

By: Patrick  
(Fletcher)

S.B. No. 1882

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Harris County Improvement District No. 22; providing authority to levy an assessment, impose a tax, and issue bonds.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3904 to read as follows:

CHAPTER 3904. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 22

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3904.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Houston.

(3) "County" means Harris County.

(4) "Director" means a board member.

(5) "District" means the Harris County Improvement District No. 22.

Sec. 3904.002. NATURE OF DISTRICT. The Harris County Improvement District No. 22 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3904.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the city, the

1 county, and other political subdivisions to contract with the  
2 district, the legislature has established a program to accomplish  
3 the public purposes set out in Section 52-a, Article III, Texas  
4 Constitution.

5 (b) The creation of the district is necessary to promote,  
6 develop, encourage, and maintain employment, commerce,  
7 transportation, housing, tourism, recreation, the arts,  
8 entertainment, economic development, safety, and the public  
9 welfare in the district.

10 (c) This chapter and the creation of the district may not be  
11 interpreted to relieve the city or the county from providing the  
12 level of services provided as of the effective date of the Act  
13 enacting this chapter to the area in the district. The district is  
14 created to supplement and not to supplant city or county services  
15 provided in the district.

16 Sec. 3904.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

17 (a) The district is created to serve a public use and benefit.

18 (b) All land and other property included in the district  
19 will benefit from the improvements and services to be provided by  
20 the district under powers conferred by Sections 52 and 52-a,  
21 Article III, and Section 59, Article XVI, Texas Constitution, and  
22 other powers granted under this chapter.

23 (c) The creation of the district is in the public interest  
24 and is essential to further the public purposes of:

25 (1) developing and diversifying the economy of the  
26 state;

27 (2) eliminating unemployment and underemployment; and

1           (3) developing or expanding transportation and  
2 commerce.

3           (d) The district will:

4           (1) promote the health, safety, and general welfare of  
5 residents, employers, potential employees, employees, visitors,  
6 and consumers in the district, and of the public;

7           (2) provide needed funding for the district to  
8 preserve, maintain, and enhance the economic health and vitality of  
9 the district territory as a community and business center;

10           (3) promote the health, safety, welfare, and enjoyment  
11 of the public by providing pedestrian ways and by landscaping and  
12 developing certain areas in the district, which are necessary for  
13 the restoration, preservation, and enhancement of scenic beauty;  
14 and

15           (4) provide for water, wastewater, drainage, road, and  
16 recreational facilities for the district.

17           (e) Pedestrian ways along or across a street, whether at  
18 grade or above or below the surface, and street lighting, street  
19 landscaping, parking, and street art objects are parts of and  
20 necessary components of a street and are considered to be a street  
21 or road improvement.

22           (f) The district will not act as the agent or  
23 instrumentality of any private interest even though the district  
24 will benefit many private interests as well as the public.

25           Sec. 3904.005. INITIAL DISTRICT TERRITORY. (a) The  
26 district is initially composed of the territory described by  
27 Section 2 of the Act enacting this chapter.

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

5            (1) organization, existence, or validity;

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

9            (3) right to impose or collect an assessment or tax; or

10           (4) legality or operation.

11        Sec. 3904.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

12 All or any part of the area of the district is eligible to be  
13 included in:

14           (1) a tax increment reinvestment zone created under  
15 Chapter 311, Tax Code;

16           (2) a tax abatement reinvestment zone created under  
17 Chapter 312, Tax Code;

18           (3) an enterprise zone created under Chapter 2303,  
19 Government Code; or

20           (4) an industrial district created under Chapter 42,  
21 Local Government Code.

22        Sec. 3904.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
23 DISTRICTS LAW. Except as otherwise provided by this chapter,  
24 Chapter 375, Local Government Code, applies to the district.

25        Sec. 3904.008. CONSTRUCTION OF CHAPTER. This chapter shall  
26 be liberally construed in conformity with the findings and purposes  
27 stated in this chapter.

[Sections 3904.009-3904.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3904.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five voting directors who serve staggered terms of four years, with two or three directors' terms expiring June 1 of each odd-numbered year.

(b) The board by resolution may change the number of voting directors on the board if the board determines that the change is in the best interest of the district. The board may not consist of fewer than 5 or more than 15 voting directors.

Sec. 3904.052. APPOINTMENT OF VOTING DIRECTORS. The Texas Commission on Environmental Quality shall appoint voting directors from persons recommended by the board.

Sec. 3904.053. INITIAL VOTING DIRECTORS. (a) The initial board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Brian Burks</u>
<u>2</u>	<u>David Kayle</u>
<u>3</u>	<u>Lisa Chahin</u>
<u>4</u>	<u>Steve Tennis</u>
<u>5</u>	<u>Jonathon St. Romain</u>

(b) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2013, and the terms of directors appointed for positions four and five expire June 1, 2015.

(c) Section 3904.052 does not apply to this section.

(d) This section expires September 1, 2016.

1       Sec. 3904.054. NONVOTING DIRECTORS. The board may appoint  
2 nonvoting directors to serve at the pleasure of the voting  
3 directors.

4       Sec. 3904.055. QUORUM. For purposes of determining the  
5 requirements for a quorum of the board, the following are not  
6 counted:

7           (1) a board position vacant for any reason, including  
8 death, resignation, or disqualification;

9           (2) a director who is abstaining from participation in  
10 a vote because of a conflict of interest; or

11           (3) a nonvoting director.

12       Sec. 3904.056. COMPENSATION. A director is entitled to  
13 receive fees of office and reimbursement for actual expenses as  
14 provided by Section 49.060, Water Code. Sections 375.069 and  
15 375.070, Local Government Code, do not apply to the board.

16       [Sections 3904.057-3904.100 reserved for expansion]

17                   SUBCHAPTER C. POWERS AND DUTIES

18       Sec. 3904.101. GENERAL POWERS AND DUTIES. The district has  
19 the powers and duties necessary to accomplish the purposes for  
20 which the district is created.

21       Sec. 3904.102. IMPROVEMENT PROJECTS AND SERVICES. The  
22 district may provide, design, construct, acquire, improve,  
23 relocate, operate, maintain, or finance an improvement project or  
24 service using money available to the district, or contract with a  
25 governmental or private entity to provide, design, construct,  
26 acquire, improve, relocate, operate, maintain, or finance an  
27 improvement or service authorized under this chapter or Chapter

1 375, Local Government Code.

2 Sec. 3904.103. DEVELOPMENT CORPORATION POWERS. The  
3 district, using money available to the district, may exercise the  
4 powers given to a development corporation under Chapter 505, Local  
5 Government Code, including the power to own, operate, acquire,  
6 construct, lease, improve, or maintain a project under that  
7 chapter.

8 Sec. 3904.104. NONPROFIT CORPORATION. (a) The board by  
9 resolution may authorize the creation of a nonprofit corporation to  
10 assist and act for the district in implementing a project or  
11 providing a service authorized by this chapter.

12 (b) The nonprofit corporation:

13 (1) has each power of and is considered to be a local  
14 government corporation created under Subchapter D, Chapter 431,  
15 Transportation Code; and

16 (2) may implement any project and provide any service  
17 authorized by this chapter.

18 (c) The board shall appoint the board of directors of the  
19 nonprofit corporation. The board of directors of the nonprofit  
20 corporation shall serve in the same manner as the board of directors  
21 of a local government corporation created under Subchapter D,  
22 Chapter 431, Transportation Code, except that a board member is not  
23 required to reside in the district.

24 Sec. 3904.105. AGREEMENTS; GRANTS. (a) As provided by  
25 Chapter 375, Local Government Code, the district may make an  
26 agreement with or accept a gift, grant, or loan from any person.

27 (b) The implementation of a project is a governmental

1 function or service for the purposes of Chapter 791, Government  
2 Code.

3 Sec. 3904.106. LAW ENFORCEMENT SERVICES. To protect the  
4 public interest, the district may contract with a qualified party,  
5 including the county or the city, to provide law enforcement  
6 services in the district for a fee.

7 Sec. 3904.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
8 district may join and pay dues to a charitable or nonprofit  
9 organization that performs a service or provides an activity  
10 consistent with the furtherance of a district purpose.

11 Sec. 3904.108. ECONOMIC DEVELOPMENT. (a) The district may  
12 engage in activities that accomplish the economic development  
13 purposes of the district.

14 (b) The district may establish and provide for the  
15 administration of one or more programs to promote state or local  
16 economic development and to stimulate business and commercial  
17 activity in the district, including programs to:

18 (1) make loans and grants of public money; and

19 (2) provide district personnel and services.

20 (c) The district may create economic development programs  
21 and exercise the economic development powers provided to  
22 municipalities by:

23 (1) Chapter 380, Local Government Code; and

24 (2) Subchapter A, Chapter 1509, Government Code.

25 Sec. 3904.109. PARKING FACILITIES. (a) The district may  
26 acquire, lease as lessor or lessee, construct, develop, own,  
27 operate, and maintain parking facilities or a system of parking

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

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

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

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

13 Sec. 3904.110. ANNEXATION OR EXCLUSION OF LAND. (a) The  
14 district may annex land as provided by Subchapter J, Chapter 49,  
15 Water Code.

16 (b) The district may exclude land as provided by Subchapter  
17 J, Chapter 49, Water Code. Section 375.044(b), Local Government  
18 Code, does not apply to the district.

19 Sec. 3904.111. STRATEGIC PARTNERSHIP AGREEMENT. The  
20 district may negotiate and enter into a written strategic  
21 partnership under Section 43.0751, Local Government Code, with a  
22 municipality in whose extraterritorial jurisdiction the district  
23 is located.

24 Sec. 3904.112. NO EMINENT DOMAIN POWER. The district may  
25 not exercise the power of eminent domain.

26 [Sections 3904.113-3904.150 reserved for expansion]

1       SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

2       Sec. 3904.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
3 board by resolution shall establish the number of directors'  
4 signatures and the procedure required for a disbursement or  
5 transfer of district money.

6       Sec. 3904.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
7 The district may acquire, construct, finance, operate, or maintain  
8 any improvement or service authorized under this chapter or Chapter  
9 375, Local Government Code, using any money available to the  
10 district.

11       Sec. 3904.153. PETITION REQUIRED FOR FINANCING SERVICES AND  
12 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
13 service or improvement project with assessments under this chapter  
14 unless a written petition requesting that service or improvement  
15 has been filed with the board.

16       (b) A petition filed under Subsection (a) must be signed by  
17 the owners of a majority of the assessed value of real property in  
18 the district subject to assessment according to the most recent  
19 certified tax appraisal roll for the county.

20       Sec. 3904.154. METHOD OF NOTICE FOR HEARING. The district  
21 may mail the notice required by Section 375.115(c), Local  
22 Government Code, by certified or first class United States mail.  
23 The board shall determine the method of notice.

24       Sec. 3904.155. ASSESSMENTS; LIENS FOR ASSESSMENTS.  
25 (a) The board by resolution may impose and collect an assessment  
26 for any purpose authorized by this chapter in all or part of the  
27 district.

1       (b) An assessment, a reassessment, or an assessment  
2 resulting from an addition to or correction of the assessment roll  
3 by the district, penalties and interest on an assessment or  
4 reassessment, an expense of collection, and reasonable attorney's  
5 fees incurred by the district:

6           (1) are a first and prior lien against the property  
7 assessed;

8           (2) are superior to any other lien or claim other than  
9 a lien or claim for county, school district, or municipal ad valorem  
10 taxes; and

11           (3) are the personal liability of and a charge against  
12 the owners of the property even if the owners are not named in the  
13 assessment proceedings.

14       (c) The lien is effective from the date of the board's  
15 resolution imposing the assessment until the date the assessment is  
16 paid. The board may enforce the lien in the same manner that the  
17 board may enforce an ad valorem tax lien against real property.

18       (d) The board may make a correction to or deletion from the  
19 assessment roll that does not increase the amount of assessment of  
20 any parcel of land without providing notice and holding a hearing in  
21 the manner required for additional assessments.

22       Sec. 3904.156. RESIDENTIAL PROPERTY NOT EXEMPT. Section  
23 375.161, Local Government Code, does not apply to a tax approved by  
24 the district voters or a required payment for service provided by  
25 the district, including water and sewer services.

26       Sec. 3904.157. COMPETITIVE BIDDING. Subchapter I, Chapter  
27 49, Water Code, applies to the district. Sections 375.221 and

1 375.223, Local Government Code, do not apply to the district.

2 Sec. 3904.158. TAX AND ASSESSMENT ABATEMENTS. The district  
3 may designate reinvestment zones and may grant abatements of a tax  
4 or assessment on property in the zones.

5 [Sections 3904.159-3904.200 reserved for expansion]

6 SUBCHAPTER E. TAXES AND BONDS

7 Sec. 3904.201. ELECTIONS REGARDING TAXES AND BONDS.

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

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

11 (2) contract payments described by Section 3904.203.

12 (b) The district must hold an election in the manner  
13 provided by Subchapter L, Chapter 375, Local Government Code, to  
14 obtain voter approval before the district may impose an ad valorem  
15 tax or issue bonds payable from ad valorem taxes.

16 (c) Section 375.243, Local Government Code, does not apply  
17 to the district.

18 (d) All or any part of any facilities or improvements that  
19 may be acquired by a district by the issuance of its bonds may be  
20 submitted as a single proposition or as several propositions to be  
21 voted on at the election.

22 Sec. 3904.202. OPERATION AND MAINTENANCE TAX. (a) If  
23 authorized by a majority of the district voters voting at an  
24 election held in accordance with Section 3904.201, the district may  
25 impose an operation and maintenance tax on taxable property in the  
26 district in accordance with Section 49.107, Water Code, for any  
27 district purpose, including to:

- 1           (1) maintain and operate the district;
- 2           (2) construct or acquire improvements; or
- 3           (3) provide a service.

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

6           (c) Section 49.107(h), Water Code, does not apply to the  
7 district.

8           Sec. 3904.203. CONTRACT TAXES. (a) In accordance with  
9 Section 49.108, Water Code, the district may impose a tax other than  
10 an operation and maintenance tax and use the revenue derived from  
11 the tax to make payments under a contract after the provisions of  
12 the contract have been approved by a majority of the district voters  
13 voting at an election held for that purpose.

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

17           Sec. 3904.204. AUTHORITY TO BORROW MONEY AND TO ISSUE  
18 BONDS. (a) The district may borrow money on terms determined by  
19 the board. Section 375.205, Local Government Code, does not apply  
20 to a loan, line of credit, or other borrowing from a bank or  
21 financial institution secured by revenue other than ad valorem  
22 taxes.

23           (b) The district may issue bonds, notes, or other  
24 obligations payable wholly or partly from ad valorem taxes,  
25 assessments, impact fees, revenue, contract payments, grants, or  
26 other district money, or any combination of those sources of money,  
27 to pay for any authorized district purpose.

1       Sec. 3904.205. TAXES FOR BONDS. At the time the district  
2 issues bonds payable wholly or partly from ad valorem taxes, the  
3 board shall provide for the annual imposition of a continuing  
4 direct annual ad valorem tax, without limit as to rate or amount,  
5 for each year that all or part of the bonds are outstanding as  
6 required and in the manner provided by Sections 54.601 and 54.602,  
7 Water Code.

8       Sec. 3904.206. BONDS FOR RECREATIONAL FACILITIES. The  
9 limitation on the outstanding principal amount of bonds, notes, and  
10 other obligations provided by Section 49.4645, Water Code, does not  
11 apply to the district.

12       [Sections 3904.207-3904.250 reserved for expansion]

13                   SUBCHAPTER F. DEFINED AREAS

14       Sec. 3904.251. AUTHORITY TO ESTABLISH DEFINED AREAS OR  
15 DESIGNATED PROPERTY. The district may define areas or designate  
16 certain property of the district to pay for improvements,  
17 facilities, or services that primarily benefit that area or  
18 property and do not generally and directly benefit the district as a  
19 whole.

20       Sec. 3904.252. PROCEDURE FOR ELECTION. (a) Before the  
21 district may impose an ad valorem tax or issue bonds payable from ad  
22 valorem taxes of the area defined or property designated under  
23 Section 3904.251, the board shall call and hold an election in the  
24 defined area or within the boundaries of the designated property  
25 only.

26       (b) The board may submit the proposition to the voters on  
27 the same ballot to be used in another election.

1       Sec. 3904.253. DECLARING RESULT AND ISSUING ORDER. (a) If  
2 a majority of the voters voting at the election approve the  
3 proposition or propositions, the board shall declare the results  
4 and, by order, shall establish the defined area and describe it by  
5 metes and bounds or designate the specific property.

6       (b) The board's order is not subject to judicial review.

7       Sec. 3904.254. TAXES FOR SERVICES, IMPROVEMENTS, AND  
8 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter  
9 approval and adoption of the order described by Section 3904.253,  
10 the district may apply separately, differently, equitably, and  
11 specifically its taxing power and lien authority to the defined  
12 area or designated property to provide money to construct,  
13 administer, maintain, and operate services, improvements, and  
14 facilities that primarily benefit the defined area or designated  
15 property.

16       Sec. 3904.255. ISSUANCE OF BONDS FOR DEFINED AREAS OR  
17 DESIGNATED PROPERTY. After the order under Section 3904.253 is  
18 adopted, the district may issue bonds to provide for any land,  
19 improvements, facilities, plants, equipment, and appliances for  
20 the defined area or designated property.

21       [Sections 3904.256-3904.300 reserved for expansion]

22       SUBCHAPTER G. MUNICIPAL ANNEXATION AND DISSOLUTION

23       Sec. 3904.301. MUNICIPAL ANNEXATION; DISSOLUTION.

24       (a) The district is a "water or sewer district" under Section  
25 43.071, Local Government Code.

26       (b) Section 43.075, Local Government Code, applies to the  
27 district.

1        (c) Section 375.264, Local Government Code, does not apply  
2 to the dissolution of the district by a municipality.

3        SECTION 2. Harris County Improvement District No. 22  
4 initially includes all territory contained in the following area:

5        A FIELD NOTE DESCRIPTION of 82.7881 acres (3,606,248 square  
6 feet) of land in the William Perkins Survey, Abstract No. 621, in  
7 the T. A. Duclos Survey, Abstract No. 1473 and in the C. W. Hall  
8 Survey, Abstract No. 1639, Harris County, Texas; said 82.7881 acre  
9 tract of land being part of a 24.9205 acre tract of land described  
10 as "Tract 1", being part of a 59.7996 acre tract of land described  
11 as "Tract 2", conveyed to A-K Texas Venture Capital, L.C., as  
12 recorded under Harris County Clerk's File No. P577137, being all of  
13 Proposed Grand Parkway (width varies) as recorded in Harris County  
14 Clerk's File Nos. L091863 and T419832, being all of Lot 1, conveyed  
15 to John H. Walker, Jr., as recorded under Harris County Clerk's File  
16 No. U083376, being all of Lot 3, conveyed to Jack Hall, as recorded  
17 under Harris County Clerk's File No. U083379, being all of Lot 4,  
18 conveyed to Margaret Gallagher, as recorded under Harris County  
19 Clerk's File No. U083382 and being all of Lot 5, conveyed to Robert  
20 Conwell, as recorded under Harris County Clerk's File No. U083385;  
21 said tract being more particularly described by metes and bounds as  
22 follows with the bearings being based on the easterly right-of-way  
23 line of Boudreaux Road (60 feet wide), as recorded under Harris  
24 County Clerk's File No. P577137, the bearing being North 02° 41' 05"  
25 West:

26        COMMENCING FOR REFERENCE at a 5/8-inch iron rod with cap set  
27 at the intersection of the south right-of-way line of said

1 Boudreaux Road with the east line of said Boudreaux Road for the  
2 northwest corner of a 14.8700 acre tract of land conveyed to Greater  
3 Life Church, as recorded under Harris County Clerk's File No.  
4 P747894;

5       THENCE, North 87° 37' 18" East - 600.21 feet with the north  
6 line of said 14.8700 acre tract and with the south right-of-way line  
7 of Boudreaux Road to a 5/8-inch iron rod with cap set for the  
8 northwest corner and POINT OF BEGINNING of this tract;

9       THENCE, North 87° 37' 18" East - 552.95 feet with the south  
10 right-of-way line of said Boudreaux Road to a 5/8-inch iron rod with  
11 cap set for the northwest end of a cutback corner at the  
12 intersection of the south right-of-way line of said Boudreaux Road  
13 with the west right-of-way line of State Highway 249 (right-of-way  
14 width varies) for an angle point of this tract;

15       THENCE, South 58° 59' 02" East - 40.31 feet with said cutback  
16 to a 5/8-inch iron rod with cap set in the west right-of-way line of  
17 said State Highway No. 249 for an angle point of this tract;

18       THENCE, South 18° 19' 22" East - 367.55 feet with the west  
19 right-of-way line of said State Highway 249 to a 5/8-inch iron rod  
20 found for the beginning of a non-tangent curve to the left;

21       THENCE, in a southerly direction with the west right-of-way  
22 line of said State Highway 249 and with a curve to the left having a  
23 radius of 5,940.58 feet, a central angle of 08° 30' 26", a length of  
24 882.05 feet and a chord bearing South 22° 37' 15" East - 881.24 feet  
25 to a 5/8-inch iron rod with cap set for a  
26 point-of-reverse-curvature;

27       THENCE, in a southerly direction with the west right-of-way

1 line of said State Highway 249 and with said curve to the right  
2 having a radius of 1,379.00 feet, a central angle of  $04^{\circ} 10' 43''$ , a  
3 length of 100.57 feet and a chord bearing South  $24^{\circ} 35' 34''$  East -  
4 100.55 feet to a 5/8-inch iron rod with cap set for a  
5 point-of-non-tangency;

6       THENCE, South  $22^{\circ} 42' 55''$  East - 154.41 feet with the west  
7 right-of-way line of said State Highway 249 to a Texas Department of  
8 Transportation Monument Disk found for a point-of-curvature;

9       THENCE, in a southeasterly direction with the west  
10 right-of-way line of said State Highway 249 and with a curve to left  
11 having a radius of 1,512.00 feet, a central angle of  $12^{\circ} 29' 50''$ , a  
12 length of 329.80 feet and a chord bearing South  $28^{\circ} 57' 50''$  East -  
13 329.14 feet to a Texas Department of Transportation Monument Disk  
14 found for a point-of-non-tangency;

15       THENCE, South  $35^{\circ} 11' 04''$  East - 395.67 feet with the west  
16 right-of-way line of said State Highway 249 to a Texas Department of  
17 Transportation Monument Disk found for the north end of a cutback at  
18 the intersection of the west right-of-way line of said State  
19 Highway 249 with the north right-of-way line of Proposed Boudreaux  
20 Road (100 feet wide), as recorded under Harris County Clerk's File  
21 No. D900150 for a southeast corner of this tract;

22       THENCE, South  $08^{\circ} 41' 12''$  West - 53.94 feet with said cutback  
23 to a Texas Department of Transportation Monument Disk found for a  
24 south corner of this tract;

25       THENCE, South  $58^{\circ} 20' 27''$  West - 791.84 feet with the  
26 northwest right-of-way line of said Proposed Boudreaux Road to a  
27 5/8-inch iron rod found for the beginning of a non-tangent curve to

1 the right;

2       THENCE, in a westerly direction with the north right-of-way  
3 line of said Proposed Boudreaux Road and with said curve to the  
4 right having a radius of 2,750.00 feet, a central angle of 28° 57'  
5 23", a length of 1,389.80 feet and a chord bearing South 72° 52' 14"  
6 West - 1,375.06 feet to a 5/8-inch iron rod found at the  
7 intersection of the north right-of-way line of said Proposed  
8 Boudreaux Road with the east right-of-way line of said Boudreaux  
9 Road for the southwest corner of this tract;

10       THENCE, North 02° 41' 05" West - 1,579.90 feet with the east  
11 right-of-way line of said Boudreaux Road to a 5/8-inch iron rod  
12 found for the southwest corner of said 14.8700 acre tract and for a  
13 northwest corner of this tract;

14       THENCE, North 52° 05' 02" East - 418.86 feet with the  
15 northwest right-of-way line of said Proposed Grand Parkway and with  
16 the southeast line of said 14.8700 acre tract to a 5/8-inch iron rod  
17 found for the southeast corner of said 14.8700 acre tract, with the  
18 southwest corner of said "Tract 1" and with an interior corner of  
19 this tract;

20       THENCE, North 01° 53' 02" West - 887.65 feet with the east line  
21 of said 14.8700 acre tract and with the west line of said "Tract 1"  
22 to the POINT OF BEGINNING and containing 82.7881 acres (3,606,248  
23 square feet) of land.

24       SECTION 3. (a) The legal notice of the intention to  
25 introduce this Act, setting forth the general substance of this  
26 Act, has been published as provided by law, and the notice and a  
27 copy of this Act have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished  
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
3 Government Code.

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

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

11 (d) The general law relating to consent by political  
12 subdivisions to the creation of districts with conservation,  
13 reclamation, and road powers and the inclusion of land in those  
14 districts has been complied with.

15 (e) All requirements of the constitution and laws of this  
16 state and the rules and procedures of the legislature with respect  
17 to the notice, introduction, and passage of this Act have been  
18 fulfilled and accomplished.

19 SECTION 4. This Act takes effect immediately if it receives  
20 a vote of two-thirds of all the members elected to each house, as  
21 provided by Section 39, Article III, Texas Constitution. If this  
22 Act does not receive the vote necessary for immediate effect, this  
23 Act takes effect September 1, 2011.