

1-1 By: Patrick S.B. No. 1882
1-2 (In the Senate - Filed March 17, 2011; March 24, 2011, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 29, 2011, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 April 29, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1882 By: Patrick

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

1-10 relating to the creation of Harris County Improvement District No.
1-11 22; providing authority to levy an assessment, impose a tax, and
1-12 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 3904 to read as follows:

1-16 CHAPTER 3904. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 22

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 3904.001. DEFINITIONS. In this chapter:

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

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

1-21 (3) "County" means Harris County.

1-22 (4) "Director" means a board member.

1-23 (5) "District" means the Harris County Improvement
1-24 District No. 22.

1-25 Sec. 3904.002. NATURE OF DISTRICT. The Harris County
1-26 Improvement District No. 22 is a special district created under
1-27 Section 59, Article XVI, Texas Constitution.

1-28 Sec. 3904.003. PURPOSE; DECLARATION OF INTENT. (a) The
1-29 creation of the district is essential to accomplish the purposes of
1-30 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-31 Texas Constitution, and other public purposes stated in this
1-32 chapter. By creating the district and in authorizing the city, the
1-33 county, and other political subdivisions to contract with the
1-34 district, the legislature has established a program to accomplish
1-35 the public purposes set out in Section 52-a, Article III, Texas
1-36 Constitution.

1-37 (b) The creation of the district is necessary to promote,
1-38 develop, encourage, and maintain employment, commerce,
1-39 transportation, housing, tourism, recreation, the arts,
1-40 entertainment, economic development, safety, and the public
1-41 welfare in the district.

1-42 (c) This chapter and the creation of the district may not be
1-43 interpreted to relieve the city or the county from providing the
1-44 level of services provided as of the effective date of the Act
1-45 enacting this chapter to the area in the district. The district is
1-46 created to supplement and not to supplant city or county services
1-47 provided in the district.

1-48 Sec. 3904.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-49 (a) The district is created to serve a public use and benefit.

1-50 (b) All land and other property included in the district
1-51 will benefit from the improvements and services to be provided by
1-52 the district under powers conferred by Sections 52 and 52-a,
1-53 Article III, and Section 59, Article XVI, Texas Constitution, and
1-54 other powers granted under this chapter.

1-55 (c) The creation of the district is in the public interest
1-56 and is essential to further the public purposes of:

1-57 (1) developing and diversifying the economy of the
1-58 state;

1-59 (2) eliminating unemployment and underemployment; and

1-60 (3) developing or expanding transportation and
1-61 commerce.

1-62 (d) The district will:

1-63 (1) promote the health, safety, and general welfare of

2-1 residents, employers, potential employees, employees, visitors,
2-2 and consumers in the district, and of the public;

2-3 (2) provide needed funding for the district to
2-4 preserve, maintain, and enhance the economic health and vitality of
2-5 the district territory as a community and business center;

2-6 (3) promote the health, safety, welfare, and enjoyment
2-7 of the public by providing pedestrian ways and by landscaping and
2-8 developing certain areas in the district, which are necessary for
2-9 the restoration, preservation, and enhancement of scenic beauty;
2-10 and

2-11 (4) provide for water, wastewater, drainage, road, and
2-12 recreational facilities for the district.

2-13 (e) Pedestrian ways along or across a street, whether at
2-14 grade or above or below the surface, and street lighting, street
2-15 landscaping, parking, and street art objects are parts of and
2-16 necessary components of a street and are considered to be a street
2-17 or road improvement.

2-18 (f) The district will not act as the agent or
2-19 instrumentality of any private interest even though the district
2-20 will benefit many private interests as well as the public.

2-21 Sec. 3904.005. INITIAL DISTRICT TERRITORY. (a) The
2-22 district is initially composed of the territory described by
2-23 Section 2 of the Act enacting this chapter.

2-24 (b) The boundaries and field notes contained in Section 2 of
2-25 the Act enacting this chapter form a closure. A mistake in the
2-26 field notes or in copying the field notes in the legislative process
2-27 does not affect the district's:

2-28 (1) organization, existence, or validity;

2-29 (2) right to issue any type of bond for the purposes
2-30 for which the district is created or to pay the principal of and
2-31 interest on the bond;

2-32 (3) right to impose or collect an assessment or tax; or

2-33 (4) legality or operation.

2-34 Sec. 3904.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
2-35 All or any part of the area of the district is eligible to be
2-36 included in:

2-37 (1) a tax increment reinvestment zone created under
2-38 Chapter 311, Tax Code;

2-39 (2) a tax abatement reinvestment zone created under
2-40 Chapter 312, Tax Code;

2-41 (3) an enterprise zone created under Chapter 2303,
2-42 Government Code; or

2-43 (4) an industrial district created under Chapter 42,
2-44 Local Government Code.

2-45 Sec. 3904.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
2-46 DISTRICTS LAW. Except as otherwise provided by this chapter,
2-47 Chapter 375, Local Government Code, applies to the district.

2-48 Sec. 3904.008. CONSTRUCTION OF CHAPTER. This chapter shall
2-49 be liberally construed in conformity with the findings and purposes
2-50 stated in this chapter.

2-51 [Sections 3904.009-3904.050 reserved for expansion]

2-52 SUBCHAPTER B. BOARD OF DIRECTORS

2-53 Sec. 3904.051. GOVERNING BODY; TERMS. (a) The district is
2-54 governed by a board of five voting directors who serve staggered
2-55 terms of four years, with two or three directors' terms expiring
2-56 June 1 of each odd-numbered year.

2-57 (b) The board by resolution may change the number of voting
2-58 directors on the board if the board determines that the change is in
2-59 the best interest of the district. The board may not consist of
2-60 fewer than 5 or more than 15 voting directors.

2-61 Sec. 3904.052. APPOINTMENT OF VOTING DIRECTORS. The Texas
2-62 Commission on Environmental Quality shall appoint voting directors
2-63 from persons recommended by the board.

2-64 Sec. 3904.053. INITIAL VOTING DIRECTORS. (a) The initial
2-65 board consists of the following voting directors:

Pos. No.	Name of Director
<u>1</u>	<u>Brian Burks</u>
<u>2</u>	<u>David Kayle</u>
<u>3</u>	<u>Lisa Chahin</u>

3-1 4 Steve Tennis
3-2 5 Jonathon St. Romain
3-3 (b) Of the initial directors, the terms of directors
3-4 appointed for positions one through three expire June 1, 2013, and
3-5 the terms of directors appointed for positions four and five expire
3-6 June 1, 2015.

3-7 (c) Section 3904.052 does not apply to this section.

3-8 (d) This section expires September 1, 2016.

3-9 Sec. 3904.054. NONVOTING DIRECTORS. The board may appoint
3-10 nonvoting directors to serve at the pleasure of the voting
3-11 directors.

3-12 Sec. 3904.055. QUORUM. For purposes of determining the
3-13 requirements for a quorum of the board, the following are not
3-14 counted:

3-15 (1) a board position vacant for any reason, including
3-16 death, resignation, or disqualification;

3-17 (2) a director who is abstaining from participation in
3-18 a vote because of a conflict of interest; or

3-19 (3) a nonvoting director.

3-20 Sec. 3904.056. COMPENSATION. A director is entitled to
3-21 receive fees of office and reimbursement for actual expenses as
3-22 provided by Section 49.060, Water Code. Sections 375.069 and
3-23 375.070, Local Government Code, do not apply to the board.

3-24 [Sections 3904.057-3904.100 reserved for expansion]

3-25 SUBCHAPTER C. POWERS AND DUTIES

3-26 Sec. 3904.101. GENERAL POWERS AND DUTIES. The district has
3-27 the powers and duties necessary to accomplish the purposes for
3-28 which the district is created.

3-29 Sec. 3904.102. IMPROVEMENT PROJECTS AND SERVICES. The
3-30 district may provide, design, construct, acquire, improve,
3-31 relocate, operate, maintain, or finance an improvement project or
3-32 service using money available to the district, or contract with a
3-33 governmental or private entity to provide, design, construct,
3-34 acquire, improve, relocate, operate, maintain, or finance an
3-35 improvement or service authorized under this chapter or Chapter
3-36 375, Local Government Code.

3-37 Sec. 3904.103. DEVELOPMENT CORPORATION POWERS. The
3-38 district, using money available to the district, may exercise the
3-39 powers given to a development corporation under Chapter 505, Local
3-40 Government Code, including the power to own, operate, acquire,
3-41 construct, lease, improve, or maintain a project under that
3-42 chapter.

3-43 Sec. 3904.104. NONPROFIT CORPORATION. (a) The board by
3-44 resolution may authorize the creation of a nonprofit corporation to
3-45 assist and act for the district in implementing a project or
3-46 providing a service authorized by this chapter.

3-47 (b) The nonprofit corporation:

3-48 (1) has each power of and is considered to be a local
3-49 government corporation created under Subchapter D, Chapter 431,
3-50 Transportation Code; and

3-51 (2) may implement any project and provide any service
3-52 authorized by this chapter.

3-53 (c) The board shall appoint the board of directors of the
3-54 nonprofit corporation. The board of directors of the nonprofit
3-55 corporation shall serve in the same manner as the board of directors
3-56 of a local government corporation created under Subchapter D,
3-57 Chapter 431, Transportation Code, except that a board member is not
3-58 required to reside in the district.

3-59 Sec. 3904.105. AGREEMENTS; GRANTS. (a) As provided by
3-60 Chapter 375, Local Government Code, the district may make an
3-61 agreement with or accept a gift, grant, or loan from any person.

3-62 (b) The implementation of a project is a governmental
3-63 function or service for the purposes of Chapter 791, Government
3-64 Code.

3-65 Sec. 3904.106. LAW ENFORCEMENT SERVICES. To protect the
3-66 public interest, the district may contract with a qualified party,
3-67 including the county or the city, to provide law enforcement
3-68 services in the district for a fee.

3-69 Sec. 3904.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The

4-1 district may join and pay dues to a charitable or nonprofit
4-2 organization that performs a service or provides an activity
4-3 consistent with the furtherance of a district purpose.

4-4 Sec. 3904.108. ECONOMIC DEVELOPMENT. (a) The district may
4-5 engage in activities that accomplish the economic development
4-6 purposes of the district.

4-7 (b) The district may establish and provide for the
4-8 administration of one or more programs to promote state or local
4-9 economic development and to stimulate business and commercial
4-10 activity in the district, including programs to:

4-11 (1) make loans and grants of public money; and

4-12 (2) provide district personnel and services.

4-13 (c) The district may create economic development programs
4-14 and exercise the economic development powers provided to
4-15 municipalities by:

4-16 (1) Chapter 380, Local Government Code; and

4-17 (2) Subchapter A, Chapter 1509, Government Code.

4-18 Sec. 3904.109. PARKING FACILITIES. (a) The district may
4-19 acquire, lease as lessor or lessee, construct, develop, own,
4-20 operate, and maintain parking facilities or a system of parking
4-21 facilities, including lots, garages, parking terminals, or other
4-22 structures or accommodations for parking motor vehicles off the
4-23 streets and related appurtenances.

4-24 (b) The district's parking facilities serve the public
4-25 purposes of the district and are owned, used, and held for a public
4-26 purpose even if leased or operated by a private entity for a term of
4-27 years.

4-28 (c) The district's parking facilities are necessary
4-29 components of a street and are considered to be a street or road
4-30 improvement.

4-31 (d) The development and operation of the district's parking
4-32 facilities may be considered an economic development program.

4-33 Sec. 3904.110. ANNEXATION OR EXCLUSION OF LAND. (a) The
4-34 district may annex land as provided by Subchapter J, Chapter 49,
4-35 Water Code.

4-36 (b) The district may exclude land as provided by Subchapter
4-37 J, Chapter 49, Water Code. Section 375.044(b), Local Government
4-38 Code, does not apply to the district.

4-39 Sec. 3904.111. STRATEGIC PARTNERSHIP AGREEMENT. The
4-40 district may negotiate and enter into a written strategic
4-41 partnership under Section 43.0751, Local Government Code, with a
4-42 municipality in whose extraterritorial jurisdiction the district
4-43 is located.

4-44 Sec. 3904.112. NO EMINENT DOMAIN POWER. The district may
4-45 not exercise the power of eminent domain.

4-46 [Sections 3904.113-3904.150 reserved for expansion]

4-47 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

4-48 Sec. 3904.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
4-49 board by resolution shall establish the number of directors'
4-50 signatures and the procedure required for a disbursement or
4-51 transfer of district money.

4-52 Sec. 3904.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
4-53 The district may acquire, construct, finance, operate, or maintain
4-54 any improvement or service authorized under this chapter or Chapter
4-55 375, Local Government Code, using any money available to the
4-56 district.

4-57 Sec. 3904.153. PETITION REQUIRED FOR FINANCING SERVICES AND
4-58 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
4-59 service or improvement project with assessments under this chapter
4-60 unless a written petition requesting that service or improvement
4-61 has been filed with the board.

4-62 (b) A petition filed under Subsection (a) must be signed by
4-63 the owners of a majority of the assessed value of real property in
4-64 the district subject to assessment according to the most recent
4-65 certified tax appraisal roll for the county.

4-66 Sec. 3904.154. METHOD OF NOTICE FOR HEARING. The district
4-67 may mail the notice required by Section 375.115(c), Local
4-68 Government Code, by certified or first class United States mail.
4-69 The board shall determine the method of notice.

5-1 Sec. 3904.155. ASSESSMENTS; LIENS FOR ASSESSMENTS.

5-2 (a) The board by resolution may impose and collect an assessment
5-3 for any purpose authorized by this chapter in all or part of the
5-4 district.

5-5 (b) An assessment, a reassessment, or an assessment
5-6 resulting from an addition to or correction of the assessment roll
5-7 by the district, penalties and interest on an assessment or
5-8 reassessment, an expense of collection, and reasonable attorney's
5-9 fees incurred by the district:

5-10 (1) are a first and prior lien against the property
5-11 assessed;

5-12 (2) are superior to any other lien or claim other than
5-13 a lien or claim for county, school district, or municipal ad valorem
5-14 taxes; and

5-15 (3) are the personal liability of and a charge against
5-16 the owners of the property even if the owners are not named in the
5-17 assessment proceedings.

5-18 (c) The lien is effective from the date of the board's
5-19 resolution imposing the assessment until the date the assessment is
5-20 paid. The board may enforce the lien in the same manner that the
5-21 board may enforce an ad valorem tax lien against real property.

5-22 (d) The board may make a correction to or deletion from the
5-23 assessment roll that does not increase the amount of assessment of
5-24 any parcel of land without providing notice and holding a hearing in
5-25 the manner required for additional assessments.

5-26 Sec. 3904.156. RESIDENTIAL PROPERTY NOT EXEMPT. Section
5-27 375.161, Local Government Code, does not apply to a tax approved by
5-28 the district voters or a required payment for service provided by
5-29 the district, including water and sewer services.

5-30 Sec. 3904.157. COMPETITIVE BIDDING. Subchapter I, Chapter
5-31 49, Water Code, applies to the district. Sections 375.221 and
5-32 375.223, Local Government Code, do not apply to the district.

5-33 Sec. 3904.158. TAX AND ASSESSMENT ABATEMENTS. The district
5-34 may designate reinvestment zones and may grant abatements of a tax
5-35 or assessment on property in the zones.

5-36 [Sections 3904.159-3904.200 reserved for expansion]

5-37 SUBCHAPTER E. TAXES AND BONDS

5-38 Sec. 3904.201. ELECTIONS REGARDING TAXES AND BONDS.

5-39 (a) The district may issue, without an election, bonds, notes, and
5-40 other obligations secured by:

5-41 (1) revenue other than ad valorem taxes; or

5-42 (2) contract payments described by Section 3904.203.

5-43 (b) The district must hold an election in the manner
5-44 provided by Subchapter L, Chapter 375, Local Government Code, to
5-45 obtain voter approval before the district may impose an ad valorem
5-46 tax or issue bonds payable from ad valorem taxes.

5-47 (c) Section 375.243, Local Government Code, does not apply
5-48 to the district.

5-49 (d) All or any part of any facilities or improvements that
5-50 may be acquired by a district by the issuance of its bonds may be
5-51 submitted as a single proposition or as several propositions to be
5-52 voted on at the election.

5-53 Sec. 3904.202. OPERATION AND MAINTENANCE TAX. (a) If
5-54 authorized by a majority of the district voters voting at an
5-55 election held in accordance with Section 3904.201, the district may
5-56 impose an operation and maintenance tax on taxable property in the
5-57 district in accordance with Section 49.107, Water Code, for any
5-58 district purpose, including to:

5-59 (1) maintain and operate the district;

5-60 (2) construct or acquire improvements; or

5-61 (3) provide a service.

5-62 (b) The board shall determine the tax rate. The rate may not
5-63 exceed the rate approved at the election.

5-64 (c) Section 49.107(h), Water Code, does not apply to the
5-65 district.

5-66 Sec. 3904.203. CONTRACT TAXES. (a) In accordance with
5-67 Section 49.108, Water Code, the district may impose a tax other than
5-68 an operation and maintenance tax and use the revenue derived from
5-69 the tax to make payments under a contract after the provisions of

6-1 the contract have been approved by a majority of the district voters
6-2 voting at an election held for that purpose.

6-3 (b) A contract approved by the district voters may contain a
6-4 provision stating that the contract may be modified or amended by
6-5 the board without further voter approval.

6-6 Sec. 3904.204. AUTHORITY TO BORROW MONEY AND TO ISSUE
6-7 BONDS. (a) The district may borrow money on terms determined by
6-8 the board. Section 375.205, Local Government Code, does not apply
6-9 to a loan, line of credit, or other borrowing from a bank or
6-10 financial institution secured by revenue other than ad valorem
6-11 taxes.

6-12 (b) The district may issue bonds, notes, or other
6-13 obligations payable wholly or partly from ad valorem taxes,
6-14 assessments, impact fees, revenue, contract payments, grants, or
6-15 other district money, or any combination of those sources of money,
6-16 to pay for any authorized district purpose.

6-17 Sec. 3904.205. TAXES FOR BONDS. At the time the district
6-18 issues bonds payable wholly or partly from ad valorem taxes, the
6-19 board shall provide for the annual imposition of a continuing
6-20 direct annual ad valorem tax, without limit as to rate or amount,
6-21 for each year that all or part of the bonds are outstanding as
6-22 required and in the manner provided by Sections 54.601 and 54.602,
6-23 Water Code.

6-24 Sec. 3904.206. BONDS FOR RECREATIONAL FACILITIES. The
6-25 limitation on the outstanding principal amount of bonds, notes, and
6-26 other obligations provided by Section 49.4645, Water Code, does not
6-27 apply to the district.

6-28 [Sections 3904.207-3904.250 reserved for expansion]

6-29 SUBCHAPTER F. DEFINED AREAS

6-30 Sec. 3904.251. AUTHORITY TO ESTABLISH DEFINED AREAS OR
6-31 DESIGNATED PROPERTY. The district may define areas or designate
6-32 certain property of the district to pay for improvements,
6-33 facilities, or services that primarily benefit that area or
6-34 property and do not generally and directly benefit the district as a
6-35 whole.

6-36 Sec. 3904.252. PROCEDURE FOR ELECTION. (a) Before the
6-37 district may impose an ad valorem tax or issue bonds payable from ad
6-38 valorem taxes of the area defined or property designated under
6-39 Section 3904.251, the board shall call and hold an election in the
6-40 defined area or within the boundaries of the designated property
6-41 only.

6-42 (b) The board may submit the proposition to the voters on
6-43 the same ballot to be used in another election.

6-44 Sec. 3904.253. DECLARING RESULT AND ISSUING ORDER. (a) If
6-45 a majority of the voters voting at the election approve the
6-46 proposition or propositions, the board shall declare the results
6-47 and, by order, shall establish the defined area and describe it by
6-48 metes and bounds or designate the specific property.

6-49 (b) The board's order is not subject to judicial review.

6-50 Sec. 3904.254. TAXES FOR SERVICES, IMPROVEMENTS, AND
6-51 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter
6-52 approval and adoption of the order described by Section 3904.253,
6-53 the district may apply separately, differently, equitably, and
6-54 specifically its taxing power and lien authority to the defined
6-55 area or designated property to provide money to construct,
6-56 administer, maintain, and operate services, improvements, and
6-57 facilities that primarily benefit the defined area or designated
6-58 property.

6-59 Sec. 3904.255. ISSUANCE OF BONDS FOR DEFINED AREAS OR
6-60 DESIGNATED PROPERTY. After the order under Section 3904.253 is
6-61 adopted, the district may issue bonds to provide for any land,
6-62 improvements, facilities, plants, equipment, and appliances for
6-63 the defined area or designated property.

6-64 [Sections 3904.256-3904.300 reserved for expansion]

6-65 SUBCHAPTER G. MUNICIPAL ANNEXATION AND DISSOLUTION

6-66 Sec. 3904.301. MUNICIPAL ANNEXATION; DISSOLUTION.

6-67 (a) The district is a "water or sewer district" under Section
6-68 43.071, Local Government Code.

6-69 (b) Section 43.075, Local Government Code, applies to the

7-1 district.

7-2 (c) Section 375.264, Local Government Code, does not apply
 7-3 to the dissolution of the district by a municipality.

7-4 SECTION 2. Harris County Improvement District No. 22
 7-5 initially includes all territory contained in the following area:

7-6 A FIELD NOTE DESCRIPTION of 82.7881 acres (3,606,248 square
 7-7 feet) of land in the William Perkins Survey, Abstract No. 621, in
 7-8 the T. A. Duclos Survey, Abstract No. 1473 and in the C. W. Hall
 7-9 Survey, Abstract No. 1639, Harris County, Texas; said 82.7881 acre
 7-10 tract of land being part of a 24.9205 acre tract of land described
 7-11 as "Tract 1", being part of a 59.7996 acre tract of land described
 7-12 as "Tract 2", conveyed to A-K Texas Venture Capital, L.C., as
 7-13 recorded under Harris County Clerk's File No. P577137, being all of
 7-14 Proposed Grand Parkway (width varies) as recorded in Harris County
 7-15 Clerk's File Nos. L091863 and T419832, being all of Lot 1, conveyed
 7-16 to John H. Walker, Jr., as recorded under Harris County Clerk's File
 7-17 No. U083376, being all of Lot 3, conveyed to Jack Hall, as recorded
 7-18 under Harris County Clerk's File No. U083379, being all of Lot 4,
 7-19 conveyed to Margaret Gallagher, as recorded under Harris County
 7-20 Clerk's File No. U083382 and being all of Lot 5, conveyed to Robert
 7-21 Conwell, as recorded under Harris County Clerk's File No. U083385;
 7-22 said tract being more particularly described by metes and bounds as
 7-23 follows with the bearings being based on the easterly right-of-way
 7-24 line of Boudreaux Road (60 feet wide), as recorded under Harris
 7-25 County Clerk's File No. P577137, the bearing being North 02° 41' 05"
 7-26 West:

7-27 COMMENCING FOR REFERENCE at a 5/8-inch iron rod with cap set
 7-28 at the intersection of the south right-of-way line of said
 7-29 Boudreaux Road with the east line of said Boudreaux Road for the
 7-30 northwest corner of a 14.8700 acre tract of land conveyed to Greater
 7-31 Life Church, as recorded under Harris County Clerk's File No.
 7-32 P747894;

7-33 THENCE, North 87° 37' 18" East - 600.21 feet with the north
 7-34 line of said 14.8700 acre tract and with the south right-of-way line
 7-35 of Boudreaux Road to a 5/8-inch iron rod with cap set for the
 7-36 northwest corner and POINT OF BEGINNING of this tract;

7-37 THENCE, North 87° 37' 18" East - 552.95 feet with the south
 7-38 right-of-way line of said Boudreaux Road to a 5/8-inch iron rod with
 7-39 cap set for the northwest end of a cutback corner at the
 7-40 intersection of the south right-of-way line of said Boudreaux Road
 7-41 with the west right-of-way line of State Highway 249 (right-of-way
 7-42 width varies) for an angle point of this tract;

7-43 THENCE, South 58° 59' 02" East - 40.31 feet with said cutback
 7-44 to a 5/8-inch iron rod with cap set in the west right-of-way line of
 7-45 said State Highway No. 249 for an angle point of this tract;

7-46 THENCE, South 18° 19' 22" East - 367.55 feet with the west
 7-47 right-of-way line of said State Highway 249 to a 5/8-inch iron rod
 7-48 found for the beginning of a non-tangent curve to the left;

7-49 THENCE, in a southerly direction with the west right-of-way
 7-50 line of said State Highway 249 and with a curve to the left having a
 7-51 radius of 5,940.58 feet, a central angle of 08° 30' 26", a length of
 7-52 882.05 feet and a chord bearing South 22° 37' 15" East - 881.24 feet
 7-53 to a 5/8-inch iron rod with cap set for a
 7-54 point-of-reverse-curvature;

7-55 THENCE, in a southerly direction with the west right-of-way
 7-56 line of said State Highway 249 and with said curve to the right
 7-57 having a radius of 1,379.00 feet, a central angle of 04° 10' 43", a
 7-58 length of 100.57 feet and a chord bearing South 24° 35' 34" East -
 7-59 100.55 feet to a 5/8-inch iron rod with cap set for a
 7-60 point-of-non-tangency;

7-61 THENCE, South 22° 42' 55" East - 154.41 feet with the west
 7-62 right-of-way line of said State Highway 249 to a Texas Department of
 7-63 Transportation Monument Disk found for a point-of-curvature;

7-64 THENCE, in a southeasterly direction with the west
 7-65 right-of-way line of said State Highway 249 and with a curve to left
 7-66 having a radius of 1,512.00 feet, a central angle of 12° 29' 50", a
 7-67 length of 329.80 feet and a chord bearing South 28° 57' 50" East -
 7-68 329.14 feet to a Texas Department of Transportation Monument Disk
 7-69 found for a point-of-non-tangency;

8-1 THENCE, South 35° 11' 04" East - 395.67 feet with the west
8-2 right-of-way line of said State Highway 249 to a Texas Department of
8-3 Transportation Monument Disk found for the north end of a cutback at
8-4 the intersection of the west right-of-way line of said State
8-5 Highway 249 with the north right-of-way line of Proposed Boudreaux
8-6 Road (100 feet wide), as recorded under Harris County Clerk's File
8-7 No. D900150 for a southeast corner of this tract;

8-8 THENCE, South 08° 41' 12" West - 53.94 feet with said cutback
8-9 to a Texas Department of Transportation Monument Disk found for a
8-10 south corner of this tract;

8-11 THENCE, South 58° 20' 27" West - 791.84 feet with the
8-12 northwest right-of-way line of said Proposed Boudreaux Road to a
8-13 5/8-inch iron rod found for the beginning of a non-tangent curve to
8-14 the right;

8-15 THENCE, in a westerly direction with the north right-of-way
8-16 line of said Proposed Boudreaux Road and with said curve to the
8-17 right having a radius of 2,750.00 feet, a central angle of 28° 57'
8-18 23", a length of 1,389.80 feet and a chord bearing South 72° 52' 14"
8-19 West - 1,375.06 feet to a 5/8-inch iron rod found at the
8-20 intersection of the north right-of-way line of said Proposed
8-21 Boudreaux Road with the east right-of-way line of said Boudreaux
8-22 Road for the southwest corner of this tract;

8-23 THENCE, North 02° 41' 05" West - 1,579.90 feet with the east
8-24 right-of-way line of said Boudreaux Road to a 5/8-inch iron rod
8-25 found for the southwest corner of said 14.8700 acre tract and for a
8-26 northwest corner of this tract;

8-27 THENCE, North 52° 05' 02" East - 418.86 feet with the
8-28 northwest right-of-way line of said Proposed Grand Parkway and with
8-29 the southeast line of said 14.8700 acre tract to a 5/8-inch iron rod
8-30 found for the southeast corner of said 14.8700 acre tract, with the
8-31 southwest corner of said "Tract 1" and with an interior corner of
8-32 this tract;

8-33 THENCE, North 01° 53' 02" West - 887.65 feet with the east line
8-34 of said 14.8700 acre tract and with the west line of said "Tract 1"
8-35 to the POINT OF BEGINNING and containing 82.7881 acres (3,606,248
8-36 square feet) of land.

8-37 SECTION 3. (a) The legal notice of the intention to
8-38 introduce this Act, setting forth the general substance of this
8-39 Act, has been published as provided by law, and the notice and a
8-40 copy of this Act have been furnished to all persons, agencies,
8-41 officials, or entities to which they are required to be furnished
8-42 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
8-43 Government Code.

8-44 (b) The governor, one of the required recipients, has
8-45 submitted the notice and Act to the Texas Commission on
8-46 Environmental Quality.

8-47 (c) The Texas Commission on Environmental Quality has filed
8-48 its recommendations relating to this Act with the governor,
8-49 lieutenant governor, and speaker of the house of representatives
8-50 within the required time.

8-51 (d) The general law relating to consent by political
8-52 subdivisions to the creation of districts with conservation,
8-53 reclamation, and road powers and the inclusion of land in those
8-54 districts has been complied with.

8-55 (e) All requirements of the constitution and laws of this
8-56 state and the rules and procedures of the legislature with respect
8-57 to the notice, introduction, and passage of this Act have been
8-58 fulfilled and accomplished.

8-59 SECTION 4. This Act takes effect immediately if it receives
8-60 a vote of two-thirds of all the members elected to each house, as
8-61 provided by Section 39, Article III, Texas Constitution. If this
8-62 Act does not receive the vote necessary for immediate effect, this
8-63 Act takes effect September 1, 2011.

8-64 * * * * *