

By: Raney

H.B. No. 3874

A BILL TO BE ENTITLED

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 initial  
19 board consists of the following voting directors:

	<u>Pos. No.</u>	<u>Name of Director</u>
20	<u>1</u>	_____
21	<u>2</u>	_____
22	<u>3</u>	_____
23	<u>4</u>	_____
24	<u>5</u>	_____

25  
26 (b) Of the initial directors, the terms of directors  
27 appointed for positions one through three expire June 1, 2015, and

1 the terms of directors appointed for positions four and five expire  
2 June 1, 2017.

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

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

5 SUBCHAPTER C. POWERS AND DUTIES

6 Sec. 3909.101. GENERAL POWERS AND DUTIES. The district has  
7 the powers and duties necessary to accomplish the purposes for  
8 which the district is created.

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

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

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

27 (b) The nonprofit corporation:

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

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

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

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

19           (b) The implementation of a project is a governmental  
20 function or service for the purposes of Chapter 791, Government  
21 Code.

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

26           Sec. 3909.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
27 district may join and pay dues to a charitable or nonprofit



1 organization that performs a service or provides an activity  
2 consistent with the furtherance of a district purpose.

3 Sec. 3909.108. ECONOMIC DEVELOPMENT. (a) The district may  
4 engage in activities that accomplish the economic development  
5 purposes of the district.

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

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

11 (2) provide district personnel and services.

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

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

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

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

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

27 (c) The district's parking facilities are parts of and

1 necessary components of a street and are considered to be a street  
2 or road improvement.

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

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

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

10 (1) the issuance of bonds;

11 (2) the plans and specifications of an improvement  
12 project financed by bonds; and

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

17 (b) The district may not issue bonds until the governing  
18 body of the city adopts a resolution or ordinance authorizing the  
19 issuance of the bonds.

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

25 (d) The governing body of the city:

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

1 and

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

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

7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

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

12 Sec. 3909.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
13 The district may acquire, construct, finance, operate, or maintain  
14 any improvement or service authorized under this chapter or Chapter  
15 375, Local Government Code, using any money available to the  
16 district.

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

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

26 Sec. 3909.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
27 The board by resolution may impose and collect an assessment for any

1 purpose authorized by this chapter in all or any part of the  
2 district.

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

8 (1) are a first and prior lien against the property  
9 assessed;

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

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

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

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

24 Sec. 3909.155. EXEMPTIONS. Section 375.162, Local  
25 Government Code, does not apply to an organization exempt from  
26 federal income tax under Section 501(a), Internal Revenue Code of  
27 1986, by being described by Section 501(c)(3) of that code,

1 operating in the district. The organization is not exempt from  
2 paying a district assessment.

3 Sec. 3909.156. RESIDENTIAL PROPERTY NOT EXEMPT. Section  
4 375.161, Local Government Code, does not apply to a tax authorized  
5 or approved by the voters of the district or a required payment for  
6 a service provided by the district, including water and sewer  
7 services.

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

11 SUBCHAPTER E. TAXES AND BONDS

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

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

16 (2) contract payments described by Section 3909.203.

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

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

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

27 Sec. 3909.202. OPERATION AND MAINTENANCE TAX. (a) If

1 authorized by a majority of the district voters voting at an  
2 election held in accordance with Section 3909.201, the district may  
3 impose an operation and maintenance tax on taxable property in the  
4 district in accordance with Section 49.107, Water Code, for any  
5 district purpose, including to:

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

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

11 Sec. 3909.203. CONTRACT TAXES. (a) In accordance with  
12 Section 49.108, Water Code, the district may impose a tax other than  
13 an operation and maintenance tax and use the revenue derived from  
14 the tax to make payments under a contract after the provisions of  
15 the contract have been approved by a majority of the district voters  
16 voting at an election held for that purpose.

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

20 Sec. 3909.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS  
21 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms  
22 determined by the board.

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

1       Sec. 3909.205. TAXES FOR BONDS. At the time the district  
2 issues bonds payable wholly or partly from ad valorem taxes, the  
3 board shall provide for the annual imposition of a continuing  
4 direct annual ad valorem tax, without limit as to rate or amount,  
5 for each year that all or part of the bonds are outstanding as  
6 required and in the manner provided by Sections 54.601 and 54.602,  
7 Water Code.

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

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

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

23       Beginning at the intersection of the south right-of-way line  
24 of Rock Prairie Road East (60 feet south of surveyed centerline) and  
25 the east boundary of Block 7 of the Scott & White Healthcare  
26 Subdivision (vol. 10179, pg. 50), being the northeast corner of Lot  
27 1, Block 7 of said subdivision, and from where City of College

1 Station GPS control monument no. 9 bears S 82° 02' 35" E - 7016.5  
2 feet.

3 Thence N 2 ° 42' 34" W - 120.04 feet along an extension of the  
4 said east boundary line of Block 7, to a point in the north  
5 right-of-way line of Rock Prairie Road East;

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

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

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

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

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

27 Thence across Rock Prairie Road East as follows:



1           S 42° 32' 30" W - 32.00 feet to the south corner of said  
2 Elkins tract, called to be in the centerline of the road, S 19° 52'  
3 04" W - 36.01 feet to the east corner of the College Station  
4 Independent School District 44.535 acre tract (vol. 8413, pg. 291)  
5 at the old right-of-way fence corner post, and S 41° 51' 48" W -  
6 170.08 feet along the southeast line of said C.S.I.S.D. tract and  
7 northwest line of Fitch Parkway to its intersection with the south  
8 right-of-way chamfer of Rock Prairie Road East;

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

11           N 5° 38' 11" W - 67.56 feet, N 53° 08' 10" W - 112.88 feet  
12 to the beginning of a tangent curve to the left with a radius of  
13 942.50 feet, along said curve through a central angle of 16° 45' 22"  
14 to the point of tangency, and N 69° 53' 32" W - 551.37 feet to the  
15 common line of said C.S.I.S.D. tract and the Brazos Valley Solid  
16 Waste Management Agency, Inc. 76.00 acre Tract II (vol. 9857, pg.  
17 186);

18           Thence S 41° 51' 48" W - 1842.68 feet along said common tract  
19 line to its southwest end in a northeast line of the B.V.S.W.M.A.  
20 179.99 acre Tract I;

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

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

27           Thence S 41° 51' 48" W - 1066.80 feet, continuing along said

1 northwest right-of-way line of William D. Fitch Parkway, to the  
2 east common corner of the City of College Station 140.29 acre Tract  
3 One (vol. 3900, pg. 188) and Spring Meadows Phase I (vol. 5106, pg.  
4 284);

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

8 N 73° 00' 00" W - 496.40 feet, S 51° 00' 00" W - 175.05  
9 feet, N 76° 00' 00" W - 200.00 feet, S 41° 51' 44" W - 51.88 feet, N 70°  
10 46' 00" W - 157.10 feet, S 41° 51' 44" W - 262.67 feet, N 82° 55' 43" W  
11 - 700.87 feet, S 41° 52' 26" W - 650.00, N 48° 08' 02" W - 412.47 feet,  
12 S 66° 47' 54" W - 827.57 feet, N 47° 45' 25" W - 129.90 feet, S 28° 59'  
13 29" W - 2.01 feet, S 41° 48' 43" W - 336.13 feet, S 48° 45' 08" E -  
14 440.00 feet and S 53° 00' 00" W - 1304.90 feet to the northeast  
15 right-of-way line of State Highway no. 6;

16 Thence along the northeast right-of-way lines of said highway  
17 as follows:

18 N 49° 25' 00" W - 438.00 feet, N 55° 07' 38" W - 201.00  
19 feet, N 49° 25' 00" W - 751.78 feet to the west corner of the City of  
20 College Station 36.9 acre tract (vol. 4329, pg. 134), and N 49° 25'  
21 00" W - 1025.93 feet to the south corner of Barron Park Subdivision  
22 (vol. 939, pg. 209);

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

25 S 41° 09' 46" E - 1353.16 feet, N 49° 12' 46" W - 88.68  
26 feet to the south corner of the City of College Station 100.64 acre  
27 tract (vol. 6927, pg. 226), N 54° 07' 24" W - 291.11 feet, N 64° 27'

1 21" W - 117.03 feet, N 54° 53' 54" W - 24.95 feet, N 53° 19' 32" W -  
2 113.87 feet, N 49° 26' 59" W - 190.11 feet and S 41° 09' 38" W -  
3 1286.04 feet to the common corner of said Lot 2 and Lot 3 in the  
4 northeast right-of-way line of State Highway no. 6;

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

7 N 47° 46' 18" W - 537.86 feet to the southwest common  
8 corner of Lot 3 of said Barron Park Subdivision and that City of  
9 College Station 46.60 acre tract (vol. 3310, pg. 321), N 47° 46' 48"  
10 W - 65.34 feet, N 55° 07' 37" W - 201.00 feet, N 49° 25' 00" W - 600.00  
11 feet and N 44° 08' 33" W - 147.79 feet to the southwest common corner  
12 of said 46.60 acre tract and the Barker Subdivision (vol. 5101, pg.  
13 182);

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

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

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

24 N 42° 17' 04" E - 175.00 feet, N 47° 42' 56" W - 638.83  
25 feet and S 72° 19' 02" W - 202.14 feet to the northeast line of said  
26 Harley Subdivision and a southwest line of that M.D. Wheeler, Ltd.  
27 71.52 acre Tract Two (vol. 3007, pg. 341);

1           Thence along the southwest lines of said Wheeler Tract Two  
2 and continuing along the southeast lines of the Wheeler 10.01 acre  
3 Tract One as follows:

4                   N 47° 42' 33" W - 177.08 feet, N 46° 46' 09" W - 304.24  
5 feet, S 21° 27' 46" W - 145.09 feet and S 41° 43' 32" W - 194.25 feet,  
6 returning to the northeast right-of-way line of State Highway no.  
7 6;

8           Thence along the said highway northeast right-of-way lines as  
9 follows:

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

14           Thence along the east boundary lines of said Scott & White  
15 subdivision as follows:

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

20           SAVE and EXCEPT the following tract:

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

26           Thence S 82° 02' 02" E - 414.05 feet along said south  
27 right-of-way line, parallel and 7.50 feet south of the north line of

1 said Lot 1, to its intersection with the east line of said Lot 1;

2 Thence S 20° 22' 54" E - 600.82 feet along the east line of Lot  
3 1 to its southeast corner;

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

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

9 Leaving a net acreage for this described tract of 1301.76  
10 acres more or less.

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

18 (b) The governor, one of the required recipients, has  
19 submitted the notice and Act to the Texas Commission on  
20 Environmental Quality.

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

25 (d) The general law relating to consent by political  
26 subdivisions to the creation of districts with conservation,  
27 reclamation, and road powers and the inclusion of land in those

1 districts has been complied with.

2           (e) All requirements of the constitution and laws of this  
3 state and the rules and procedures of the legislature with respect  
4 to the notice, introduction, and passage of this Act have been  
5 fulfilled and accomplished.

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