) South 22° 45' 01" West, 290.49 feet to a point for  
15 corner;

16                   3) South 26° 09' 57" West, 763.79 feet to the southwest  
17 corner of said 52.71 acre tract;

18           Thence, with the west line of said 52.71 acre tract, North 01°  
19 48' 07" West, 3097.84 feet to a point for corner;

20           Thence, continuing with said west line, North 02° 02' 18"  
21 West, 986.87 feet to a point for corner;

22           Thence, leaving said west line, North 87° 02' 32" East, 572.57  
23 feet to a point for corner on the east line of said 52.71 acre tract;

24           Thence, with the east line of said 52.71 acre tract, South 02°  
25 54' 50" East, 169.19 feet to a point for corner;

26           Thence, continuing with said east line, South 02° 32' 18"  
27 East, 1549.89 feet to the northwest corner of said 9.32 acre tract;

1           Thence, with the north line of said 9.32 acre tract, North 87°  
2 27' 50" East, 751.16 feet to the northeast corner of said 9.32 acre  
3 tract, same being on the west line of said 360.3145 acre tract;

4           Thence, with the west line of said 360.3145 acre tract, North  
5 02° 32' 18" West, 1826.89 feet to a point for corner;

6           Thence, leaving said west line, North 71° 01' 02" East, 236.27  
7 feet to a point for corner;

8           Thence, North 61° 57' 09" East, 486.25 feet to a point for  
9 corner;

10          Thence, North 52° 07' 38" East, 485.75 feet to a point for  
11 corner;

12          Thence, North 42° 01' 38" East, 486.53 feet to a point for  
13 corner;

14          Thence, North 31° 59' 52" East, 486.24 feet to a point for  
15 corner;

16          Thence, North 22° 04' 57" East, 485.76 feet to a point for  
17 corner;

18          Thence, North 12° 02' 52" East, 485.45 feet to a point for  
19 corner;

20          Thence, North 02° 41' 07" East, 729.64 feet to a point for  
21 corner on the east line of said 360.3145 acre tract;

22          Thence, with the east line of said 360.3145 acre tract, the  
23 following four (4) courses:

24                 1) South 02° 21' 36" East, 204.90 feet to a point for  
25 corner;

26                 2) South 02° 25' 17" East, 3016.66 feet to a point for  
27 corner;

1           3) South 02° 20' 57" East, 1297.76 feet to a point for  
2 corner;

3           4) South 02° 22' 26" East, 1004.27 feet to the POINT OF  
4 BEGINNING and containing 196.430 acres of land.

5           PART TWO

6           BEGINNING at the northeast corner of said 4.4933 acre tract,  
7 same being on the west line of said 360.3145 acre tract;

8           Thence, with the common line of said 4.4933 and 360.3145 acre  
9 tracts, South 02° 32' 18" East (called South 02° 27' 11" East),  
10 260.16 feet to the southeast corner of said 4.4933 acre tract;

11          Thence, with the south line of said 4.4933 acre tract, South  
12 87° 31' 16" West, 751.16 feet to the southwest corner of said 4.4933  
13 acre tract;

14          Thence, with the west line of said 4.4933 acre tract, North  
15 02° 32' 18" West, 260.16 feet to the northwest corner of said 4.4933  
16 acre tract;

17          Thence, with the north line of said 4.4933 acre tract, North  
18 87° 31' 16" East, 751.16 feet to the POINT OF BEGINNING and  
19 containing 4.486 acres of land.

20          PART THREE

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

26          Thence, with the common line of said 200.2961 and 10.69 acre  
27 tracts, North 87° 55' 46" East (called South 89° 14' 32" East),

1 1557.79 feet to the northeast corner of said 200.2961 acre tract, on  
2 the west line of said 11.1752 acre tract and on the common line of  
3 said Thomas Westall League and said Noel F. Roberts League;

4 Thence, with the west line of said 11.1752 acre tract and said  
5 common survey line, North  $02^{\circ} 19' 50''$  West (called North  $00^{\circ} 29' 52''$   
6 East), 300.50 feet to the northwest corner of said 11.1752 acre  
7 tract;

8 Thence, leaving said common survey line and with the north  
9 line of said 11.1752 acre tract, North  $87^{\circ} 45' 58''$  East, 1009.18 feet  
10 to the northeast corner of said 11.1752 acre tract, same being on  
11 the west line of said 2.65 acre tract;

12 Thence, with the west line of said 2.65 acre tract, North  $02^{\circ}$   
13  $29' 30''$  West (called North  $00^{\circ} 12' 11''$  West), 947.23 feet to the  
14 southeast corner of said 4.9862 acre tract;

15 Thence, with the south line of said 4.9862 acre tract, South  
16  $87^{\circ} 24' 11''$  West (called South  $89^{\circ} 44' 50''$  West), 1000.31 feet to the  
17 southwest corner of said 4.9862 acre tract, on the east line of said  
18 53.6119 acre tract and on the common line of said Thomas Westall  
19 League and said Noel F. Roberts League;

20 Thence, with the east line of said 53.6119 acre tract and with  
21 said common survey line, South  $02^{\circ} 31' 27''$  East (called South  $00^{\circ} 15'$   
22  $51''$  West), 226.21 feet to a the southeast corner of said 53.6119  
23 acre tract;

24 Thence, leaving said common survey line and with the south  
25 line of said 53.6119 acre tract, South  $88^{\circ} 04' 23''$  West, 1547.74 feet  
26 to the southwest corner of said 53.6119 acre tract and on the east  
27 line of said F.M. 1489;

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

5           Thence, continuing with the common line of said 14.9178 acre  
6 tract and said F.M. 1489, North 01° 44' 43" West (called North 01° 02'  
7 35" East), 493.35 feet to the northwest corner of said 14.9178 acre  
8 tract;

9           Thence, with the north line of said 14.9178 acre tract, the  
10 following five (5) courses:

11                   1) North 88° 37' 58" East, 310.50 feet to a point for  
12 corner;

13                   2) South 68° 05' 12" East, 257.20 feet to a point for  
14 corner;

15                   3) South 87° 15' 22" East, 370.54 feet to a point for  
16 corner;

17                   4) North 01° 39' 08" West, 25.06 feet to a point for  
18 corner;

19                   5) South 87° 24' 33" East, 23.86 feet to a point for  
20 corner;

21           Thence, leaving said north line, South 27° 58' 11" East,  
22 355.16 feet to a point for corner;

23           Thence, South 37° 55' 31" East, 486.29 feet to a point for  
24 corner;

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

1           Thence, with the east line of said 53.6119 acre tract and with  
2 said common survey line, South 02° 31' 27" East, 382.51 feet to the  
3 northwest corner of said 5.000 acre tract;

4           Thence, leaving said common survey line and with the north  
5 line of said 5.000 acre tract, North 87° 23' 13" East (called North  
6 89° 44' 50" East), 469.45 feet to a point for corner;

7           Thence, leaving said north line, South 58° 01' 26" East,  
8 156.48 feet to a point for corner;

9           Thence, South 67° 52' 22" East, 486.38 feet to a point for  
10 corner;

11           Thence, South 77° 58' 23" East, 20.59 feet to a point for  
12 corner on the east line of said 2.65 acre tract;

13           Thence, with the east line of said 2.65 acre tract, South 02°  
14 29' 30" East, 1623.17 feet to the southeast corner of said 2.65 acre  
15 tract;

16           Thence, with the south line of said 2.65 acre tract, South 87°  
17 00' 22" West, 60.17 feet to the southwest corner of said 2.65 acre  
18 tract, same being the most southerly northeast corner of said 41.98  
19 acre tract;

20           Thence, with a south line of said 41.98 acre tract, South 87°  
21 30' 57" West (called South 89° 57' 44" West), 207.08 feet to a  
22 reentrant corner of said 41.98 acre tract;

23           Thence, with the east line of said 41.98 acre tract, South 02°  
24 19' 50" East (called South), 4322.10 feet to the southeast corner of  
25 said 41.98 acre tract;

26           Thence, with the south line of said 41.98 acre tract, the  
27 following three (3) courses:



- 1           1) South 40° 39' 15" West, 181.22 feet to a point for  
2 corner;  
3           2) South 48° 32' 58" West, 308.00 feet to a point for  
4 corner;  
5           3) South 52° 20' 58" West, 47.50 feet to the southwest  
6 corner of said 41.98 acre tract, same being the southeast corner of  
7 said 45.40 acre tract;

8           Thence, with the south line of said 45.40 acre tract, the  
9 following three (3) courses:

- 10           1) South 52° 20' 58" West (called South 54° 40' 48"  
11 West), 232.21 feet to a point for corner;  
12           2) South 58° 09' 10" West, 244.44 feet to a point for  
13 corner;  
14           3) North 02° 19' 50" West, 27.44 feet to the southwest  
15 corner of said 45.40 acre tract, same being on the on the common  
16 line of said Thomas Westall League and said Noel F. Roberts League;

17           Thence, with the west line of said 45.40 acre tract and said  
18 common survey line, South 44° 27' 09" West, 4.49 feet to a point for  
19 corner, the southeast corner of said 200.2961 acre tract;

20           Thence, leaving said common survey line and with the south  
21 line of said 200.2961 acre tract, the following nineteen (19)  
22 courses:

- 23           1) South 63° 35' 50" West, 70.07 feet to a point for  
24 corner;  
25           2) South 78° 36' 41" West, 58.46 feet to a point for  
26 corner;  
27           3) South 53° 26' 35" West, 50.18 feet to a point for

- 1 corner;  
2 4) South 59° 46' 48" West, 121.83 feet to a point for  
3 corner;  
4 5) South 53° 30' 56" West, 104.37 feet to a point for  
5 corner;  
6 6) South 56° 10' 29" West, 90.56 feet to a point for  
7 corner;  
8 7) South 62° 00' 00" West, 179.22 feet to a point for  
9 corner;  
10 8) South 52° 38' 17" West, 101.01 feet to a point for  
11 corner;  
12 9) South 50° 07' 56" West, 119.96 feet to a point for  
13 corner;  
14 10) South 49° 49' 54" West, 136.72 feet to a point for  
15 corner;  
16 11) South 53° 22' 53" West, 100.97 feet to a point for  
17 corner;  
18 12) South 04° 59' 07" West, 21.97 feet to a point for  
19 corner;  
20 13) South 44° 09' 14" West, 54.71 feet to a point for  
21 corner;  
22 14) South 63° 08' 28" West, 53.08 feet to a point for  
23 corner;  
24 15) South 45° 29' 40" West, 62.34 feet to a point for  
25 corner;  
26 16) South 59° 07' 52" West, 72.79 feet to a point for  
27 corner;

- 1                    17) South 85° 38' 24" West, 47.15 feet to a point for  
2 corner;  
3                    18) South 60° 47' 03" West, 137.17 feet to a point for  
4 corner;  
5                    19) South 57° 56' 35" West, 19.68 feet to the southwest  
6 corner of said 200.2961 acre tract and on the east line of said F.M.  
7 1489;

8                    Thence, with the common line of said 200.2961 acre tract and  
9 said F.M. 1489, the following five (5) courses:

- 10                    1) North 13° 25' 49" West, 1101.82 feet to a point for  
11 corner, the beginning of a curve;  
12                    2) 654.25 feet along the arc of a non-tangent curve to  
13 the right, having a radius of 5679.65 feet, a central angle of 06°  
14 36' 00" and a chord which bears North 05° 03' 49" West, 653.89 feet  
15 to a point for corner;  
16                    3) North 01° 45' 49" West, 1139.56 feet to a point for  
17 corner;  
18                    4) North 01° 46' 49" West, 1352.30 feet to a point for  
19 corner;  
20                    5) North 01° 45' 49" West, 1740.64 feet to the POINT OF  
21 BEGINNING and containing 370.613 acres of land.

22                    PART FOUR

23                    BEGINNING at the northeast corner of said 12.4259 acre tract,  
24 same being the southeast corner of that certain called 18.17 acre  
25 tract conveyed to Donald P. Rettig, by instrument of record in  
26 Volume 464, Page 158, F.B.C.D.R., and on the west right-of-way line  
27 of F.M. 1489;

1           Thence, with the common line of said 12.4259 acre tract and  
2 said F.M. 1489, South 01° 41' 29" East (called South 01° 05' 32"  
3 West), 502.32 feet to the southeast corner of said 12.4259 acre  
4 tract;

5           Thence, with the south line of said 12.4259 acre tract, South  
6 88° 03' 02" West, 1076.49 feet to the southwest corner of said  
7 12.4259 acre tract;

8           Thence, with the west line of said 12.4259 acre tract, North  
9 02° 26' 34" West, 500.28 feet to the northwest corner of said 12.4259  
10 acre tract;

11           Thence, with the north line of said 12.4259 acre tract, North  
12 87° 56' 31" East, 1083.06 feet to the POINT OF BEGINNING and  
13 containing 12.426 acres of land.

14           PART FIVE

15           BEGINNING at the northeast corner of said 34.8399 acre tract,  
16 same being the southeast corner of that certain called 54.4349 acre  
17 tract conveyed to Twinwood (U.S.), Inc., by instrument of record in  
18 File No. 2007046885, F.B.C.O.P.R., and on the west right-of-way  
19 line of F.M. 1489;

20           Thence, with the common line of said 34.8399 acre tract and  
21 said F.M. 1489, South 01° 42' 54" East (called South 01° 04' 32"  
22 West), 980.70 feet to the southeast corner of said 34.8399 acre  
23 tract;

24           Thence, with the south line of said 34.8399 acre tract, South  
25 87° 58' 18" West, 1539.02 feet to the southwest corner of said  
26 34.8399 acre tract, same being on the east line of said 100.236 acre  
27 tract;

1           Thence, with the east line of said 100.236 acre tract, South  
2 02° 02' 49" East (called South 00° 19' 52" West), 497.23 feet to the  
3 southeast corner of said 100.236 acre tract;

4           Thence, with the south line of said 100.236 acre tract, South  
5 87° 55' 33" West, 4070.78 feet to the southwest corner of said  
6 100.236 acre tract, same being on the common line of said Thomas  
7 Westall League and said Andrew Roberts League;

8           Thence, with west line of said 100.236 acre tract and with  
9 said common survey line, North 01° 36' 56" West, 1072.03 feet to the  
10 northwest corner of said 100.236 acre tract;

11           Thence, leaving said common survey line and with the north  
12 line of said 100.236 acre tract, North 88° 02' 10" East, 4058.63 feet  
13 to the northeast corner of said 100.236 acre tract, same being on  
14 the west line of said 34.8399 acre tract;

15           Thence, with the west line of said 34.8399 acre tract, North  
16 02° 27' 34" West, 416.43 feet to the northwest corner of said 34.8399  
17 acre tract;

18           Thence, with the north line of said 34.8399 acre tract, North  
19 88° 04' 15" East, 1551.78 feet to the POINT OF BEGINNING and  
20 containing 134.530 acres of land.

21           PART SIX

22           BEGINNING at the northeast corner of said 172.658 acre tract,  
23 same being the southeast corner of that certain called 6.0152 acre  
24 tract conveyed to Russell S. Cosby, et ux, by instrument of record  
25 in File No. 2000099907, F.B.C.O.P.R., and on the west right-of-way  
26 line of F.M. 1489;

27           Thence, with the common line of said 172.658 acre tract and

1 said F.M. 1489, the following six (6) courses:

2 1) South 01° 49' 04" East (called South 00° 37' 36"  
3 West), 3396.51 feet to a point for corner;

4 2) South 03° 48' 40" West, 1091.60 feet to a point for  
5 corner;

6 3) South 45° 16' 44" East, 36.50 feet to a point for  
7 corner;

8 4) South 18° 38' 33" East, 268.23 feet to a point for  
9 corner;

10 5) South 55° 31' 29" East, 68.72 feet to a point for  
11 corner;

12 6) South 18° 32' 36" East, 22.00 feet to the southeast  
13 corner of said 172.658 acre tract;

14 Thence, with the south line of said 172.658 acre tract, the  
15 following eight (8) courses:

16 1) South 74° 43' 52" West, 41.05 feet to a point for  
17 corner;

18 2) South 53° 51' 27" West, 333.34 feet to a point for  
19 corner;

20 3) South 64° 46' 07" West, 85.48 feet to a point for  
21 corner;

22 4) South 54° 55' 11" West, 591.64 feet to a point for  
23 corner;

24 5) South 64° 32' 52" West, 162.51 feet to a point for  
25 corner;

26 6) South 53° 08' 15" West, 254.36 feet to a point for  
27 corner;

1           7) South 75° 55' 50" West, 136.41 feet to a point for  
2 corner;

3           8) South 48° 54' 57" West, 165.71 feet to the southwest  
4 corner of said 172.658 acre tract, same being on the east line of  
5 said 471.04 acre tract;

6           Thence, with the east line of said 471.04 acre tract, South  
7 02° 33' 03" East (called South 02° 37' 51" East), 41.13 feet to the  
8 southeast corner of said 471.04 acre tract;

9           Thence, with the south line of said 471.04 acre tract, the  
10 following seventeen (17) courses:

11           1) South 62° 48' 58" West, 688.77 feet to a point for  
12 corner;

13           2) South 69° 16' 19" West, 497.92 feet to a point for  
14 corner;

15           3) South 76° 04' 09" West, 385.16 feet to a point for  
16 corner;

17           4) South 82° 31' 57" West, 266.60 feet to a point for  
18 corner;

19           5) South 75° 39' 34" West, 356.46 feet to a point for  
20 corner;

21           6) South 70° 58' 32" West, 496.84 feet to a point for  
22 corner;

23           7) South 64° 12' 51" West, 306.60 feet to a point for  
24 corner;

25           8) South 61° 01' 35" West, 164.27 feet to a point for  
26 corner;

27           9) South 53° 40' 33" West, 699.98 feet to a point for

- 1 corner;
- 2                   10) South 45° 05' 57" West, 588.54 feet to a point for
- 3 corner;
- 4                   11) South 41° 22' 52" West, 759.42 feet to a point for
- 5 corner;
- 6                   12) South 53° 58' 32" West, 254.99 feet to a point for
- 7 corner;
- 8                   13) South 65° 44' 23" West, 300.33 feet to a point for
- 9 corner;
- 10                  14) South 49° 10' 22" West, 311.59 feet to a point for
- 11 corner;
- 12                  15) South 67° 11' 14" West, 413.50 feet to a point for
- 13 corner;
- 14                  16) South 78° 33' 42" West, 240.12 feet to a point for
- 15 corner;
- 16                  17) North 77° 12' 44" West, 1142.94 feet to the
- 17 southwest corner of said 471.04 acre tract;

18                Thence, with the west line of said 471.04 acre tract, North

19 01° 54' 52" West, 2799.94 feet to the most westerly northwest corner

20 of said 471.04 acre tract;

21                Thence, with a north line of said 471.04 acre tract, North 87°

22 06' 14" East, 1779.70 feet to a point for corner;

23                Thence, North 87° 04' 07" East, 1131.82 feet to a reentrant

24 corner of said 471.04 acre tract, same being on the common line of

25 said Thomas Westall League and said Andrew Roberts League;

26                Thence, with a west line of said 471.04 acre tract and with

27 said common survey line, North 02° 32' 08" West, 1603.47 feet to a



1 point for corner;

2 Thence, continuing with said west line and said common survey  
3 line, North 01° 58' 25" West, 540.08 feet to the most northerly  
4 northwest corner of said 471.04 acre tract, same being the  
5 southwest corner of said 49.071 acre tract;

6 Thence, continuing with said common survey line and with the  
7 west line of said 49.071 acre tract, North 02° 38' 19" West, (called  
8 North 00° 05' 14" East), 532.05 feet to the northwest corner of said  
9 49.071 acre tract;

10 Thence, leaving said common survey line and with the north  
11 line of said 49.071 acre tract, North 87° 49' 27" East, 4041.06 feet  
12 to the northeast corner of said 49.071 acre tract;

13 Thence, with the east line of said 49.071 acre tract, South  
14 01° 40' 42" East, 526.97 feet to the southeast corner of said 49.071  
15 acre tract, same being the northeast corner of said 471.04 acre  
16 tract;

17 Thence, with the east line of said 471.04 acre tract, South  
18 01° 40' 42" East, 538.41 feet to a reentrant corner of said 471.04  
19 acre tract;

20 Thence, South 88° 26' 34" East, 31.72 feet to the most  
21 easterly northeast corner of said 471.04 acre tract, same being on  
22 the west line of said 172.658 acre tract;

23 Thence, with said west line, North 02° 33' 03" West, 3490.59  
24 feet to most westerly northwest corner of said 172.658 acre tract;

25 Thence, with the north line of said 172.658 acre tract, the  
26 following three (3) courses:

27 1) North 87° 50' 31" East, 624.00 feet to a point for

1 corner;

2                   2) North 02° 30' 43" West, 475.30 feet to a point for  
3 corner;

4                   3) North 87° 49' 51" East, 898.58 feet to the POINT OF  
5 BEGINNING and containing 694.217 gross acres of land save and  
6 except, however, the following described tract of land.

7           SAVE AND EXCEPT TRACT FOR PART SIX

8           Being a called 1.59 acre tract conveyed to Texas Illinois  
9 Natural Gas Pipeline Company, by instrument of record in Volume  
10 273, Page 583. F.B.C.D.R.

11           COMMENCING for reference at the southwest corner of said  
12 172.658 acre tract, same being on the east line of said 471.04 acre  
13 tract;

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

17           Thence, with the south line of said 1.59 acre tract, South 87°  
18 06' 36" West, 140.03 feet to the southwest corner of said 1.59 acre  
19 tract;

20           Thence, with the westerly line of said 1.59 acre tract, North  
21 28° 52' 29" West, 431.44 feet to the northwest corner of said 1.59  
22 acre tract;

23           Thence, with the northerly line of said 1.59 acre tract,  
24 North 61° 07' 31" East, 149.98 feet to the northeast corner of said  
25 1.59 acre tract;

26           Thence, with the easterly line of said 1.59 acre tract, South  
27 28° 52' 20" East, 444.10 feet to the most northerly southeast corner

1 of said 1.59 acre tract and on the west line of said 172.658 acre  
2 tract;

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

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

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

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

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

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

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

27 SECTION 4. This Act takes effect immediately if it receives

S.B. No. 1116

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