

By: Miles

H.B. No. 2670

Substitute the following for H.B. No. 2670:

By: Keffer

C.S.H.B. No. 2670

A BILL TO BE ENTITLED

AN ACT

relating to validating certain acts and proceedings of Harris County Improvement District No. 5 and to the boundaries of the district.

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

SECTION 1. BOUNDARIES. (a) The boundaries of Harris County Improvement District No. 5 are enlarged to include the following tracts of land:

TRACT 1-COMMENCING at the existing boundary of Harris County Improvement District No. 5 (also known as Brays Oaks Management District) at the intersection of N ROW of Bissonnet St and E ROW of US 59 (Southwest Fwy) Access Road N/B;

THENCE, northeast along E ROW of US 59 (Southwest Fwy) Access Road N/B to W ROW of S Gessner Rd;

THENCE, south along W ROW of S Gessner Rd to S ROW of Bissonnet Rd;

THENCE, northeast along S ROW of Bissonnet Rd to E ROW Hillcroft St;

THENCE, along E ROW of Hillcroft St to N ROW of N. Braeswood Blvd where it intersects the existing boundary of Brays Oaks Management District;

THENCE, west along the existing boundary of Brays Oaks Management District to THE POINT OF BEGINNING.

Tract 2-COMMENCING at the existing boundary of Brays Oaks

1 Management District at intersection of E ROW of Hillcroft St Blvd
2 and N ROW of Willowbend Blvd;

3 THENCE, north along E ROW of Hillcroft St to S boundary of
4 utility easement;

5 THENCE, east along the S boundary of utility easement to the E
6 ROW of S Post Oak Rd;

7 THENCE, south along the E ROW of S Post Oak Rd to NW corner of
8 0.375 acre parcel (TR 5K ABST 135 W N BRONAUGH);

9 THENCE, east along N boundary of 0.375 acre parcel (TR 5K ABST
10 135 W N BRONAUGH) to NE corner of said parcel;

11 THENCE, south along E boundary of 0.375 acre parcel (TR 5K
12 ABST 135 W N BRONAUGH) to SE corner of said parcel and N boundary of
13 0.45 acre parcel (TR 5C (001*TR 5E-1) (WILLOW WATERHOLE DETENTION)
14 ABST 135 W N BRONAUGH);

15 THENCE, east along N boundary of 0.45 acre parcel (TR 5C
16 (001*TR 5E-1) (WILLOW WATERHOLE DETENTION) ABST 135 W N BRONAUGH)
17 to NE corner of said parcel;

18 THENCE, southeast along E boundary 0.45 acre parcel (TR 5C
19 (001*TR 5E-1) (WILLOW WATERHOLE DETENTION) ABST 135 W N BRONAUGH)
20 to SE corner of said parcel and N boundary of 5.0 acre parcel (TRS
21 6D-3 & 6G ABST 135 W N BRONAUGH);

22 THENCE, east along N boundary of 5.0 acre parcel (TRS 6D-3 &
23 6G ABST 135 W N BRONAUGH) to NE corner of said parcel;

24 THENCE, south along E boundary of 5.0 acre parcel (TRS 6D-3 &
25 6G ABST 135 W N BRONAUGH) to SE corner of said parcel and adjacent NE
26 corner of 52 acre parcel (TRS 6 & 6D ABST 135 W N BRONAUGH);

27 THENCE, south and southeast along E boundary of 52 acre

1 parcel (TRS 6 & 6D ABST 135 W N BRONAUGH) to N ROW of So. Pacific
2 Rail line;

3 THENCE, southwest along N ROW of So. Pacific Rail line to SE
4 corner of 52 acre parcel (TRS 6 & 6D ABST 135 W N BRONAUGH);

5 THENCE, west along S boundary of 52 acre parcel (TRS 6 & 6D
6 ABST 135 W N BRONAUGH) and S ROW of Gasmer Dr to E ROW of S Post Oak
7 Rd;

8 THENCE, south along E ROW of S Post Oak Rd to N ROW of So.
9 Pacific Rail line;

10 THENCE, southwest along N ROW of So. Pacific Rail line to E
11 ROW of Haviland St to the existing boundary of Brays Oaks Management
12 District;

13 THENCE, north and east along the existing boundary TO THE
14 POINT OF BEGINNING; SAVE AND EXCEPT TRS 25 and 25B, Willow Creek
15 Estates.

16 (b) The boundaries and field notes contained in Subsection
17 (a) of this section form a closure. A mistake in the field notes or
18 in copying the field notes in the legislative process does not
19 affect the district's:

20 (1) organization, existence, or validity;

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

24 (3) right to impose a tax; or

25 (4) legality or operation.

26 SECTION 2. VALIDATION. (a) The legislature validates and
27 confirms all governmental acts and proceedings of the Harris County

1 Improvement District No. 5 that were taken before the effective
2 date of this Act. An act or proceeding may not be held invalid
3 because the act or proceeding was not in accordance with Chapter
4 3834, Special District Local Laws Code, or other law.

5 (b) This section does not apply to any matter that on the
6 effective date of this Act:

7 (1) is involved in litigation if the litigation
8 ultimately results in the matter being held invalid by a final court
9 judgment; or

10 (2) has been held invalid by a final court judgment.

11 SECTION 3. NOTICE. (a) The legal notice of the intention
12 to introduce this Act, setting forth the general substance of this
13 Act, has been published as provided by law, and the notice and a
14 copy of this Act have been furnished to all persons, agencies,
15 officials, or entities to which they are required to be furnished
16 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
17 Government Code.

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

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

25 (d) The general law relating to consent by political
26 subdivisions to the creation of districts with conservation,
27 reclamation, and road powers and the inclusion of land in those

1 districts has been complied with.

2 (e) All requirements of the constitution and laws of this
3 state and the rules and procedures of the legislature with respect
4 to the notice, introduction, and passage of this Act have been
5 fulfilled and accomplished.

6 SECTION 4. EFFECTIVE DATE. This Act takes effect
7 immediately if it receives a vote of two-thirds of all the members
8 elected to each house, as provided by Section 39, Article III, Texas
9 Constitution. If this Act does not receive the vote necessary for
10 immediate effect, this Act takes effect September 1, 2011.