

By: Hegar

S.B. No. 1295

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Aliana Management District;
providing authority to impose a tax and issue bonds.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3865 to read as follows:

CHAPTER 3865. ALIANA MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3865.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Aliana Management District.

Sec. 3865.002. NATURE OF DISTRICT. The district is a special district created under Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 3865.003. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

(c) The district is created to accomplish the purposes of a municipal management district as provided by general law and

1 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
2 Texas Constitution.

3 (d) The creation of the district is in the public interest
4 and is essential to:

5 (1) further the public purposes of developing and
6 diversifying the economy of the state;

7 (2) eliminate unemployment and underemployment; and

8 (3) develop or expand transportation and commerce.

9 (e) The district will:

10 (1) promote the health, safety, and general welfare of
11 residents, employers, potential employees, employees, visitors,
12 and consumers in the district, and of the public;

13 (2) provide needed funding for the district to
14 preserve, maintain, and enhance the economic health and vitality of
15 the district territory as a community and business center; and

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

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

25 (g) The district will not act as the agent or
26 instrumentality of any private interest even though the district
27 will benefit many private interests as well as the public.

1 Sec. 3865.004. INITIAL DISTRICT TERRITORY. (a) The
2 district is initially composed of the territory described by
3 Section 2 of the Act creating this chapter.

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

8 (1) organization, existence, or validity;

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

12 (3) right to impose a tax; or

13 (4) legality or operation.

14 Sec. 3865.005. COUNTY CONSENT REQUIRED. The district may
15 not take any action until the Commissioners Court of Fort Bend
16 County consents by resolution to the creation of the district.

17 [Sections 3865.006-3865.050 reserved for expansion]

18 SUBCHAPTER B. BOARD OF DIRECTORS

19 Sec. 3865.051. GOVERNING BODY; TERMS. (a) The district is
20 governed by a board of five directors.

21 (b) Except as provided by Section 3865.053, directors serve
22 staggered four-year terms.

23 (c) The initial and each succeeding board of directors shall
24 recommend to the Fort Bend County Commissioners Court persons to
25 serve on the succeeding board.

26 (d) After reviewing the recommendations, the commissioners
27 court shall approve or disapprove the directors recommended by the

1 board.

2 (e) If the commissioners court is not satisfied with the
3 recommendations submitted by the board, the board, on the request
4 of the commissioners court, shall submit additional
5 recommendations.

6 (f) Board members may serve successive terms.

7 (g) If a court finds any provision of Subsections (c)-(f) to
8 be invalid, the Texas Commission on Environmental Quality shall
9 appoint the board from recommendations submitted by the preceding
10 board.

11 Sec. 3865.052. QUALIFICATIONS. To be qualified to serve as
12 a director, a person must meet the qualifications of Section
13 375.063, Local Government Code.

14 Sec. 3865.053. INITIAL DIRECTORS. (a) The initial board
15 consists of:

- 16 (1) Jeff Gilman;
- 17 (2) Charles D. Marcucci;
- 18 (3) Charles H. Weiss;
- 19 (4) Hillary Burke; and
- 20 (5) Greg Valikonis.

21 (b) The initial directors shall draw lots to determine which
22 two shall serve two-year terms and which three shall serve
23 four-year terms.

24 [Sections 3865.054-3865.100 reserved for expansion]

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 3865.101. GENERAL POWERS AND DUTIES. The district has
27 the powers and duties necessary to accomplish the purposes for

1 which the district is created.

2 Sec. 3865.102. MUNICIPAL MANAGEMENT DISTRICT POWERS AND
3 DUTIES. The district has the powers and duties provided by the
4 general law of this state, including Chapter 375, Local Government
5 Code, applicable to municipal management districts created under
6 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
7 Texas Constitution, except the district may not construct, acquire,
8 maintain, or operate a turnpike or toll road.

9 Sec. 3865.103. EXERCISE OF POWERS OF DEVELOPMENT
10 CORPORATION. The district may exercise the powers of a corporation
11 created under Chapter 505, Local Government Code.

12 Sec. 3865.104. SPORTS VENUE. The district may construct,
13 acquire, improve, maintain, and operate a sports venue, including
14 an arena, coliseum, stadium, or other type of area or facility used
15 for one or more professional or amateur sports or athletics events.

16 Sec. 3865.105. ECONOMIC DEVELOPMENT. The district may
17 create economic development programs and exercise the economic
18 development powers that:

19 (1) Chapter 380, Local Government Code, provides to a
20 municipality with a population of more than 100,000; and

21 (2) Chapter 1509, Government Code, provides to any
22 municipality, except the district may not create the programs or
23 exercise the powers provided by Subchapter E of that chapter.

24 Sec. 3865.106. NO EMINENT DOMAIN. The district may not
25 exercise the power of eminent domain.

26 [Sections 3865.107-3865.150 reserved for expansion]

1 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2 Sec. 3865.151. ELECTIONS REGARDING TAXES OR BONDS.

3 (a) The district may issue, without an election, bonds and other
4 obligations secured by revenue or contract payments from any source
5 other than ad valorem taxation.

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

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

14 Sec. 3865.152. OPERATION AND MAINTENANCE TAX. (a) If
15 authorized at an election held under Section 3865.151, the district
16 may impose an operation and maintenance tax on taxable property in
17 the district in accordance with Section 49.107, Water Code.

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

20 Sec. 3865.153. CONTRACT TAXES. (a) In accordance with
21 Section 49.108, Water Code, the district may make payments under a
22 contract from taxes other than operation and maintenance taxes
23 after the provisions of the contract have been approved by a
24 majority of the district voters voting at an election held for that
25 purpose.

26 (b) A contract approved by the district voters may contain a
27 provision stating that the contract may be modified or amended by

1 the board without further voter approval.

2 Sec. 3865.154. HOTEL OCCUPANCY TAX. The district may
3 impose a hotel occupancy tax in the manner provided in Section
4 351.002, Tax Code. A tax imposed under this section may not exceed
5 the maximum rate provided in Section 351.003(a), Tax Code.

6 Sec. 3865.155. SALES AND USE TAX. (a) The district may
7 impose a sales and use tax if authorized by a majority of the voters
8 of the district voting at an election called for that purpose.
9 Revenue from the tax may be used for any purpose for which ad
10 valorem tax revenue of the district may be used.

11 (b) The district may not adopt a sales and use tax if as a
12 result of the adoption of the tax the combined rate of all sales and
13 use taxes imposed by the district and other political subdivisions
14 of this state having territory in the district would exceed two
15 percent at any location in the district.

16 (c) If the voters of the district approve the adoption of
17 the tax at an election held on the same election date on which
18 another political subdivision adopts a sales and use tax or
19 approves an increase in the rate of its sales and use tax and as a
20 result the combined rate of all sales and use taxes imposed by the
21 district and other political subdivisions of this state having
22 territory in the district would exceed two percent at any location
23 in the district, the election to adopt a sales and use tax under
24 this chapter has no effect.

25 (d) Chapter 321, Tax Code, applies to the imposition,
26 computation, administration, enforcement, and collection of the
27 sales and use tax imposed by this section except to the extent it is

1 inconsistent with this chapter.

2 [Sections 3865.156-3865.200 reserved for expansion]

3 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4 Sec. 3865.201. AUTHORITY TO ISSUE BONDS AND OTHER
5 OBLIGATIONS. The district may issue bonds or other obligations
6 payable wholly or partly from ad valorem taxes, impact fees,
7 revenue, contract payments, grants, hotel occupancy taxes, sales
8 and use taxes, revenue from economic development agreements under
9 Chapter 380 or 381, Local Government Code, other district money, or
10 any combination of those sources, to pay for any authorized
11 district purpose.

12 Sec. 3865.202. TAXES FOR BONDS. (a) At the time the
13 district issues bonds payable wholly or partly from ad valorem
14 taxes, the board shall provide for the annual imposition of an ad
15 valorem tax, without limit as to rate or amount, as required by
16 Section 54.601, Water Code.

17 (b) The board shall annually impose the tax while all or
18 part of the bonds are outstanding. Sections 54.601 and 54.602,
19 Water Code, govern the amount and rate of the tax.

20 Sec. 3865.203. BONDS FOR ROAD PROJECTS. At the time of
21 issuance, the total principal amount of bonds or other obligations
22 issued or incurred to finance road projects may not exceed
23 one-fourth of the assessed value of the real property in the
24 district.

25 SECTION 2. The Aliana Management District initially
26 includes all the territory contained in the following area:

27 BEING a tract or parcel of land situated in the Jane Wilkins

1 League, Abstract No. 96 and the Jesse H. Cartwright League,
2 Abstract No. 16, Fort Bend County, Texas, and being all of a called
3 23.441 acre tract of land described in a Deed to HEB Grocery
4 Company, LP, as recorded in Clerk's File No. 2008113371 of the
5 Official Public Records of Fort Bend County, Texas, and being part
6 of a called 1997.624 acre tract of land described in a Deed to BAM
7 Houston Real Estate Investment, L.P., as recorded in Clerk's File
8 No. 2005091010 of the Official Public Records of Fort Bend County,
9 Texas, and being part of a called 314.079 acre tract of land
10 described as Part Two and part of a called 79.678 acre tract of land
11 described as Part Three in a Deed to Aliana Development Company, as
12 recorded in Clerk's File No. 2007074437 of the Official Public
13 Records of Fort Bend County, Texas, and being all of West Airport
14 Boulevard per Plat recorded in Clerk's File No. 20080069 of the
15 Official Public Records of Fort Bend County, Texas, and being all of
16 West Aliana Trace Drive per Plat recorded in Clerk's File No.
17 20070248 of the Official Public Records of Fort Bend County, Texas,
18 and also being a portion of F.M. Highway No. 1464 right-of-way
19 described in Save & Except Tract 1 per said Deed to BAM Houston Real
20 Estate Investment, L.P., recorded in Clerk's File No. 2005091010,
21 and being more particularly described as follows:

22 BEGINNING at a point for corner at the intersection of the
23 East line of Harlem Road (called 71.5' wide right-of-way) with the
24 South line of Madden Road (variable width right-of-way), said point
25 being the most Westerly Northwest corner of the above cited
26 1997.624 acre tract of land;

27 THENCE North 87 degrees 53 minutes 31 seconds East along the

1 North line of said 1997.624 acre tract and the South line of said
2 Madden Road, for a distance of 2244.25 feet to a point for corner,
3 said point being the Northeast corner of the above cited West Aliana
4 Trace Drive, (100' right-of-way per said Plat);

5 THENCE South 02 degrees 06 minutes 29 seconds East along the
6 East line of said West Aliana Trace Drive, for a distance of 50.00
7 feet to a point for corner at the beginning of a non-tangent curve
8 to the left;

9 THENCE in a Southwesterly direction, along the East line of
10 said West Aliana Trace Drive, and along said non-tangent curve to
11 the left having a central angle of 90 degrees 02 minutes 51 seconds,
12 a radius of 25.00 feet, a chord bearing of South 42 degrees 51
13 minutes 45 seconds West, a chord distance of 35.37 feet and an arc
14 length of 39.29 feet to a point for corner;

15 THENCE South 02 degrees 10 minutes 00 seconds East along the
16 East line of said West Aliana Trace Drive, for a distance of 666.87
17 feet to a point for corner;

18 THENCE North 87 degrees 22 minutes 54 seconds East departing
19 the East line of said West Aliana Trace Drive, for a distance of
20 292.30 feet to a point for corner at the beginning of a non-tangent
21 curve to the left;

22 THENCE in a Southeasterly direction, along said non-tangent
23 curve to the left having a central angle of 70 degrees 31 minutes 43
24 seconds, a radius of 75.00 feet, a chord bearing of South 57 degrees
25 21 minutes 14 seconds East, a chord distance of 86.60 feet and an
26 arc length of 92.32 feet to a point for corner;

27 THENCE North 87 degrees 22 minutes 54 seconds East for a

1 distance of 741.82 feet to a point for corner;

2 THENCE South 02 degrees 37 minutes 06 seconds East for a
3 distance of 1200.65 feet to a point for corner;

4 THENCE South 87 degrees 22 minutes 54 seconds West for a
5 distance of 405.02 feet to a point for corner at the beginning of a
6 curve to the left;

7 THENCE in a Southwesterly direction, along said curve to the
8 left having a central angle of 68 degrees 53 minutes 05 seconds, a
9 radius of 75.00 feet, a chord bearing of South 52 degrees 56 minutes
10 21 seconds West, a chord distance of 84.84 feet and an arc length of
11 90.17 feet to a point for corner;

12 THENCE South 87 degrees 22 minutes 54 seconds West for a
13 distance of 387.46 feet to a point for corner;

14 THENCE North 01 degrees 11 minutes 15 seconds West passing
15 the occupied Southeast corner of a called 2 acre tract of land
16 described in a Deed to Pleasant Green Missionary Baptist Church, as
17 recorded in Volume K, Page 654 of the Deed Records of Fort Bend
18 County, Texas, at a distance of 68.94 feet, and continuing along the
19 East line of same for a total distance of 484.17 feet to a point for
20 corner at the occupied Northeast corner of same;

21 THENCE North 89 degrees 21 minutes 05 seconds West along the
22 North line of said 2 acre tract, passing the occupied Northwest
23 corner of same at a distance of 205.32 feet, and continuing for a
24 total distance of 226.53 feet to a point for corner, said point
25 being the beginning of a non-tangent curve to the right;

26 THENCE in a Southerly direction, along said non-tangent curve
27 to the right having a central angle of 09 degrees 14 minutes 22

1 seconds, a radius of 2550.00 feet, a chord bearing of South 02
2 degrees 13 minutes 29 seconds East, a chord distance of 410.77 feet
3 and an arc length of 411.21 feet to a point for corner at the
4 beginning of a reverse curve to the left;

5 THENCE in a Southeasterly direction, along said reverse curve
6 to the left having a central angle of 39 degrees 39 minutes 45
7 seconds, a radius of 1450.00 feet, a chord bearing of South 17
8 degrees 26 minutes 10 seconds East, a chord distance of 983.83 feet
9 and an arc length of 1003.75 feet to a point for corner at the
10 beginning of a reverse curve to the right;

11 THENCE in a Southeasterly direction, along said reverse curve
12 to the right having a central angle of 03 degrees 27 minutes 52
13 seconds, a radius of 4050.00 feet, a chord bearing of South 35
14 degrees 32 minutes 06 seconds East, a chord distance of 244.84 feet
15 and an arc length of 244.88 feet to a point for corner at the
16 beginning of a reverse curve to the left;

17 THENCE in a Southeasterly direction, along said reverse curve
18 to the left having a central angle of 89 degrees 17 minutes 49
19 seconds, a radius of 25.00 feet, a chord bearing of South 78 degrees
20 27 minutes 05 seconds East, a chord distance of 35.14 feet and an
21 arc length of 38.96 feet to a point for corner;

22 THENCE North 56 degrees 54 minutes 01 seconds East for a
23 distance of 408.48 feet to a point for corner at the beginning of a
24 curve to the right;

25 THENCE in an Easterly direction, along said curve to the
26 right having a central angle of 30 degrees 28 minutes 53 seconds, a
27 radius of 1475.00 feet, a chord bearing of North 72 degrees 08

1 minutes 27 seconds East, a chord distance of 775.48 feet and an arc
2 length of 784.70 feet to a point for corner;

3 THENCE North 87 degrees 22 minutes 54 seconds East for a
4 distance of 1331.98 feet to a point for corner;

5 THENCE South 02 degrees 37 minutes 06 seconds East for a
6 distance of 406.66 feet to a point for corner in the Northerly line
7 of the above cited West Airport Boulevard, said point being the
8 beginning of a non-tangent curve to the right;

9 THENCE in an Easterly direction, along the Northerly line of
10 said West Airport Boulevard, and along said non-tangent curve to
11 the right having a central angle of 00 degrees 16 minutes 08
12 seconds, a radius of 5050.00 feet, a chord bearing of North 82
13 degrees 29 minutes 45 seconds East, a chord distance of 23.70 feet
14 and an arc length of 23.70 feet to a point for corner at the
15 beginning of a compound curve to the right;

16 THENCE in an Easterly direction, continuing along the
17 Northerly line of said West Airport Boulevard, and along said
18 compound curve to the right having a central angle of 30 degrees 18
19 minutes 31 seconds, a radius of 7050.00 feet, a chord bearing of
20 South 82 degrees 12 minutes 56 seconds East, a chord distance of
21 3686.02 feet and an arc length of 3729.35 feet to a point for
22 corner;

23 THENCE South 67 degrees 03 minutes 40 seconds East continuing
24 along the Northerly line of said West Airport Boulevard, for a
25 distance of 665.98 feet to a point for corner at the beginning of a
26 curve to the left;

27 THENCE in a Southeasterly direction, continuing along the

1 Northerly line of said West Airport Boulevard, and along said curve
2 to the left having a central angle of 11 degrees 49 minutes 23
3 seconds, a radius of 3950.00 feet, a chord bearing of South 72
4 degrees 58 minutes 19 seconds East, a chord distance of 813.64 feet
5 and an arc length of 815.08 feet to a point for corner;

6 THENCE North 02 degrees 10 minutes 00 seconds West departing
7 the Northerly line of said West Airport Boulevard, for a distance of
8 714.11 feet to a point for corner;

9 THENCE North 87 degrees 22 minutes 54 seconds East for a
10 distance of 847.36 feet to a point for corner in the Westerly line
11 of F.M. Highway No. 1464 (a variable width right-of-way), said
12 point also being the beginning of a non-tangent curve to the left;

13 THENCE in a Northwesterly direction, along the Westerly line
14 of said F.M. Highway No. 1464, and along said non-tangent curve to
15 the left having a central angle of 18 degrees 13 minutes 08 seconds,
16 a radius of 4900.00 feet, a chord bearing of North 23 degrees 16
17 minutes 40 seconds West, a chord distance of 1551.56 feet and an arc
18 length of 1558.11 feet to a point for corner;

19 THENCE North 32 degrees 23 minutes 16 seconds West along the
20 Westerly line of said F.M. Highway No. 1464, for a distance of
21 1364.57 feet to a point for corner, said point also being an
22 interior Northeast corner of the above cited 314.079 acre tract;

23 THENCE South 57 degrees 36 minutes 44 seconds West along an
24 interior North line of said 314.079 acre tract, for a distance of
25 300.00 feet to a point for corner at an interior Northwest corner of
26 same;

27 THENCE North 32 degrees 23 minutes 16 seconds West departing

1 an interior Northwest corner of said 314.079 acre tract, and
2 passing an interior Southeast corner of said 314.079 acre tract at a
3 distance of 170.58 feet, and continuing along an interior East line
4 of same for a total distance of 1178.58 feet to a point for corner;

5 THENCE North 31 degrees 33 minutes 58 seconds West continuing
6 along an interior East line of said 314.079 acre tract, for a
7 distance of 144.01 feet to a point for corner;

8 THENCE North 30 degrees 02 minutes 18 seconds West continuing
9 along an interior East line of said 314.079 acre tract, for a
10 distance of 144.12 feet to a point for corner;

11 THENCE North 27 degrees 59 minutes 24 seconds West continuing
12 along an interior East line of said 314.079 acre tract, for a
13 distance of 241.96 feet to a point for corner in the Southerly line
14 of West Bellfort, a 100' right-of-way per Plat recorded in Clerk's
15 File No. 20070260 of the Official Public Records of Fort Bend
16 County, Texas;

17 THENCE in a Northeasterly direction, along the Southerly line
18 of said West Bellfort, and along a non-tangent curve to the left
19 having a central angle of 02 degrees 16 minutes 09 seconds, a radius
20 of 4050.00 feet, a chord bearing of North 60 degrees 17 minutes 55
21 seconds East, a chord distance of 160.39 feet and an arc length of
22 160.40 feet to a point for corner;

23 THENCE North 59 degrees 09 minutes 49 seconds East along the
24 projected Southerly line of said West Bellfort, for a distance of
25 360.27 feet to a point for corner at the beginning of a curve to the
26 left;

27 THENCE in a Northeasterly direction, along the Southerly line

1 of said West Bellfort, and along said curve to the left having a
2 central angle of 07 degrees 57 minutes 06 seconds, a radius of
3 2050.00 feet, a chord bearing of North 55 degrees 11 minutes 14
4 seconds East, a chord distance of 284.27 feet and an arc length of
5 284.50 feet to a point for corner at the beginning of a non-tangent
6 curve to the left;

7 THENCE in a Southeasterly direction, departing the Southerly
8 line of said West Bellfort, and along said non-tangent curve to the
9 left having a central angle of 06 degrees 41 minutes 00 seconds, a
10 radius of 4546.73 feet, a chord bearing of South 29 degrees 02
11 minutes 46 seconds East, a chord distance of 530.05 feet and an arc
12 length of 530.35 feet to a point for corner;

13 THENCE South 32 degrees 23 minutes 16 seconds East for a
14 distance of 1173.43 feet to a point for corner, said point being an
15 interior Northwest corner of a called 27.013 acre tract of land
16 described as Part Five in a Deed to Aliana Development Company, as
17 recorded in Clerk's File No. 2007074437 of the Official Public
18 Records of Fort Bend County, Texas;

19 THENCE South 57 degrees 36 minutes 44 seconds West along a
20 Northwesterly line of said 27.013 acre tract, for a distance of
21 300.00 feet to a point for corner in the Easterly line of the above
22 cited F.M. Highway No. 1464;

23 THENCE South 32 degrees 23 minutes 16 seconds East along the
24 Easterly line of said F.M. Highway No. 1464, for a distance of
25 1364.58 feet to a point for corner at the beginning of a curve to the
26 right;

27 THENCE in a Southeasterly direction, along the Easterly line

1 of said F.M. Highway No. 1464, and along said curve to the right
2 having a central angle of 06 degrees 38 minutes 36 seconds, a radius
3 of 5100.00 feet, a chord bearing of South 29 degrees 03 minutes 58
4 seconds East, a chord distance of 591.00 feet and an arc length of
5 591.33 feet to a point for corner at the beginning of a non-tangent
6 curve to the right;

7 THENCE in a Northeasterly direction, along the Northerly line
8 of said F.M. Highway No. 1464, and along said non-tangent curve to
9 the right having a central angle of 18 degrees 38 minutes 36
10 seconds, a radius of 1050.00 feet, a chord bearing of North 79
11 degrees 22 minutes 45 seconds East, a chord distance of 340.15 feet
12 and an arc length of 341.66 feet to a point for corner;

13 THENCE North 88 degrees 42 minutes 09 seconds East along the
14 Northerly line of said F.M. Highway No. 1464, for a distance of
15 44.67 feet to a point for corner in the East line of the above cited
16 1997.624 acre tract, said point also being the original West line of
17 F.M. Highway No. 1464;

18 THENCE South 02 degrees 33 minutes 11 seconds East along the
19 East line of said 1997.624 acre tract, for a distance of 3682.01
20 feet to a point for corner;

21 THENCE South 87 degrees 37 minutes 59 seconds West along the
22 Easterly line of said 1997.624 acre tract, for a distance of 35.60
23 feet to a point for corner;

24 THENCE South 02 degrees 16 minutes 30 seconds East along the
25 Easterly line of said 1997.624 acre tract, for a distance of 18.37
26 feet to a point for corner at the beginning of a non-tangent curve
27 to the right;

1 THENCE in a Southerly direction, along the Easterly line of
2 said 1997.624 acre tract and along said non-tangent curve to the
3 right having a central angle of 04 degrees 32 minutes 47 seconds, a
4 radius of 1834.86 feet, a chord bearing of South 00 degrees 15
5 minutes 57 seconds East, a chord distance of 145.56 feet and an arc
6 length of 145.59 feet to a point for corner;

7 THENCE South 87 degrees 38 minutes 52 seconds West departing
8 the Easterly line of said 1997.624 acre tract, passing the Westerly
9 line of said F.M. Highway No. 1464 and the Northeast corner of a
10 called 9.000 acre tract of land conveyed to Grand Parkway Baptist
11 Church, Inc., per Deed recorded in Clerk's File No. 2006108454 of
12 the Official Public Records of Fort Bend County, Texas, at a
13 distance of 56.34 feet, and continuing along the North line of said
14 9.000 acre tract for a total distance of 1386.76 feet to a point for
15 corner at the Northwest corner of same, said point also being in the
16 most Easterly West line of said 1997.624 acre tract;

17 THENCE North 02 degrees 19 minutes 34 seconds West along the
18 most Easterly West line of said 1997.624 acre tract, passing an
19 interior corner of same at a distance of 706.82 feet, and continuing
20 for a total distance of 2037.21 feet to a point for corner in the
21 Southerly line of said West Airport Boulevard, said point also
22 being the beginning of a non-tangent curve to the right;

23 THENCE in a Northwesterly direction, along the Southerly line
24 of said West Airport Boulevard, and along said non-tangent curve to
25 the right having a central angle of 07 degrees 47 minutes 10
26 seconds, a radius of 4050.00 feet, a chord bearing of North 70
27 degrees 57 minutes 14 seconds West, a chord distance of 549.94 feet

1 and an arc length of 550.36 feet to a point for corner;

2 THENCE North 67 degrees 03 minutes 40 seconds West continuing
3 along the Southerly line of said West Airport Boulevard, for a
4 distance of 665.97 feet to a point for corner at the beginning of a
5 curve to the left;

6 THENCE in a Westerly direction, continuing along the
7 Southerly line of said West Airport Boulevard, and along said curve
8 to the left having a central angle of 30 degrees 18 minutes 31
9 seconds, a radius of 6950.00 feet, a chord bearing of North 82
10 degrees 12 minutes 55 seconds West, a chord distance of 3633.74 feet
11 and an arc length of 3676.46 feet to a point for corner at the
12 beginning of a compound curve to the left;

13 THENCE in a Westerly direction, continuing along the
14 Southerly line of said West Airport Boulevard, and along said
15 compound curve to the left having a central angle of 00 degrees 22
16 minutes 14 seconds, a radius of 4950.00 feet, a chord bearing of
17 South 82 degrees 26 minutes 42 seconds West, a chord distance of
18 32.01 feet and an arc length of 32.01 feet to a point for corner;

19 THENCE South 02 degrees 37 minutes 06 seconds East departing
20 the Southerly line of said West Airport Boulevard, for a distance of
21 531.47 feet to a point for corner at the beginning of a non-tangent
22 curve to the left;

23 THENCE in a Southeasterly direction, along said non-tangent
24 curve to the left having a central angle of 39 degrees 14 minutes 06
25 seconds, a radius of 2340.00 feet, a chord bearing of South 22
26 degrees 00 minutes 28 seconds East, a chord distance of 1571.26 feet
27 and an arc length of 1602.38 feet to a point for corner;

1 THENCE South 23 degrees 59 minutes 26 seconds East for a
2 distance of 100.00 feet to a point for corner at the beginning of a
3 non-tangent curve to the right;

4 THENCE in a Westerly direction, along said non-tangent curve
5 to the right having a central angle of 39 degrees 21 minutes 16
6 seconds, a radius of 2400.00 feet, a chord bearing of South 85
7 degrees 41 minutes 12 seconds West, a chord distance of 1616.26 feet
8 and an arc length of 1648.47 feet to a point for corner at the
9 beginning of a non-tangent curve to the left;

10 THENCE in a Southeasterly direction, along said non-tangent
11 curve to the left having a central angle of 72 degrees 37 minutes 15
12 seconds, a radius of 2745.59 feet, a chord bearing of South 11
13 degrees 22 minutes 49 seconds East, a chord distance of 3251.66 feet
14 and an arc length of 3479.97 feet to a point for corner at the
15 beginning of compound curve to the left;

16 THENCE in a Southeasterly direction, along said compound
17 curve to the left having a central angle of 21 degrees 24 minutes 28
18 seconds, a radius of 955.00 feet, a chord bearing of South 58
19 degrees 23 minutes 40 seconds East, a chord distance of 354.75 feet
20 and an arc length of 356.82 feet to a point for corner at the
21 beginning of a reverse curve to the right;

22 THENCE in a Southerly direction, along said reverse curve to
23 the right having a central angle of 135 degrees 47 minutes 22
24 seconds, a radius of 1045.00 feet, a chord bearing of South 01
25 degrees 12 minutes 14 seconds East, a chord distance of 1936.37 feet
26 and an arc length of 2476.62 feet to a point for corner;

27 THENCE South 66 degrees 41 minutes 27 seconds West for a

1 distance of 606.68 feet to a point in the Easterly line of State
2 Highway No. 99 (Grand Parkway - variable width right-of-way), said
3 point being North 23 degrees 17 minutes 58 seconds West a distance
4 of 2960.15 feet from the most Southerly corner of the above cited
5 1997.624 acre tract of land;

6 THENCE North 23 degrees 17 minutes 58 seconds West along the
7 Easterly line of said State Highway No. 99, for a distance of
8 4218.77 feet to a point for corner at the beginning of a curve to the
9 right;

10 THENCE in a Northwesterly direction, along the Easterly line
11 of said State Highway No. 99, and along said curve to the right
12 having a central angle of 02 degrees 06 minutes 53 seconds, a radius
13 of 22768.31 feet, a chord bearing of North 22 degrees 14 minutes 18
14 seconds West, a chord distance of 840.31 feet and an arc length of
15 840.36 feet to a point for corner;

16 THENCE North 21 degrees 08 minutes 45 seconds West along the
17 Easterly line of said State Highway No. 99, for a distance of 508.80
18 feet to a point for corner;

19 THENCE North 18 degrees 04 minutes 14 seconds West along the
20 Easterly line of said State Highway No. 99, for a distance of 396.37
21 feet to a point for corner;

22 THENCE North 19 degrees 01 minutes 30 seconds West along the
23 Easterly line of said State Highway No. 99, for a distance of 397.76
24 feet to a point for corner;

25 THENCE North 23 degrees 18 minutes 33 seconds West along the
26 Easterly line of said State Highway No. 99, for a distance of
27 3050.42 feet to a point for corner at the beginning of a non-tangent

1 curve to the left;

2 THENCE in a Northwesterly direction, along the Easterly line
3 of said State Highway No. 99, and along said non-tangent curve to
4 the left having a central angle of 30 degrees 21 minutes 14 seconds,
5 a radius of 3064.79 feet, a chord bearing of North 38 degrees 27
6 minutes 57 seconds West, a chord distance of 1604.73 feet and an arc
7 length of 1623.65 feet to a point for corner;

8 THENCE North 35 degrees 03 minutes 03 seconds West along the
9 Easterly line of said State Highway No. 99, for a distance of 46.01
10 feet to a point for corner in the East line of the above cited Harlem
11 Road;

12 THENCE North 03 degrees 04 minutes 30 seconds West along the
13 East line of said Harlem Road, for a distance of 225.00 feet to a
14 point for corner;

15 THENCE North 06 degrees 11 minutes 01 seconds West along the
16 East line of said Harlem Road, for a distance of 100.20 feet to a
17 point for corner;

18 THENCE North 03 degrees 03 minutes 53 seconds West along the
19 East line of said Harlem Road, for a distance of 450.53 feet to the
20 POINT OF BEGINNING, and containing 655.9 acres of land, more or
21 less.

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

1 Government Code.

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

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

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

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