

1-1 By: Hochberg (Senate Sponsor - Gallegos) H.B. No. 3828
1-2 (In the Senate - Received from the House May 4, 2011;
1-3 May 5, 2011, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 21, 2011, reported adversely,
1-5 with favorable Committee Substitute by the following vote: Yeas 5,
1-6 Nays 0; May 21, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3828 By: Gallegos

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

1-10 relating to the creation of the Gulfton Area Municipal Management
1-11 District; providing authority to impose a tax, levy an assessment,
1-12 and issue bonds.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-14 SECTION 1. Subtitle C, Title 4, Special District Local Laws
1-15 Code, is amended by adding Chapter 3889 to read as follows:

1-16 CHAPTER 3889. GULFTON AREA MUNICIPAL MANAGEMENT DISTRICT
1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 3889.001. DEFINITIONS. In this chapter:

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

1-20 (2) "City" means the City of Houston, Texas.

1-21 (3) "Director" means a board member.

1-22 (4) "District" means the Gulfton Area Municipal
1-23 Management District.

1-24 Sec. 3889.002. CREATION AND NATURE OF DISTRICT. The
1-25 district is a special district created under Section 59, Article
1-26 XVI, Texas Constitution.

1-27 Sec. 3889.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The
1-28 creation of the district is essential to accomplish the purposes of
1-29 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-30 Texas Constitution, and other public purposes stated in this
1-31 chapter. By creating the district and in authorizing the city and
1-32 other political subdivisions to contract with the district, the
1-33 legislature has established a program to accomplish the public
1-34 purposes set out in Section 52-a, Article III, Texas Constitution.

1-35 (b) The creation of the district is necessary to promote,
1-36 develop, encourage, and maintain employment, commerce,
1-37 transportation, housing, tourism, recreation, the arts,
1-38 entertainment, economic development, safety, and the public
1-39 welfare in the district.

1-40 (c) The district is created to supplement and not to
1-41 supplant city services provided in the district.

1-42 Sec. 3889.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
1-43 The district is created to serve a public use and benefit.

1-44 (b) All land and other property included in the district
1-45 will benefit from the improvements and services to be provided by
1-46 the district under powers conferred by Sections 52 and 52-a,
1-47 Article III, and Section 59, Article XVI, Texas Constitution, and
1-48 other powers granted under this chapter.

1-49 (c) The creation of the district is in the public interest
1-50 and is essential to further the public purposes of:

1-51 (1) developing and diversifying the economy of the
1-52 state;

1-53 (2) eliminating unemployment and underemployment;

1-54 (3) developing or expanding transportation and
1-55 commerce; and

1-56 (4) providing quality residential housing.

1-57 (d) The district will:

1-58 (1) promote the health, safety, and general welfare of
1-59 residents, employers, potential employees, employees, visitors,
1-60 and consumers in the district, and of the public;

1-61 (2) provide needed funding for the district to
1-62 preserve, maintain, and enhance the economic health and vitality of
1-63 the district territory as a residential community and business

2-1 center; and
2-2 (3) promote the health, safety, welfare, and enjoyment
2-3 of the public by providing pedestrian ways and by landscaping,
2-4 removing graffiti, and developing certain areas in the district,
2-5 which are necessary for the restoration, preservation, and
2-6 enhancement of scenic beauty.

2-7 (e) Pedestrian ways along or across a street, whether at
2-8 grade or above or below the surface, and street lighting, street
2-9 landscaping, vehicle parking, and street art objects are parts of
2-10 and necessary components of a street and are considered to be an
2-11 improvement project that includes a street or road improvement.

2-12 (f) The district will not act as the agent or
2-13 instrumentality of any private interest even though the district
2-14 will benefit many private interests as well as the public.

2-15 Sec. 3889.005. DISTRICT TERRITORY. (a) The district is
2-16 initially composed of the territory described by Section 2 of the
2-17 Act enacting this chapter.

2-18 (b) The boundaries and field notes contained in Section 2 of
2-19 the Act enacting this chapter form a closure. A mistake in the
2-20 field notes or in copying the field notes in the legislative process
2-21 does not affect the district's:

2-22 (1) organization, existence, or validity;

2-23 (2) right to issue any type of bond for the purposes
2-24 for which the district is created or to pay the principal of and
2-25 interest on the bond;

2-26 (3) right to impose or collect an assessment or tax; or

2-27 (4) legality or operation.

2-28 Sec. 3889.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

2-29 (a) All or any part of the area of the district is eligible to be
2-30 included in:

2-31 (1) a tax increment reinvestment zone created under
2-32 Chapter 311, Tax Code;

2-33 (2) a tax abatement reinvestment zone created under
2-34 Chapter 312, Tax Code;

2-35 (3) an enterprise zone created under Chapter 2303,
2-36 Government Code; or

2-37 (4) an industrial district created under Chapter 42,
2-38 Local Government Code.

2-39 (b) If the city creates a tax increment reinvestment zone
2-40 described by Subsection (a), the city and the board of directors of
2-41 the zone, by contract with the district, may grant money deposited
2-42 in the tax increment fund to the district to be used by the district
2-43 for the purposes permitted for money granted to a corporation under
2-44 Section 380.002(b), Local Government Code, including the right to
2-45 pledge the money as security for any bonds issued by the district
2-46 for an improvement project. A project may not receive public funds
2-47 under Section 380.002(b), Local Government Code, unless the project
2-48 has been approved by the governing body of the city.

2-49 (c) A tax increment reinvestment zone created by the city in
2-50 the district is not subject to the limitations provided by Section
2-51 311.006(b), Tax Code.

2-52 Sec. 3889.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
2-53 DISTRICTS LAW. Except as otherwise provided by this chapter,
2-54 Chapter 375, Local Government Code, applies to the district.

2-55 Sec. 3889.008. LIBERAL CONSTRUCTION OF CHAPTER. This
2-56 chapter shall be liberally construed in conformity with the
2-57 findings and purposes stated in this chapter.

2-58 [Sections 3889.009-3889.050 reserved for expansion]

2-59 SUBCHAPTER B. BOARD OF DIRECTORS

2-60 Sec. 3889.051. GOVERNING BODY; TERMS. The district is
2-61 governed by a board of seven directors who serve staggered terms of
2-62 four years expiring June 1 of each even-numbered year.

2-63 Sec. 3889.052. QUALIFICATIONS OF DIRECTORS APPOINTED BY
2-64 CITY. (a) To be qualified to serve as a director appointed by the
2-65 governing body of the city, a person must be:

2-66 (1) a resident of the district who is also a registered
2-67 voter of the district;

2-68 (2) an owner of property in the district;

2-69 (3) an owner of stock or a partnership or membership

3-1 interest, whether beneficial or otherwise, of a corporate
3-2 partnership, limited liability company, or other entity owner of a
3-3 direct or indirect interest in property in the district;

3-4 (4) an owner of a beneficial interest in a trust, or a
3-5 trustee in a trust, that directly or indirectly owns property in the
3-6 district; or

3-7 (5) an agent, employee, or tenant of a person
3-8 described by Subdivision (2), (3), or (4).

3-9 (b) Section 49.052, Water Code, does not apply to the
3-10 district.

3-11 Sec. 3889.053. APPOINTMENT OF DIRECTORS. The governing
3-12 body of the city shall appoint directors from persons recommended
3-13 by the board.

3-14 Sec. 3889.054. VACANCY. If a vacancy occurs on the board,
3-15 the remaining directors shall appoint a director for the remainder
3-16 of the unexpired term.

3-17 Sec. 3889.055. DIRECTOR'S OATH OR AFFIRMATION. (a) A
3-18 director shall file the director's oath or affirmation of office
3-19 with the district, and the district shall retain the oath or
3-20 affirmation in the district records.

3-21 (b) A director shall file a copy of the director's oath or
3-22 affirmation with the secretary of the city.

3-23 Sec. 3889.056. QUORUM. A vacant director position is not
3-24 counted for purposes of establishing a quorum.

3-25 Sec. 3889.057. OFFICERS. The board shall elect from among
3-26 the directors a chair, a vice chair, and a secretary. The offices
3-27 of chair and secretary may not be held by the same person.

3-28 Sec. 3889.058. COMPENSATION; EXPENSES. (a) The district
3-29 may compensate each director in an amount not to exceed \$50 for each
3-30 board meeting. The total amount of compensation for each director
3-31 in one year may not exceed \$2,000.

3-32 (b) A director is entitled to reimbursement for necessary
3-33 and reasonable expenses incurred in carrying out the duties and
3-34 responsibilities of the board.

3-35 Sec. 3889.059. LIABILITY INSURANCE. The district may
3-36 obtain and pay for comprehensive general liability insurance
3-37 coverage from a commercial insurance company or other source that
3-38 protects and insures a director against personal liability and from
3-39 all claims relating to:

3-40 (1) actions taken by the director in the director's
3-41 capacity as a member of the board;

3-42 (2) actions and activities taken by the district; or

3-43 (3) the actions of others acting on behalf of the
3-44 district.

3-45 Sec. 3889.060. NO EXECUTIVE COMMITTEE. The board may not
3-46 create an executive committee to exercise the powers of the board.

3-47 Sec. 3889.061. BOARD MEETINGS. The board shall hold
3-48 meetings at a place accessible to the public.

3-49 Sec. 3889.062. INITIAL DIRECTORS. (a) The initial board
3-50 consists of:

Pos. No.	Name of Director
<u>1</u>	<u>Shelly E. Richardson</u>
<u>2</u>	<u>Paul Rafferty</u>
<u>3</u>	<u>Tammy Rodriguez</u>
<u>4</u>	<u>Mike Irwin</u>
<u>5</u>	<u>Richard Rodriguez</u>
<u>6</u>	<u>Joy Rice</u>
<u>7</u>	<u>Patrick Horton</u>

3-59 (b) The terms of the initial directors expire June 1, 2012.

3-60 (c) Of the directors who replace an initial director, the
3-61 terms of directors serving in positions 1, 2, 3, and 4 expire June
3-62 1, 2014, and the terms of directors serving in positions 5, 6, and 7
3-63 expire June 1, 2016.

3-64 (d) Section 3889.052 does not apply to this section.

3-65 (e) This section expires September 1, 2012.

3-66 [Sections 3889.063-3889.100 reserved for expansion]

3-67 SUBCHAPTER C. POWERS AND DUTIES

3-68 Sec. 3889.101. GENERAL POWERS AND DUTIES. The district has
3-69 the powers and duties necessary to accomplish the purposes for

4-1 which the district is created.
 4-2 Sec. 3889.102. IMPROVEMENT PROJECTS AND SERVICES. (a) The
 4-3 district may provide, design, construct, acquire, improve,
 4-4 relocate, operate, maintain, or finance an improvement project or
 4-5 service using money available to the district, or contract with a
 4-6 governmental or private entity to provide, design, construct,
 4-7 acquire, improve, relocate, operate, maintain, or finance an
 4-8 improvement project or service authorized under this chapter or
 4-9 Chapter 375, Local Government Code.
 4-10 (b) An improvement project described by Subsection (a) may
 4-11 be located:
 4-12 (1) in the district; or
 4-13 (2) in an area outside but adjacent to the district if
 4-14 the project is for the purpose of extending a public infrastructure
 4-15 improvement beyond the district's boundaries to a logical terminus.
 4-16 Sec. 3889.103. DEVELOPMENT CORPORATION POWERS. The
 4-17 district, using money available to the district, may exercise the
 4-18 powers given to a development corporation under Chapter 505, Local
 4-19 Government Code, including the power to own, operate, acquire,
 4-20 construct, lease, improve, or maintain a project under that
 4-21 chapter.
 4-22 Sec. 3889.104. NONPROFIT CORPORATION. (a) The board by
 4-23 resolution may authorize the creation of a nonprofit corporation to
 4-24 assist and act for the district in implementing a project or
 4-25 providing a service authorized by this chapter.
 4-26 (b) The nonprofit corporation:
 4-27 (1) has each power of and is considered to be a local
 4-28 government corporation created under Subchapter D, Chapter 431,
 4-29 Transportation Code; and
 4-30 (2) may implement any project and provide any service
 4-31 authorized by this chapter.
 4-32 (c) The board shall appoint the board of directors of the
 4-33 nonprofit corporation. The board of directors of the nonprofit
 4-34 corporation shall serve in the same manner as the board of directors
 4-35 of a local government corporation created under Subchapter D,
 4-36 Chapter 431, Transportation Code, except that a board member is not
 4-37 required to reside in the district.
 4-38 Sec. 3889.105. AGREEMENTS; GRANTS. (a) As provided by
 4-39 Chapter 375, Local Government Code, the district may make an
 4-40 agreement with or accept a gift, grant, or loan from any person.
 4-41 (b) The implementation of a project is a governmental
 4-42 function or service for the purposes of Chapter 791, Government
 4-43 Code.
 4-44 Sec. 3889.106. LAW ENFORCEMENT SERVICES. To protect the
 4-45 public interest, the district may contract with a qualified party,
 4-46 including Harris County or the city, to provide law enforcement
 4-47 services in the district for a fee.
 4-48 Sec. 3889.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
 4-49 district may join and pay dues to a charitable or nonprofit
 4-50 organization that performs a service or provides an activity
 4-51 consistent with the furtherance of a district purpose.
 4-52 Sec. 3889.108. ECONOMIC DEVELOPMENT. (a) The district may
 4-53 engage in activities that accomplish the economic development
 4-54 purposes of the district.
 4-55 (b) The district may establish and provide for the
 4-56 administration of one or more programs to promote state or local
 4-57 economic development and to stimulate business and commercial
 4-58 activity in the district, including programs to:
 4-59 (1) make loans and grants of public money; and
 4-60 (2) provide district personnel and services.
 4-61 (c) The district may create economic development programs
 4-62 and exercise the economic development powers that:
 4-63 (1) Chapter 380, Local Government Code, provides to a
 4-64 municipality; and
 4-65 (2) Subchapter A, Chapter 1509, Government Code,
 4-66 provides to a municipality.
 4-67 Sec. 3889.109. PARKING FACILITIES. (a) The district may
 4-68 acquire, lease as lessor or lessee, construct, develop, own,
 4-69 operate, and maintain parking facilities or a system of parking

5-1 facilities, including lots, garages, parking terminals, or other
 5-2 structures or accommodations for parking motor vehicles off the
 5-3 streets and related appurtenances.

5-4 (b) The district's parking facilities serve the public
 5-5 purposes of the district and are owned, used, and held for a public
 5-6 purpose even if leased or operated by a private entity for a term of
 5-7 years.

5-8 (c) The district's parking facilities are necessary
 5-9 components of a street and are considered to be a street or road
 5-10 improvement.

5-11 (d) The development and operation of the district's parking
 5-12 facilities may be considered an economic development program.

5-13 Sec. 3889.110. NO EMINENT DOMAIN POWER. The district may
 5-14 not exercise the power of eminent domain.

5-15 [Sections 3889.111-3889.150 reserved for expansion]

5-16 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

5-17 Sec. 3889.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
 5-18 board by resolution shall establish the number of signatures and
 5-19 the procedure required for a disbursement or transfer of the
 5-20 district's money.

5-21 Sec. 3889.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
 5-22 The district may acquire, construct, finance, operate, or maintain
 5-23 an improvement project or service authorized under this chapter or
 5-24 Chapter 375, Local Government Code, using any money available to
 5-25 the district.

5-26 Sec. 3889.153. PETITION REQUIRED FOR FINANCING SERVICES AND
 5-27 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
 5-28 service or improvement project with assessments under this chapter
 5-29 unless a written petition requesting that service or improvement
 5-30 has been filed with the board.

5-31 (b) The petition must be signed by:

5-32 (1) the owners of a majority of the assessed value of
 5-33 real property in the district subject to assessment according to
 5-34 the most recent certified tax appraisal roll for Harris County; or

5-35 (2) at least 25 persons who own real property in the
 5-36 district subject to assessment, if more than 25 persons own real
 5-37 property in the district subject to assessment as determined by the
 5-38 most recent certified tax appraisal roll for Harris County.

5-39 Sec. 3889.154. METHOD OF NOTICE FOR HEARING. The district
 5-40 may mail the notice required by Section 375.115(c), Local
 5-41 Government Code, by certified or first class United States mail.
 5-42 The board shall determine the method of notice.

5-43 Sec. 3889.155. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
 5-44 The board by resolution may impose and collect an assessment for any
 5-45 purpose authorized by this chapter in all or any part of the
 5-46 district.

5-47 (b) An assessment, a reassessment, or an assessment
 5-48 resulting from an addition to or correction of the assessment roll
 5-49 by the district, penalties and interest on an assessment or
 5-50 reassessment, an expense of collection, and reasonable attorney's
 5-51 fees incurred by the district:

5-52 (1) are a first and prior lien against the property
 5-53 assessed;

5-54 (2) are superior to any other lien or claim other than
 5-55 a lien or claim for county, school district, or municipal ad valorem
 5-56 taxes; and

5-57 (3) are the personal liability of and a charge against
 5-58 the owners of the property even if the owners are not named in the
 5-59 assessment proceedings.

5-60 (c) The lien is effective from the date of the board's
 5-61 resolution imposing the assessment until the date the assessment is
 5-62 paid. The board may enforce the lien in the same manner that the
 5-63 board may enforce an ad valorem tax lien against real property.

5-64 (d) The board may make a correction to or deletion from the
 5-65 assessment roll that does not increase the amount of assessment of
 5-66 any parcel of land without providing notice and holding a hearing in
 5-67 the manner required for additional assessments.

5-68 Sec. 3889.156. LIMITATION ON AMOUNT OF CERTAIN ASSESSMENTS.
 5-69 An assessment based on the taxable value of real property may not

6-1 exceed 12 cents per \$100 of assessed valuation of taxable property
6-2 in the district, according to the most recent certified tax
6-3 appraisal roll for Harris County.

6-4 Sec. 3889.157. TAX AND ASSESSMENT ABATEMENTS. The district
6-5 may designate reinvestment zones and may grant abatements of a tax
6-6 or assessment on property in the zones.

6-7 [Sections 3889.158-3889.200 reserved for expansion]

6-8 SUBCHAPTER E. TAXES AND BONDS

6-9 Sec. 3889.201. BONDS AND OTHER OBLIGATIONS. (a) The
6-10 district may issue, by public or private sale, bonds, notes, or
6-11 other obligations payable wholly or partly from ad valorem taxes or
6-12 assessments in the manner provided by Subchapter A, Chapter 372, or
6-13 Subchapter J, Chapter 375, Local Government Code.

6-14 (b) In exercising the district's borrowing power, the
6-15 district may issue a bond or other obligation in the form of a bond,
6-16 note, certificate of participation or other instrument evidencing a
6-17 proportionate interest in payments to be made by the district, or
6-18 other type of obligation.

6-19 (c) In addition to the sources of money described by
6-20 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local
6-21 Government Code, district bonds may be secured and made payable
6-22 wholly or partly by a pledge of any part of the money the district
6-23 receives from improvement revenue or from any other source.

6-24 Sec. 3889.202. BOND MATURITY. Bonds may mature not more
6-25 than 40 years from their date of issue.

6-26 Sec. 3889.203. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
6-27 the time bonds or other obligations payable wholly or partly from ad
6-28 valorem taxes are issued:

6-29 (1) the board shall impose a continuing direct annual
6-30 ad valorem tax for each year that all or part of the bonds are
6-31 outstanding; and

6-32 (2) the district annually shall impose an ad valorem
6-33 tax on all taxable property in the district in an amount sufficient
6-34 to:

6-35 (A) pay the interest on the bonds or other
6-36 obligations as the interest becomes due; and

6-37 (B) create a sinking fund for the payment of the
6-38 principal of the bonds or other obligations when due or the
6-39 redemption price at any earlier required redemption date.

6-40 Sec. 3889.204. ELECTIONS REGARDING TAXES. The district
6-41 must hold an election in the manner provided by Chapters 49 and 54,
6-42 Water Code, to obtain voter approval before the district may impose
6-43 an ad valorem tax.

6-44 [Sections 3889.205-3889.250 reserved for expansion]

6-45 SUBCHAPTER F. DISSOLUTION

6-46 Sec. 3889.251. DISSOLUTION BY CITY ORDINANCE. (a) The city
6-47 by ordinance may dissolve the district.

6-48 (b) The city may not dissolve the district until the
6-49 district's outstanding debt or contractual obligations that are
6-50 payable from ad valorem taxes have been repaid or discharged, or the
6-51 city has affirmatively assumed the obligation to pay the
6-52 outstanding debt from city revenue.

6-53 Sec. 3889.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

6-54 (a) If the dissolved district has bonds or other obligations
6-55 outstanding secured by and payable from assessments or other
6-56 revenue, other than ad valorem taxes, the city shall succeed to the
6-57 rights and obligations of the district regarding enforcement and
6-58 collection of the assessments or other revenue.

6-59 (b) The city shall have and exercise all district powers to
6-60 enforce and collect the assessments or other revenue to pay:

6-61 (1) the bonds or other obligations when due and
6-62 payable according to their terms; or

6-63 (2) special revenue or assessment bonds or other
6-64 obligations issued by the city to refund the outstanding bonds or
6-65 obligations.

6-66 Sec. 3889.253. CONCURRENCE ON ADDITIONAL POWERS. If the
6-67 legislature grants the district a power that is in addition to the
6-68 powers approved by the initial resolution of the governing body of
6-69 the city consenting to the creation of the district, the district

7-1 may not exercise that power unless the governing body of the city
7-2 consents to that change by resolution.

7-3 Sec. 3889.254. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
7-4 After the city dissolves the district, the city assumes, subject to
7-5 the appropriation and availability of funds, the obligations of the
7-6 district, including any bonds or other debt payable from
7-7 assessments or other district revenue.

7-8 (b) If the city dissolves the district, the board shall
7-9 transfer ownership of all district property to the city.

7-10 SECTION 2. The Gulfton Area Municipal Management District
7-11 initially includes all the territory contained in the following
7-12 area:

7-13 The District will include the right-of-way of the Toll Road
7-14 at West Park Toll road, Beginning at that point, and travelling
7-15 westerly along the US Hwy 59 corridor to Hilcroft, heading
7-16 southerly along the eastern boundary of the Greater Sharpstown
7-17 Management District, to Bissonnet Street, then heading easterly
7-18 along Bissonnet, and including the right-or-way of Bissonnet to
7-19 Rampart, then south to Pine, then East to Renwick, then North to
7-20 Bissonnet, then east along Bissonnet to Jassmine, east to Otto,
7-21 then following the City of Bellaire western city limit line
7-22 northerly until the point of Beginning.

7-23 SAVE AND EXCEPT:

7-24 A PARCEL OF LAND CONTAINING 7.1117 ACRES (309,787 SQUARE FEET) MORE
7-25 OR LESS BEING LOTS 33, 34, 35, 36, 53, 54, 55, 56 AND 57, BLOCK 23,
7-26 WESTMORELAND FARMS, AMENDED FIRST SUBDIVISION, AS RECORDED IN
7-27 VOLUME 3, PAGE 60, HARRIS COUNTY MAP RECORDS, AND BEING TRACT ONE
7-28 AND TRACT TWO, CONVEYED FROM BELLAIRE RENWICK SQUARE, LTD. TO
7-29 I.M.C.S. OF TEXAS, INC., AS RECORDED IN COUNTY CLERK'S FILE NO.
7-30 M893430, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY,
7-31 TEXAS, O.P.R.R.P.H.C.T., SAID 7.1117 ACRE TRACT BEING SITUATED IN
7-32 THE DAY LAND CATTLE CO. SURVEY, ABSTRACT NO.1167 AND W. TWIST
7-33 SURVEY, ABSTRACT NO. 765, IN HARRIS COUNTY, TEXAS, AND BEING MORE
7-34 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

7-35 BEGINNING, AT A FOUND 5/8 INCH IRON ROD AT THE INTERSECTION OF THE
7-36 NORTH END OF BELLAIRE BOULEVARD, 120 FOOT RIGHT-OF-WAY, AS SHOWN IN
7-37 SAID VOLUME 3, PAGE 60, HARRIS COUNTY MAP RECORDS, WITH THE WEST END
7-38 OF ATWELL STREET, RIGHT-OF-WAY VARIES, FOR THE SOUTHEAST CORNER OF
7-39 SAID LOT 57, AND THE SOUTHEAST CORNER OF SAID TRACT TWO;

7-40 THENCE, S 87° 36' 04" W, WITH THE SAID NORTH END OF BELLAIRE
7-41 BOULEVARD, SAME BEING THE SOUTH END OF SAID LOTS 57, 56, 55, 54 AND
7-42 53, AND THE SOUTH END OF SAID TRACT TWO, A DISTANCE OF 585.00 FEET TO
7-43 A SET 5/8 INCH IRON ROD WITH CAP STAMPED CIVIL-SURV, FOR THE MOST
7-44 EASTERLY CUTBACK CORNER IN THE SAID NORTH END OF BELLAIRE
7-45 BOULEVARD, WITH THE EAST END OF RENWICK DRIVE, 90 FOOT
7-46 RIGHT-OF-WAY, SAME BEING THE MOST EASTERLY CORNER OF THAT CERTAIN
7-47 0.0026 OF AN ACRE TRACT AWARDED TO THE CITY OF HOUSTON IN AN EMINENT
7-48 DOMAIN PROCEEDING, CITY OF HOUSTON VS. BELLAIRE RENWICK SQUARE,
7-49 LTD., AS RECORDED IN CAUSE NO. 561577 OF THE COUNTY CIVIL COURT AT
7-50 LAW NO. 2 OF HARRIS COUNTY, TEXAS: FROM WHICH THE SOUTHWEST CORNER
7-51 OF SAID LOT 53, AND THE SOUTHWEST CORNER OF SAID TRACT TWO, AND ALSO
7-52 THE SOUTHWEST CORNER OF THE SAID 0.0026 ACRE TRACT, BEARS, N 87° 36'
7-53 04" W, 15.00 FEET;

7-54 THENCE, N 47° 23' 56" W. CROSSING A PORTION OF SAID LOT 53, AND
7-55 CROSSING A PORTION OF SAID TRACT TWO, WITH THE NORTHEAST END OF THE
7-56 SAID 0.0026 ACRE TRACT, A DISTANCE OF 21.21 FEET, TO A SET 5/8 INCH
7-57 IRON ROD WITH CAP STAMPED CIVIL-SURV, IN THE WEST END OF SAID LOT
7-58 53, AND THE WEST END OF SAID TRACT TWO, FOR THE MOST NORTHERLY
7-59 CUTBACK CORNER IN THE SAID EAST END OF RENWICK DRIVE, WITH THE SAID
7-60 NORTH END OF BELLAIRE BOULEVARD, SAME BEING THE MOST NORTHERLY
7-61 CORNER OF THE SAID 0.0026 ACRE TRACT,

7-62 THENCE, N 02° 23' 56" W, WITH THE SAID EAST END OF RENWICK DRIVE,
7-63 SAME BEING THE SAID WEST END OF SAID LOT 53, AND THE WEST END OF SAID
7-64 TRACT TWO. AT A DISTANCE OF 255.00 FEET, PASS THE SOUTHWEST CORNER
7-65 OF SAID LOT 33, AND THE SOUTHWEST CORNER OF SAID TRACT ONE, SAME
7-66 BEING THE NORTHWEST CORNER OF SAID LOT 53, AND THE NORTHWEST CORNER
7-67 OF SAID TRACT TWO, AND WITH THE WEST END OF SAID LOT 33, AND THE WEST
7-68 END OF SAID TRACT ONE, A TOTAL DISTANCE OF 555.00 FEET, TO A FOUND
7-69 5/8 INCH IRON ROD WITH CAP, AT THE INTERSECTION OF THE SAID EAST END

8-1 OF RENWICK DRIVE, WITH THE SOUTH END OF DASHWOOD STREET, 60 FOOT
8-2 RIGHT-OF-WAY, AS SHOWN IN SAID VOLUME 3, PAGE 60, HARRIS COUNTY MAP
8-3 RECORDS, FOR THE NORTHWEST CORNER OF SAID LOT 33, AND THE NORTHWEST
8-4 CORNER OF SAID TRACT ONE;
8-5 THENCE, N 87° 36' 04" E, WITH THE SAID SOUTH END OF DASHWOOD STREET,
8-6 SAME BEING THE NORTH END OF SAID LOTS 33, 34, 35, AND 36, AND THE
8-7 NORTH END OF SAID TRACT ONE, A DISTANCE OF 493.00 FEET, TO A FOUND
8-8 "X" CUT IN CONCRETE, FOR THE NORTHWEST CORNER OF LOT 37, OF SAID
8-9 BLOCK 23, AND THE NORTHWEST CORNER OF THAT CERTAIN TRACT CONVEYED
8-10 FROM EUGENE R. CRAN TO DEBBIE CRAN, AS RECORDED IN COUNTY CLERK'S
8-11 FILE NO. N243327, O.P.R.R.P.R.C.T., SAME BEING THE NORTHEAST CORNER
8-12 OF SAID LOT 36, AND THE NORTHEAST CORNER OF SAID TRACT ONE, FROM
8-13 WHICH A FOUND 5/8 INCH IRON ROD, AT THE INTERSECTION OF THE SAID
8-14 SOUTH END OF DASHWOOD STREET, WITH THE SAID WEST END OF ATWELL
8-15 STREET. FOR THE NORTHEAST CORNER OF SAID LOT 37, AND THE NORTHEAST
8-16 CORNER OF THE SAID CRAN TRACT, BEARS, N 87° 36' 04" E, 107.00 FEET;
8-17 THENCE, S 02° 23' 56" E, WITH THE WEST END OF SAID LOT 37, AND THE
8-18 WEST END OF THE SAID CRAN TRACT, SAME BEING THE EAST END OF SAID LOT
8-19 36, AND THE EAST END OF SAID TRACT ONE, A DISTANCE OF 300.00 FEET, TO
8-20 A FOUND 5/8 INCH IRON ROD WITH CAP, IN THE NORTH END OF SAID TRACT
8-21 TWO, FOR THE SOUTHWEST CORNER OF SAID LOT 37, AND THE SOUTHWEST
8-22 CORNER OF THE SAID CRAN TRACT, SAME BEING THE SOUTHEAST CORNER OF
8-23 SAID LOT 36, AND THE SOUTHEAST CORNER OF SAID TRACT ONE, SAME ALSO
8-24 BEING THE NORTHEAST CORNER OF SAID LOT 56, AND ALSO BEING THE
8-25 NORTHWEST CORNER OF SAID LOT 57;
8-26 THENCE, N 87° 36' 04" E, WITH THE SOUTH END OF SAID LOT 37, AND THE
8-27 SOUTH END OF THE SAID CRAN TRACT, SAME BEING THE NORTH END OF SAID
8-28 LOT 57, AND THE SAID NORTH END OF TRACT TWO, A DISTANCE OF 107.00
8-29 FEET, TO A POINT IN THE SAID WEST END OF ATWELL STREET, FOR THE
8-30 SOUTHEAST CORNER OF SAID LOT 37, AND THE SOUTHEAST CORNER OF THE
8-31 SAID CRAN TRACT, SAME BEING THE NORTHEAST CORNER OF SAID LOT 57, AND
8-32 THE NORTHEAST CORNER OF SAID TRACT TWO, FROM WHICH A FOUND 5/8 INCH
8-33 IRON ROD WITH CAP, BEARS. S 02° 23' 56" E, 1.09 FEET;
8-34 THENCE, S 02° 23' 56" E, WITH THE SAID WEST END OF ATWELL STREET,
8-35 SAME BEING THE EAST END OF SAID LOT 57, AND THE EAST END OF SAID
8-36 TRACT TWO, A DISTANCE OF 270.00 FEET, TO THE POINT OF BEGINNING AND
8-37 CONTAINING 7.1117 ACRES (309,787 SQUARE FEET) OF LAND MORE OR LESS.
8-38 SECTION 3. (a) The legal notice of the intention to
8-39 introduce this Act, setting forth the general substance of this
8-40 Act, has been published as provided by law, and the notice and a
8-41 copy of this Act have been furnished to all persons, agencies,
8-42 officials, or entities to which they are required to be furnished
8-43 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
8-44 Government Code.
8-45 (b) The governor, one of the required recipients, has
8-46 submitted the notice and Act to the Texas Commission on
8-47 Environmental Quality.
8-48 (c) The Texas Commission on Environmental Quality has filed
8-49 its recommendations relating to this Act with the governor,
8-50 lieutenant governor, and speaker of the house of representatives
8-51 within the required time.
8-52 (d) The general law relating to consent by political
8-53 subdivisions to the creation of districts with conservation,
8-54 reclamation, and road powers and the inclusion of land in those
8-55 districts has been complied with.
8-56 (e) All requirements of the constitution and laws of this
8-57 state and the rules and procedures of the legislature with respect
8-58 to the notice, introduction, and passage of this Act have been
8-59 fulfilled and accomplished.
8-60 SECTION 4. This Act takes effect immediately if it receives
8-61 a vote of two-thirds of all the members elected to each house, as
8-62 provided by Section 39, Article III, Texas Constitution. If this
8-63 Act does not receive the vote necessary for immediate effect, this
8-64 Act takes effect September 1, 2011.

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