

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.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1295 passed the Senate on April 16, 2009, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1295 passed the House on May 12, 2009, by the following vote: Yeas 149, Nays 0, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor