By: Williams S.B. No. 2486

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Montgomery County Water Control and Improvement District No. 3; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

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

SECTION 1. Subtitle I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9040 to read as follows:

CHAPTER 9040. MONTGOMERY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 3

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9040.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Montgomery County Water Control and Improvement District No. 3.

Sec. 9040.002. NATURE OF DISTRICT. The district is a water control and improvement district created under Section 59, Article XVI, Texas Constitution.

Sec. 9040.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 9040.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 9040.003

until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 9040.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

(b) The district is created to accomplish the purposes of a water control and improvement district as provided by general law and Section 59, Article XVI, Texas Constitution.

Sec. 9040.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act creating this chapter.

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

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

[Sections 9040.007-9040.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 9040.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 9040.052, directors serve

staggered four-year terms.

Sec. 9040.052. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act creating this chapter, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the Texas Commission on Environmental Quality requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 9040.003; or

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

(c) If permanent directors have not been elected under Section 9040.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 9040.003; or

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

(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the Texas Commission on Environmental Quality requesting that the commission appoint as successor

temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

[Sections 9040.053-9040.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

Sec. 9040.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 9040.102. WATER CONTROL AND IMPROVEMENT DISTRICT POWERS AND DUTIES. (a) The district has the powers and duties provided by the general law of this state, including Chapters 49 and 51, Water Code, applicable to water control and improvement districts created under Section 59, Article XVI, Texas Constitution.

(b) The powers and duties authorized under Subsection (a) shall specifically include the powers authorized under Subchapter H, Chapter 51, Water Code.

Sec. 9040.103. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 42.042 or 42.0425, Local Government Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 9040.104. LIMITATION ON USE OF EMINENT DOMAIN. The district may not exercise the power of eminent domain outside the district to acquire a site or easement for a recreational facility as defined by Section 49.462, Water Code.

[Sections 9040.105-9040.150 reserved for expansion]

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 9040.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 9040.153.

(b) The district must hold an election in the manner provided by Chapters 49 and 51, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

Sec. 9040.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 9040.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 9040.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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

[Sections 9040.154-9040.200 reserved for expansion]

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 9040.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 9040.202. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Chapter 51, Water Code.

Sec. 9040.203. BONDS FOR RECREATIONAL FACILITIES. (a) The district may develop recreational facilities and issue bonds for the facilities under Chapter 49, Water Code, notwithstanding any overlap of the district's territory with the territory of one or more political subdivisions authorized to develop recreational facilities and issue bonds under Chapter 49, Water Code.

(b) The authority of the district to develop recreational facilities and issue bonds under this section does not limit the authority of any other political subdivision whose territory the territory of the district may overlap, wholly or partly, to develop recreational facilities and issue bonds under Chapter 49, Water Code.

SECTION 2. The Montgomery County Water Control and Improvement District No. 3 initially includes all the territory

contained in the following area:

TRACT 1:

All that certain 735.094 acre (32,020,707 Square Feet) parcel of land situated in the Joseph A. Parker Survey, Abstract Number 418, in Montgomery County, Texas, and being out of and a portion of that certain call 2,086.441 acre tract of land described in a Warranty Deed to Pacific Indio Properties, Inc., in Clerk's File Number 2005-116793 of the Official Public Records of Real Property at Montgomery County, Texas (O.P.R.R.P.M.C.T.), and out of and a portion of that certain call 877.775 acre tract of land as described in a Warranty Deed to Pacific Indio Properties, Inc., in Clerk's File Number 2005-116796 of the O.P.R.R.P.M.C.T., said 735.094 tract being more particularly described by metes and bounds as follows: (All bearings are referenced to the Texas State Plane Coordinate System, South Central Zone)

COMMENCING at a 5/8-inch iron rod with plastic cap stamped "BENCHMARK ENGR." found in the southerly line of said 877.775 acre tract for the upper northeast corner of said 2,086.441 acre tract and the northwest corner of that certain call 435.784 acre tract described in a Warranty Deed to Pacific Indio Properties, Inc., in Clerk's File Number 2005-116798 of the O.P.R.R.P.M.C.T.;

THENCE, with the southerly line of said 877.775 acre tract and the northerly line of said 2,086.441 acre tract, South 56 Degrees 46 Minutes 11 Seconds West, a distance of 5,077.32 feet to the intersection of the northerly line of said 2,086.441 acre tract with the northerly line of the of the herein described tract for the POINT OF BEGINNING;

THENCE, through and across said 2,086.441 acre tract and with the northerly line of the herein described tract, North 90 Degrees 00 Minutes 00 Seconds East, a distance of 3,323.25 feet to the intersection of the northerly line of the herein described tract with the westerly right-of-way of proposed Townsen Road (100 feet wide) for the upper northeast corner of the herein described tract;

THENCE, continuing through and across said 2,086.441 acre tract, and with the westerly R.O.W. line of said proposed Townsen Road, the following three (3) courses:

1) 1,137.04 feet along the arc of a curve to the left having a radius of 2,050.00 feet, a central angle of 31 Degrees 46 Minutes 45 Seconds, and a chord that bears South 33 Degrees 17 Minutes 04 Seconds East, a distance of 1,122.52 feet;

2) South 49 Degrees 10 Minutes 27 Seconds East, a distance of 805.47 feet to the beginning of a curve to the right;

3) 781.30 feet along the arc of said curve to the right having a radius of 2,950.00 feet, a central angle of 15 Degrees 10 Minutes 28 Seconds, and a chord that bears South 41 Degrees 35 Minutes 12 Seconds East, a distance of 779.02 feet to the intersection of the westerly R.O.W. of said proposed Townsen Road with a west line of the he City of Houston City Limits, as prepared by the City of Houston Geographic Information System Office and made available to the public in Release 12, dated June 2006 for the lower northeast corner of the herein described tract;

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

1) South 02 Degrees 47 Minutes 24 Seconds East, a distance of 1,313.89 feet to an angle point;

2) South 02 Degrees 47 Minutes 12 Seconds East, a distance of 3,425.25 feet to the intersection of the west City of Houston City Limit Line with the north bank of Spring Creek;

THENCE, with the meanders of the north and east bank of Spring Creek, the following one hundred eight (108) courses:

1) North 49 Degrees 05 Minutes 53 Seconds West, a distance of 19.99 feet:

2) North 57 Degrees 20 Minutes 48 Seconds West, a distance of 135.77 feet;

3) North 62 Degrees 25 Minutes 32 Seconds West, a distance of 137.51 feet;

4) North 65 Degrees 43 Minutes 11 Seconds West, a distance of 84.57 feet;

5) North 64 Degrees 48 Minutes 29 Seconds West, a distance of 137.90 feet;

6) North 58 Degrees 37 Minutes 43 Seconds West, a distance of 176.05 feet;

7) North 60 Degrees 41 Minutes 48 Seconds West, a distance of 117.33 feet;

8) North 56 Degrees 46 Minutes 25 Seconds West, a distance of 77.06 feet;

9) North 55 Degrees 51 Minutes 52 Seconds West, a distance of 101.56 feet;

10) North 56 Degrees 09 Minutes 58 Seconds West, a distance of 155.42 feet;

11) North 65 Degrees 48 Minutes 53 Seconds West, a distance of 74.18 feet;

12) North 58 Degrees 45 Minutes 09 Seconds West, a distance of 107.02 feet;

13) North 67 Degrees 56 Minutes 47 Seconds West, a distance of 60.93 feet;

14) North 67 Degrees 02 Minutes 03 Seconds West, a distance of 71.72 feet;

15) North 72 Degrees 24 Minutes 16 Seconds West, a distance of 68.26 feet;

16) North 76 Degrees 27 Minutes 38 Seconds West, a distance of 61.13 feet;

17) North 77 Degrees 37 Minutes 24 Seconds West, a distance of 58.17 feet;

18) North 81 Degrees 12 Minutes 43 Seconds West, a distance of 61.49 feet;

19) North 76 Degrees 14 Minutes 05 Seconds West, a distance of 75.16 feet;

20) North 76 Degrees 21 Minutes 11 Seconds West, a distance of 49.48 feet;

21) North 69 Degrees 36 Minutes 09 Seconds West, a distance of 37.50 feet;

22) North 43 Degrees 21 Minutes 14 Seconds West, a distance of 54.11 feet;

23) North 50 Degrees 23 Minutes 53 Seconds West, a distance of 33.81 feet;

24) North 51 Degrees 23 Minutes 51 Seconds West, a distance

of 61.36 feet;

25) North 63 Degrees 35 Minutes 38 Seconds West, a distance of 90.19 feet;

26) North 67 Degrees 47 Minutes 52 Seconds West, a distance of 100.45 feet;

27) North 68 Degrees 11 Minutes 20 Seconds West, a distance of 108.69 feet;

28) North 73 Degrees 13 Minutes 32 Seconds West, a distance of 117.05 feet;

29) North 70 Degrees 00 Minutes 22 Seconds West, a distance of 151.55 feet;

30) North 78 Degrees 02 Minutes 09 Seconds West, a distance of 103.31 feet;

31) South 87 Degrees 00 Minutes 49 Seconds West, a distance of 83.97 feet;

32) North 87 Degrees 56 Minutes 37 Seconds West, a distance of 88.95 feet;

33) South 81 Degrees 04 Minutes 57 Seconds West, a distance of 106.98 feet;

34) South 68 Degrees 37 Minutes 37 Seconds West, a distance of 93.90 feet;

35) South 60 Degrees 46 Minutes 32 Seconds West, a distance of 87.27 feet;

36) South 56 Degrees 50 Minutes 14 Seconds West, a distance of 145.92 feet;

37) South 43 Degrees 19 Minutes 52 Seconds West, a distance of 129.53 feet;

38) South 11 Degrees 41 Minutes 16 Seconds West, a distance of 63.73 feet;

39) South 14 Degrees 06 Minutes 39 Seconds West, a distance of 35.47 feet;

40) South 11 Degrees 31 Minutes 36 Seconds West, a distance of 135.92 feet;

41) South 07 Degrees 33 Minutes 39 Seconds West, a distance of 173.98 feet;

42) South 16 Degrees 35 Minutes 36 Seconds West, a distance of 202.30 feet;

43) South 20 Degrees 46 Minutes 19 Seconds West, a distance of 60.02 feet;

44) South 13 Degrees 41 Minutes 13 Seconds West, a distance of 69.86 feet;

45) South 11 Degrees 54 Minutes 31 Seconds West, a distance of 90.00 feet;

46) South 41 Degrees 05 Minutes 52 Seconds West, a distance of 105.79 feet;

47) South 44 Degrees 29 Minutes 50 Seconds West, a distance of 144.95 feet;

48) South 70 Degrees 17 Minutes 01 Second West, a distance of 86.14 feet;

49) South 80 Degrees 22 Minutes 04 Seconds West, a distance of 72.00 feet;

50) South 83 Degrees 55 Minutes 32 Seconds West, a distance of 55.78 feet;

51) North 62 Degrees 32 Minutes 12 Seconds West, a distance

of 55.35 feet;

52) North 46 Degrees 07 Minutes 56 Seconds West, a distance of 50.63 feet;

53) North 60 Degrees 53 Minutes 30 Seconds West, a distance of 91.05 feet;

54) North 43 Degrees 48 Minutes 09 Seconds West, a distance of 68.28 feet;

55) North 38 Degrees 31 Minutes 17 Seconds West, a distance of 94.63 feet;

56) North 36 Degrees 31 Minutes 53 Seconds West, a distance of 129.74 feet;

57) North 33 Degrees 10 Minutes 58 Seconds West, a distance of 149.99 feet;

58) North 39 Degrees 11 Minutes 59 Seconds West, a distance of 148.77 feet;

59) North 46 Degrees 30 Minutes 43 Seconds West, a distance of 132.39 feet;

60) North 50 Degrees 47 Minutes 36 Seconds West, a distance of 128.98 feet;

61) North 57 Degrees 41 Minutes 23 Seconds West, a distance of 116.30 feet;

62) North 59 Degrees 09 Minutes 40 Seconds West, a distance of 109.25 feet;

63) North 63 Degrees 32 Minutes 05 Seconds West, a distance of 107.54 feet;

64) North 68 Degrees 17 Minutes 10 Seconds West, a distance of 93.47 feet;

65) North 47 Degrees 28 Minutes 49 Seconds West, a distance of 157.27 feet;

66) North 63 Degrees 12 Minutes 00 Seconds West, a distance of 197.97 feet;

67) South 87 Degrees 59 Minutes 56 Seconds West, a distance of 253.67 feet;

68) North 88 Degrees 56 Minutes 41 Seconds West, a distance of 205.97 feet;

69) North 51 Degrees 29 Minutes 07 Seconds West, a distance of 198.79 feet;

70) North 39 Degrees 26 Minutes 04 Seconds West, a distance of 161.54 feet;

71) North 29 Degrees 31 Minutes 37 Seconds West, a distance of 191.59 feet;

72) North 26 Degrees 12 Minutes 58 Seconds West, a distance of 158.00 feet;

73) North 26 Degrees 53 Minutes 05 Seconds West, a distance of 130.95 feet;

74) North 15 Degrees 30 Minutes 53 Seconds West, a distance of 156.75 feet;

75) North 10 Degrees 25 Minutes 12 Seconds West, a distance of 244.97 feet;

76) North 00 Degrees 33 Minutes 19 Seconds East, a distance of 352.07 feet;

77) North 02 Degrees 25 Minutes 41 Seconds East, a distance of 187.85 feet;

78) North 03 Degrees 05 Minutes 08 Seconds East, a distance

of 202.17 feet;

79) North 07 Degrees 15 Minutes 30 Seconds East, a distance of 183.96 feet;

80) North 09 Degrees 11 Minutes 15 Seconds East, a distance of 181.92 feet;

81) North 14 Degrees 16 Minutes 58 Seconds East, a distance of 185.88 feet;

82) North 19 Degrees 53 Minutes 49 Seconds East, a distance of 146.95 feet;

83) North 07 Degrees 51 Minutes 38 Seconds East, a distance of 198.72 feet;

84) North 14 Degrees 47 Minutes 18 Seconds East, a distance of 190.46 feet;

85) North 09 Degrees 25 Minutes 46 Seconds East, a distance of 201.96 feet;

86) North 23 Degrees 08 Minutes 43 Seconds East, a distance of 163.58 feet;

87) North 26 Degrees 59 Minutes 51 Seconds East, a distance of 103.85 feet;

88) North 61 Degrees 15 Minutes 09 Seconds East, a distance of 197.16 feet;

89) North 52 Degrees 56 Minutes 56 Seconds East, a distance of 175.88 feet;

90) North 50 Degrees 29 Minutes 41 Seconds East, a distance of 191.99 feet;

91) North 48 Degrees 50 Minutes 23 Seconds East, a distance of 166.90 feet;

92) North 23 Degrees 13 Minutes 09 Seconds East, a distance of 171.31 feet;

93) North 12 Degrees 23 Minutes 15 Seconds East, a distance of 208.72 feet;

94) North 04 Degrees 25 Minutes 08 Seconds West, a distance of 182.71 feet;

95) North 12 Degrees 31 Minutes 27 Seconds West, a distance of 142.73 feet;

96) North 21 Degrees 11 Minutes 58 Seconds West, a distance of 123.87 feet;

97) North 33 Degrees 29 Minutes 34 Seconds West, a distance of 103.15 feet;

98) North 59 Degrees 45 Minutes 36 Seconds West, a distance of 174.32 feet;

99) North 46 Degrees 47 Minutes 40 Seconds West, a distance of 143.33 feet;

100) North 45 Degrees 52 Minutes 37 Seconds West, a distance of 209.78 feet;

101) North 50 Degrees 35 Minutes 13 Seconds West, a distance of 160.08 feet;

102) North 50 Degrees 56 Minutes 49 Seconds West, a distance of 194.50 feet;

103) North 51 Degrees 36 Minutes 47 Seconds West, a distance of 190.95 feet;

104) North 42 Degrees 40 Minutes 45 Seconds West, at 82.74 feet pass the northwest corner of said 2,086.441 acre tract and the southwest corner of said 877.775 acre tract, and continue, a

distance of 170.71 feet;

105) North 34 Degrees 11 Minutes 22 Seconds West, a distance of 120.56 feet;

106) North 24 Degrees 33 Minutes 24 Seconds West, a distance of 115.82 feet;

107) North 14 Degrees 29 Minutes 23 Seconds West, a distance of 106.78 feet;

108) North 07 Degrees 36 Minutes 39 Seconds West, a distance of 76.06 feet to northeast corner of the herein described tract;

THENCE, through and across said 877.775 acre tract and with the northerly line of the herein described tract, North 90 Degrees 00 Minutes 00 Seconds East, a distance of 896.92 to the POINT OF BEGINNING and containing 735.094 acres (32,020,707 square feet) of land.

TRACT 2

All that certain 676.356 acre (29,462,071 Square Feet) parcel of land situated in the Joseph A. Parker Survey, Abstract Number 418, in Montgomery County, Texas, and being out of and a portion of that certain call 2,086.441 acre tract of land described in a Warranty Deed to Pacific Indio Properties, Inc., in Clerk's File Number 2005-116793 of the Official Public Records of Real Property at Montgomery County Texas (O.P.R.R.P.M.C.T.), out of and a portion of that certain call 877.775 acre tract of land as described in a Warranty Deed to Pacific Indio Properties, Inc., in Clerk's File Number 2005-116796 of the O.P.R.R.P.M.C.T., and out of and a portion of that certain 435.784 acre tract of land described in a Warranty Deed to Pacific Indio Properties, Inc., in Clerk's File

Number 2005-116798 of the O.P.R.R.P.M.C.T., said 676.356 tract being more particularly described by metes and bounds as follows: (All bearings are referenced to the Texas State Plane Coordinate System, South Central Zone)

COMMENCING at a 5/8-inch iron rod with plastic cap stamped "BENCHMARK ENGR." found in the southerly line of said 877.775 acre tract for the upper northeast corner of said 2,086.441 acre tract and the northwest corner of said 435.784 acre tract;

THENCE, with the southerly line of said 877.775 acre tract and the northerly line of said 435.784 acre tract, North 56 Degrees 46 Minutes 11 Seconds East, a distance of 216.03 feet to the intersection of the northerly line of said 435.784 acre tract with the southeasterly line of a proposed 100 foot wide right-of-way (R.O.W.) for the POINT OF BEGINNING of the herein described tract;

THENCE, with the southeasterly line of said proposed 100 foot wide R.O.W., the following three (3) courses:

4) South 49 Degrees 02 Minutes 17 Seconds East, a distance of 2,530.65 feet to the beginning of a curve to the left;

5) 2,871.92 feet along the arc of said curve to the left having a radius of 3,050.00 feet, a central angle of 53 Degrees 57 Minutes 02 Seconds, and a chord that bears South 76 Degrees 00 Minutes 47 Seconds East, a distance of 2,766.99 feet;

6) North 77 Degrees 00 Minutes 42 Seconds East, a distance of 2,590.10 feet to the intersection of the southeasterly R.O.W. line of said proposed 100 foot wide R.O.W. with the west bank of the West Fork of the San Jacinto River for the northeast corner of the herein described tract;

THENCE, southerly, with the meanders of the west bank of the west Fork of the San Jacinto River, the following thirty five (35) courses:

1) South 20 Degrees 54 Minutes 34 Seconds East, a distance of 90.07 feet;

2) South 15 Degrees 10 Minutes 46 Seconds East, a distance of 94.85 feet;

3) South 05 Degrees 11 Minutes 27 Seconds East, a distance of 138.40 feet;

4) South 13 Degrees 20 Minutes 15 Seconds East, a distance of 106.90 feet;

5) South 17 Degrees 02 Minutes 24 Seconds East, a distance of 184.74 feet;

6) South 18 Degrees 31 Minutes 37 Seconds East, a distance of 72.83 feet;

7) South 21 Degrees 18 Minutes 30 Seconds East, a distance of 96.94 feet;

8) South 20 Degrees 27 Minutes 25 Seconds East, a distance of 135.53 feet;

9) South 23 Degrees 48 Minutes 02 Seconds East, a distance of 89.22 feet;

10) South 31 Degrees 48 Minutes 44 Seconds East, a distance of 155.41 feet;

11) South 51 Degrees 54 Minutes 43 Seconds East, a distance of 87.30 feet;

12) South 49 Degrees 45 Minutes 54 Seconds East, a distance of 86.80 feet;

13) South 54 Degrees 16 Minutes 12 Seconds East, a distance of 124.37 feet;

14) South 70 Degrees 16 Minutes 35 Seconds East, a distance of 118.51 feet;

15) South 75 Degrees 03 Minutes 39 Seconds East, a distance of 159.40 feet;

16) South 65 Degrees 46 Minutes 25 Seconds East, a distance of 191.57 feet;

17) South 49 Degrees 33 Minutes 59 Seconds East, a distance of 76.96 feet;

18) South 46 Degrees 37 Minutes 26 Seconds East, a distance of 78.69 feet;

19) South 41 Degrees 30 Minutes 29 Seconds East, a distance of 87.46 feet;

20) South 38 Degrees 14 Minutes 33 Seconds East, a distance of 117.42 feet;

21) South 28 Degrees 14 Minutes 23 Seconds East, a distance of 68.75 feet;

22) South 25 Degrees 30 Minutes 55 Seconds East, a distance of 78.09 feet;

23) South 17 Degrees 53 Minutes 26 Seconds East, a distance of 73.60 feet;

24) South 02 Degrees 04 Minutes 27 Seconds East, a distance of 65.61 feet;

25) South 16 Degrees 40 Minutes 41 Seconds West, a distance of 54.58 feet;

26) South 24 Degrees 40 Minutes 20 Seconds West, a distance

of 175.36 feet;

27) South 34 Degrees 59 Minutes 05 Seconds West, a distance of 91.48 feet;

28) South 41 Degrees 19 Minutes 30 Seconds West, a distance of 97.55 feet;

29) South 34 Degrees 13 Minutes 57 Seconds West, a distance of 80.78 feet;

30) South 40 Degrees 11 Minutes 16 Seconds West, a distance of 126.37 feet;

31) South 40 Degrees 02 Minutes 09 Seconds West, a distance of 106.90 feet;

32) South 38 Degrees 22 Minutes 31 Seconds West, a distance of 124.90 feet;

33) South 44 Degrees 29 Minutes 56 Seconds West, a distance of 171.72 feet;

34) South 38 Degrees 00 Minutes 29 Seconds West, a distance of 230.93 feet;

35) South 24 Degrees 34 Minutes 53 Seconds West, a distance of 5.05 feet to the intersection of the west bank of the west fork of the San Jacinto River with a northerly line of the City of Houston City Limits, as prepared by the City of Houston Geographic Information System Office and made available to the public in Release 12, dated June 2006;

THENCE, departing the meanders of the west bank of the west Fork of the San Jacinto River, through and across said 2,086.441 acre tract, and with said northerly City of Houston City Limit Line, the following three (3) courses:

3) South 88 Degrees 08 Minutes 36 Seconds West, a distance of 1,430.41 feet to an angle point;

4) South 87 Degrees 57 Minutes 42 Seconds West, a distance of 6.34 feet to an angle point;

5) South 88 Degrees 42 Minutes 54 Seconds West, a distance of 5,604.84 feet to the intersection of said City of Houston City Limit Line with the easterly R.O.W. line of proposed Townsen Road (100 foot wide) for the southwest corner of the herein described tract;

THENCE, continuing through and across said 2,086.441 acre tract and said 877.775 acre tract, respectively, and with the with the easterly R.O.W. line of said proposed Townsen Road, the following eight (8) courses;

1) 810.33 feet along the arc of a curve to the left having a radius of 3,050.00 feet, a central angle of 15 Degrees 13 Minutes 21 Seconds, and a chord that bears North 41 Degrees 33 Minutes 46 Seconds West, a distance of 807.95 feet;

2) North 49 Degrees 10 Minutes 27 Seconds West, a distance of 805.47 feet to the beginning of a curve to the right;

3) 1,543.71 feet along the arc of said curve to the right having a radius of 1,950.00 feet, a central angle of 45 Degrees 21 Minutes 29 Seconds, and a chord that bears North 26 Degrees 29 Minutes 42 Seconds West, a distance of 1,503.72 feet;

4) North 03 Degrees 48 Minutes 58 Seconds West, a distance of 458.87 feet to the beginning of a curve to the left;

5) 1,157.93 feet along the arc of said curve to the left having a radius of 2,050.00 feet, a central angle of 32 Degrees 21

Minutes 47 Seconds, and a chord that bears North 19 Degrees 59 Minutes 51 Seconds West, a distance of 1,142.60 feet;

6) North 36 Degrees 10 Minutes 45 Seconds West, a distance of 425.92 feet to the beginning of a curve to the right;

7) 1,254.73 feet along the arc of said curve to the right having a radius of 1,950.00 feet, a central angle of 36 Degrees 52 Minutes 01 Second, and a chord that bears North 17 Degrees 44 Minutes 44 Seconds West, a distance of 1,233.19 feet;

8) North 00 Degrees 41 Minutes 16 Seconds East, a distance of 200.00 feet to the intersection of easterly R.O.W. line of said proposed Townsen Road with the southerly R.O.W. line of a said proposed 100 foot wide R.O.W. for the north corner of the herein described tract;

THENCE, with the southerly and southeasterly R.O.W. line of said proposed 100 foot wide R.O.W, the following three (3) courses:

1) South 89 Degrees 18 Minutes 44 Seconds East, a distance of 116.49 feet to the beginning of a curve to the right;

2) 2,073.61 feet along the arc of said curve to the right having a radius of 2,950.00 feet, a central angle of 40 Degrees 16 Minutes 27 Seconds, and a chord that bears South 69 Degrees 10 Minutes 30 Seconds East, a distance of 2,031.18 feet;

3) South 49 Degrees 02 Minutes 17 Seconds East, a distance of 165.70 feet to the POINT OF BEGINNING and containing 676.356 acres (29,462,071 square feet) of land.

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a

copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

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

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

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

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