

AN ACT

relating to the creation of Rock Prairie Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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 3909 to read as follows:

CHAPTER 3909. ROCK PRAIRIE MANAGEMENT DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3909.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of College Station.

(3) "County" means Brazos County.

(4) "Director" means a board member.

(5) "District" means the Rock Prairie Management District No. 2.

Sec. 3909.002. NATURE OF DISTRICT. The Rock Prairie Management District No. 2 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3909.003. 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. 3909.004. 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 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. 3909.005. 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. 3909.006. 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. 3909.007. 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. 3909.008. CONSTRUCTION OF CHAPTER. This chapter shall
26 be liberally construed in conformity with the findings and purposes
27 stated in this chapter.

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 3909.051. GOVERNING BODY; TERMS. (a) The district is
3 governed by a board of five voting directors who serve staggered
4 terms of four years, with two or three directors' terms expiring
5 June 1 of each odd-numbered year.

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

11 Sec. 3909.052. RECOMMENDATIONS FOR SUCCEEDING BOARD. (a)
12 Each board of directors, including the initial board, shall
13 recommend to the governing body of the city persons to serve on the
14 succeeding board.

15 (b) The governing body of the city shall review the
16 recommendations and approve or disapprove the directors
17 recommended by the board. A person is appointed if a majority of the
18 members of the governing body and the mayor vote to appoint that
19 person.

20 (c) If the governing body of the city is not satisfied with
21 the recommendations submitted by the board and does not vote to
22 approve the recommended board members, the board, on the request of
23 the governing body, shall submit to the governing body additional
24 recommendations. If, after the second submission of
25 recommendations, the governing body does not vote to approve the
26 additional recommendations of the board, the governing body may
27 appoint persons who were not recommended to serve on the succeeding

1 board.

2 (d) Board members may serve successive terms.

3 (e) If a provision of Subsections (a)-(d) is found to be
4 invalid, the Texas Commission on Environmental Quality shall
5 appoint the board from recommendations submitted by the
6 then-current board.

7 Sec. 3909.053. NONVOTING DIRECTORS. The board may appoint
8 nonvoting directors to serve at the pleasure of the voting
9 directors.

10 Sec. 3909.054. QUORUM. For purposes of determining the
11 requirements for a quorum of the board, the following are not
12 counted:

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

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

17 (3) a nonvoting director.

18 Sec. 3909.055. INITIAL VOTING DIRECTORS. (a) The mayor and
19 the members of the governing body of the city shall appoint initial
20 voting directors by position. A person is appointed if a majority
21 of the members of the governing body and the mayor vote to appoint
22 that person.

23 (b) Of the initial directors, the terms of directors
24 appointed for positions one through three expire June 1, 2015, and
25 the terms of directors appointed for positions four and five expire
26 June 1, 2017.

27 (c) Section 3909.052 does not apply to this section.

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

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 3909.101. GENERAL POWERS AND DUTIES. The district has
4 the powers and duties necessary to accomplish the purposes for
5 which the district is created.

6 Sec. 3909.102. IMPROVEMENT PROJECTS AND SERVICES. The
7 district may provide, design, construct, acquire, improve,
8 relocate, operate, maintain, or finance an improvement project or
9 service using any money available to the district, or contract with
10 a governmental or private entity to provide, design, construct,
11 acquire, improve, relocate, operate, maintain, or finance an
12 improvement project or service authorized under this chapter or
13 Chapter 375, Local Government Code.

14 Sec. 3909.103. DEVELOPMENT CORPORATION POWERS. The
15 district, using money available to the district, may exercise the
16 powers given to a development corporation under Chapter 505, Local
17 Government Code, including the power to own, operate, acquire,
18 construct, lease, improve, or maintain a project under that
19 chapter.

20 Sec. 3909.104. NONPROFIT CORPORATION. (a) The board by
21 resolution may authorize the creation of a nonprofit corporation to
22 assist and act for the district in implementing a project or
23 providing a service authorized by this chapter.

24 (b) The nonprofit corporation:

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

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

3 (c) The board shall select directors from the board to serve
4 as the board of directors of the nonprofit corporation. The board
5 may appoint one or more persons who are not directors to the board
6 of directors of the nonprofit corporation if the governing body of
7 the city determines that the appointment is in the best interest of
8 the district. The board of directors of the nonprofit corporation
9 shall serve in the same manner as the board of directors of a local
10 government corporation created under Subchapter D, Chapter 431,
11 Transportation Code, except that a board member is not required to
12 reside in the district.

13 Sec. 3909.105. AGREEMENTS; GRANTS. (a) As provided by
14 Chapter 375, Local Government Code, the district may make an
15 agreement with or accept a gift, grant, or loan from any person.

16 (b) The implementation of a project is a governmental
17 function or service for the purposes of Chapter 791, Government
18 Code.

19 Sec. 3909.106. LAW ENFORCEMENT SERVICES. To protect the
20 public interest, the district may contract with a qualified party,
21 including the county or the city, to provide law enforcement
22 services in the district for a fee.

23 Sec. 3909.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
24 district may join and pay dues to a charitable or nonprofit
25 organization that performs a service or provides an activity
26 consistent with the furtherance of a district purpose.

27 Sec. 3909.108. ECONOMIC DEVELOPMENT. (a) The district may

1 engage in activities that accomplish the economic development
2 purposes of the district.

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

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

8 (2) provide district personnel and services.

9 (c) The district may create economic development programs
10 and exercise the economic development powers provided to
11 municipalities by:

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

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

14 Sec. 3909.109. PARKING FACILITIES. (a) The district may
15 acquire, lease as lessor or lessee, construct, develop, own,
16 operate, and maintain parking facilities or a system of parking
17 facilities, including lots, garages, parking terminals, or other
18 structures or accommodations for parking motor vehicles off the
19 streets and related appurtenances.

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

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

27 (d) The development and operation of the district's parking

1 facilities may be considered an economic development program.

2 Sec. 3909.110. ANNEXATION OF LAND. The district may annex
3 land as provided by Subchapter J, Chapter 49, Water Code.

4 Sec. 3909.111. APPROVAL BY CITY. (a) Except as provided by
5 Subsection (c), the district must obtain the approval of the city
6 for:

7 (1) the issuance of bonds;

8 (2) the plans and specifications of an improvement
9 project financed by bonds; and

10 (3) the plans and specifications of an improvement
11 project related to the use of land owned by the city, an easement
12 granted by the city, or a right-of-way of a street, road, or
13 highway.

14 (b) The district may not issue bonds until the governing
15 body of the city adopts a resolution or ordinance authorizing the
16 issuance of the bonds.

17 (c) If the district obtains the approval of the governing
18 body of the city of a capital improvements budget for a period not
19 to exceed 10 years, the district may finance the capital
20 improvements and issue bonds specified in the budget without
21 further approval from the city.

22 (d) The governing body of the city:

23 (1) is not required to adopt a resolution or ordinance
24 to approve plans and specifications described by Subsection (a);
25 and

26 (2) may establish an administrative process to approve
27 plans and specifications described by Subsection (a) without the

1 involvement of the governing body.

2 Sec. 3909.112. NO EMINENT DOMAIN POWER. The district may
3 not exercise the power of eminent domain.

4 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

5 Sec. 3909.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
6 board by resolution shall establish the number of directors'
7 signatures and the procedure required for a disbursement or
8 transfer of district money.

9 Sec. 3909.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
10 The district may acquire, construct, finance, operate, or maintain
11 any improvement or service authorized under this chapter or Chapter
12 375, Local Government Code, using any money available to the
13 district.

14 Sec. 3909.153. PETITION REQUIRED FOR FINANCING SERVICES AND
15 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
16 service or improvement project with assessments under this chapter
17 unless a written petition requesting that service or improvement
18 has been filed with the board.

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

23 Sec. 3909.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
24 The board by resolution may impose and collect an assessment for any
25 purpose authorized by this chapter in all or any part of the
26 district.

27 (b) An assessment, a reassessment, or an assessment

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

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

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

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

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

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

21 Sec. 3909.155. EXEMPTIONS. Section 375.162, Local
22 Government Code, does not apply to an organization exempt from
23 federal income tax under Section 501(a), Internal Revenue Code of
24 1986, by being described by Section 501(c)(3) of that code,
25 operating in the district. The organization is not exempt from
26 paying a district assessment.

27 Sec. 3909.156. RESIDENTIAL PROPERTY NOT EXEMPT. Section

1 375.161, Local Government Code, does not apply to a tax authorized
2 or approved by the voters of the district or a required payment for
3 a service provided by the district, including water and sewer
4 services.

5 Sec. 3909.157. TAX AND ASSESSMENT ABATEMENT. The district
6 may designate reinvestment zones and may grant abatements of
7 district taxes or assessments on property in the zones.

8 SUBCHAPTER E. TAXES AND BONDS

9 Sec. 3909.201. ELECTIONS REGARDING TAXES AND BONDS. (a)
10 The district may issue, without an election, bonds, notes, and
11 other obligations secured by:

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

13 (2) contract payments described by Section 3909.203.

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

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

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

24 Sec. 3909.202. OPERATION AND MAINTENANCE TAX. (a) If
25 authorized by a majority of the district voters voting at an
26 election held in accordance with Section 3909.201, the district may
27 impose an operation and maintenance tax on taxable property in the

1 district in accordance with Section 49.107, Water Code, for any
2 district purpose, including to:

3 (1) maintain and operate the district;

4 (2) construct or acquire improvements; or

5 (3) provide a service.

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

8 Sec. 3909.203. 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. 3909.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
18 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
19 determined by the board.

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

25 Sec. 3909.205. TAXES FOR BONDS. At the time the district
26 issues bonds payable wholly or partly from ad valorem taxes, the
27 board shall provide for the annual imposition of a continuing

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

5 Sec. 3909.206. CITY NOT REQUIRED TO PAY DISTRICT
6 OBLIGATIONS. Except as provided by Section 375.263, Local
7 Government Code, the city is not required to pay a bond, note, or
8 other obligation of the district.

9 SECTION 2. Rock Prairie Management District No. 2 initially
10 includes all territory contained in the following area:

11 All that certain tract or parcel of land lying and being
12 situated in the Thomas Caruthers league (abstract no. 9) and Robert
13 Stevenson league (abstract no. 54) in College Station, Brazos
14 County, Texas, generally being the area between State Highway no. 6
15 and Rock Prairie Road East, from Medical Avenue to William D. Fitch
16 Parkway, save and except all of Lot 1, Rock Prairie Baptist Church
17 (vol. 7312, pg. 207) lying south of the south right-of-way of Rock
18 Prairie Road East, and the boundary being more particularly
19 described as follows:

20 Beginning at the intersection of the south right-of-way line
21 of Rock Prairie Road East (60 feet south of surveyed centerline) and
22 the east boundary of Block 7 of the Scott & White Healthcare
23 Subdivision (vol. 10179, pg. 50), being the northeast corner of Lot
24 1, Block 7 of said subdivision, and from where City of College
25 Station GPS control monument no. 9 bears S 82° 02' 35" E - 7016.5
26 feet.

27 Thence N 2 ° 42' 34" W - 120.04 feet along an extension of the

1 said east boundary line of Block 7, to a point in the north
2 right-of-way line of Rock Prairie Road East;

3 Thence along the north right-of-way lines of Rock Prairie
4 Road East (59.0 feet north of the surveyed centerline) as follows:

5 S 86° 27' 34" E - 1771.13 feet, S 85° 02' 05" E - 1228.54
6 feet and S 84° 23' 02" E - 10.29 feet to a right-of-way offset point
7 in the common line of the Dale and Reba Conrad 26.25 acre tract
8 (vol. 460, pg. 505) and the Flying Ace Ranch, Ltd. 26.245 acre tract
9 (vol. 3767, pg. 237);

10 Thence S 24° 22' 52" W - 1.58 feet along said common tract line
11 to another offset point in the north right-of-way line of Rock
12 Prairie Road East;

13 Thence along the north right-of-way lines of Rock Prairie
14 Road East (57.5 feet north of the surveyed centerline) as follows:

15 S 84° 23' 02" E - 606.93 feet, S 82° 02' 02" E - 1453.40
16 feet, S 77° 01' 02" E - 1052.59 feet, S 76° 28' 02" E - 2876.58 feet,
17 S 69° 53' 32" E - 2812.30 feet to the beginning of a tangent curve to
18 the right with a radius of 1057.50 feet, along said curve through a
19 central angle of 11° 43' 34" to a point in the old northeast
20 prescriptive right-of-way fenceline, and S 69° 17' 50" E - 269.35
21 feet along said fenceline to the southeast line of the Hartzell
22 Elkins 35.37 acre tract (vol. 1920, pg. 323) and northwest line of
23 William D. Fitch Parkway;

24 Thence across Rock Prairie Road East as follows:

25 S 42° 32' 30" W - 32.00 feet to the south corner of said
26 Elkins tract, called to be in the centerline of the road, S 19° 52'
27 04" W - 36.01 feet to the east corner of the College Station

1 Independent School District 44.535 acre tract (vol. 8413, pg. 291)
2 at the old right-of-way fence corner post, and S 41° 51' 48" W -
3 170.08 feet along the southeast line of said C.S.I.S.D. tract and
4 northwest line of Fitch Parkway to its intersection with the south
5 right-of-way chamfer of Rock Prairie Road East;

6 Thence along the south right-of-way lines of Rock Prairie
7 Road East (57.5 feet south of the surveyed centerline) as follows:

8 N 5° 38' 11" W - 67.56 feet, N 53° 08' 10" W - 112.88 feet
9 to the beginning of a tangent curve to the left with a radius of
10 942.50 feet, along said curve through a central angle of 16° 45' 22"
11 to the point of tangency, and N 69° 53' 32" W - 551.37 feet to the
12 common line of said C.S.I.S.D. tract and the Brazos Valley Solid
13 Waste Management Agency, Inc. 76.00 acre Tract II (vol. 9857, pg.
14 186);

15 Thence S 41° 51' 48" W - 1842.68 feet along said common tract
16 line to its southwest end in a northeast line of the B.V.S.W.M.A.
17 179.99 acre Tract I;

18 Thence S 48° 05' 47" E - 941.57 feet, along the common line of
19 said Tract I and the C.S.I.S.D. tract to their common corner in the
20 northwest right-of-way of William D. Fitch Parkway;

21 Thence S 41° 51' 48" W - 1425.30 feet, along said northwest
22 right-of-way line, to the south corner of the said B.V.S.W.M.A.
23 Tract I;

24 Thence S 41° 51' 48" W - 1066.80 feet, continuing along said
25 northwest right-of-way line of William D. Fitch Parkway, to the
26 east common corner of the City of College Station 140.29 acre Tract
27 One (vol. 3900, pg. 188) and Spring Meadows Phase I (vol. 5106, pg.

1 284);

2 Thence along the southern boundaries of multiple City of
3 College Station tracts (vol. 3900, pgs. 188 & 223, vol. 5056, pg.
4 43) as follows:

5 N 73° 00' 00" W - 496.40 feet, S 51° 00' 00" W - 175.05
6 feet, N 76° 00' 00" W - 200.00 feet, S 41° 51' 44" W - 51.88 feet, N 70°
7 46' 00" W - 157.10 feet, S 41° 51' 44" W - 262.67 feet, N 82° 55' 43" W
8 - 700.87 feet, S 41° 52' 26" W - 650.00, N 48° 08' 02" W - 412.47 feet,
9 S 66° 47' 54" W - 827.57 feet, N 47° 45' 25" W - 129.90 feet, S 28° 59'
10 29" W - 2.01 feet, S 41° 48' 43" W - 336.13 feet, S 48° 45' 08" E -
11 440.00 feet and S 53° 00' 00" W - 1304.90 feet to the northeast
12 right-of-way line of State Highway no. 6;

13 Thence along the northeast right-of-way lines of said highway
14 as follows:

15 N 49° 25' 00" W - 438.00 feet, N 55° 07' 38" W - 201.00
16 feet, N 49° 25' 00" W - 751.78 feet to the west corner of the City of
17 College Station 36.9 acre tract (vol. 4329, pg. 134), and N 49° 25'
18 00" W - 1025.93 feet to the south corner of Barron Park Subdivision
19 (vol. 939, pg. 209);

20 Thence along the southeast, northeast and northwest lines of
21 Lots 1 and 2 of said Barron Park Subdivision as follows:

22 N 41° 09' 46" E - 1353.16 feet, N 49° 12' 46" W - 88.68
23 feet to the south corner of the City of College Station 100.64 acre
24 tract (vol. 6927, pg. 226), N 54° 07' 24" W - 291.11 feet, N 64° 27'
25 21" W - 117.03 feet, N 54° 53' 54" W - 24.95 feet, N 53° 19' 32" W -
26 113.87 feet, N 49° 26' 59" W - 190.11 feet and S 41° 09' 38" W -
27 1286.04 feet to the common corner of said Lot 2 and Lot 3 in the

1 northeast right-of-way line of State Highway no. 6;

2 Thence along the said northeast right-of-way lines of said
3 highway as follows:

4 N 47° 46' 18" W - 537.86 feet to the southwest common
5 corner of Lot 3 of said Barron Park Subdivision and that City of
6 College Station 46.60 acre tract (vol. 3310, pg. 321), N 47° 46' 48"
7 W - 65.34 feet, N 55° 07' 37" W - 201.00 feet, N 49° 25' 00" W - 600.00
8 feet and N 44° 08' 33" W - 147.79 feet to the southwest common corner
9 of said 46.60 acre tract and the Barker Subdivision (vol. 5101, pg.
10 182);

11 Thence N 38° 51' 07" E - 279.95 feet along the southeast line
12 of said Barker Subdivision to its east corner;

13 Thence N 47° 42' 16" W - 1053.70 feet along the northeast line
14 of said Barker Subdivision and continuing along the northeast line
15 of Cooper's Subdivision (vol. 4708, pg. 230) to its north corner,
16 also being the east corner of the Harley Subdivision (vol. 3961, pg.
17 236) and the south corner of that IHD Properties, LLC 2.77 acre
18 Tract One (vol. 10144, pg. 203);

19 Thence along the south, east and north lines of said IHD
20 Properties tract as follows:

21 N 42° 17' 04" E - 175.00 feet, N 47° 42' 56" W - 638.83
22 feet and S 72° 19' 02" W - 202.14 feet to the northeast line of said
23 Harley Subdivision and a southwest line of that M.D. Wheeler, Ltd.
24 71.52 acre Tract Two (vol. 3007, pg. 341);

25 Thence along the southwest lines of said Wheeler Tract Two
26 and continuing along the southeast lines of the Wheeler 10.01 acre
27 Tract One as follows:

1 N 47° 42' 33" W - 177.08 feet, N 46° 46' 09" W - 304.24
2 feet, S 21° 27' 46" W - 145.09 feet and S 41° 43' 32" W - 194.25 feet,
3 returning to the northeast right-of-way line of State Highway no.
4 6;

5 Thence along the said highway northeast right-of-way lines as
6 follows:

7 N 42° 27' 25" W - 105.18 feet, N 36° 45' 17" W - 383.87
8 feet, N 27° 43' 31" W - 192.30 feet and N 34° 27' 26" W - 55.00 feet to
9 the southeast line of Block 4 of the said Scott & White Healthcare
10 Subdivision;

11 Thence along the east boundary lines of said Scott & White
12 subdivision as follows:

13 N 41° 15' 39" E - 1224.44 feet, N 47° 37' 11" W - 128.13
14 feet, N 50° 49' 32" E - 930.60 feet and N 2° 42' 34" W - 1023.83 feet
15 to the Point of Beginning and containing 1308.51 acres of land more
16 or less.

17 SAVE and EXCEPT the following tract:

18 Beginning at the intersection of the south right-of-way line
19 of Rock Prairie Road East (57.5 feet south of the surveyed
20 centerline) and the west line of Lot 1 of Rock Prairie Baptist
21 Church (vol. 7312, pg. 207), from where City of College Station GPS
22 control monument no. 9 bears S 78° 01' 24" E - 3240.0 feet.

23 Thence S 82° 02' 02" E - 414.05 feet along said south
24 right-of-way line, parallel and 7.50 feet south of the north line of
25 said Lot 1, to its intersection with the east line of said Lot 1;

26 Thence S 20° 22' 54" E - 600.82 feet along the east line of Lot
27 1 to its southeast corner;

1 Thence N 82° 02' 02" W - 699.33 feet along the south line of
2 Lot 1 to its southwest corner;

3 Thence N 7° 57' 58" E - 528.77 feet along the west line of Lot 1
4 to the Point of Beginning and containing 6.76 acres of land more or
5 less.

6 Leaving a net acreage for this described tract of 1301.76
7 acres more or less.

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

15 (b) The governor, one of the required recipients, has
16 submitted the notice and Act to the Texas Commission on
17 Environmental Quality.

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

22 (d) The general law relating to consent by political
23 subdivisions to the creation of districts with conservation,
24 reclamation, and road powers and the inclusion of land in those
25 districts has been complied with.

26 (e) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

1 to the notice, introduction, and passage of this Act have been
2 fulfilled and accomplished.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 3874 was passed by the House on May 2, 2013, by the following vote: Yeas 147, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3874 was passed by the Senate on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor