

1-1 By: Williams S.B. No. 2485
1-2 (In the Senate - Filed April 1, 2009; April 6, 2009, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 30, 2009, reported favorably by the following
1-5 vote: Yeas 3, Nays 0; April 30, 2009, sent to printer.)

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

1-8 relating to the creation of the Montgomery County Municipal Utility
1-9 District No. 118; providing authority to impose a tax and issue
1-10 bonds; granting a limited power of eminent domain.

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

1-12 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-13 Code, is amended by adding Chapter 8366 to read as follows:

1-14 CHAPTER 8366. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 118

1-15 SUBCHAPTER A. GENERAL PROVISIONS

1-16 Sec. 8366.001. DEFINITIONS. In this chapter:

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

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

1-19 (3) "District" means the Montgomery County Municipal
1-20 Utility District No. 118.

1-21 Sec. 8366.002. NATURE OF DISTRICT. The district is a
1-22 municipal utility district created under Section 59, Article XVI,
1-23 Texas Constitution.

1-24 Sec. 8366.003. CONFIRMATION AND DIRECTORS' ELECTION
1-25 REQUIRED. The temporary directors shall hold an election to
1-26 confirm the creation of the district and to elect five permanent
1-27 directors as provided by Section 49.102, Water Code.

1-28 Sec. 8366.004. CONSENT OF MUNICIPALITY REQUIRED. The
1-29 temporary directors may not hold an election under Section 8366.003
1-30 until each municipality in whose corporate limits or
1-31 extraterritorial jurisdiction the district is located has
1-32 consented by ordinance or resolution to the creation of the
1-33 district and to the inclusion of land in the district.

1-34 Sec. 8366.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-35 (a) The district is created to serve a public purpose and benefit.

1-36 (b) The district is created to accomplish the purposes of:

1-37 (1) a municipal utility district as provided by
1-38 general law and Section 59, Article XVI, Texas Constitution; and

1-39 (2) Section 52, Article III, Texas Constitution, that
1-40 relate to the construction, acquisition, improvement, operation,
1-41 or maintenance of macadamized, graveled, or paved roads, or
1-42 improvements, including storm drainage, in aid of those roads.

1-43 Sec. 8366.006. INITIAL DISTRICT TERRITORY. (a) The
1-44 district is initially composed of the territory described by
1-45 Section 2 of the Act creating this chapter.

1-46 (b) The boundaries and field notes contained in Section 2 of
1-47 the Act creating this chapter form a closure. A mistake made in the
1-48 field notes or in copying the field notes in the legislative process
1-49 does not affect the district's:

1-50 (1) organization, existence, or validity;

1-51 (2) right to issue any type of bond for the purposes
1-52 for which the district is created or to pay the principal of and
1-53 interest on a bond;

1-54 (3) right to impose a tax; or

1-55 (4) legality or operation.

1-56 [Sections 8366.007-8366.050 reserved for expansion]

1-57 SUBCHAPTER B. BOARD OF DIRECTORS

1-58 Sec. 8366.051. GOVERNING BODY; TERMS. (a) The district is
1-59 governed by a board of five elected directors.

1-60 (b) Except as provided by Section 8366.052, directors serve
1-61 staggered four-year terms.

1-62 Sec. 8366.052. TEMPORARY DIRECTORS. (a) On or after the
1-63 effective date of the Act creating this chapter, the owner or owners
1-64 of a majority of the assessed value of the real property in the

2-1 district may submit a petition to the Texas Commission on
 2-2 Environmental Quality requesting that the commission appoint as
 2-3 temporary directors the five persons named in the petition. The
 2-4 commission shall appoint as temporary directors the five persons
 2-5 named in the petition.

2-6 (b) Temporary directors serve until the earlier of:
 2-7 (1) the date permanent directors are elected under
 2-8 Section 8366.003; or
 2-9 (2) the fourth anniversary of the effective date of
 2-10 the Act creating this chapter.

2-11 (c) If permanent directors have not been elected under
 2-12 Section 8366.003 and the terms of the temporary directors have
 2-13 expired, successor temporary directors shall be appointed or
 2-14 reappointed as provided by Subsection (d) to serve terms that
 2-15 expire on the earlier of:

2-16 (1) the date permanent directors are elected under
 2-17 Section 8366.003; or
 2-18 (2) the fourth anniversary of the date of the
 2-19 appointment or reappointment.

2-20 (d) If Subsection (c) applies, the owner or owners of a
 2-21 majority of the assessed value of the real property in the district
 2-22 may submit a petition to the Texas Commission on Environmental
 2-23 Quality requesting that the commission appoint as successor
 2-24 temporary directors the five persons named in the petition. The
 2-25 commission shall appoint as successor temporary directors the five
 2-26 persons named in the petition.

2-27 [Sections 8366.053-8366.100 reserved for expansion]

2-28 SUBCHAPTER C. POWERS AND DUTIES

2-29 Sec. 8366.101. GENERAL POWERS AND DUTIES. The district has
 2-30 the powers and duties necessary to accomplish the purposes for
 2-31 which the district is created.

2-32 Sec. 8366.102. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-33 DUTIES. The district has the powers and duties provided by the
 2-34 general law of this state, including Chapters 49 and 54, Water Code,
 2-35 applicable to municipal utility districts created under Section 59,
 2-36 Article XVI, Texas Constitution.

2-37 Sec. 8366.103. AUTHORITY FOR ROAD PROJECTS. (a) Under
 2-38 Section 52, Article III, Texas Constitution, the district may
 2-39 design, acquire, construct, finance, issue bonds for, improve, and
 2-40 convey to this state, a county, or a municipality for operation and
 2-41 maintenance macadamized, graveled, or paved roads described by
 2-42 Section 54.234, Water Code, or improvements, including storm
 2-43 drainage, in aid of those roads.

2-44 (b) The district may exercise the powers provided by this
 2-45 section without submitting a petition to or obtaining approval from
 2-46 the Texas Commission on Environmental Quality as required by
 2-47 Section 54.234, Water Code.

2-48 Sec. 8366.104. APPROVAL OF ROAD PROJECT. (a) The district
 2-49 may not undertake a road project authorized by Section 8366.103
 2-50 unless:

2-51 (1) each municipality or county that will operate and
 2-52 maintain the road has approved the plans and specifications of the
 2-53 road project, if a municipality or county will operate and maintain
 2-54 the road; or

2-55 (2) the Texas Transportation Commission has approved
 2-56 the plans and specifications of the road project, if the state will
 2-57 operate and maintain the road.

2-58 (b) Except as provided by Subsection (a), the district is
 2-59 not required to obtain approval from the Texas Transportation
 2-60 Commission to design, acquire, construct, finance, issue bonds for,
 2-61 improve, or convey a road project.

2-62 Sec. 8366.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
 2-63 OR RESOLUTION. The district shall comply with all applicable
 2-64 requirements of any ordinance or resolution that is adopted under
 2-65 Section 54.016 or 54.0165, Water Code, and that consents to the
 2-66 creation of the district or to the inclusion of land in the
 2-67 district.

2-68 Sec. 8366.106. LIMITATION ON USE OF EMINENT DOMAIN. The
 2-69 district may not exercise the power of eminent domain outside the

3-1 district to acquire a site or easement for:
3-2 (1) a road project authorized by Section 8366.103; or
3-3 (2) a recreational facility as defined by Section
3-4 49.462, Water Code.

3-5 [Sections 8366.107-8366.150 reserved for expansion]

3-6 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-7 Sec. 8366.151. ELECTIONS REGARDING TAXES OR BONDS.

3-8 (a) The district may issue, without an election, bonds and other
3-9 obligations secured by:

3-10 (1) revenue other than ad valorem taxes; or

3-11 (2) contract payments described by Section 8366.153.

3-12 (b) The district must hold an election in the manner
3-13 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-14 before the district may impose an ad valorem tax or issue bonds
3-15 payable from ad valorem taxes.

3-16 (c) The district may not issue bonds payable from ad valorem
3-17 taxes to finance a road project unless the issuance is approved by a
3-18 vote of a two-thirds majority of the district voters voting at an
3-19 election held for that purpose.

3-20 Sec. 8366.152. OPERATION AND MAINTENANCE TAX. (a) If
3-21 authorized at an election held under Section 8366.151, the district
3-22 may impose an operation and maintenance tax on taxable property in
3-23 the district in accordance with Section 49.107, Water Code.

3-24 (b) The board shall determine the tax rate. The rate may not
3-25 exceed the rate approved at the election.

3-26 Sec. 8366.153. CONTRACT TAXES. (a) In accordance with
3-27 Section 49.108, Water Code, the district may impose a tax other than
3-28 an operation and maintenance tax and use the revenue derived from
3-29 the tax to make payments under a contract after the provisions of
3-30 the contract have been approved by a majority of the district voters
3-31 voting at an election held for that purpose.

3-32 (b) A contract approved by the district voters may contain a
3-33 provision stating that the contract may be modified or amended by
3-34 the board without further voter approval.

3-35 [Sections 8366.154-8366.200 reserved for expansion]

3-36 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-37 Sec. 8366.201. AUTHORITY TO ISSUE BONDS AND OTHER
3-38 OBLIGATIONS. The district may issue bonds or other obligations
3-39 payable wholly or partly from ad valorem taxes, impact fees,
3-40 revenue, contract payments, grants, or other district money, or any
3-41 combination of those sources, to pay for any authorized district
3-42 purpose.

3-43 Sec. 8366.202. TAXES FOR BONDS. At the time the district
3-44 issues bonds payable wholly or partly from ad valorem taxes, the
3-45 board shall provide for the annual imposition of a continuing
3-46 direct ad valorem tax, without limit as to rate or amount, while all
3-47 or part of the bonds are outstanding as required and in the manner
3-48 provided by Sections 54.601 and 54.602, Water Code.

3-49 Sec. 8366.203. BONDS FOR ROAD PROJECTS. At the time of
3-50 issuance, the total principal amount of bonds or other obligations
3-51 issued or incurred to finance road projects and payable from ad
3-52 valorem taxes may not exceed one-fourth of the assessed value of the
3-53 real property in the district.

3-54 SECTION 2. The Montgomery County Municipal Utility District
3-55 No. 118 initially includes all the territory contained in the
3-56 following area:

3-57 All that certain 875.426 acre (38,133,574 square feet) parcel
3-58 of land situated in the Joseph A. Parker Survey, Abstract Number
3-59 418, in Montgomery County, Texas, and being a portion of that
3-60 certain call 2,086.441 acre tract described in a Warranty Deed to
3-61 Pacific Indio Properties, Inc. recorded in Montgomery County
3-62 Clerk's File (M.C.C.F.) Number 2005-116973 of the Official Public
3-63 Records of Real Property at Montgomery County, Texas
3-64 (O.P.R.R.P.M.C.T), and being all of that certain call 347.750 net
3-65 acres described in a Warranty Deed to Pacific Indio Properties in
3-66 M.C.C.F. Number 2006-026099 of the O.P.R.R.P.M.C.T, SAVE AND EXCEPT
3-67 that certain call 14.9 acres described in a deed to the City of
3-68 Houston in Volume 287, Page 22, of the M.C.D.R. and resulting in a
3-69 net acreage of 860.526 acres (37,484,513 square feet), said 875.426

4-1 acre tract being more particularly described by metes and bounds as
 4-2 follows: (All bearings are referenced to the Texas State Plane
 4-3 Coordinate System, South Central Zone)
 4-4 COMMENCING at a 90d nail found for an interior corner of said
 4-5 2,086.441 acre tract and the northwest corner of said 347.750 acre
 4-6 tract;
 4-7 THENCE, generally along a barbed wire fence line marking the
 4-8 occupied southerly line of said 2,086.441 acre tract and the
 4-9 occupied northerly line of said 347.750 acre tract, the following
 4-10 three (3) courses:
 4-11 1) North 76 Degrees 42 Minutes 28 Seconds East, a
 4-12 distance of 1,639.86 feet to a 5/8-inch iron rod with plastic cap
 4-13 stamped "BENCHMARK ENGR." found for an angle point;
 4-14 2) North 77 Degrees 50 Minutes 35 Seconds East, a
 4-15 distance of 1,494.90 feet to a 5/8-inch iron rod with plastic cap
 4-16 stamped "BENCHMARK ENGR." found for an angle point;
 4-17 3) North 73 Degrees 20 Minutes 40 Seconds East, a
 4-18 distance of 896.00 feet to the intersection of the north line of
 4-19 said 347.570 acre tract and the west bank of the West Fork of the San
 4-20 Jacinto River for the POINT OF BEGINNING of the herein described
 4-21 tract;
 4-22 THENCE, southerly, with the meanders of the west bank of the
 4-23 West Fork of the San Jacinto River, the following fifty-five (55)
 4-24 courses:
 4-25 1) South 13 Degrees 34 Minutes 14 Seconds West, a
 4-26 distance of 16.30 feet;
 4-27 2) South 09 Degrees 53 Minutes 26 Seconds East, a
 4-28 distance of 133.74 feet;
 4-29 3) South 16 Degrees 38 Minutes 15 Seconds East, a
 4-30 distance of 73.61 feet;
 4-31 4) South 19 Degrees 31 Minutes 13 Seconds East, a
 4-32 distance of 116.98 feet;
 4-33 5) South 32 Degrees 54 Minutes 28 Seconds East, a
 4-34 distance of 145.16 feet;
 4-35 6) South 38 Degrees 38 Minutes 20 Seconds East, a
 4-36 distance of 103.32 feet;
 4-37 7) South 41 Degrees 57 Minutes 28 Seconds East, a
 4-38 distance of 118.10 feet;
 4-39 8) South 54 Degrees 00 Minutes 34 Seconds East, a
 4-40 distance of 129.83 feet;
 4-41 9) South 55 Degrees 39 Minutes 23 Seconds East, a
 4-42 distance of 110.71 feet
 4-43 10) South 66 Degrees 53 Minutes 44 Seconds East, a
 4-44 distance of 73.22 feet;
 4-45 11) South 72 Degrees 25 Minutes 29 Seconds East, a
 4-46 distance of 88.16 feet;
 4-47 12) South 65 Degrees 50 Minutes 00 Seconds East, a
 4-48 distance of 65.94 feet;
 4-49 13) South 79 Degrees 17 Minutes 56 Seconds East, a
 4-50 distance of 92.74 feet;
 4-51 14) South 78 Degrees 35 Minutes 31 Seconds East, a
 4-52 distance of 79.11 feet;
 4-53 15) South 58 Degrees 09 Minutes 49 Seconds East, a
 4-54 distance of 56.76 feet;
 4-55 16) South 88 Degrees 59 Minutes 24 Seconds East, a
 4-56 distance of 70.62 feet;
 4-57 17) South 54 Degrees 16 Minutes 32 Seconds East, a
 4-58 distance of 41.79 feet;
 4-59 18) South 78 Degrees 54 Minutes 47 Seconds East, a
 4-60 distance of 69.93 feet;
 4-61 19) North 59 Degrees 26 Minutes 39 Seconds East, a
 4-62 distance of 59.52 feet;
 4-63 20) South 71 Degrees 42 Minutes 48 Seconds East, a
 4-64 distance of 70.58 feet;
 4-65 21) South 70 Degrees 36 Minutes 57 Seconds East, a
 4-66 distance of 57.20 feet;
 4-67 22) South 82 Degrees 34 Minutes 32 Seconds East, a
 4-68 distance of 43.73 feet;
 4-69 23) North 85 Degrees 40 Minutes 02 Seconds East, a

5-1 distance of 75.16 feet;
 5-2 24) North 67 Degrees 42 Minutes 24 Seconds East, a
 5-3 distance of 47.81 feet;
 5-4 25) South 85 Degrees 01 Minute 45 Seconds East, a
 5-5 distance of 20.48 feet;
 5-6 26) South 73 Degrees 26 Minutes 33 Seconds East, a
 5-7 distance of 28.81 feet;
 5-8 27) South 68 Degrees 02 Minutes 14 Seconds East, a
 5-9 distance of 158.38 feet;
 5-10 28) South 63 Degrees 08 Minutes 39 Seconds East, a
 5-11 distance of 88.71 feet;
 5-12 29) South 56 Degrees 06 Minutes 22 Seconds East, a
 5-13 distance of 123.11 feet;
 5-14 30) South 49 Degrees 42 Minutes 41 Seconds East, a
 5-15 distance of 102.06 feet;
 5-16 31) South 48 Degrees 16 Minutes 29 Seconds East, a
 5-17 distance of 116.52 feet;
 5-18 32) South 43 Degrees 01 Minutes 51 Seconds East, a
 5-19 distance of 119.92 feet;
 5-20 33) South 12 Degrees 48 Minutes 47 Seconds East, a
 5-21 distance of 104.77 feet;
 5-22 34) South 31 Degrees 16 Minutes 58 Seconds East, a
 5-23 distance of 116.13 feet;
 5-24 35) South 18 Degrees 57 Minutes 55 Seconds East, a
 5-25 distance of 108.66 feet;
 5-26 36) South 14 Degrees 02 Minutes 37 Seconds East, a
 5-27 distance of 112.14 feet;
 5-28 37) South 20 Degrees 36 Minutes 57 Seconds East, a
 5-29 distance of 99.63 feet;
 5-30 38) South 17 Degrees 52 Minutes 48 Seconds East, a
 5-31 distance of 121.18 feet;
 5-32 39) South 17 Degrees 33 Minutes 50 Seconds East, a
 5-33 distance of 140.50 feet;
 5-34 40) South 11 Degrees 20 Minutes 12 Seconds East, a
 5-35 distance of 78.23 feet;
 5-36 41) South 08 Degrees 46 Minutes 43 Seconds East, a
 5-37 distance of 70.75 feet;
 5-38 42) South 09 Degrees 28 Minutes 02 Seconds East, a
 5-39 distance of 74.18 feet;
 5-40 43) South 08 Degrees 38 Minutes 18 Seconds East, a
 5-41 distance of 116.59 feet;
 5-42 44) South 14 Degrees 33 Minutes 32 Seconds East, a
 5-43 distance of 100.26 feet;
 5-44 45) South 12 Degrees 02 Minutes 45 Seconds East, a
 5-45 distance of 102.47 feet;
 5-46 46) South 12 Degrees 22 Minutes 20 Seconds East, a
 5-47 distance of 92.49 feet;
 5-48 47) South 00 Degrees 03 Minutes 09 Seconds East, a
 5-49 distance of 72.45 feet;
 5-50 48) South 10 Degrees 50 Minutes 22 Seconds East, a
 5-51 distance of 37.82 feet;
 5-52 49) South 08 Degrees 02 Minutes 58 Seconds East, a
 5-53 distance of 102.61 feet;
 5-54 50) South 00 Degrees 09 Minutes 26 Seconds East, a
 5-55 distance of 143.92 feet;
 5-56 51) South 04 Degrees 42 Minutes 52 Seconds East, a
 5-57 distance of 150.23 feet;
 5-58 52) South 09 Degrees 19 Minutes 25 Seconds East, a
 5-59 distance of 115.79 feet;
 5-60 53) South 08 Degrees 57 Minutes 42 Seconds East, a
 5-61 distance of 70.29 feet;
 5-62 54) South 24 Degrees 11 Minutes 10 Seconds East, a
 5-63 distance of 53.99 feet;
 5-64 55) South 16 Degrees 29 Minutes 30 Seconds East, a
 5-65 distance of 9.15 feet to the point of intersection of the west bank
 5-66 of the west fork of the San Jacinto River with the north bank of
 5-67 Spring Creek;
 5-68 THENCE, westerly, with the meanders of the north bank of
 5-69 Spring Creek, the following one hundred eleven (111) courses:

6-1 1) South 84 Degrees 10 Minutes 17 Seconds West, a
 6-2 distance of 12.16 feet;
 6-3 2) North 82 Degrees 05 Minutes 24 Seconds West, a
 6-4 distance of 52.61 feet;
 6-5 3) South 87 Degrees 30 Minutes 52 Seconds West, a
 6-6 distance of 53.69 feet;
 6-7 4) North 85 Degrees 13 Minutes 30 Seconds West, a
 6-8 distance of 55.97 feet;
 6-9 5) North 89 Degrees 58 Minutes 05 Seconds West, a
 6-10 distance of 63.43 feet;
 6-11 6) South 83 Degrees 59 Minutes 32 Seconds West, a
 6-12 distance of 56.18 feet;
 6-13 7) South 83 Degrees 08 Minutes 53 Seconds West, a
 6-14 distance of 57.94 feet;
 6-15 8) South 87 Degrees 05 Minutes 35 Seconds West, a
 6-16 distance of 54.78 feet;
 6-17 9) South 79 Degrees 12 Minutes 39 Seconds West, a
 6-18 distance of 57.57 feet;
 6-19 10) North 87 Degrees 18 Minutes 08 Seconds West, a
 6-20 distance of 53.43 feet;
 6-21 11) South 78 Degrees 02 Minutes 27 Seconds West, a
 6-22 distance of 66.74 feet;
 6-23 12) South 81 Degrees 04 Minutes 10 Seconds West, a
 6-24 distance of 59.60 feet;
 6-25 13) South 80 Degrees 01 Minutes 09 Seconds West, a
 6-26 distance of 65.19 feet;
 6-27 14) South 83 Degrees 14 Minutes 43 Seconds West, a
 6-28 distance of 56.92 feet;
 6-29 15) North 86 Degrees 02 Minutes 02 Seconds West, a
 6-30 distance of 70.98 feet;
 6-31 16) South 80 Degrees 01 Minute 36 Seconds West, a
 6-32 distance of 30.04 feet;
 6-33 17) South 79 Degrees 51 Minutes 57 Seconds West, a
 6-34 distance of 45.86 feet;
 6-35 18) South 82 Degrees 10 Minutes 15 Seconds West, a
 6-36 distance of 51.35 feet;
 6-37 19) South 88 Degrees 49 Minutes 36 Seconds West, a
 6-38 distance of 112.54 feet;
 6-39 20) South 86 Degrees 30 Minutes 18 Seconds West, a
 6-40 distance of 72.53 feet;
 6-41 21) North 88 Degrees 51 Minutes 59 Seconds West, a
 6-42 distance of 68.44 feet;
 6-43 22) North 64 Degrees 05 Minutes 26 Seconds West, a
 6-44 distance of 114.39 feet;
 6-45 23) North 71 Degrees 33 Minutes 04 Seconds West, a
 6-46 distance of 103.48 feet;
 6-47 24) North 76 Degrees 15 Minutes 50 Seconds West, a
 6-48 distance of 103.87 feet;
 6-49 25) North 73 Degrees 28 Minutes 22 Seconds West, a
 6-50 distance of 104.56 feet;
 6-51 26) North 81 Degrees 02 Minutes 43 Seconds West, a
 6-52 distance of 90.53 feet;
 6-53 27) North 83 Degrees 54 Minutes 04 Seconds West, a
 6-54 distance of 58.82 feet;
 6-55 28) North 78 Degrees 20 Minutes 21 Seconds West, a
 6-56 distance of 58.65 feet;
 6-57 29) North 76 Degrees 33 Minutes 35 Seconds West, a
 6-58 distance of 145.88 feet;
 6-59 30) North 68 Degrees 50 Minutes 05 Seconds West, a
 6-60 distance of 103.05 feet;
 6-61 31) South 84 Degrees 44 Minutes 17 Seconds West, a
 6-62 distance of 105.88 feet;
 6-63 32) South 88 Degrees 03 Minutes 24 Seconds West, a
 6-64 distance of 183.85 feet;
 6-65 33) South 88 Degrees 18 Minutes 37 Seconds West, a
 6-66 distance of 67.90 feet;
 6-67 34) South 83 Degrees 52 Minutes 15 Seconds West, a
 6-68 distance of 94.33 feet;
 6-69 35) South 78 Degrees 45 Minutes 34 Seconds West, a

7-1 distance of 185.77 feet;
 7-2 36) South 68 Degrees 52 Minutes 14 Seconds West, a
 7-3 distance of 96.12 feet;
 7-4 37) South 89 Degrees 42 Minutes 53 Seconds West, a
 7-5 distance of 114.36 feet;
 7-6 38) South 69 Degrees 18 Minutes 57 Seconds West, a
 7-7 distance of 182.63 feet;
 7-8 39) South 65 Degrees 05 Minutes 47 Seconds West, a
 7-9 distance of 131.79 feet;
 7-10 40) South 67 Degrees 49 Minutes 48 Seconds West, a
 7-11 distance of 118.11 feet;
 7-12 41) South 67 Degrees 30 Minutes 43 Seconds West, a
 7-13 distance of 78.96 feet;
 7-14 42) South 65 Degrees 36 Minutes 02 Seconds West, a
 7-15 distance of 107.52 feet;
 7-16 43) South 63 Degrees 46 Minutes 55 Seconds West, a
 7-17 distance of 95.81 feet;
 7-18 44) South 66 Degrees 23 Minutes 06 Seconds West, a
 7-19 distance of 90.69 feet;
 7-20 45) South 65 Degrees 35 Minutes 24 Seconds West, a
 7-21 distance of 154.98 feet;
 7-22 46) South 70 Degrees 11 Minutes 48 Seconds West, a
 7-23 distance of 137.88 feet;
 7-24 47) South 68 Degrees 16 Minutes 20 Seconds West, a
 7-25 distance of 134.82 feet;
 7-26 48) South 73 Degrees 02 Minutes 10 Seconds West, a
 7-27 distance of 58.11 feet;
 7-28 49) South 87 Degrees 44 Minutes 52 Seconds West, a
 7-29 distance of 67.81 feet;
 7-30 50) South 64 Degrees 43 Minutes 04 Seconds West, a
 7-31 distance of 177.66 feet;
 7-32 51) South 72 Degrees 04 Minutes 22 Seconds West, at
 7-33 69.77 feet pass the southeast corner of said 2086.441 acre tract and
 7-34 the southwest corner of said 347.750 acre tract, and continue, a
 7-35 distance of 83.18 feet;
 7-36 52) South 73 Degrees 00 Minutes 42 Seconds West, a
 7-37 distance of 117.01 feet;
 7-38 53) South 72 Degrees 17 Minutes 35 Seconds West, a
 7-39 distance of 92.37 feet;
 7-40 54) South 74 Degrees 11 Minutes 33 Seconds West, a
 7-41 distance of 108.18 feet;
 7-42 55) South 79 Degrees 35 Minutes 08 Seconds West, a
 7-43 distance of 78.91 feet;
 7-44 56) South 75 Degrees 45 Minutes 12 Seconds West, a
 7-45 distance of 102.58 feet;
 7-46 57) South 77 Degrees 55 Minutes 50 Seconds West, a
 7-47 distance of 80.73 feet;
 7-48 58) South 82 Degrees 28 Minutes 28 Seconds West, a
 7-49 distance of 71.66 feet;
 7-50 59) South 81 Degrees 17 Minutes 42 Seconds West, a
 7-51 distance of 109.60 feet;
 7-52 60) North 83 Degrees 14 Minutes 34 Seconds West, a
 7-53 distance of 106.79 feet;
 7-54 61) North 86 Degrees 49 Minutes 24 Seconds West, a
 7-55 distance of 410.41 feet;
 7-56 62) South 79 Degrees 58 Minutes 36 Seconds West, a
 7-57 distance of 109.74 feet;
 7-58 63) South 68 Degrees 32 Minutes 22 Seconds West, a
 7-59 distance of 95.21 feet;
 7-60 64) South 71 Degrees 53 Minutes 23 Seconds West, a
 7-61 distance of 129.93 feet;
 7-62 65) South 68 Degrees 57 Minutes 45 Seconds West, a
 7-63 distance of 82.76 feet;
 7-64 66) South 72 Degrees 17 Minutes 01 Second West, a
 7-65 distance of 97.06 feet;
 7-66 67) South 69 Degrees 59 Minutes 14 Seconds West, a
 7-67 distance of 102.77 feet;
 7-68 68) South 64 Degrees 30 Minutes 13 Seconds West, a
 7-69 distance of 57.73 feet;

8-1 69) South 69 Degrees 58 Minutes 22 Seconds West, a
 8-2 distance of 93.93 feet;
 8-3 70) South 69 Degrees 12 Minutes 15 Seconds West, a
 8-4 distance of 70.45 feet;
 8-5 71) South 64 Degrees 35 Minutes 58 Seconds West, a
 8-6 distance of 59.79 feet;
 8-7 72) South 64 Degrees 44 Minutes 57 Seconds West, a
 8-8 distance of 59.16 feet;
 8-9 73) South 60 Degrees 13 Minutes 56 Seconds West, a
 8-10 distance of 252.86 feet;
 8-11 74) South 64 Degrees 10 Minutes 28 Seconds West, a
 8-12 distance of 62.59 feet;
 8-13 75) South 65 Degrees 06 Minutes 39 Seconds West, a
 8-14 distance of 91.82 feet;
 8-15 76) South 59 Degrees 53 Minutes 47 Seconds West, a
 8-16 distance of 163.90 feet;
 8-17 77) South 54 Degrees 16 Minutes 56 Seconds West, a
 8-18 distance of 74.01 feet;
 8-19 78) South 61 Degrees 44 Minutes 05 Seconds West, a
 8-20 distance of 60.82 feet;
 8-21 79) South 64 Degrees 41 Minutes 37 Seconds West, a
 8-22 distance of 111.39 feet;
 8-23 80) South 66 Degrees 07 Minutes 21 Seconds West, a
 8-24 distance of 98.40 feet;
 8-25 81) South 57 Degrees 41 Minutes 49 Seconds West, a
 8-26 distance of 68.10 feet;
 8-27 82) South 47 Degrees 45 Minutes 02 Seconds West, a
 8-28 distance of 170.94 feet;
 8-29 83) South 35 Degrees 08 Minutes 27 Seconds West, a
 8-30 distance of 103.10 feet;
 8-31 84) South 24 Degrees 52 Minutes 57 Seconds West, a
 8-32 distance of 90.42 feet;
 8-33 85) South 22 Degrees 05 Minutes 54 Seconds West, a
 8-34 distance of 76.13 feet;
 8-35 86) South 25 Degrees 51 Minutes 39 Seconds West, a
 8-36 distance of 122.93 feet;
 8-37 87) South 41 Degrees 59 Minutes 34 Seconds West, a
 8-38 distance of 113.29 feet;
 8-39 88) South 34 Degrees 52 Minutes 05 Seconds West, a
 8-40 distance of 131.64 feet;
 8-41 89) South 31 Degrees 35 Minutes 15 Seconds West, a
 8-42 distance of 151.54 feet;
 8-43 90) South 43 Degrees 25 Minutes 49 Seconds West, a
 8-44 distance of 56.67 feet;
 8-45 91) South 52 Degrees 48 Minutes 42 Seconds West, a
 8-46 distance of 70.82 feet;
 8-47 92) South 63 Degrees 40 Minutes 47 Seconds West, a
 8-48 distance of 73.57 feet;
 8-49 93) South 72 Degrees 43 Minutes 32 Seconds West, a
 8-50 distance of 68.14 feet;
 8-51 94) South 82 Degrees 33 Minutes 04 Seconds West, a
 8-52 distance of 68.37 feet;
 8-53 95) South 86 Degrees 13 Minutes 24 Seconds West, a
 8-54 distance of 82.31 feet;
 8-55 96) South 89 Degrees 05 Minutes 31 Seconds West, a
 8-56 distance of 140.91 feet;
 8-57 97) North 73 Degrees 28 Minutes 38 Seconds West, a
 8-58 distance of 122.17 feet;
 8-59 98) North 62 Degrees 37 Minutes 33 Seconds West, a
 8-60 distance of 93.38 feet;
 8-61 99) North 71 Degrees 03 Minutes 25 Seconds West, a
 8-62 distance of 140.97 feet;
 8-63 100) North 23 Degrees 11 Minutes 48 Seconds West, a
 8-64 distance of 72.02 feet;
 8-65 101) North 10 Degrees 48 Minutes 54 Seconds West, a
 8-66 distance of 100.46 feet;
 8-67 102) North 36 Degrees 54 Minutes 49 Seconds West, a
 8-68 distance of 77.90 feet;
 8-69 103) North 30 Degrees 44 Minutes 55 Seconds West, a

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

9-22 THENCE, departing the north high bank of Spring Creek,
 9-23 through and across said 2,086.441 acre tract, and with the west line
 9-24 of said City of Houston City Limit Line, the following two (2)
 9-25 courses:

9-26 1) North 02 Degrees 47 Minutes 12 Seconds West, a
 9-27 distance of 3,425.25 feet to an angle point;
 9-28 2) North 02 Degree 47 Minutes 24 Seconds West, a
 9-29 distance of 1,365.81 feet to an exterior corner of said City of
 9-30 Houston City Limit line and the northwest corner of the herein
 9-31 described tract;

9-32 THENCE, continuing through and across said 2,086.441 acre
 9-33 tract and with a north line of said City of Houston City Limit Line
 9-34 and the north line of the herein described tract, the following
 9-35 three (3) courses:

9-36 1) North 88 Degrees 42 Minutes 54 Seconds East, a
 9-37 distance of 5,691.72 feet to an angle point;
 9-38 2) North 87 Degrees 57 Minutes 42 Seconds East, a
 9-39 distance of 6.34 feet to an angle point;
 9-40 3) North 88 Degrees 08 Minutes 36 Seconds East, a
 9-41 distance of 1,430.41 feet to the intersection of the north line of
 9-42 said City of Houston City Limit Line with the west bank of the west
 9-43 fork of the San Jacinto River;

9-44 THENCE, southerly, with the meanders of the west bank of the
 9-45 West Fork of the San Jacinto River, the following three (3) courses:

9-46 1) South 24 Degrees 34 Minutes 53 Seconds West, a
 9-47 distance of 88.11 feet;
 9-48 2) South 17 Degrees 20 Minutes 07 Seconds West, a
 9-49 distance of 78.44 feet;

9-50 3) South 13 Degrees 34 Minutes 14 Seconds West, a
 9-51 distance of 118.21 feet to the POINT OF BEGINNING and containing
 9-52 875.426 acres (gross) (38,133,574 square feet) of land, SAVE AND
 9-53 EXCEPT said call 14.9 acres described in a deed to the City of
 9-54 Houston in Volume 287, Page 22, of the M.C.D.R., resulting in a net
 9-55 acreage of 860.526 Acres (37,484,513 square feet) of land.

9-56 SECTION 3. (a) The legal notice of the intention to
 9-57 introduce this Act, setting forth the general substance of this
 9-58 Act, has been published as provided by law, and the notice and a
 9-59 copy of this Act have been furnished to all persons, agencies,
 9-60 officials, or entities to which they are required to be furnished
 9-61 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 9-62 Government Code.

9-63 (b) The governor, one of the required recipients, has
 9-64 submitted the notice and Act to the Texas Commission on
 9-65 Environmental Quality.

9-66 (c) The Texas Commission on Environmental Quality has filed
 9-67 its recommendations relating to this Act with the governor, the
 9-68 lieutenant governor, and the speaker of the house of
 9-69 representatives within the required time.

10-1 (d) All requirements of the constitution and laws of this
10-2 state and the rules and procedures of the legislature with respect
10-3 to the notice, introduction, and passage of this Act are fulfilled
10-4 and accomplished.

10-5 SECTION 4. This Act takes effect immediately if it receives
10-6 a vote of two-thirds of all the members elected to each house, as
10-7 provided by Section 39, Article III, Texas Constitution. If this
10-8 Act does not receive the vote necessary for immediate effect, this
10-9 Act takes effect September 1, 2009.

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