

1-1 By: Williams S.B. No. 2512
1-2 (In the Senate - Filed April 8, 2009; April 14, 2009, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; May 1, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 3, Nays 0;
1-6 May 1, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 2512 By: Nichols

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the creation of the Chambers County Improvement
1-11 District No. 3; granting road powers; providing authority to impose
1-12 a tax and issue bonds; granting a limited power of eminent domain.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-14 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-15 Code, is amended by adding Chapter 8361 to read as follows:

1-16 CHAPTER 8361. CHAMBERS COUNTY IMPROVEMENT DISTRICT NO. 3

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 8361.001. DEFINITIONS. In this chapter:

1-19 (1) "Board" means the district's board of directors.

1-20 (2) "Director" means a board member.

1-21 (3) "District" means the Chambers County Improvement
1-22 District No. 3.

1-23 Sec. 8361.002. NATURE OF DISTRICT. The district is a
1-24 municipal utility district created under Section 59, Article XVI,
1-25 Texas Constitution.

1-26 Sec. 8361.003. CONFIRMATION AND DIRECTORS' ELECTION
1-27 REQUIRED. The temporary directors shall hold an election to
1-28 confirm the creation of the district and to elect five permanent
1-29 directors as provided by Section 49.102, Water Code.

1-30 Sec. 8361.004. CONSENT OF MUNICIPALITY REQUIRED. The
1-31 temporary directors may not hold an election under Section 8361.003
1-32 until each municipality in whose corporate limits or
1-33 extraterritorial jurisdiction the district is located has
1-34 consented by ordinance or resolution to the creation of the
1-35 district and to the inclusion of land in the district.

1-36 Sec. 8361.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-37 (a) The district is created to serve a public purpose and benefit.

1-38 (b) The district is created to accomplish the purposes of:

1-39 (1) a municipal utility district as provided by
1-40 general law and Section 59, Article XVI, Texas Constitution; and

1-41 (2) Section 52, Article III, Texas Constitution, that
1-42 relate to the construction, acquisition, improvement, operation,
1-43 or maintenance of macadamized, graveled, or paved roads, or
1-44 improvements, including storm drainage, in aid of those roads.

1-45 Sec. 8361.006. INITIAL DISTRICT TERRITORY. (a) The
1-46 district is initially composed of the territory described by
1-47 Section 2 of the Act creating this chapter.

1-48 (b) The boundaries and field notes contained in Section 2 of
1-49 the Act creating this chapter form a closure. A mistake made in the
1-50 field notes or in copying the field notes in the legislative process
1-51 does not affect the district's:

1-52 (1) organization, existence, or validity;

1-53 (2) right to issue any type of bond for the purposes
1-54 for which the district is created or to pay the principal of and
1-55 interest on a bond;

1-56 (3) right to impose a tax; or

1-57 (4) legality or operation.

1-58 [Sections 8361.007-8361.050 reserved for expansion]

1-59 SUBCHAPTER B. BOARD OF DIRECTORS

1-60 Sec. 8361.051. GOVERNING BODY; TERMS. (a) The district is
1-61 governed by a board of five elected directors.

1-62 (b) Except as provided by Section 8361.052, directors serve
1-63 staggered four-year terms.

2-1 Sec. 8361.052. TEMPORARY DIRECTORS. (a) On or after the
2-2 effective date of the Act creating this chapter, the owner or owners
2-3 of a majority of the assessed value of the real property in the
2-4 district may submit a petition to the Texas Commission on
2-5 Environmental Quality requesting that the commission appoint as
2-6 temporary directors the five persons named in the petition. The
2-7 commission shall appoint as temporary directors the five persons
2-8 named in the petition.

2-9 (b) Temporary directors serve until the earlier of:
2-10 (1) the date permanent directors are elected under
2-11 Section 8361.003; or
2-12 (2) the fourth anniversary of the effective date of
2-13 the Act creating this chapter.

2-14 (c) If permanent directors have not been elected under
2-15 Section 8361.003 and the terms of the temporary directors have
2-16 expired, successor temporary directors shall be appointed or
2-17 reappointed as provided by Subsection (d) to serve terms that
2-18 expire on the earlier of:

2-19 (1) the date permanent directors are elected under
2-20 Section 8361.003; or
2-21 (2) the fourth anniversary of the date of the
2-22 appointment or reappointment.

2-23 (d) If Subsection (c) applies, the owner or owners of a
2-24 majority of the assessed value of the real property in the district
2-25 may submit a petition to the Texas Commission on Environmental
2-26 Quality requesting that the commission appoint as successor
2-27 temporary directors the five persons named in the petition. The
2-28 commission shall appoint as successor temporary directors the five
2-29 persons named in the petition.

2-30 [Sections 8361.053-8361.100 reserved for expansion]

2-31 SUBCHAPTER C. POWERS AND DUTIES

2-32 Sec. 8361.101. GENERAL POWERS AND DUTIES. The district has
2-33 the powers and duties necessary to accomplish the purposes for
2-34 which the district is created.

2-35 Sec. 8361.102. MUNICIPAL UTILITY DISTRICT POWERS AND
2-36 DUTIES. The district has the powers and duties provided by the
2-37 general law of this state, including Chapters 49 and 54, Water Code,
2-38 applicable to municipal utility districts created under Section 59,
2-39 Article XVI, Texas Constitution.

2-40 Sec. 8361.103. AUTHORITY FOR ROAD PROJECTS. Under Section
2-41 52, Article III, Texas Constitution, the district may design,
2-42 acquire, construct, finance, issue bonds for, improve, operate,
2-43 maintain, and convey to this state, a county, or a municipality for
2-44 operation and maintenance macadamized, graveled, or paved roads, or
2-45 improvements, including storm drainage, in aid of those roads.

2-46 Sec. 8361.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
2-47 road project must meet all applicable construction standards,
2-48 zoning and subdivision requirements, and regulations of each
2-49 municipality in whose corporate limits or extraterritorial
2-50 jurisdiction the road project is located.

2-51 (b) If a road project is not located in the corporate limits
2-52 or extraterritorial jurisdiction of a municipality, the road
2-53 project must meet all applicable construction standards,
2-54 subdivision requirements, and regulations of each county in which
2-55 the road project is located.

2-56 (c) If the state will maintain and operate the road, the
2-57 Texas Transportation Commission must approve the plans and
2-58 specifications of the road project.

2-59 Sec. 8361.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
2-60 OR RESOLUTION. The district shall comply with all applicable
2-61 requirements of any ordinance or resolution that is adopted under
2-62 Section 54.016 or 54.0165, Water Code, and that consents to the
2-63 creation of the district or to the inclusion of land in the
2-64 district.

2-65 Sec. 8361.106. LIMITATION ON USE OF EMINENT DOMAIN. The
2-66 district may not exercise the power of eminent domain outside the
2-67 district to acquire a site or easement for:

2-68 (1) a road project authorized by Section 8361.103; or
2-69 (2) a recreational facility as defined by Section

3-1 49.462, Water Code.
 3-2 Sec. 8361.107. DIVISION OF DISTRICT. (a) The district may
 3-3 be divided into two or more new districts only if the district:
 3-4 (1) has no outstanding bonded debt; and
 3-5 (2) is not imposing ad valorem taxes.
 3-6 (b) This chapter applies to any new district created by the
 3-7 division of the district, and a new district has all the powers and
 3-8 duties of the district.
 3-9 (c) Any new district created by the division of the district
 3-10 may not, at the time the new district is created, contain any land
 3-11 outside the area described by Section 2 of the Act creating this
 3-12 chapter.
 3-13 (d) The board, on its own motion or on receipt of a petition
 3-14 signed by the owner or owners of a majority of the assessed value of
 3-15 the real property in the district, may adopt an order dividing the
 3-16 district.
 3-17 (e) The board may adopt an order dividing the district
 3-18 before or after the date the board holds an election under Section
 3-19 8361.003 to confirm the district's creation.
 3-20 (f) An order dividing the district:
 3-21 (1) shall:
 3-22 (A) name each new district;
 3-23 (B) include the metes and bounds of each new
 3-24 district;
 3-25 (C) appoint temporary directors for each new
 3-26 district, or provide that the owner or owners of a majority of the
 3-27 assessed value of the real property in each new district may submit
 3-28 a petition to the Texas Commission on Environmental Quality
 3-29 requesting that the commission appoint as temporary directors the
 3-30 five persons named in the petition; and
 3-31 (D) provide for the division of assets and
 3-32 liabilities between or among the new districts; and
 3-33 (2) is subject to a confirmation election in each new
 3-34 district.
 3-35 (g) On or before the 30th day after the date of adoption of
 3-36 an order dividing the district, the district shall file the order
 3-37 with the Texas Commission on Environmental Quality and record the
 3-38 order in the real property records of each county in which the
 3-39 district is located.
 3-40 (h) Any new district created by the division of the district
 3-41 shall hold a confirmation and directors' election as required by
 3-42 Section 8361.003. The results of that election must be filed as
 3-43 required by Sections 49.102(e) and (f), Water Code. If the voters
 3-44 of a new district do not confirm the creation of the new district,
 3-45 the assets, liabilities, territory, and governance of the new
 3-46 district revert to the original district.
 3-47 (i) Municipal consent to the creation of the district and to
 3-48 the inclusion of land in the district granted under Section
 3-49 8361.004 acts as municipal consent to the creation of any new
 3-50 district created by the division of the district and to the
 3-51 inclusion of land in the new district.
 3-52 (j) Any new district created by the division of the district
 3-53 must hold an election as required by this chapter to obtain voter
 3-54 approval before the district may impose a maintenance tax or issue
 3-55 bonds payable wholly or partly from ad valorem taxes.
 3-56 Sec. 8361.108. FIREFIGHTING AND EMERGENCY MEDICAL
 3-57 SERVICES. Subchapter L, Chapter 49, Water Code, applies to the
 3-58 district.
 3-59 Sec. 8361.109. FEASIBILITY EVALUATION. For purposes of any
 3-60 applicable evaluation by the Texas Commission on Environmental
 3-61 Quality of the economic feasibility of the district or its projects
 3-62 and bonds, debt service tax rate, maintenance tax rate, or
 3-63 overlapping tax rate, the district shall be treated as a municipal
 3-64 utility district situated wholly within Harris County.
 3-65 [Sections 8361.110-8361.150 reserved for expansion]
 3-66 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
 3-67 Sec. 8361.151. ELECTIONS REGARDING TAXES OR BONDS.
 3-68 (a) The district may issue, without an election, bonds and other
 3-69 obligations secured by:

4-1 (1) revenue other than ad valorem taxes; or
4-2 (2) contract payments described by Section 8361.153.

4-3 (b) The district must hold an election in the manner
4-4 provided by Chapters 49 and 54, Water Code, to obtain voter approval
4-5 before the district may impose an ad valorem tax or issue bonds
4-6 payable from ad valorem taxes.

4-7 (c) The district may not issue bonds payable from ad valorem
4-8 taxes to finance a road project unless the issuance is approved by a
4-9 vote of a two-thirds majority of the district voters voting at an
4-10 election held for that purpose.

4-11 Sec. 8361.152. OPERATION AND MAINTENANCE TAX. (a) If
4-12 authorized at an election held under Section 8361.151, the district
4-13 may impose an operation and maintenance tax on taxable property in
4-14 the district in accordance with Section 49.107, Water Code.

4-15 (b) The board shall determine the tax rate. The rate may not
4-16 exceed the rate approved at the election.

4-17 Sec. 8361.153. CONTRACT TAXES. (a) In accordance with
4-18 Section 49.108, Water Code, the district may impose a tax other than
4-19 an operation and maintenance tax and use the revenue derived from
4-20 the tax to make payments under a contract after the provisions of
4-21 the contract have been approved by a majority of the district voters
4-22 voting at an election held for that purpose.

4-23 (b) A contract approved by the district voters may contain a
4-24 provision stating that the contract may be modified or amended by
4-25 the board without further voter approval.

4-26 [Sections 8361.154-8361.200 reserved for expansion]

4-27 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-28 Sec. 8361.201. AUTHORITY TO ISSUE BONDS AND OTHER
4-29 OBLIGATIONS. The district may issue bonds or other obligations
4-30 payable wholly or partly from ad valorem taxes, impact fees,
4-31 revenue, contract payments, grants, or other district money, or any
4-32 combination of those sources, to pay for any authorized district
4-33 purpose.

4-34 Sec. 8361.202. TAXES FOR BONDS. At the time the district
4-35 issues bonds payable wholly or partly from ad valorem taxes, the
4-36 board shall provide for the annual imposition of a continuing
4-37 direct ad valorem tax, without limit as to rate or amount, while all
4-38 or part of the bonds are outstanding as required and in the manner
4-39 provided by Sections 54.601 and 54.602, Water Code.

4-40 Sec. 8361.203. BONDS FOR ROAD PROJECTS. At the time of
4-41 issuance, the total principal amount of bonds or other obligations
4-42 issued or incurred to finance road projects and payable from ad
4-43 valorem taxes may not exceed one-fourth of the assessed value of the
4-44 real property in the district.

4-45 SECTION 2. The Chambers County Improvement District No. 3
4-46 initially includes all the territory contained in the following
4-47 area:

4-48 A certain 880.30 acre tract, situated in the Jacob Townsend
4-49 Survey, Abstract No. 25, the R. A. West Survey, Abstract No. 314,
4-50 the Kate Dugat Survey, Abstract No. 416, and the A. B. J. Winfree
4-51 Survey, Abstract No. 306 all in Chambers County, Texas; being all of
4-52 a called 285.48 acre tract (Tract 1), all of a called 129.96 acre
4-53 tract (Tract 2), and all of a called 254.14 acre tract (Tract 3)
4-54 described in Special Warranty Deed with Vendor's Lien recorded in
4-55 Volume (08) 1067, Page 264 of the Chambers County Official Public
4-56 Records, and all of a called 210.72 acre tract described in Special
4-57 Warranty Deed recorded in Volume (08) 1074, Page 223 of the Chambers
4-58 County Official Public Records; said 880.30 acre tract being
4-59 comprised of three tracts and being more particularly described as
4-60 follows with all bearings being based on the Texas Coordinate
4-61 System, South Central Zone, NAD83;

4-62 Tract I - 285.48 acres
4-63 BEGINNING at the northeast corner of said called 285.48 acre
4-64 tract, being common with a northwest corner of a called 11.89 acre
4-65 tract conveyed to Coastal Industrial Water Authority recorded in
4-66 Volume 313, Page 663 of the Chambers County Deed Records;

4-67 THENCE, South 04°19'04" West, 2683.79 feet to a point for
4-68 corner in the beginning of a curve to the right;

4-69 THENCE, along the arc of said curve to the right, having a

5-1 radius of 930.06 feet, a central angle of 12°32'57", an arc length of
5-2 203.71 feet, and a long chord bearing South 10°35'34" West, 203.30
5-3 feet to a point for corner;
5-4 THENCE, South 16°55'29" West, 1096.02 feet to a point for
5-5 corner marking the southeast corner of the aforementioned called
5-6 285.48 acre tract;
5-7 THENCE, South 87°37'03" West, along the south line of said
5-8 called 285.48 acre tract, 3049.05 feet to a point for corner marking
5-9 the southwest corner of the said called 285.48 acre tract;
5-10 THENCE, North 01°43'33" West, along a west line of the said
5-11 called 285.48 acre tract, being common with the east line of the
5-12 B.B.B.&C. R.R. Co. Survey, Abstract No. 61, 1108.94 feet to a point
5-13 for corner marking a southern northwest corner of the said called
5-14 285.48 acre tract;
5-15 THENCE, North 80°14'58" East, along the lower west line of the
5-16 said called 285.48 acre tract, 421.47 feet to a point for corner
5-17 marking an interior corner of the said called 285.48 acre tract;
5-18 THENCE, North 02°39'44" West, along the upper west line of the
5-19 said called 285.48 acre tract, 2708.36 feet to a point for corner
5-20 marking the northwest corner of said called 285.48 acre tract, said
5-21 point being the occupied northwest corner of the Jacob Townsend
5-22 Survey, Abstract 25;
5-23 THENCE, North 87°04'16" East, along the north line of the
5-24 called 285.48 acre tract (common with the north line of the Jacob
5-25 Townsend Survey, Abstract 25), 1773.49 feet to a point for corner;
5-26 THENCE, North 87°15'45" East, along the north line of the
5-27 called 285.48 acre tract (common with the north line of the Jacob
5-28 Townsend Survey, Abstract 25), 1579.36 feet to the POINT OF
5-29 BEGINNING, CONTAINING 285.48 acres of land in Chambers County,
5-30 Texas
5-31 Tract II - 129.96 acres
5-32 BEGINNING at the northeast corner of the aforementioned
5-33 129.96 acre tract (in the north line of the Jacob Townsend Survey,
5-34 Abstract 25), said point also marking the northwest corner of a
5-35 called 40.801 acre tract (Parcel 18) as described in Second Amended
5-36 Notice of Lis Pendis recorded in Volume (07) 934, Page 280 of the
5-37 Chambers County Official Public Records;
5-38 THENCE, South 29°47'53" West, along the east line of said
5-39 129.96 acre tract, common with the west line of said 40.801 acre
5-40 tract being the west right-of-way line of State Highway 99, 2795.10
5-41 feet to a point for corner at the beginning of a curve to the left;
5-42 THENCE, along the arc of said curve to the left, having a
5-43 radius of 4019.72 feet, a central angle of 23°18'04", a chord length
5-44 of 1623.51 feet, and a long chord bearing South 18°08'51" West,
5-45 continuing in all a total arc length of 1634.75 feet to a point for
5-46 corner at the southeast corner of the said 129.96 acre tract, said
5-47 point also marking the southwest corner of said 40.801 acre tract;
5-48 THENCE, South 87°39'30" West, along the south line of said
5-49 129.96 acre tract (common with the south line of the Jacob Townsend
5-50 Survey, Abstract 25), 1005.32 feet to a point for corner marking the
5-51 southwest corner of said 129.96 acre tract, being in the occupied
5-52 east right-of-way line of Needlepoint Road (as described in the
5-53 parent tract deed);
5-54 THENCE, along the west line of said 129.96 acre tract,
5-55 described as being common with the occupied east right-of-way line
5-56 of Needlepoint Road the following nine (9) courses and distances:
5-57 1. North 16°24'09" East, 1157.81 feet to a point for corner;
5-58 2. North 15°19'42" East, 41.33 feet to a point for corner;
5-59 3. North 15°23'18" East, 55.80 feet to a point for corner;
5-60 4. North 17°10'54" East, 45.19 feet to a point for corner;
5-61 5. North 08°38'17" East, 37.06 feet to a point for corner;
5-62 6. North 02°31'50" East, 54.46 feet to a point for corner;
5-63 7. North 01°57'55" East, 47.69 feet to a point for corner;
5-64 8. North 01°22'26" East, 524.57 feet to a point for corner;
5-65 9. North 04°28'33" East, 2045.44 feet to a point for corner
5-66 marking the northwest corner of said 129.96 acre tract;
5-67 THENCE, North 89°12'24" East, with the north line of said
5-68 129.96 acre tract (common with the north line of the Jacob Townsend
5-69 Survey, Abstract 25), 1407.80 feet to a point for corner;

6-1 THENCE, North 87°34'17" East, along the north line of said
6-2 129.96 acre tract, 944.50 feet to the POINT OF BEGINNING,
6-3 CONTAINING 129.96 acres of land in Chambers County, Texas.
6-4 Tract III - 464.86 acres (combination of 254.14 and 210.72 acre
6-5 tracts)
6-6 BEGINNING at the northwest corner of the said 210.72 acre
6-7 tract;
6-8 THENCE, North 87°31'31" East, along the north line of said
6-9 210.72 acre tract, 1796.29 feet to a point for corner at a northeast
6-10 corner of the said 210.72 acre tract;
6-11 THENCE, South 03°07'50" East, along the east line of said
6-12 210.72 acre tract, 1709.93 feet to a point for corner;
6-13 THENCE, North 88°05'10" East, with a north line of said 210.72
6-14 acre tract, 1716.89 feet to a point for corner;
6-15 THENCE, South 01°40'35" East, along an east line of said
6-16 210.72 acre tract, 1242.97 feet to a point for corner;
6-17 THENCE, South 87°59'43" West, 3.91 feet to a point for corner;
6-18 THENCE, South 01°33'16" East, along an east line of the
6-19 aforementioned 210.72 acre tract, 868.67 feet to a point for
6-20 corner;
6-21 THENCE, South 88°18'21" West, 398.02 feet to a point for
6-22 corner;
6-23 THENCE, South 01°26'48" East, 192.80 feet to a point for
6-24 corner;
6-25 THENCE, South 87°28'30" West, 819.13 feet to a point for
6-26 corner;
6-27 THENCE, South 02°30'46" East, 160.39 feet to a point for
6-28 corner;
6-29 THENCE, South 07°49'09" East, 360.01 feet to a point for
6-30 corner;
6-31 THENCE, South 15°38'38" East, 338.95 feet to a point for
6-32 corner;
6-33 THENCE, North 87°27'23" East, 693.04 feet to a point for
6-34 corner;
6-35 THENCE, South 01°26'48" East, 19.26 feet to a point for
6-36 corner;
6-37 THENCE, South 87°43'36" East, 396.00 feet to a point for
6-38 corner;
6-39 THENCE, South 01°27'10" East, 26.16 feet to a point for
6-40 corner;
6-41 THENCE, South 89°31'04" East, 598.07 feet to a point for
6-42 corner, said point also being in the westerly right-of-way of Farm
6-43 to Market Road (F.M.) 3180 (140 foot right-of-way), dedication of
6-44 which is recorded in Volume 300, Page 622 of the Chambers County
6-45 Deed Records;
6-46 THENCE, South 07°09'09 West, along the westerly right-of-way
6-47 of said F.M. 3180, 100.68 feet to a point for corner;
6-48 THENCE, North 89°31'04" West, 577.87 feet to a point for
6-49 corner;
6-50 THENCE, North 01°33'16" West, 25.84 feet to a point for
6-51 corner;
6-52 THENCE, North 87°43'36" West, 497.18 feet to a point for
6-53 corner;
6-54 THENCE, North 04°36'34" West, 11.39 feet to a point for
6-55 corner;
6-56 THENCE, South 87°27'23" West, 673.99 feet to a point for
6-57 corner;
6-58 THENCE, North 15°38'45" West, 425.19 feet to a point for
6-59 corner;
6-60 THENCE, North 07°49'09" West, 371.48 feet to a point for
6-61 corner;
6-62 THENCE, South 87°27'38" West, 509.36 feet to a point for
6-63 corner, said point also being in the east line of the aforementioned
6-64 254.14 acre tract;
6-65 THENCE, South 02°31'16" East, along the east line of the said
6-66 254.14 acre tract (common with the east line of the Jacob Townsend
6-67 Survey, Abstract 25), 2747.10 feet to a point for corner marking the
6-68 southeast corner of said 254.14 acre tract;
6-69 THENCE, South 87°39'30" West, along the south line of said

7-1 254.14 acre tract (common with the south line of the Jacob Townsend
7-2 Survey, Abstract 25), 3790.48 feet to a point for corner in the east
7-3 right-of-way line of State Highway 99 being described as a called
7-4 40.801 acre tract (Parcel 18) in Second Amended Notice of Lis Pendis
7-5 recorded in Volume (07) 934, Page 280 of the Chambers County
7-6 Official Public Records, said point being in the arc of a
7-7 non-tangent curve to the right;

7-8 THENCE, along the west line of the said 254.14 acre tract,
7-9 common with the east right-of-way line of said State Highway 99 and
7-10 the arc of said non-tangent curve to the right, having a radius of
7-11 3619.72 feet, a central angle of 22°18'55", an arc length of 1409.79
7-12 feet, and a long chord bearing North 18°38'26" East, 1400.90 feet to
7-13 a point for corner;

7-14 THENCE, North 29°47'53" East, continuing along said east
7-15 right-of-way line of State Highway 99, 2795.78 feet to a point for
7-16 corner at the beginning of a curve to the left;

7-17 THENCE, along the east line of said State Highway 99, and
7-18 along the arc of said curve to the left, having a radius of 3064.79
7-19 feet, a central angle of 57°06'39", an arc length of 3,054.89 feet,
7-20 and a long chord bearing North 01°14'33" East, 2,929.99 feet to a
7-21 point for corner;

7-22 THENCE, North 27°18'47" West, continuing along the east line
7-23 of said State Highway 99, 156.96 feet to a point for corner;

7-24 THENCE, North 02°44'58" West, 193.07 feet to the POINT OF
7-25 BEGINNING, CONTAINING 464.86 acres of land in Chambers County,
7-26 Texas, along with the herein described 285.48 acre tract (Tract I),
7-27 and the herein described 129.96 acre tract (Tract II) for a total
7-28 acreage of 880.30 acres.

7-29 SECTION 3. (a) The legal notice of the intention to
7-30 introduce this Act, setting forth the general substance of this
7-31 Act, has been published as provided by law, and the notice and a
7-32 copy of this Act have been furnished to all persons, agencies,
7-33 officials, or entities to which they are required to be furnished
7-34 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-35 Government Code.

7-36 (b) The governor, one of the required recipients, has
7-37 submitted the notice and Act to the Texas Commission on
7-38 Environmental Quality.

7-39 (c) The Texas Commission on Environmental Quality has filed
7-40 its recommendations relating to this Act with the governor, the
7-41 lieutenant governor, and the speaker of the house of
7-42 representatives within the required time.

7-43 (d) All requirements of the constitution and laws of this
7-44 state and the rules and procedures of the legislature with respect
7-45 to the notice, introduction, and passage of this Act are fulfilled
7-46 and accomplished.

7-47 SECTION 4. This Act takes effect immediately if it receives
7-48 a vote of two-thirds of all the members elected to each house, as
7-49 provided by Section 39, Article III, Texas Constitution. If this
7-50 Act does not receive the vote necessary for immediate effect, this
7-51 Act takes effect September 1, 2009.

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