

1-1 By: Raney, Kacal (Senate Sponsor - Schwertner) H.B. No. 3874
1-2 (In the Senate - Received from the House May 6, 2013;
1-3 May 7, 2013, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 16, 2013, reported favorably by
1-5 the following vote: Yeas 3, Nays 0; May 16, 2013, sent to
1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13			X	

1-14 A BILL TO BE ENTITLED
1-15 AN ACT

1-16 relating to the creation of Rock Prairie Management District No. 2;
1-17 providing authority to issue bonds; providing authority to impose
1-18 assessments, fees, or taxes.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subtitle C, Title 4, Special District Local Laws
1-21 Code, is amended by adding Chapter 3909 to read as follows:

1-22 CHAPTER 3909. ROCK PRAIRIE MANAGEMENT DISTRICT NO. 2

1-23 SUBCHAPTER A. GENERAL PROVISIONS

1-24 Sec. 3909.001. DEFINITIONS. In this chapter:

1-25 (1) "Board" means the district's board of directors.

1-26 (2) "City" means the City of College Station.

1-27 (3) "County" means Brazos County.

1-28 (4) "Director" means a board member.

1-29 (5) "District" means the Rock Prairie Management

1-30 District No. 2.

1-31 Sec. 3909.002. NATURE OF DISTRICT. The Rock Prairie
1-32 Management District No. 2 is a special district created under
1-33 Section 59, Article XVI, Texas Constitution.

1-34 Sec. 3909.003. PURPOSE; DECLARATION OF INTENT. (a) The
1-35 creation of the district is essential to accomplish the purposes of
1-36 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-37 Texas Constitution, and other public purposes stated in this
1-38 chapter. By creating the district and in authorizing the city, the
1-39 county, and other political subdivisions to contract with the
1-40 district, the legislature has established a program to accomplish
1-41 the public purposes set out in Section 52-a, Article III, Texas
1-42 Constitution.

1-43 (b) The creation of the district is necessary to promote,
1-44 develop, encourage, and maintain employment, commerce,
1-45 transportation, housing, tourism, recreation, the arts,
1-46 entertainment, economic development, safety, and the public
1-47 welfare in the district.

1-48 (c) This chapter and the creation of the district may not be
1-49 interpreted to relieve the city or the county from providing the
1-50 level of services provided as of the effective date of the Act
1-51 enacting this chapter to the area in the district. The district is
1-52 created to supplement and not to supplant city or county services
1-53 provided in the district.

1-54 Sec. 3909.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
1-55 The district is created to serve a public use and benefit.

1-56 (b) All land and other property included in the district
1-57 will benefit from the improvements and services to be provided by
1-58 the district under powers conferred by Sections 52 and 52-a,
1-59 Article III, and Section 59, Article XVI, Texas Constitution, and
1-60 other powers granted under this chapter.

1-61 (c) The creation of the district is in the public interest

2-1 and is essential to further the public purposes of:
 2-2 (1) developing and diversifying the economy of the
 2-3 state;
 2-4 (2) eliminating unemployment and underemployment; and
 2-5 (3) developing or expanding transportation and
 2-6 commerce.
 2-7 (d) The district will:
 2-8 (1) promote the health, safety, and general welfare of
 2-9 residents, employers, potential employees, employees, visitors,
 2-10 and consumers in the district, and of the public;
 2-11 (2) provide needed funding for the district to
 2-12 preserve, maintain, and enhance the economic health and vitality of
 2-13 the district territory as a community and business center;
 2-14 (3) promote the health, safety, welfare, and enjoyment
 2-15 of the public by providing pedestrian ways and by landscaping and
 2-16 developing certain areas in the district, which are necessary for
 2-17 the restoration, preservation, and enhancement of scenic beauty;
 2-18 and
 2-19 (4) provide for water, wastewater, drainage, road, and
 2-20 recreational facilities for the district.
 2-21 (e) Pedestrian ways along or across a street, whether at
 2-22 grade or above or below the surface, and street lighting, street
 2-23 landscaping, parking, and street art objects are parts of and
 2-24 necessary components of a street and are considered to be a street
 2-25 or road improvement.
 2-26 (f) The district will not act as the agent or
 2-27 instrumentality of any private interest even though the district
 2-28 will benefit many private interests as well as the public.
 2-29 Sec. 3909.005. INITIAL DISTRICT TERRITORY. (a) The
 2-30 district is initially composed of the territory described by
 2-31 Section 2 of the Act enacting this chapter.
 2-32 (b) The boundaries and field notes contained in Section 2 of
 2-33 the Act enacting this chapter form a closure. A mistake in the
 2-34 field notes or in copying the field notes in the legislative process
 2-35 does not affect the district's:
 2-36 (1) organization, existence, or validity;
 2-37 (2) right to issue any type of bond for the purposes
 2-38 for which the district is created or to pay the principal of and
 2-39 interest on the bond;
 2-40 (3) right to impose or collect an assessment or tax; or
 2-41 (4) legality or operation.
 2-42 Sec. 3909.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
 2-43 All or any part of the area of the district is eligible to be
 2-44 included in:
 2-45 (1) a tax increment reinvestment zone created under
 2-46 Chapter 311, Tax Code;
 2-47 (2) a tax abatement reinvestment zone created under
 2-48 Chapter 312, Tax Code;
 2-49 (3) an enterprise zone created under Chapter 2303,
 2-50 Government Code; or
 2-51 (4) an industrial district created under Chapter 42,
 2-52 Local Government Code.
 2-53 Sec. 3909.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
 2-54 DISTRICTS LAW. Except as otherwise provided by this chapter,
 2-55 Chapter 375, Local Government Code, applies to the district.
 2-56 Sec. 3909.008. CONSTRUCTION OF CHAPTER. This chapter shall
 2-57 be liberally construed in conformity with the findings and purposes
 2-58 stated in this chapter.
 2-59 SUBCHAPTER B. BOARD OF DIRECTORS
 2-60 Sec. 3909.051. GOVERNING BODY; TERMS. (a) The district is
 2-61 governed by a board of five voting directors who serve staggered
 2-62 terms of four years, with two or three directors' terms expiring
 2-63 June 1 of each odd-numbered year.
 2-64 (b) The board by resolution may change the number of voting
 2-65 directors on the board if the board determines that the change is in
 2-66 the best interest of the district and the change is approved by the
 2-67 city. The board may not consist of fewer than 5 or more than 15
 2-68 voting directors.
 2-69 Sec. 3909.052. RECOMMENDATIONS FOR SUCCEEDING BOARD. (a)

3-1 Each board of directors, including the initial board, shall
 3-2 recommend to the governing body of the city persons to serve on the
 3-3 succeeding board.

3-4 (b) The governing body of the city shall review the
 3-5 recommendations and approve or disapprove the directors
 3-6 recommended by the board. A person is appointed if a majority of the
 3-7 members of the governing body and the mayor vote to appoint that
 3-8 person.

3-9 (c) If the governing body of the city is not satisfied with
 3-10 the recommendations submitted by the board and does not vote to
 3-11 approve the recommended board members, the board, on the request of
 3-12 the governing body, shall submit to the governing body additional
 3-13 recommendations. If, after the second submission of
 3-14 recommendations, the governing body does not vote to approve the
 3-15 additional recommendations of the board, the governing body may
 3-16 appoint persons who were not recommended to serve on the succeeding
 3-17 board.

3-18 (d) Board members may serve successive terms.

3-19 (e) If a provision of Subsections (a)-(d) is found to be
 3-20 invalid, the Texas Commission on Environmental Quality shall
 3-21 appoint the board from recommendations submitted by the
 3-22 then-current board.

3-23 Sec. 3909.053. NONVOTING DIRECTORS. The board may appoint
 3-24 nonvoting directors to serve at the pleasure of the voting
 3-25 directors.

3-26 Sec. 3909.054. QUORUM. For purposes of determining the
 3-27 requirements for a quorum of the board, the following are not
 3-28 counted:

3-29 (1) a board position vacant for any reason, including
 3-30 death, resignation, or disqualification;

3-31 (2) a director who is abstaining from participation in
 3-32 a vote because of a conflict of interest; or

3-33 (3) a nonvoting director.

3-34 Sec. 3909.055. INITIAL VOTING DIRECTORS. (a) The mayor and
 3-35 the members of the governing body of the city shall appoint initial
 3-36 voting directors by position. A person is appointed if a majority
 3-37 of the members of the governing body and the mayor vote to appoint
 3-38 that person.

3-39 (b) Of the initial directors, the terms of directors
 3-40 appointed for positions one through three expire June 1, 2015, and
 3-41 the terms of directors appointed for positions four and five expire
 3-42 June 1, 2017.

3-43 (c) Section 3909.052 does not apply to this section.

3-44 (d) This section expires September 1, 2017.

3-45 SUBCHAPTER C. POWERS AND DUTIES

3-46 Sec. 3909.101. GENERAL POWERS AND DUTIES. The district has
 3-47 the powers and duties necessary to accomplish the purposes for
 3-48 which the district is created.

3-49 Sec. 3909.102. IMPROVEMENT PROJECTS AND SERVICES. The
 3-50 district may provide, design, construct, acquire, improve,
 3-51 relocate, operate, maintain, or finance an improvement project or
 3-52 service using any money available to the district, or contract with
 3-53 a governmental or private entity to provide, design, construct,
 3-54 acquire, improve, relocate, operate, maintain, or finance an
 3-55 improvement project or service authorized under this chapter or
 3-56 Chapter 375, Local Government Code.

3-57 Sec. 3909.103. DEVELOPMENT CORPORATION POWERS. The
 3-58 district, using money available to the district, may exercise the
 3-59 powers given to a development corporation under Chapter 505, Local
 3-60 Government Code, including the power to own, operate, acquire,
 3-61 construct, lease, improve, or maintain a project under that
 3-62 chapter.

3-63 Sec. 3909.104. NONPROFIT CORPORATION. (a) The board by
 3-64 resolution may authorize the creation of a nonprofit corporation to
 3-65 assist and act for the district in implementing a project or
 3-66 providing a service authorized by this chapter.

3-67 (b) The nonprofit corporation:

3-68 (1) has each power of and is considered to be a local
 3-69 government corporation created under Subchapter D, Chapter 431,

4-1 Transportation Code; and
 4-2 (2) may implement any project and provide any service
 4-3 authorized by this chapter.

4-4 (c) The board shall select directors from the board to serve
 4-5 as the board of directors of the nonprofit corporation. The board
 4-6 may appoint one or more persons who are not directors to the board
 4-7 of directors of the nonprofit corporation if the governing body of
 4-8 the city determines that the appointment is in the best interest of
 4-9 the district. The board of directors of the nonprofit corporation
 4-10 shall serve in the same manner as the board of directors of a local
 4-11 government corporation created under Subchapter D, Chapter 431,
 4-12 Transportation Code, except that a board member is not required to
 4-13 reside in the district.

4-14 Sec. 3909.105. AGREEMENTS; GRANTS. (a) As provided by
 4-15 Chapter 375, Local Government Code, the district may make an
 4-16 agreement with or accept a gift, grant, or loan from any person.

4-17 (b) The implementation of a project is a governmental
 4-18 function or service for the purposes of Chapter 791, Government
 4-19 Code.

4-20 Sec. 3909.106. LAW ENFORCEMENT SERVICES. To protect the
 4-21 public interest, the district may contract with a qualified party,
 4-22 including the county or the city, to provide law enforcement
 4-23 services in the district for a fee.

4-24 Sec. 3909.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
 4-25 district may join and pay dues to a charitable or nonprofit
 4-26 organization that performs a service or provides an activity
 4-27 consistent with the furtherance of a district purpose.

4-28 Sec. 3909.108. ECONOMIC DEVELOPMENT. (a) The district may
 4-29 engage in activities that accomplish the economic development
 4-30 purposes of the district.

4-31 (b) The district may establish and provide for the
 4-32 administration of one or more programs to promote state or local
 4-33 economic development and to stimulate business and commercial
 4-34 activity in the district, including programs to:

4-35 (1) make loans and grants of public money; and

4-36 (2) provide district personnel and services.

4-37 (c) The district may create economic development programs
 4-38 and exercise the economic development powers provided to
 4-39 municipalities by:

4-40 (1) Chapter 380, Local Government Code; and

4-41 (2) Subchapter A, Chapter 1509, Government Code.

4-42 Sec. 3909.109. PARKING FACILITIES. (a) The district may
 4-43 acquire, lease as lessor or lessee, construct, develop, own,
 4-44 operate, and maintain parking facilities or a system of parking
 4-45 facilities, including lots, garages, parking terminals, or other
 4-46 structures or accommodations for parking motor vehicles off the
 4-47 streets and related appurtenances.

4-48 (b) The district's parking facilities serve the public
 4-49 purposes of the district and are owned, used, and held for a public
 4-50 purpose even if leased or operated by a private entity for a term of
 4-51 years.

4-52 (c) The district's parking facilities are parts of and
 4-53 necessary components of a street and are considered to be a street
 4-54 or road improvement.

4-55 (d) The development and operation of the district's parking
 4-56 facilities may be considered an economic development program.

4-57 Sec. 3909.110. ANNEXATION OF LAND. The district may annex
 4-58 land as provided by Subchapter J, Chapter 49, Water Code.

4-59 Sec. 3909.111. APPROVAL BY CITY. (a) Except as provided by
 4-60 Subsection (c), the district must obtain the approval of the city
 4-61 for:

4-62 (1) the issuance of bonds;

4-63 (2) the plans and specifications of an improvement
 4-64 project financed by bonds; and

4-65 (3) the plans and specifications of an improvement
 4-66 project related to the use of land owned by the city, an easement
 4-67 granted by the city, or a right-of-way of a street, road, or
 4-68 highway.

4-69 (b) The district may not issue bonds until the governing

5-1 body of the city adopts a resolution or ordinance authorizing the
5-2 issuance of the bonds.
5-3 (c) If the district obtains the approval of the governing
5-4 body of the city of a capital improvements budget for a period not
5-5 to exceed 10 years, the district may finance the capital
5-6 improvements and issue bonds specified in the budget without
5-7 further approval from the city.
5-8 (d) The governing body of the city:
5-9 (1) is not required to adopt a resolution or ordinance
5-10 to approve plans and specifications described by Subsection (a);
5-11 and
5-12 (2) may establish an administrative process to approve
5-13 plans and specifications described by Subsection (a) without the
5-14 involvement of the governing body.
5-15 Sec. 3909.112. NO EMINENT DOMAIN POWER. The district may
5-16 not exercise the power of eminent domain.
5-17 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS
5-18 Sec. 3909.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
5-19 board by resolution shall establish the number of directors'
5-20 signatures and the procedure required for a disbursement or
5-21 transfer of district money.
5-22 Sec. 3909.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
5-23 The district may acquire, construct, finance, operate, or maintain
5-24 any improvement or service authorized under this chapter or Chapter
5-25 375, Local Government Code, using any money available to the
5-26 district.
5-27 Sec. 3909.153. PETITION REQUIRED FOR FINANCING SERVICES AND
5-28 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
5-29 service or improvement project with assessments under this chapter
5-30 unless a written petition requesting that service or improvement
5-31 has been filed with the board.
5-32 (b) A petition filed under Subsection (a) must be signed by
5-33 the owners of a majority of the assessed value of real property in
5-34 the district subject to assessment according to the most recent
5-35 certified tax appraisal roll for the county.
5-36 Sec. 3909.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
5-37 The board by resolution may impose and collect an assessment for any
5-38 purpose authorized by this chapter in all or any part of the
5-39 district.
5-40 (b) An assessment, a reassessment, or an assessment
5-41 resulting from an addition to or correction of the assessment roll
5-42 by the district, penalties and interest on an assessment or
5-43 reassessment, an expense of collection, and reasonable attorney's
5-44 fees incurred by the district:
5-45 (1) are a first and prior lien against the property
5-46 assessed;
5-47 (2) are superior to any other lien or claim other than
5-48 a lien or claim for county, school district, or municipal ad valorem
5-49 taxes; and
5-50 (3) are the personal liability of and a charge against
5-51 the owners of the property even if the owners are not named in the
5-52 assessment proceedings.
5-53 (c) The lien is effective from the date of the board's
5-54 resolution imposing the assessment until the date the assessment is
5-55 paid. The board may enforce the lien in the same manner that the
5-56 board may enforce an ad valorem tax lien against real property.
5-57 (d) The board may make a correction to or deletion from the
5-58 assessment roll that does not increase the amount of assessment of
5-59 any parcel of land without providing notice and holding a hearing in
5-60 the manner required for additional assessments.
5-61 Sec. 3909.155. EXEMPTIONS. Section 375.162, Local
5-62 Government Code, does not apply to an organization exempt from
5-63 federal income tax under Section 501(a), Internal Revenue Code of
5-64 1986, by being described by Section 501(c)(3) of that code,
5-65 operating in the district. The organization is not exempt from
5-66 paying a district assessment.
5-67 Sec. 3909.156. RESIDENTIAL PROPERTY NOT EXEMPT. Section
5-68 375.161, Local Government Code, does not apply to a tax authorized
5-69 or approved by the voters of the district or a required payment for

6-1 a service provided by the district, including water and sewer
6-2 services.

6-3 Sec. 3909.157. TAX AND ASSESSMENT ABATEMENT. The district
6-4 may designate reinvestment zones and may grant abatements of
6-5 district taxes or assessments on property in the zones.

6-6 SUBCHAPTER E. TAXES AND BONDS

6-7 Sec. 3909.201. ELECTIONS REGARDING TAXES AND BONDS. (a)
6-8 The district may issue, without an election, bonds, notes, and
6-9 other obligations secured by:

6-10 (1) revenue other than ad valorem taxes; or

6-11 (2) contract payments described by Section 3909.203.

6-12 (b) The district must hold an election in the manner
6-13 provided by Subchapter L, Chapter 375, Local Government Code, to
6-14 obtain voter approval before the district may impose an ad valorem
6-15 tax or issue bonds payable from ad valorem taxes.

6-16 (c) Section 375.243, Local Government Code, does not apply
6-17 to the district.

6-18 (d) All or any part of any facilities or improvements that
6-19 may be acquired by a district by the issuance of its bonds may be
6-20 submitted as a single proposition or as several propositions to be
6-21 voted on at the election.

6-22 Sec. 3909.202. OPERATION AND MAINTENANCE TAX. (a) If
6-23 authorized by a majority of the district voters voting at an
6-24 election held in accordance with Section 3909.201, the district may
6-25 impose an operation and maintenance tax on taxable property in the
6-26 district in accordance with Section 49.107, Water Code, for any
6-27 district purpose, including to:

6-28 (1) maintain and operate the district;

6-29 (2) construct or acquire improvements; or

6-30 (3) provide a service.

6-31 (b) The board shall determine the tax rate. The rate may not
6-32 exceed the rate approved at the election.

6-33 Sec. 3909.203. CONTRACT TAXES. (a) In accordance with
6-34 Section 49.108, Water Code, the district may impose a tax other than
6-35 an operation and maintenance tax and use the revenue derived from
6-36 the tax to make payments under a contract after the provisions of
6-37 the contract have been approved by a majority of the district voters
6-38 voting at an election held for that purpose.

6-39 (b) A contract approved by the district voters may contain a
6-40 provision stating that the contract may be modified or amended by
6-41 the board without further voter approval.

6-42 Sec. 3909.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
6-43 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
6-44 determined by the board.

6-45 (b) The district may issue bonds, notes, or other
6-46 obligations payable wholly or partly from ad valorem taxes,
6-47 assessments, impact fees, revenue, contract payments, grants, or
6-48 other district money, or any combination of those sources of money,
6-49 to pay for any authorized district purpose.

6-50 Sec. 3909.205. TAXES FOR BONDS. At the time the district
6-51 issues bonds payable wholly or partly from ad valorem taxes, the
6-52 board shall provide for the annual imposition of a continuing
6-53 direct annual ad valorem tax, without limit as to rate or amount,
6-54 for each year that all or part of the bonds are outstanding as
6-55 required and in the manner provided by Sections 54.601 and 54.602,
6-56 Water Code.

6-57 Sec. 3909.206. CITY NOT REQUIRED TO PAY DISTRICT
6-58 OBLIGATIONS. Except as provided by Section 375.263, Local
6-59 Government Code, the city is not required to pay a bond, note, or
6-60 other obligation of the district.

6-61 SECTION 2. Rock Prairie Management District No. 2 initially
6-62 includes all territory contained in the following area:

6-63 All that certain tract or parcel of land lying and being
6-64 situated in the Thomas Caruthers league (abstract no. 9) and Robert
6-65 Stevenson league (abstract no. 54) in College Station, Brazos
6-66 County, Texas, generally being the area between State Highway no. 6
6-67 and Rock Prairie Road East, from Medical Avenue to William D. Fitch
6-68 Parkway, save and except all of Lot 1, Rock Prairie Baptist Church
6-69 (vol. 7312, pg. 207) lying south of the south right-of-way of Rock

7-1 Prairie Road East, and the boundary being more particularly
7-2 described as follows:
7-3 Beginning at the intersection of the south right-of-way line
7-4 of Rock Prairie Road East (60 feet south of surveyed centerline) and
7-5 the east boundary of Block 7 of the Scott & White Healthcare
7-6 Subdivision (vol. 10179, pg. 50), being the northeast corner of Lot
7-7 1, Block 7 of said subdivision, and from where City of College
7-8 Station GPS control monument no. 9 bears S 82° 02' 35" E - 7016.5
7-9 feet.
7-10 Thence N 2° 42' 34" W - 120.04 feet along an extension of the
7-11 said east boundary line of Block 7, to a point in the north
7-12 right-of-way line of Rock Prairie Road East;
7-13 Thence along the north right-of-way lines of Rock Prairie
7-14 Road East (59.0 feet north of the surveyed centerline) as follows:
7-15 S 86° 27' 34" E - 1771.13 feet, S 85° 02' 05" E - 1228.54
7-16 feet and S 84° 23' 02" E - 10.29 feet to a right-of-way offset point
7-17 in the common line of the Dale and Reba Conrad 26.25 acre tract
7-18 (vol. 460, pg. 505) and the Flying Ace Ranch, Ltd. 26.245 acre tract
7-19 (vol. 3767, pg. 237);
7-20 Thence S 24° 22' 52" W - 1.58 feet along said common tract line
7-21 to another offset point in the north right-of-way line of Rock
7-22 Prairie Road East;
7-23 Thence along the north right-of-way lines of Rock Prairie
7-24 Road East (57.5 feet north of the surveyed centerline) as follows:
7-25 S 84° 23' 02" E - 606.93 feet, S 82° 02' 02" E - 1453.40
7-26 feet, S 77° 01' 02" E - 1052.59 feet, S 76° 28' 02" E - 2876.58 feet,
7-27 S 69° 53' 32" E - 2812.30 feet to the beginning of a tangent curve to
7-28 the right with a radius of 1057.50 feet, along said curve through a
7-29 central angle of 11° 43' 34" to a point in the old northeast
7-30 prescriptive right-of-way fenceline, and S 69° 17' 50" E - 269.35
7-31 feet along said fenceline to the southeast line of the Hartzell
7-32 Elkins 35.37 acre tract (vol. 1920, pg. 323) and northwest line of
7-33 William D. Fitch Parkway;
7-34 Thence across Rock Prairie Road East as follows:
7-35 S 42° 32' 30" W - 32.00 feet to the south corner of said
7-36 Elkins tract, called to be in the centerline of the road, S 19° 52'
7-37 04" W - 36.01 feet to the east corner of the College Station
7-38 Independent School District 44.535 acre tract (vol. 8413, pg. 291)
7-39 at the old right-of-way fence corner post, and S 41° 51' 48" W -
7-40 170.08 feet along the southeast line of said C.S.I.S.D. tract and
7-41 northwest line of Fitch Parkway to its intersection with the south
7-42 right-of-way chamfer of Rock Prairie Road East;
7-43 Thence along the south right-of-way lines of Rock Prairie
7-44 Road East (57.5 feet south of the surveyed centerline) as follows:
7-45 N 5° 38' 11" W - 67.56 feet, N 53° 08' 10" W - 112.88 feet
7-46 to the beginning of a tangent curve to the left with a radius of
7-47 942.50 feet, along said curve through a central angle of 16° 45' 22"
7-48 to the point of tangency, and N 69° 53' 32" W - 551.37 feet to the
7-49 common line of said C.S.I.S.D. tract and the Brazos Valley Solid
7-50 Waste Management Agency, Inc. 76.00 acre Tract II (vol. 9857, pg.
7-51 186);
7-52 Thence S 41° 51' 48" W - 1842.68 feet along said common tract
7-53 line to its southwest end in a northeast line of the B.V.S.W.M.A.
7-54 179.99 acre Tract I;
7-55 Thence S 48° 05' 47" E - 941.57 feet, along the common line of
7-56 said Tract I and the C.S.I.S.D. tract to their common corner in the
7-57 northwest right-of-way of William D. Fitch Parkway;
7-58 Thence S 41° 51' 48" W - 1425.30 feet, along said northwest
7-59 right-of-way line, to the south corner of the said B.V.S.W.M.A.
7-60 Tract I;
7-61 Thence S 41° 51' 48" W - 1066.80 feet, continuing along said
7-62 northwest right-of-way line of William D. Fitch Parkway, to the
7-63 east common corner of the City of College Station 140.29 acre Tract
7-64 One (vol. 3900, pg. 188) and Spring Meadows Phase I (vol. 5106, pg.
7-65 284);
7-66 Thence along the southern boundaries of multiple City of
7-67 College Station tracts (vol. 3900, pgs. 188 & 223, vol. 5056, pg.
7-68 43) as follows:
7-69 N 73° 00' 00" W - 496.40 feet, S 51° 00' 00" W - 175.05

8-1 feet, N 76° 00' 00" W - 200.00 feet, S 41° 51' 44" W - 51.88 feet, N 70°
8-2 46' 00" W - 157.10 feet, S 41° 51' 44" W - 262.67 feet, N 82° 55' 43" W
8-3 - 700.87 feet, S 41° 52' 26" W - 650.00, N 48° 08' 02" W - 412.47 feet,
8-4 S 66° 47' 54" W - 827.57 feet, N 47° 45' 25" W - 129.90 feet, S 28° 59'
8-5 29" W - 2.01 feet, S 41° 48' 43" W - 336.13 feet, S 48° 45' 08" E -
8-6 440.00 feet and S 53° 00' 00" W - 1304.90 feet to the northeast
8-7 right-of-way line of State Highway no. 6;

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

8-10 N 49° 25' 00" W - 438.00 feet, N 55° 07' 38" W - 201.00
8-11 feet, N 49° 25' 00" W - 751.78 feet to the west corner of the City of
8-12 College Station 36.9 acre tract (vol. 4329, pg. 134), and N 49° 25'
8-13 00" W - 1025.93 feet to the south corner of Barron Park Subdivision
8-14 (vol. 939, pg. 209);

8-15 Thence along the southeast, northeast and northwest lines of
8-16 Lots 1 and 2 of said Barron Park Subdivision as follows:

8-17 N 41° 09' 46" E - 1353.16 feet, N 49° 12' 46" W - 88.68
8-18 feet to the south corner of the City of College Station 100.64 acre
8-19 tract (vol. 6927, pg. 226), N 54° 07' 24" W - 291.11 feet, N 64° 27'
8-20 21" W - 117.03 feet, N 54° 53' 54" W - 24.95 feet, N 53° 19' 32" W -
8-21 113.87 feet, N 49° 26' 59" W - 190.11 feet and S 41° 09' 38" W -
8-22 1286.04 feet to the common corner of said Lot 2 and Lot 3 in the
8-23 northeast right-of-way line of State Highway no. 6;

8-24 Thence along the said northeast right-of-way lines of said
8-25 highway as follows:

8-26 N 47° 46' 18" W - 537.86 feet to the southwest common
8-27 corner of Lot 3 of said Barron Park Subdivision and that City of
8-28 College Station 46.60 acre tract (vol. 3310, pg. 321), N 47° 46' 48"
8-29 W - 65.34 feet, N 55° 07' 37" W - 201.00 feet, N 49° 25' 00" W - 600.00
8-30 feet and N 44° 08' 33" W - 147.79 feet to the southwest common corner
8-31 of said 46.60 acre tract and the Barker Subdivision (vol. 5101, pg.
8-32 182);

8-33 Thence N 38° 51' 07" E - 279.95 feet along the southeast line
8-34 of said Barker Subdivision to its east corner;

8-35 Thence N 47° 42' 16" W - 1053.70 feet along the northeast line
8-36 of said Barker Subdivision and continuing along the northeast line
8-37 of Cooper's Subdivision (vol. 4708, pg. 230) to its north corner,
8-38 also being the east corner of the Harley Subdivision (vol. 3961, pg.
8-39 236) and the south corner of that IHD Properties, LLC 2.77 acre
8-40 Tract One (vol. 10144, pg. 203);

8-41 Thence along the south, east and north lines of said IHD
8-42 Properties tract as follows:

8-43 N 42° 17' 04" E - 175.00 feet, N 47° 42' 56" W - 638.83
8-44 feet and S 72° 19' 02" W - 202.14 feet to the northeast line of said
8-45 Harley Subdivision and a southwest line of that M.D. Wheeler, Ltd.
8-46 71.52 acre Tract Two (vol. 3007, pg. 341);

8-47 Thence along the southwest lines of said Wheeler Tract Two
8-48 and continuing along the southeast lines of the Wheeler 10.01 acre
8-49 Tract One as follows:

8-50 N 47° 42' 33" W - 177.08 feet, N 46° 46' 09" W - 304.24
8-51 feet, S 21° 27' 46" W - 145.09 feet and S 41° 43' 32" W - 194.25 feet,
8-52 returning to the northeast right-of-way line of State Highway no.
8-53 6;

8-54 Thence along the said highway northeast right-of-way lines as
8-55 follows:

8-56 N 42° 27' 25" W - 105.18 feet, N 36° 45' 17" W - 383.87
8-57 feet, N 27° 43' 31" W - 192.30 feet and N 34° 27' 26" W - 55.00 feet to
8-58 the southeast line of Block 4 of the said Scott & White Healthcare
8-59 Subdivision;

8-60 Thence along the east boundary lines of said Scott & White
8-61 subdivision as follows:

8-62 N 41° 15' 39" E - 1224.44 feet, N 47° 37' 11" W - 128.13
8-63 feet, N 50° 49' 32" E - 930.60 feet and N 2° 42' 34" W - 1023.83 feet
8-64 to the Point of Beginning and containing 1308.51 acres of land more
8-65 or less.

8-66 SAVE and EXCEPT the following tract:

8-67 Beginning at the intersection of the south right-of-way line
8-68 of Rock Prairie Road East (57.5 feet south of the surveyed
8-69 centerline) and the west line of Lot 1 of Rock Prairie Baptist

9-1 Church (vol. 7312, pg. 207), from where City of College Station GPS
9-2 control monument no. 9 bears S 78° 01' 24" E - 3240.0 feet.
9-3 Thence S 82° 02' 02" E - 414.05 feet along said south
9-4 right-of-way line, parallel and 7.50 feet south of the north line of
9-5 said Lot 1, to its intersection with the east line of said Lot 1;
9-6 Thence S 20° 22' 54" E - 600.82 feet along the east line of Lot
9-7 1 to its southeast corner;
9-8 Thence N 82° 02' 02" W - 699.33 feet along the south line of
9-9 Lot 1 to its southwest corner;
9-10 Thence N 7° 57' 58" E - 528.77 feet along the west line of Lot 1
9-11 to the Point of Beginning and containing 6.76 acres of land more or
9-12 less.
9-13 Leaving a net acreage for this described tract of 1301.76
9-14 acres more or less.
9-15 SECTION 3. (a) The legal notice of the intention to
9-16 introduce this Act, setting forth the general substance of this
9-17 Act, has been published as provided by law, and the notice and a
9-18 copy of this Act have been furnished to all persons, agencies,
9-19 officials, or entities to which they are required to be furnished
9-20 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
9-21 Government Code.
9-22 (b) The governor, one of the required recipients, has
9-23 submitted the notice and Act to the Texas Commission on
9-24 Environmental Quality.
9-25 (c) The Texas Commission on Environmental Quality has filed
9-26 its recommendations relating to this Act with the governor,
9-27 lieutenant governor, and speaker of the house of representatives
9-28 within the required time.
9-29 (d) The general law relating to consent by political
9-30 subdivisions to the creation of districts with conservation,
9-31 reclamation, and road powers and the inclusion of land in those
9-32 districts has been complied with.
9-33 (e) All requirements of the constitution and laws of this
9-34 state and the rules and procedures of the legislature with respect
9-35 to the notice, introduction, and passage of this Act have been
9-36 fulfilled and accomplished.
9-37 SECTION 4. This Act takes effect immediately if it receives
9-38 a vote of two-thirds of all the members elected to each house, as
9-39 provided by Section 39, Article III, Texas Constitution. If this
9-40 Act does not receive the vote necessary for immediate effect, this
9-41 Act takes effect September 1, 2013.

9-42

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