

By: Thompson of Brazoria

H.B. No. 1276

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation of Pearland Municipal Management District  
3 No. 2; providing authority to issue bonds; providing authority to  
4 impose assessments, fees, and taxes.

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

6 SECTION 1. Subtitle C, Title 4, Special District Local Laws  
7 Code, is amended by adding Chapter 3867 to read as follows:

8 CHAPTER 3867. PEARLAND MUNICIPAL MANAGEMENT DISTRICT NO. 2

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 3867.001. DEFINITIONS. In this chapter:

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

12 (2) "City" means the City of Pearland.

13 (3) "County" means Brazoria County.

14 (4) "Director" means a board member.

15 (5) "District" means the Pearland Municipal  
16 Management District No. 2.

17 Sec. 3867.002. NATURE OF DISTRICT. The Pearland Municipal  
18 Management District No. 2 is a special district created under  
19 Section 59, Article XVI, Texas Constitution.

20 Sec. 3867.003. PURPOSE; DECLARATION OF INTENT. (a) The  
21 creation of the district is essential to accomplish the purposes of  
22 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
23 Texas Constitution, and other public purposes stated in this  
24 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. 3867.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
17 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 street or road and recreational  
16 facilities and improvements, including related drainage  
17 facilities, for the district.

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

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

26           Sec. 3867.005. INITIAL DISTRICT TERRITORY. (a) The  
27 district is initially composed of the territory described by

1 Section 2 of the Act enacting this chapter.

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

6 (1) organization, existence, or validity;

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

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

11 (4) legality or operation.

12 Sec. 3867.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

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

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

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

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

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

23 Sec. 3867.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
24 DISTRICTS LAW. Except as otherwise provided by this chapter,  
25 Chapter 375, Local Government Code, applies to the district.

26 Sec. 3867.008. CONSTRUCTION OF CHAPTER. This chapter shall  
27 be liberally construed in conformity with the findings and purposes

1 stated in this chapter.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 3867.051. GOVERNING BODY; TERMS. (a) The district is  
4 governed by a board of seven voting directors who serve staggered  
5 terms of four years, with three or four directors' terms expiring  
6 June 1 of each odd-numbered year.

7 (b) The board by resolution may change the number of voting  
8 directors on the board if the board determines that the change is in  
9 the best interest of the district and the governing body of the city  
10 consents to the change. The board may not consist of fewer than 5 or  
11 more than 15 voting directors.

12 Sec. 3867.052. APPOINTMENT OF VOTING DIRECTORS. The  
13 governing body of the city shall appoint voting directors from  
14 persons recommended by the board. A person is appointed if a  
15 majority of the members of the governing body of the city vote to  
16 appoint that person.

17 Sec. 3867.053. NONVOTING DIRECTORS. The board may appoint  
18 nonvoting directors to serve at the pleasure of the voting  
19 directors.

20 Sec. 3867.054. QUORUM. For purposes of determining the  
21 requirements for a quorum of the board, the following are not  
22 counted:

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

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

27 (3) a nonvoting director.

1 Sec. 3867.055. INITIAL VOTING DIRECTORS. (a) The initial  
2 board consists of the following voting directors:

	<u>Pos. No.</u>	<u>Name of Director</u>
4	<u>1</u>	_____
5	<u>2</u>	_____
6	<u>3</u>	_____
7	<u>4</u>	_____
8	<u>5</u>	_____
9	<u>6</u>	_____
10	<u>7</u>	_____

11 (b) Of the initial directors, the terms of directors  
12 appointed for positions one through four expire June 1, 2015, and  
13 the terms of directors appointed for positions five through seven  
14 expire June 1, 2017.

15 (c) Section 3867.052 does not apply to this section.

16 (d) This section expires September 1, 2017.

17 SUBCHAPTER C. POWERS AND DUTIES

18 Sec. 3867.101. 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. 3867.102. 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 any money available to the district, or contract with  
25 a governmental or private entity to provide, design, construct,  
26 acquire, improve, relocate, operate, maintain, or finance an  
27 improvement project or service authorized under this chapter or

1 Chapter 375, Local Government Code.

2 Sec. 3867.103. 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. 3867.104. 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. 3867.105. 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. 3867.106. LAW ENFORCEMENT AND SECURITY SERVICES. To  
4 protect the public interest, the district may provide security  
5 services or contract with a qualified party, including the county  
6 or the city, to provide law enforcement services in the district for  
7 a fee.

8 Sec. 3867.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
9 district may join and pay dues to a charitable or nonprofit  
10 organization that performs a service or provides an activity  
11 consistent with the furtherance of a district purpose.

12 Sec. 3867.108. ECONOMIC DEVELOPMENT. (a) The district may  
13 engage in activities that accomplish the economic development  
14 purposes of the district.

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

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

20 (2) provide district personnel and services.

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

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

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

26 Sec. 3867.109. PARKING FACILITIES. (a) The district may  
27 acquire, lease as lessor or lessee, construct, develop, own,



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

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

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

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

14 Sec. 3867.110. ANNEXATION OF LAND. The district may annex  
15 land as provided by Subchapter J, Chapter 49, Water Code.

16 Sec. 3867.111. APPROVAL BY CITY. (a) Except as provided by  
17 Chapter 375, Local Government Code, the district must obtain the  
18 approval of the city for:

19 (1) the issuance of bonds;

20 (2) the annexation or exclusion of land;

21 (3) the plans and specifications of an improvement  
22 project financed by bonds; and

23 (4) the plans and specifications of an improvement  
24 project related to the use of land owned by the city, an easement  
25 granted by the city, or a right-of-way of a street, road, or  
26 highway.

27 (b) The district may not issue bonds or annex or exclude

1 land until the governing body of the city adopts a resolution or  
2 ordinance authorizing the issuance of the bonds or the annexation  
3 or exclusion of the land.

4 (c) The governing body of the city:

5 (1) is not required to adopt a resolution or ordinance  
6 to approve plans and specifications described by Subsection (a);  
7 and

8 (2) may establish an administrative process to approve  
9 plans and specifications described by Subsection (a) without the  
10 involvement of the governing body.

11 Sec. 3867.112. NO EMINENT DOMAIN POWER. The district may  
12 not exercise the power of eminent domain.

13 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

14 Sec. 3867.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
15 board by resolution shall establish the number of directors'  
16 signatures and the procedure required for a disbursement or  
17 transfer of district money.

18 Sec. 3867.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
19 The district may acquire, construct, finance, operate, or maintain  
20 any improvement or service authorized under this chapter or Chapter  
21 375, Local Government Code, using any money available to the  
22 district.

23 Sec. 3867.153. PETITION REQUIRED FOR FINANCING SERVICES AND  
24 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
25 service or improvement project with assessments under this chapter  
26 unless a written petition requesting that service or improvement  
27 has been filed with the board.

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

5       Sec. 3867.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
6 The board by resolution may impose and collect an assessment for any  
7 purpose authorized by this chapter in all or any part of the  
8 district.

9       (b) An assessment, a reassessment, or an assessment  
10 resulting from an addition to or correction of the assessment roll  
11 by the district, penalties and interest on an assessment or  
12 reassessment, an expense of collection, and reasonable attorney's  
13 fees incurred by the district:

14           (1) are a first and prior lien against the property  
15 assessed;

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

19           (3) are the personal liability of and a charge against  
20 the owners of the property even if the owners are not named in the  
21 assessment proceedings.

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

26       (d) The board may make a correction to or deletion from the  
27 assessment roll that does not increase the amount of assessment of

1 any parcel of land without providing notice and holding a hearing in  
2 the manner required for additional assessments.

3 Sec. 3867.155. TAX AND ASSESSMENT ABATEMENTS. The district  
4 may designate reinvestment zones and may grant abatements of a tax  
5 or assessment on property in the zones.

6 SUBCHAPTER E. TAXES AND BONDS

7 Sec. 3867.201. ELECTIONS REGARDING TAXES AND BONDS. (a)  
8 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 3867.203.

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. 3867.202. 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 3867.201, 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) maintain and operate the district;
- (2) construct or acquire improvements; or
- (3) provide a service.

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

Sec. 3867.203. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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

Sec. 3867.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board. Section 375.205, Local Government Code, does not apply to a loan, line of credit, or other borrowing from a bank or financial institution secured by revenue other than ad valorem taxes.

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

Sec. 3867.205. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the

1 board shall provide for the annual imposition of a continuing  
2 direct annual ad valorem tax, without limit as to rate or amount,  
3 for each year that all or part of the bonds are outstanding as  
4 required and in the manner provided by Sections 54.601 and 54.602,  
5 Water Code.

6 Sec. 3867.206. TAXES AND BONDS FOR RECREATIONAL FACILITIES.

7 (a) The limitation on the outstanding principal amount of bonds,  
8 notes, and other obligations provided by Section 49.4645, Water  
9 Code, does not apply to the district.

10 (b) Section 49.107(h), Water Code, does not apply to the  
11 district.

12 Sec. 3867.207. CITY NOT REQUIRED TO PAY DISTRICT  
13 OBLIGATIONS. Except as provided by Section 375.263, Local  
14 Government Code, the city is not required to pay a bond, note, or  
15 other obligation of the district.

16 SECTION 2. The Pearland Municipal Management District No. 2  
17 initially includes all territory contained in the following area:

18 BEING 1,572 acres, more or less, of land within the City  
19 Limits of Pearland, Texas, located in the H. T. & B. R. R. Co.  
20 Survey, Abstract No. 300, the J. W. Maxcy Survey, Abstract No. 675,  
21 the R. B. Lyle Survey, Abstract No. 539, the W. W. Dupuy and L. F.  
22 Roberts Survey, Abstract No. 726, the H. T. & B. R. R. Co. Survey,  
23 Abstract No. 304, the W. M. Morris Survey, Abstract No. 344, the J.  
24 Crawley Survey, Abstract No. 174 and the D. White Survey, Abstract  
25 No. 747, Brazoria County, Texas and also located in the James  
26 Hamilton Survey, Abstract No. 881, Harris County, Texas, said 1,572  
27 acres being more particularly described as follows:

1 BEGINNING at the southeast corner of SOUTHGATE SECTION ONE, a  
2 subdivision of record in Volume 24, Pages 123-126 of the Plat  
3 Records of Brazoria County, Texas (B.C.P.R.) on the northerly  
4 right-of-way line of County Road 59 (width varies);

5 THENCE NORTHERLY, 2,574 feet more or less, along the east  
6 line of said SOUTHGATE SECTION ONE and the east line of SOUTHGATE  
7 SECTION TWO, a subdivision of record in Volume 24, Pages 278-279,  
8 B.C.P.R. to the northeast corner of said SOUTHGATE SECTION TWO;

9 THENCE WESTERLY, 2,642 feet more or less, along the north  
10 line of said SOUTHGATE SECTION TWO to a point on the west line of  
11 said SOUTHGATE SECTION ONE for the southwest corner of Restricted  
12 Reserve "A" of said SOUTHGATE SECTION ONE;

13 THENCE NORTHERLY, 1,175 feet more or less, along said west  
14 line to the southwest corner of the MINOR PLAT OF KIRBY WATER PLANT  
15 SITE AND FIRE STATION NO. 5, a subdivision of record under Document  
16 Number 2008029867 of the Official Public Records of Brazoria  
17 County, Texas (B.C.O.P.R.)

18 THENCE EASTERLY, 626 feet more or less, to the southeast  
19 corner of said MINOR PLAT;

20 THENCE NORTHEASTERLY, 335 feet more or less, to the northeast  
21 corner of said MINOR PLAT;

22 THENCE WESTERLY, 776 feet more or less, to the northwest  
23 corner of said MINOR PLAT and being the southwest corner of the  
24 remainder of a called 13.380 acre tract of land conveyed to Pearland  
25 Town Center Limited Partnership as recorded under Document Number  
26 2006071333 of the Official Records of Brazoria County, Texas  
27 (B.C.O.R.);

1           THENCE NORTHERLY, 1,231 feet more or less, along the west  
2 line of said remainder and the west line of KIRBY CROSSING SECTION  
3 ONE, a subdivision of record under Document Number 2012041370,  
4 B.C.O.R., to the south right-of-way line and crossing to the north  
5 right-of-way line of F.M. 518 (120' wide);

6           THENCE WESTERLY, 597 feet more or less, along said North  
7 right-of-way line to the southeast corner of SF-18B, a subdivision  
8 of record in Volume 23, Pages 393-396, B.C.P.R.;

9           THENCE NORTHERLY, 1,053 feet more or less, along the east  
10 line of said SF-18B to the south line of SF-15, a subdivision of  
11 record in Volume 23, Pages 265-268, B.C.P.R.;

12           THENCE EASTERLY, 1,566 feet more or less, along said south  
13 line to the west right-of-way line and crossing to the east  
14 right-of-way line of Kirby Drive (100' wide);

15           THENCE SOUTHERLY, 634 feet more or less, along said east  
16 right-of-way line to the northwest corner of SHADOW CREEK RANCH  
17 COMMERCIAL SITE NO. 3, a subdivision of record under Document  
18 Number 2006023374, B.C.O.R.;

19           THENCE SOUTHEASTERLY, 789 feet more or less, along the  
20 northeast line of said SHADOW CREEK RANCH COMMERCIAL SITE NO. 3 to  
21 the southeast corner of same on the north right-of-way line of the  
22 aforementioned F.M. 518;

23           THENCE EASTERLY, 162 feet more or less, along said north  
24 right-of-way line to the southeast corner of SF-16B, a subdivision  
25 of record in Volume 23, Pages 273-276, B.C.P.R.;

26           THENCE NORTHERLY, 2,448 feet more or less, along the east  
27 line of said SF-16B, SF-16A, a subdivision of record in Volume 23,



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1 Pages 269-272, B.C.P.R. and SF-14B, a subdivision of record in  
2 Volume 23, Pages 261-264, B.C.P.R. to the southwest corner of the  
3 MINOR SUBDIVISION PLAT OF DISCOVERY AT SHADOW CREEK RANCH, a  
4 subdivision of record under Document Number 2009049537, B.C.O.R.;

5 THENCE EASTERLY, 1,354 feet more or less, along the south  
6 line of said MINOR SUBDIVISION PLAT OF DISCOVERY AT SHADOW CREEK  
7 RANCH to the southeast corner of said plat on the westerly  
8 right-of-way line of Business Center Drive (100' wide);

9 THENCE NORTHERLY, 5,630 feet more or less, along said west  
10 right-of-way line to the southeast corner of a called 17.5691 acre  
11 tract of land conveyed to GLOBAL NEW MILLENIUM PARTNERS, LTD. by the  
12 instrument of record under Document Number 2009057174, B.C.O.P.R.;

13 THENCE WESTERLY, 1,023 feet more or less, along the south  
14 line of said called 17.5691 acre tract to the southwest corner of  
15 the same;

16 THENCE NORTHERLY, 769 feet more or less, along the west line  
17 of said called 17.5691 acre tract to the most westerly northwest  
18 corner of the same;

19 THENCE NORTHEASTERLY, 429 feet more or less, along the  
20 northwest line of said called 17.5691 acre tract to the south  
21 right-of-way line and crossing to the north right-of-way line of  
22 F.M. 2234 - Shadow Creek Parkway (160.00' wide);

23 THENCE EASTERLY, 464 feet more or less, along said north  
24 right-of-way line, same being the south line of SHADOW CREEK RANCH  
25 COMMERCIAL SITE NO. 18B, a subdivision of record under Document  
26 Number 2007035195, B.C.O.P.R., to the southeast corner of said SITE  
27 18B;

1           THENCE NORTHERLY, 515 feet more or less, along the east line  
2 of said SITE 18B to a point on the south line of SHADOW CREEK  
3 MARKETPLACE, a subdivision of record under Document Number  
4 2008001974, B.C.O.P.R.

5           THENCE EASTERLY, 60 feet more or less, along said south line  
6 to a point on the west right-of-way line of Business Center Drive  
7 (100' wide);

8           THENCE NORTHERLY, 101 feet more or less, along said west  
9 right-of-way line to a point on the north line of said SHADOW CREEK  
10 MARKETPLACE;

11           THENCE NORTHEASTERLY, 1,674 feet more or less, along said  
12 north line to a point on the south line of a called 48.4712 acre  
13 tract of land conveyed to AMEGY MORTGAGE COMPANY, L.L.C., by the  
14 instrument of record under Document Number 2010023540, B.C.O.P.R.;

15           THENCE EASTERLY, 792 feet more or less, along the south line  
16 of said called 48.4712 acre tract to the west right-of-way line of  
17 State Highway 288;

18           THENCE NORTHERLY, 4,620 feet more or less, along said west  
19 right-of-way line to a point on the south right-of-way line of  
20 Beltway 8, same being the Northern City Limit Line of Pearland,  
21 Texas;

22           THENCE EASTERLY, 2,623 feet more or less, along said City  
23 Limit Line, crossing and to a point on the east side of said State  
24 Highway 288 for the northwest corner of the MINOR SUBDIVISION PLAT  
25 OF REC-TIME SUBDIVISION, a subdivision of record under Film Code  
26 600053 of the Harris County Map Records, (H.C.M.R.);

27           THENCE SOUTHERLY, 1,290 feet more or less, along the west

1 line of said MINOR SUBDIVISION PLAT OF REC-TIME SUBDIVISION to the  
2 north line of TOM BASS PARK;

3 THENCE WESTERLY, 679 feet more or less, to the west line of  
4 said PARK;

5 THENCE SOUTHERLY, 2,966 feet more or less, along said west  
6 line to the north line of THE LAKES AT COUNTRYPLACE SECTION EIGHT, a  
7 subdivision of record in Volume 21, Pages 173-174, B.C.P.R.;

8 THENCE WESTERLY, 116 feet more or less, SOUTHERLY 207 feet  
9 more or less and WESTERLY 439 feet more or less, along said north  
10 line to a point on the east right-of-way line of the aforementioned  
11 State Highway 288;

12 THENCE SOUTHERLY to SOUTHEASTERLY, 1,682 feet more or less,  
13 along said east right-of-way line to the north right-of-way line of  
14 the aforementioned F.M. 2234-Shadow Creek Parkway;

15 THENCE EASTERLY, 250 feet more or less, along said north  
16 right-of-way line to a point at the intersection with the east  
17 right-of-way line of County Road 94 (100' wide) projected north;

18 THENCE SOUTHERLY, 3,536 feet more or less, along said east  
19 right-of-way line to the northwest corner of SOUTHDOWN COMMERCIAL  
20 RESERVE TRACT A, a subdivision of record in Volume 17, Pages  
21 151-152, B.C.P.R.;

22 THENCE EASTERLY, 381 feet more or less, along the north line  
23 of said SOUTHDOWN COMMERCIAL RESERVE TRACT A and SOUTHDOWN  
24 COMMERCIAL RESERVE TRACT B, a subdivision of record in Volume 20,  
25 Pages 225-226, B.C.P.R. to the northeast corner of said TRACT B;

26 THENCE SOUTHERLY, 264 feet more or less, along the east line  
27 of said TRACT B to the north right-of-way line and crossing to the

1 south right-of-way line of Hughes Ranch Road (70' wide);

2       THENCE EASTERLY, 758 feet more or less, along said south  
3 right-of-way line to the northwest corner of SERENE GARDENS, a  
4 subdivision of record under Document Number 2012007617,  
5 B.C.O.P.R.;

6       THENCE SOUTHERLY, 970 feet more or less, along the west line  
7 of said SERENE GARDENS to the southwest corner of the same;

8       THENCE EASTERLY, 417 feet more or less, along the south line  
9 of said SERENE GARDENS to the southeast corner of the same and being  
10 on the west line of AUTUMN LAKE SECTION 2, a subdivision of record  
11 in Volume 23, Pages 43-44, B.C.P.R.;

12       THENCE SOUTHERLY, 2,972 feet more or less, along said west  
13 line of AUTUMN LAKE SECTION 2, AUTUMN LAKE SECTION 1, a subdivision  
14 of record in Volume 21, Pages 111-116, B.C.P.R. and AUTUMN LAKE  
15 SECTION 3, a subdivision of record in Volume 24, Page 19, B.C.P.R.  
16 to the southwest corner of said SECTION 3;

17       THENCE EASTERLY, 906 feet more or less, along the south line  
18 of said SECTION 3 to the southeast corner of the same being on the  
19 east line of Lot 29 of the Allison-Richey Gulf Coast Home Company of  
20 Suburban Gardens Subdivision, Section 85, a subdivision of record  
21 in Volume 2, Page 107, B.C.P.R.;

22       THENCE SOUTHERLY, 1,283 feet more or less, along the east  
23 line of said Lot 29 and Lot 30 of said Allison-Richey Subdivision,  
24 same being the HOME DEPOT tract to the north right-of-way line of  
25 F.M. 518 (130' wide at this point);

26       THENCE SOUTHWESTERLY, 154 feet more or less, crossing said  
27 F.M. 518 to the south right-of-way line of the same;

1           THENCE SOUTHERLY, 420 feet more or less, over and across  
2 SILVERLAKE COMMERCIAL PARK PHASE II, a subdivision of record in  
3 Volume 20, Pages 99-100, B.C.P.R. to an angle point in the south  
4 line of said SILVERLAKE COMMERCIAL PARK PHASE II;

5           THENCE WESTERLY, 520 feet more or less, along the south line  
6 of said SILVERLAKE COMMERCIAL PARK PHASE II, passing the southwest  
7 corner of the same on the east right-of-way line and crossing to the  
8 west right-of-way line of the aforementioned County Road 94 (100'  
9 wide);

10          THENCE SOUTHERLY, 280 feet more or less, along said west  
11 right-of-way line to the southeast corner of SILVERLAKE COMMERCIAL  
12 PARK PHASE VII, a subdivision of record in Volume 21, Pages 39-40,  
13 B.C.P.R.;

14          THENCE WESTERLY, 570 feet more or less, along the south line  
15 of said PHASE VII to the most easterly southeast corner of  
16 SILVERLAKE POWER CENTER, a subdivision of record in Volume 21,  
17 Pages 351-352, B.C.P.R.;

18          THENCE SOUTHWESTERLY, 2,248 feet more or less, along the  
19 south and southeast line of said SILVERLAKE POWER CENTER to the most  
20 westerly corner of SCOFIELD SECTION 1 AT SILVERLAKE, a subdivision  
21 of record in Volume 20, Pages 299-300, B.C.P.R.;

22          THENCE SOUTHEASTERLY, 911 feet more or less, along the  
23 southwest line of said SCOFIELD SECTION 1 to the westerly  
24 right-of-way line of the aforementioned County Road 94;

25          THENCE SOUTHERLY, 3,012 feet more or less, along said  
26 westerly right-of-way line to the north right-of-way line of the  
27 aforementioned County Road 59;

1           THENCE WESTERLY, 451 feet more or less, along said north  
2 right-of-way line to an angle point on the same and being common  
3 with the east right-of-way line of the aforementioned State Highway  
4 288;

5           THENCE NORTHWESTERLY, 389 feet more or less, along said east  
6 right-of-way line to an angle point;

7           THENCE WESTERLY, 509 feet more or less, crossing said State  
8 Highway 288 to an angle point on the west right-of-way line of the  
9 same;

10          THENCE SOUTHWESTERLY, 381 feet more or less, along said west  
11 right-of-way line to an angle point on the same and being common  
12 with the north right-of-way line of the aforementioned County Road  
13 59;

14          THENCE WESTERLY, 936 feet more or less, along said north  
15 right-of-way line to the POINT OF BEGINNING and containing 1,572  
16 acres, more or less, of land.

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

24          (b) The governor, one of the required recipients, has  
25 submitted the notice and Act to the Texas Commission on  
26 Environmental Quality.

27          (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor,  
2 lieutenant governor, and speaker of the house of representatives  
3 within the required time.

4 (d) The general law relating to consent by political  
5 subdivisions to the creation of districts with conservation,  
6 reclamation, and road powers and the inclusion of land in those  
7 districts has been complied with.

8 (e) All requirements of the constitution and laws of this  
9 state and the rules and procedures of the legislature with respect  
10 to the notice, introduction, and passage of this Act have been  
11 fulfilled and accomplished.

12 SECTION 4. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2013.