

1-1 By: Smith (Senate Sponsor - Garcia) H.B. No. 3925
 1-2 (In the Senate - Received from the House May 3, 2013;
 1-3 May 6, 2013, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 10, 2013, reported favorably by
 1-5 the following vote: Yeas 5, Nays 0; May 10, 2013, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Hinojosa	X			
1-9 Nichols	X			
1-10 Garcia	X			
1-11 Paxton	X			
1-12 Taylor	X			

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

1-16 relating to the dissolution of the Harris County Municipal Utility
 1-17 District No. 213; the creation of the Harris County Municipal
 1-18 Utility District No. 213-A; the creation of the Harris County
 1-19 Municipal Utility District No. 213-B; granting a limited power of
 1-20 eminent domain; providing authority to issue bonds; providing
 1-21 authority to impose assessments, fees, or taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. On the effective date of this Act:

1-24 (1) the Harris County Municipal Utility District No.
 1-25 213 is dissolved;
 1-26 (2) the terms of the directors of the district expire;
 1-27 and

1-28 (3) any assets of the district, including any tax or
 1-29 assessment revenue, that remain after payment of the district's
 1-30 liabilities are transferred to the Harris County Municipal Utility
 1-31 District No. 213-A.

1-32 SECTION 2. Subtitle F, Title 6, Special District Local Laws
 1-33 Code, is amended by adding Chapter 8478 to read as follows:

1-34 CHAPTER 8478. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 213-A

1-35 SUBCHAPTER A. GENERAL PROVISIONS

1-36 Sec. 8478.001. DEFINITIONS. In this chapter:

1-37 (1) "Board" means the district's board of directors.
 1-38 (2) "Commission" means the Texas Commission on
 1-39 Environmental Quality.

1-40 (3) "Director" means a board member.

1-41 (4) "District" means the Harris County Municipal
 1-42 Utility District No. 213-A.

1-43 Sec. 8478.002. NATURE OF DISTRICT. The district is a
 1-44 municipal utility district created under Section 59, Article XVI,
 1-45 Texas Constitution.

1-46 Sec. 8478.003. CONFIRMATION AND DIRECTORS' ELECTION
 1-47 REQUIRED. The temporary directors shall hold an election to
 1-48 confirm the creation of the district and to elect five permanent
 1-49 directors as provided by Section 49.102, Water Code.

1-50 Sec. 8478.004. CONSENT OF MUNICIPALITY REQUIRED. The
 1-51 temporary directors may not hold an election under Section 8478.003
 1-52 until each municipality in whose corporate limits or
 1-53 extraterritorial jurisdiction the district is located has
 1-54 consented by ordinance or resolution to the creation of the
 1-55 district and to the inclusion of land in the district.

1-56 Sec. 8478.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
 1-57 The district is created to serve a public purpose and benefit.

1-58 (b) The district is created to accomplish the purposes of:

1-59 (1) a municipal utility district as provided by
 1-60 general law and Section 59, Article XVI, Texas Constitution; and

1-61 (2) Section 52, Article III, Texas Constitution, that
 1-62 relate to the construction, acquisition, improvement, operation,
 1-63 or maintenance of macadamized, graveled, or paved roads, or
 1-64 improvements, including storm drainage, in aid of those roads.

2-1 Sec. 8478.006. INITIAL DISTRICT TERRITORY. (a) The
 2-2 district is initially composed of the territory described by
 2-3 Section 3 of the Act enacting this chapter.

2-4 (b) The boundaries and field notes contained in Section 3 of
 2-5 the Act enacting this chapter form a closure. A mistake made in the
 2-6 field notes or in copying the field notes in the legislative process
 2-7 does not affect the district's:

2-8 (1) organization, existence, or validity;

2-9 (2) right to issue any type of bond for the purposes
 2-10 for which the district is created or to pay the principal of and
 2-11 interest on a bond;

2-12 (3) right to impose a tax; or

2-13 (4) legality or operation.

2-14 Sec. 8478.007. ANNEXATION BY MUNICIPALITY.

2-15 Notwithstanding any other law, if all of the territory of the
 2-16 district is annexed by a municipality into the corporate limits of
 2-17 that municipality before the date of the election under Section
 2-18 8478.003, the district may not be dissolved and shall continue
 2-19 until the district is dissolved under Section 43.074, Local
 2-20 Government Code.

2-21 SUBCHAPTER B. BOARD OF DIRECTORS

2-22 Sec. 8478.051. GOVERNING BODY; TERMS. (a) The district is
 2-23 governed by a board of five elected directors.

2-24 (b) Except as provided by Section 8478.052, directors serve
 2-25 staggered four-year terms.

2-26 Sec. 8478.052. TEMPORARY DIRECTORS. (a) The temporary
 2-27 board consists of:

2-28 (1) William K. Taylor;

2-29 (2) James Coursey; and

2-30 (3) Jacob Saour.

2-31 (b) Temporary directors serve until the earlier of:

2-32 (1) the date permanent directors are elected under
 2-33 Section 8478.003; or

2-34 (2) September 1, 2017.

2-35 (c) If permanent directors have not been elected under
 2-36 Section 8478.003 and the terms of the temporary directors have
 2-37 expired, successor temporary directors shall be appointed or
 2-38 reappointed as provided by Subsection (d) to serve terms that
 2-39 expire on the earlier of:

2-40 (1) the date permanent directors are elected under
 2-41 Section 8478.003; or

2-42 (2) the fourth anniversary of the date of the
 2-43 appointment or reappointment.

2-44 (d) If Subsection (c) applies, the owner or owners of a
 2-45 majority of the assessed value of the real property in the district
 2-46 may submit a petition to the commission requesting that the
 2-47 commission appoint as successor temporary directors the five
 2-48 persons named in the petition. The commission shall appoint as
 2-49 successor temporary directors the five persons named in the
 2-50 petition.

2-51 SUBCHAPTER C. POWERS AND DUTIES

2-52 Sec. 8478.101. GENERAL POWERS AND DUTIES. The district has
 2-53 the powers and duties necessary to accomplish the purposes for
 2-54 which the district is created.

2-55 Sec. 8478.102. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-56 DUTIES. The district has the powers and duties provided by the
 2-57 general law of this state, including Chapters 49 and 54, Water Code,
 2-58 applicable to municipal utility districts created under Section 59,
 2-59 Article XVI, Texas Constitution.

2-60 Sec. 8478.103. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-61 52, Article III, Texas Constitution, the district may design,
 2-62 acquire, construct, finance, issue bonds for, improve, operate,
 2-63 maintain, and convey to this state, a county, or a municipality for
 2-64 operation and maintenance macadamized, graveled, or paved roads, or
 2-65 improvements, including storm drainage, in aid of those roads.

2-66 Sec. 8478.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
 2-67 project must meet all applicable construction standards, zoning and
 2-68 subdivision requirements, and regulations of each municipality in
 2-69 whose corporate limits or extraterritorial jurisdiction the road
 2-70 project is located.

2-71 (b) If a road project is not located in the corporate limits

3-1 or extraterritorial jurisdiction of a municipality, the road
 3-2 project must meet all applicable construction standards,
 3-3 subdivision requirements, and regulations of each county in which
 3-4 the road project is located.

3-5 (c) If the state will maintain and operate the road, the
 3-6 Texas Transportation Commission must approve the plans and
 3-7 specifications of the road project.

3-8 Sec. 8478.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
 3-9 OR RESOLUTION. The district shall comply with all applicable
 3-10 requirements of any ordinance or resolution that is adopted under
 3-11 Section 54.016 or 54.0165, Water Code, and that consents to the
 3-12 creation of the district or to the inclusion of land in the
 3-13 district.

3-14 SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

3-15 Sec. 8478.151. DIVISION OF DISTRICT; PREREQUISITES. The
 3-16 district may be divided into two or more new districts only if the
 3-17 district:

3-18 (1) has no outstanding bonded debt; and

3-19 (2) is not imposing ad valorem taxes.

3-20 Sec. 8478.152. LAW APPLICABLE TO NEW DISTRICT. This
 3-21 chapter applies to any new district created by division of the
 3-22 district, and a new district has all the powers and duties of the
 3-23 district.

3-24 Sec. 8478.153. LIMITATION ON AREA OF NEW DISTRICT. A new
 3-25 district created by the division of the district may not, at the
 3-26 time the new district is created, contain any land outside the area
 3-27 described by Section 3 of the Act enacting this chapter.

3-28 Sec. 8478.154. DIVISION PROCEDURES. (a) The board, on its
 3-29 own motion or on receipt of a petition signed by the owner or owners
 3-30 of a majority of the assessed value of the real property in the
 3-31 district, may adopt an order dividing the district.

3-32 (b) The board may adopt an order dividing the district
 3-33 before or after the date the board holds an election under Section
 3-34 8478.003 to confirm the district's creation.

3-35 (c) An order dividing the district must:

3-36 (1) name each new district;

3-37 (2) include the metes and bounds description of the
 3-38 territory of each new district;

3-39 (3) appoint temporary directors for each new district;

3-40 and

3-41 (4) provide for the division of assets and liabilities
 3-42 between the new districts.

3-43 (d) On or before the 30th day after the date of adoption of
 3-44 an order dividing the district, the district shall file the order
 3-45 with the commission and record the order in the real property
 3-46 records of each county in which the district is located.

3-47 Sec. 8478.155. CONFIRMATION ELECTION FOR NEW DISTRICT. (a)
 3-48 A new district created by the division of the district shall hold a
 3-49 confirmation and directors' election as required by Section
 3-50 8478.003.

3-51 (b) If the creation of the new district is confirmed, the
 3-52 new district shall provide the election date and results to the
 3-53 commission.

3-54 Sec. 8478.156. TAX OR BOND ELECTION. Before a new district
 3-55 created by the division of the district may impose a maintenance tax
 3-56 or issue bonds payable wholly or partly from ad valorem taxes, the
 3-57 new district must hold an election as required by this chapter to
 3-58 obtain voter approval.

3-59 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

3-60 Sec. 8478.201. ELECTIONS REGARDING TAXES OR BONDS. (a) The
 3-61 district may issue, without an election, bonds and other
 3-62 obligations secured by:

3-63 (1) revenue other than ad valorem taxes; or

3-64 (2) contract payments described by Section 8478.203.

3-65 (b) The district must hold an election in the manner
 3-66 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 3-67 before the district may impose an ad valorem tax or issue bonds
 3-68 payable from ad valorem taxes.

3-69 (c) The district may not issue bonds payable from ad valorem
 3-70 taxes to finance a road project unless the issuance is approved by a
 3-71 vote of a two-thirds majority of the district voters voting at an

4-1 election held for that purpose.

4-2 Sec. 8478.202. OPERATION AND MAINTENANCE TAX. (a) If
 4-3 authorized at an election held under Section 8478.201, the district
 4-4 may impose an operation and maintenance tax on taxable property in
 4-5 the district in accordance with Section 49.107, Water Code.

4-6 (b) The board shall determine the tax rate. The rate may not
 4-7 exceed the rate approved at the election.

4-8 Sec. 8478.203. CONTRACT TAXES. (a) In accordance with
 4-9 Section 49.108, Water Code, the district may impose a tax other than
 4-10 an operation and maintenance tax and use the revenue derived from
 4-11 the tax to make payments under a contract after the provisions of
 4-12 the contract have been approved by a majority of the district voters
 4-13 voting at an election held for that purpose.

4-14 (b) A contract approved by the district voters may contain a
 4-15 provision stating that the contract may be modified or amended by
 4-16 the board without further voter approval.

4-17 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

4-18 Sec. 8478.251. AUTHORITY TO ISSUE BONDS AND OTHER
 4-19 OBLIGATIONS. The district may issue bonds or other obligations
 4-20 payable wholly or partly from ad valorem taxes, impact fees,
 4-21 revenue, contract payments, grants, or other district money, or any
 4-22 combination of those sources, to pay for any authorized district
 4-23 purpose.

4-24 Sec. 8478.252. TAXES FOR BONDS. At the time the district
 4-25 issues bonds payable wholly or partly from ad valorem taxes, the
 4-26 board shall provide for the annual imposition of a continuing
 4-27 direct ad valorem tax, without limit as to rate or amount, while all
 4-28 or part of the bonds are outstanding.

4-29 Sec. 8478.253. BONDS FOR ROAD PROJECTS. At the time of
 4-30 issuance, the total principal amount of bonds or other obligations
 4-31 issued or incurred to finance road projects and payable from ad
 4-32 valorem taxes may not exceed one-fourth of the assessed value of the
 4-33 real property in the district.

4-34 SECTION 3. The Harris County Municipal Utility District
 4-35 No. 213-A initially includes all the territory contained in the
 4-36 following area:

4-37 BEING A TRACT OF LAND CONTAINING 571.898 ACRES, MORE OR LESS,
 4-38 SITUATED IN THE TALCOT PATCHING SURVEY, ABSTRACT NO. 620, HARRIS
 4-39 COUNTY, TEXAS, CONSISTING OF THAT CERTAIN 697.0651-ACRE TRACT
 4-40 DESCRIBED BY METES AND BOUNDS BELOW, SAVE AND EXCEPT THAT CERTAIN
 4-41 111.307-ACRE TRACT ("SAVE AND EXCEPT TRACT 1") DESCRIBED BY METES
 4-42 AND BOUNDS BELOW, AND SAVE AND EXCEPT THAT CERTAIN 13.860-ACRE
 4-43 TRACT ("SAVE AND EXCEPT TRACT 2") DESCRIBED BY METES AND BOUNDS
 4-44 BELOW:

4-45 THE 697.0651-ACRE TRACT:

4-46 BEGINNING at the intersection of the westerly right-of-way line of
 4-47 Garth Road (80-foot R.O.W.) and northerly right -of-way line of
 4-48 Wallisville Road (60-foot R.O.W.);

4-49 THENCE, South 80°13'00" West, along said northerly line, a distance
 4-50 of 1641.66 feet to a point for corner;

4-51 THENCE, North 09°47'00" West, a distance of 500.00 feet to a point
 4-52 for corner;

4-53 THENCE, South 80°13'00" West, a distance of 473.58 feet to a point
 4-54 for corner;

4-55 THENCE, South 23°42'00" East, a distance of 515.04 feet to a point
 4-56 for corner in the aforementioned northerly line of Wallisville
 4-57 Road;

4-58 THENCE, North 89°32'55" West, along said northerly line, a distance
 4-59 of 2070.91 feet to a point for corner at the intersection of said
 4-60 northerly line and the easterly line of Haney Road (80-foot
 4-61 R.O.W.);

4-62 THENCE, North 09°27' 55" West, along said easterly line a distance
 4-63 of 6843.50 feet to a point of curvature;

4-64 THENCE, in a northwesterly direction, along said easterly line,
 4-65 following a curve to the left with a central angle of 29°33'35", a
 4-66 radius distance of 919.82 feet, a long chord bearing North 24°14'43"
 4-67 West, 469.30 feet, and a total arc length of 474.55 feet to a point
 4-68 for corner;

4-69 THENCE, North 81°03'40" East, a distance of 4420.01 feet to a point
 4-70 for corner in the aforementioned westerly line of Garth Road;

4-71 THENCE, South 07°26' 25" East, along said westerly line a distance

5-1 of 4640.76 feet to a point for corner;
 5-2 THENCE, South 82°33'35" West, a distance of 1002.24 feet to a point
 5-3 for corner;
 5-4 THENCE, South 04°15'35" West, a distance of 700.00 feet to a point
 5-5 for corner;
 5-6 THENCE, South 85°44'25" East, a distance of 1168.47 feet to a point
 5-7 for corner in the aforementioned westerly line of Garth Road;
 5-8 THENCE, South 07°26'25" East, along said westerly line, a distance
 5-9 of 2043.92 feet to the POINT OF BEGINNING, and CONTAINING 697.0651
 5-10 acres (30,364,155 sq. ft.) of land in Harris County, Texas.
 5-11 SAVE AND EXCEPT TRACT 1:
 5-12 Being all of the 111.307-acre tract described in the deed to Compass
 5-13 Bank recorded under Harris County Clerk's File Number 20110005202,
 5-14 being more particularly described by metes and bounds as follows
 5-15 (all bearings are based on the record bearings of the called 717.279
 5-16 acres as described in the deed to Garth-Wallisville, Limited,
 5-17 recorded under Harris County Clerk's File Number D892853):
 5-18 COMMENCING at a 1-inch iron pipe found in the west right-of-way line
 5-19 of Garth Road (width varies), recorded under Harris County Clerk's
 5-20 File Numbers D838008, W485307 and X600931 and in Volume 858, Page
 5-21 333 of the Harris County Deed Records, marking the southeast corner
 5-22 of the called 89.1 acres conveyed to George Hamman in Volume 1054,
 5-23 Page 259 of the Harris County Deed Records, common with the
 5-24 northeast corner of said called 717.279 acre tract and the
 5-25 northeast corner of the called 25,000 square feet tract conveyed to
 5-26 Charles Kipple, Trustee recorded under Harris County Clerk's File
 5-27 Number H510278;
 5-28 THENCE, South 07°26'25" East, along said west right-of-way line and
 5-29 said Garth Road, at a distance of 100.00 feet, pass the southeast
 5-30 corner of said called 25,000 square feet tract, at a distance of
 5-31 2,035.56 feet, pass a 5/8-inch iron rod with plastic cap stamped
 5-32 "Terra Surveying" set marking the northeast corner of the called
 5-33 36.93 acre tract, conveyed to Costal Industrial Water Authority
 5-34 recorded under Harris County Clerk's File Number D838008, at a
 5-35 distance of 2,364.83 feet, pass a 5/8-inch iron rod found marking
 5-36 the southeast corner of said called 36.93 acre tract, at a distance
 5-37 of 4,640.76 feet pass the northeast corner of the called 5.0000 acre
 5-38 tract, conveyed to Goose Creek Independent School District,
 5-39 recorded under Harris County Clerk's File Number G873953, at a
 5-40 distance of 4,853.40 feet, pass the southeast corner of said called
 5-41 5.0000 acre tract common with the northeast corner of a called
 5-42 15.0000 acre tract conveyed to Goose Creek Independent School
 5-43 District, recorded under Harris County Clerk's File Number G812757,
 5-44 at a distance of 5,563.16 feet pass the southeast corner of said
 5-45 called 15.0000 acre tract, in all a total distance of 5,685.71 feet
 5-46 to an angle corner in said west right-of-way line;
 5-47 THENCE, North 85°44'25" West, continuing said west right-of-way
 5-48 line, a distance of 10.27 feet, to an angle corner in said west
 5-49 right-of-way line;
 5-50 THENCE, South 07°26'25" East, continuing along said west
 5-51 right-of-way line, a distance of 25.02 feet to 5/8-inch iron rod
 5-52 with plastic cap stamped "Terra Surveying" set marking the
 5-53 northeast corner and the POINT OF BEGINNING of the herein described
 5-54 tract;
 5-55 THENCE, South 07°26'25" East, continuing along said west
 5-56 right-of-way line, a distance of 1,870.53 feet, to a 5/8-inch iron
 5-57 rod with plastic cap stamped "Terra Surveying" set marking the
 5-58 north end of the northwest right-of-way line cutback line at the
 5-59 intersection of said Garth Road and Wallisville Road (width
 5-60 varies), as described in the deeds recorded under Harris County
 5-61 Clerk's File Numbers W485307, X715895 and X600931 and in Volume
 5-62 311, Page 3 of the Harris County Map Records;
 5-63 THENCE, South 36°32'16" West, along said northwest right-of-way
 5-64 cutback line, a distance of 21.59 feet, to a 5/8-inch iron rod with
 5-65 plastic cap stamped "Terra Surveying" set marking the south end of
 5-66 said right-of-way cutback line;
 5-67 THENCE, South 80°30'56" West, along the north right-of-way line of
 5-68 said Wallisville Road, a distance of 772.43 feet to a 5/8-inch iron
 5-69 rod with plastic cap stamped "Terra Surveying" set marking an angle
 5-70 corner of the herein described tract;
 5-71 THENCE, South 07°18'28" East, continuing along the said north

6-1 right-of-way line, a distance of 18.57 feet to a 5/8-inch iron rod
6-2 with plastic cap stamped "Terra Surveying" set marking an angle
6-3 corner of the herein described tract;
6-4 THENCE, South 80°22'16" West, continuing along said north
6-5 right-of-way line, a distance of 844.01 feet, to an "X" in concrete
6-6 found marking the southeast corner of a called 4.727 acre tract
6-7 conveyed to Houston Lighting & Power Company in Volume 3018, Page 26
6-8 of the Harris County Deed Records, common with an angle corner of
6-9 the herein described tract;
6-10 THENCE, North 09°36'02" West, along the east line of said called
6-11 4.727 acre tract, a distance of 498.68 feet, to a 5/8-inch iron rod
6-12 found marking the northeast corner of said called 4.727 acre tract
6-13 common with an interior corner of the herein described tract;
6-14 THENCE, South 80°23'58" West, along the north line of said called
6-15 4.727 acre tract, a distance of 473.58 feet, to a 5/8-inch rod found
6-16 in the east line of a the 150-foot wide Houston Lighting & Power
6-17 Company easement recorded in Volume 3021, Page 30 of the Harris
6-18 County Deed Records, common with the east line of the 22-foot wide
6-19 Houston Lighting & Power Company easement recorded in Volume 2809,
6-20 Page 645 of the Harris County Deed Records, marking the northwest
6-21 corner of said called 4.727 acre tract common with an angle corner
6-22 of the herein described tract;
6-23 THENCE, North 23°29'12" West, along the east line of said 22-foot
6-24 wide Houston Lighting and Power easement common with the east line
6-25 of a said 150-foot Houston Lighting and Power easement, a distance
6-26 of 1,966.90 feet to a 5/8-inch iron rod with plastic cap stamped
6-27 "Terra Surveying" set in the south line of the 20-foot wide Seagull
6-28 Petrochemical Corporation pipeline easement recorded under Harris
6-29 County Clerk's File Numbers M373402 and M645320 marking the
6-30 northwest corner of the herein described tract;
6-31 THENCE, North 66°30'50" East, along the south line of said 20-foot
6-32 wide Seagull Petrochemical Corporation pipeline easement, a
6-33 distance of 26.94 feet, to a 5/8-inch iron rod with plastic cap
6-34 stamped "Terra Surveying" set marking an angle corner of the herein
6-35 described tract;
6-36 THENCE, North 79°53'08" East, continuing along said south line, a
6-37 distance of 505.26 feet, to a 5/8-inch iron rod with plastic cap
6-38 stamped "Terra Surveying" set marking an angle corner of the herein
6-39 described tract;
6-40 THENCE, South 85°44'33" East, continuing along said south line, a
6-41 distance of 2,147.85 feet, to a 5/8-inch iron rod with plastic cap
6-42 stamped "Terra Surveying" set marking an angle corner of the herein
6-43 described tract;
6-44 THENCE, North 85°52'33" East, continuing along said south line, a
6-45 distance of 32.31 feet to the POINT OF BEGINNING and containing
6-46 111.307 acres (4,848,534 square feet) of land.
6-47 SAVE AND EXCEPT TRACT 2:
6-48 Being all of the 13.860-acre tract described in the deed to Compass
6-49 Bank recorded under Harris County Clerk's File Number 20110005202
6-50 and being more particularly described by metes and bounds as
6-51 follows (all bearings are based on the record bearings of the called
6-52 717.279 acres as described in the deed to Garth-Wallisville,
6-53 Limited, recorded under Harris County Clerk's File Number D892853):
6-54 COMMENCING at a 5/8-inch iron rod with plastic cap stamped "TERRA
6-55 SURVEYING" set marking the north end of the northwest right-of-way
6-56 line cutback line at the intersection of Garth Road (width varies),
6-57 recorded under Harris County Clerk's File Numbers D838008, W485307
6-58 and X600931 and in Volume 858, Page 333 of the Harris County Deed
6-59 Records and Wallisville Road (width varies), as described in the
6-60 deeds recorded under Harris County Clerk's File Numbers W485307,
6-61 X715895 and X600931 and in Volume 311, Page 3 of the Harris County
6-62 Map Records;
6-63 THENCE, South 36°32'16" West, along said northwest right-of-way
6-64 cutback line, a distance of 21.59 feet, to a 5/8-inch iron rod with
6-65 plastic cap stamped "Terra Surveying" set marking the south end of
6-66 said right-of-way cutback line;
6-67 THENCE, South 80°30'56" West, along the north right-of-way line of
6-68 said Wallisville Road, a distance of 772.43 feet to a 5/8-inch iron
6-69 rod with plastic cap stamped "Terra Surveying" set marking an angle
6-70 corner of the herein described tract;
6-71 THENCE, South 07°18'28" East, continuing along the said north

7-1 right-of-way line, a distance of 18.57 feet to a 5/8-inch iron rod
7-2 with plastic cap stamped "Terra Surveying" set marking an angle
7-3 corner of the herein described tract;
7-4 THENCE, South 80°22'16" West, continuing along said north
7-5 right-of-way line, a distance of 1,199.32 feet, to a 5/8-inch iron
7-6 rod with plastic cap stamped "TERRA SURVEYING" set marking an angle
7-7 corner in said north right-of-way line;
7-8 THENCE, North 89°32'55" West, continuing along said north
7-9 right-of-way line, a distance of 158.75 feet to the intersection of
7-10 said north right-of-way line and the west line of the 150-foot wide
7-11 Houston Lighting & Power Company easement recorded in Volume 3021,
7-12 Page 30 of the Harris County Deed Records;
7-13 THENCE, North 23°29'10" West, along said west line, a distance of
7-14 403.68 feet to a 5/8-inch iron rod with plastic cap stamped "TERRA
7-15 SURVEYING" set marking the intersection of said west line and the
7-16 north line of the 50-foot wide Humble Oil and Refining Company
7-17 easement recorded in Volume 5296, Page 354, of the Harris County
7-18 Deed Records marking the south corner and POINT OF BEGINNING of the
7-19 herein described tract;
7-20 THENCE, North 57°51'55" West, along said north line, a distance of
7-21 1,342.79 feet to a 5/8-inch iron rod with plastic cap stamped "S & V
7-22 SURVEYING" found marking the west corner of the aforesaid 13.860
7-23 acre tract common with the west corner of the herein described
7-24 tract;
7-25 THENCE, North 51°01'12" East, along a northwesterly line of said
7-26 13.860 acre tract, a distance of 651.92 feet to a 5/8-inch iron rod
7-27 with plastic cap stamped "S & V SURVEYING" found marking an angle
7-28 corner of said 13.860 acre tract common with an angle corner of the
7-29 herein described tract;
7-30 THENCE, North 23°29'12" West, along a westerly line of said 13.860
7-31 acre tract, a distance of 832.92 feet to a 5/8-inch iron rod with
7-32 plastic cap stamped "S & V SURVEYING" found in the south line of the
7-33 called 11.46 acre San Jacinto River Authority easement marking the
7-34 northwest corner of said 13.860 acre tract common with the
7-35 northwest corner of the herein described tract;
7-36 THENCE, North 79°53'28" East, along said south line, a distance of
7-37 133.63 feet to a 5/8-inch iron rod with plastic cap stamped "S & V
7-38 SURVEYING" found marking the northeast corner of said 13.860 acre
7-39 tract common with the intersection of said south line and the
7-40 aforesaid west line of the 150-foot wide Houston Lighting & Power
7-41 Company easement and the northeast corner of the herein described
7-42 tract;
7-43 THENCE, South 23°29'10" East, along said west line, a distance of
7-44 2,084.38 feet to the POINT OF BEGINNING and containing 13.860 acres
7-45 (603,742 square feet) of land.

7-46 SECTION 4. Subtitle F, Title 6, Special District Local Laws
7-47 Code, is amended by adding Chapter 8479 to read as follows:

7-48 CHAPTER 8479. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 213-B

7-49 SUBCHAPTER A. GENERAL PROVISIONS

7-50 Sec. 8479.001. DEFINITIONS. In this chapter:

- 7-51 (1) "Board" means the district's board of directors.
- 7-52 (2) "Commission" means the Texas Commission on
- 7-53 Environmental Quality.

- 7-54 (3) "Director" means a board member.

- 7-55 (4) "District" means the Harris County Municipal
- 7-56 Utility District No. 213-B.

7-57 Sec. 8479.002. NATURE OF DISTRICT. The district is a
7-58 municipal utility district created under Section 59, Article XVI,
7-59 Texas Constitution.

7-60 Sec. 8479.003. CONFIRMATION AND DIRECTORS' ELECTION
7-61 REQUIRED. The temporary directors shall hold an election to
7-62 confirm the creation of the district and to elect five permanent
7-63 directors as provided by Section 49.102, Water Code.

7-64 Sec. 8479.004. CONSENT OF MUNICIPALITY REQUIRED. The
7-65 temporary directors may not hold an election under Section 8479.003
7-66 until each municipality in whose corporate limits or
7-67 extraterritorial jurisdiction the district is located has
7-68 consented by ordinance or resolution to the creation of the
7-69 district and to the inclusion of land in the district.

7-70 Sec. 8479.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
7-71 The district is created to serve a public purpose and benefit.

8-1 (b) The district is created to accomplish the purposes of:
8-2 (1) a municipal utility district as provided by
8-3 general law and Section 59, Article XVI, Texas Constitution; and
8-4 (2) Section 52, Article III, Texas Constitution, that
8-5 relate to the construction, acquisition, improvement, operation,
8-6 or maintenance of macadamized, graveled, or paved roads, or
8-7 improvements, including storm drainage, in aid of those roads.

8-8 Sec. 8479.006. INITIAL DISTRICT TERRITORY. (a) The
8-9 district is initially composed of the territory described by
8-10 Section 5 of the Act enacting this chapter.

8-11 (b) The boundaries and field notes contained in Section 5 of
8-12 the Act enacting this chapter form a closure. A mistake made in the
8-13 field notes or in copying the field notes in the legislative process
8-14 does not affect the district's:

8-15 (1) organization, existence, or validity;

8-16 (2) right to issue any type of bond for the purposes
8-17 for which the district is created or to pay the principal of and
8-18 interest on a bond;

8-19 (3) right to impose a tax; or

8-20 (4) legality or operation.

8-21 Sec. 8479.007. ANNEXATION BY MUNICIPALITY.
8-22 Notwithstanding any other law, if all of the territory of the
8-23 district is annexed by a municipality into the corporate limits of
8-24 that municipality before the date of the election under Section
8-25 8479.003, the district may not be dissolved and shall continue
8-26 until the district is dissolved under Section 43.074, Local
8-27 Government Code.

8-28 SUBCHAPTER B. BOARD OF DIRECTORS

8-29 Sec. 8479.051. GOVERNING BODY; TERMS. (a) The district is
8-30 governed by a board of five elected directors.

8-31 (b) Except as provided by Section 8479.052, directors serve
8-32 staggered four-year terms.

8-33 Sec. 8479.052. TEMPORARY DIRECTORS. (a) On or after
8-34 September 1, 2013, the owner or owners of a majority of the assessed
8-35 value of the real property in the district may submit a petition to
8-36 the commission requesting that the commission appoint as temporary
8-37 directors the five persons named in the petition. The commission
8-38 shall appoint as temporary directors the five persons named in the
8-39 petition.

8-40 (b) Temporary directors serve until the earlier of:

8-41 (1) the date permanent directors are elected under
8-42 Section 8479.003; or

8-43 (2) September 1, 2017.

8-44 (c) If permanent directors have not been elected under
8-45 Section 8479.003 and the terms of the temporary directors have
8-46 expired, successor temporary directors shall be appointed or
8-47 reappointed as provided by Subsection (d) to serve terms that
8-48 expire on the earlier of:

8-49 (1) the date permanent directors are elected under
8-50 Section 8479.003; or

8-51 (2) the fourth anniversary of the date of the
8-52 appointment or reappointment.

8-53 (d) If Subsection (c) applies, the owner or owners of a
8-54 majority of the assessed value of the real property in the district
8-55 may submit a petition to the commission requesting that the
8-56 commission appoint as successor temporary directors the five
8-57 persons named in the petition. The commission shall appoint as
8-58 successor temporary directors the five persons named in the
8-59 petition.

8-60 SUBCHAPTER C. POWERS AND DUTIES

8-61 Sec. 8479.101. GENERAL POWERS AND DUTIES. The district has
8-62 the powers and duties necessary to accomplish the purposes for
8-63 which the district is created.

8-64 Sec. 8479.102. MUNICIPAL UTILITY DISTRICT POWERS AND
8-65 DUTIES. The district has the powers and duties provided by the
8-66 general law of this state, including Chapters 49 and 54, Water Code,
8-67 applicable to municipal utility districts created under Section 59,
8-68 Article XVI, Texas Constitution.

8-69 Sec. 8479.103. AUTHORITY FOR ROAD PROJECTS. Under Section
8-70 52, Article III, Texas Constitution, the district may design,
8-71 acquire, construct, finance, issue bonds for, improve, operate,

9-1 maintain, and convey to this state, a county, or a municipality for
 9-2 operation and maintenance macadamized, graveled, or paved roads, or
 9-3 improvements, including storm drainage, in aid of those roads.

9-4 Sec. 8479.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
 9-5 project must meet all applicable construction standards, zoning and
 9-6 subdivision requirements, and regulations of each municipality in
 9-7 whose corporate limits or extraterritorial jurisdiction the road
 9-8 project is located.

9-9 (b) If a road project is not located in the corporate limits
 9-10 or extraterritorial jurisdiction of a municipality, the road
 9-11 project must meet all applicable construction standards,
 9-12 subdivision requirements, and regulations of each county in which
 9-13 the road project is located.

9-14 (c) If the state will maintain and operate the road, the
 9-15 Texas Transportation Commission must approve the plans and
 9-16 specifications of the road project.

9-17 Sec. 8479.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
 9-18 OR RESOLUTION. The district shall comply with all applicable
 9-19 requirements of any ordinance or resolution that is adopted under
 9-20 Section 54.016 or 54.0165, Water Code, and that consents to the
 9-21 creation of the district or to the inclusion of land in the
 9-22 district.

9-23 SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

9-24 Sec. 8479.151. DIVISION OF DISTRICT; PREREQUISITES. The
 9-25 district may be divided into two or more new districts only if the
 9-26 district:

- 9-27 (1) has no outstanding bonded debt; and
- 9-28 (2) is not imposing ad valorem taxes.

9-29 Sec. 8479.152. LAW APPLICABLE TO NEW DISTRICT. This
 9-30 chapter applies to any new district created by division of the
 9-31 district, and a new district has all the powers and duties of the
 9-32 district.

9-33 Sec. 8479.153. LIMITATION ON AREA OF NEW DISTRICT. A new
 9-34 district created by the division of the district may not, at the
 9-35 time the new district is created, contain any land outside the area
 9-36 described by Section 5 of the Act enacting this chapter.

9-37 Sec. 8479.154. DIVISION PROCEDURES. (a) The board, on its
 9-38 own motion or on receipt of a petition signed by the owner or owners
 9-39 of a majority of the assessed value of the real property in the
 9-40 district, may adopt an order dividing the district.

9-41 (b) The board may adopt an order dividing the district
 9-42 before or after the date the board holds an election under Section
 9-43 8479.003 to confirm the district's creation.

9-44 (c) An order dividing the district must:

- 9-45 (1) name each new district;
- 9-46 (2) include the metes and bounds description of the
 9-47 territory of each new district;
- 9-48 (3) appoint temporary directors for each new district;

9-49 and
 9-50 (4) provide for the division of assets and liabilities
 9-51 between the new districts.

9-52 (d) On or before the 30th day after the date of adoption of
 9-53 an order dividing the district, the district shall file the order
 9-54 with the commission and record the order in the real property
 9-55 records of each county in which the district is located.

9-56 Sec. 8479.155. CONFIRMATION ELECTION FOR NEW DISTRICT. (a)
 9-57 A new district created by the division of the district shall hold a
 9-58 confirmation and directors' election as required by Section
 9-59 8479.003.

9-60 (b) If the creation of the new district is confirmed, the
 9-61 new district shall provide the election date and results to the
 9-62 commission.

9-63 Sec. 8479.156. TAX OR BOND ELECTION. Before a new district
 9-64 created by the division of the district may impose a maintenance tax
 9-65 or issue bonds payable wholly or partly from ad valorem taxes, the
 9-66 new district must hold an election as required by this chapter to
 9-67 obtain voter approval.

9-68 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

9-69 Sec. 8479.201. ELECTIONS REGARDING TAXES OR BONDS. (a) The
 9-70 district may issue, without an election, bonds and other
 9-71 obligations secured by:

10-1 (1) revenue other than ad valorem taxes; or
 10-2 (2) contract payments described by Section 8479.203.

10-3 (b) The district must hold an election in the manner
 10-4 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 10-5 before the district may impose an ad valorem tax or issue bonds
 10-6 payable from ad valorem taxes.

10-7 (c) The district may not issue bonds payable from ad valorem
 10-8 taxes to finance a road project unless the issuance is approved by a
 10-9 vote of a two-thirds majority of the district voters voting at an
 10-10 election held for that purpose.

10-11 Sec. 8479.202. OPERATION AND MAINTENANCE TAX. (a) If
 10-12 authorized at an election held under Section 8479.201, the district
 10-13 may impose an operation and maintenance tax on taxable property in
 10-14 the district in accordance with Section 49.107, Water Code.

10-15 (b) The board shall determine the tax rate. The rate may not
 10-16 exceed the rate approved at the election.

10-17 Sec. 8479.203. CONTRACT TAXES. (a) In accordance with
 10-18 Section 49.108, Water Code, the district may impose a tax other than
 10-19 an operation and maintenance tax and use the revenue derived from
 10-20 the tax to make payments under a contract after the provisions of
 10-21 the contract have been approved by a majority of the district voters
 10-22 voting at an election held for that purpose.

10-23 (b) A contract approved by the district voters may contain a
 10-24 provision stating that the contract may be modified or amended by
 10-25 the board without further voter approval.

10-26 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

10-27 Sec. 8479.251. AUTHORITY TO ISSUE BONDS AND OTHER
 10-28 OBLIGATIONS. The district may issue bonds or other obligations
 10-29 payable wholly or partly from ad valorem taxes, impact fees,
 10-30 revenue, contract payments, grants, or other district money, or any
 10-31 combination of those sources, to pay for any authorized district
 10-32 purpose.

10-33 Sec. 8479.252. TAXES FOR BONDS. At the time the district
 10-34 issues bonds payable wholly or partly from ad valorem taxes, the
 10-35 board shall provide for the annual imposition of a continuing
 10-36 direct ad valorem tax, without limit as to rate or amount, while all
 10-37 or part of the bonds are outstanding.

10-38 Sec. 8479.253. BONDS FOR ROAD PROJECTS. At the time of
 10-39 issuance, the total principal amount of bonds or other obligations
 10-40 issued or incurred to finance road projects and payable from ad
 10-41 valorem taxes may not exceed one-fourth of the assessed value of the
 10-42 real property in the district.

10-43 SECTION 5. The Harris County Municipal Utility District
 10-44 No. 213-B initially includes all the territory contained in the
 10-45 following area:

10-46 Tract 1 and Tract 2 collectively containing 125.167 acres
 10-47 (5,452,276 square feet) of land situated in the Talcott Patching
 10-48 Survey, Abstract Number 620, Harris County, Texas, and being all of
 10-49 the 111.307 acre tract and all of the 13.860 acre tract described in
 10-50 the deed to Compass Bank, recorded under Harris County Clerk's File
 10-51 Number 20110005202; said 125.167 acres being more particularly
 10-52 described in two tracts by metes and bounds as follows (all bearings
 10-53 are based on the record bearings of the called 717.279 acres as
 10-54 described in the deed to Garth-Wallisville, Limited, recorded under
 10-55 Harris County Clerk's File Number D892853):

10-56 Tract 1:

10-57 COMMENCING at a 1-inch iron pipe found in the west right-of-way line
 10-58 of Garth Road (width varies), recorded under Harris County Clerk's
 10-59 File Numbers D838008, W485307 and X600931 and in Volume 858, Page
 10-60 333 of the Harris County Deed Records, marking the southeast corner
 10-61 of the called 89.1 acres conveyed to George Hamman in Volume 1054,
 10-62 Page 259 of the Harris County Deed Records, common with the
 10-63 northeast corner of said called 717.279 acre tract and the
 10-64 northeast corner of the called 25,000 square feet tract conveyed to
 10-65 Charles Kipple, Trustee recorded under Harris County Clerk's File
 10-66 Number H510278;

10-67 THENCE, South 07°26'25" East, along said west right-of-way line and
 10-68 said Garth Road, at a distance of 100.00 feet, pass the southeast
 10-69 corner of said called 25,000 square feet tract, at a distance of
 10-70 2,035.56 feet, pass a 5/8-inch iron rod with plastic cap stamped
 10-71 "Terra Surveying" set marking the northeast corner of the called

11-1 36.93 acre tract, conveyed to Costal Industrial Water Authority
 11-2 recorded under Harris County Clerk's File Number D838008, at a
 11-3 distance of 2,364.83 feet, pass a 5/8-inch iron rod found marking
 11-4 the southeast corner of said called 36.93 acre tract, at a distance
 11-5 of 4,640.76 feet pass the northeast corner of the called 5.0000 acre
 11-6 tract, conveyed to Goose Creek Independent School District,
 11-7 recorded under Harris County Clerk's File Number G873953, at a
 11-8 distance of 4,853.40 feet, pass the southeast corner of said called
 11-9 5.0000 acre tract common with the northeast corner of a called
 11-10 15.0000 acre tract conveyed to Goose Creek Independent School
 11-11 District, recorded under Harris County Clerk's File Number G812757,
 11-12 at a distance of 5,563.16 feet pass the southeast corner of said
 11-13 called 15.0000 acre tract, in all a total distance of 5,685.71 feet
 11-14 to an angle corner in said west right-of-way line;
 11-15 THENCE, North 85°44'25" West, continuing said west right-of-way
 11-16 line, a distance of 10.27 feet, to an angle corner in said west
 11-17 right-of-way line;
 11-18 THENCE, South 07°26'25" East, continuing along said west
 11-19 right-of-way line, a distance of 25.02 feet to 5/8-inch iron rod
 11-20 with plastic cap stamped "Terra Surveying" set marking the
 11-21 northeast corner and the POINT OF BEGINNING of the herein described
 11-22 tract;
 11-23 THENCE, South 07°26'25" East, continuing along said west
 11-24 right-of-way line, a distance of 1,870.53 feet, to a 5/8-inch iron
 11-25 rod with plastic cap stamped "Terra Surveying" set marking the
 11-26 north end of the northwest right-of-way line cutback line at the
 11-27 intersection of said Garth Road and Wallisville Road (width
 11-28 varies), as described in the deeds recorded under Harris County
 11-29 Clerk's File Numbers W485307, X715895 and X600931 and in Volume
 11-30 311, Page 3 of the Harris County Map Records;
 11-31 THENCE, South 36°32'16" West, along said northwest right-of-way
 11-32 cutback line, a distance of 21.59 feet, to a 5/8-inch iron rod with
 11-33 plastic cap stamped "Terra Surveying" set marking the south end of
 11-34 said right-of-way cutback line;
 11-35 THENCE, South 80°30'56" West, along the north right-of-way line of
 11-36 said Wallisville Road, a distance of 772.43 feet to a 5/8-inch iron
 11-37 rod with plastic cap stamped "Terra Surveying" set marking an angle
 11-38 corner of the herein described tract;
 11-39 THENCE, South 07°18'28" East, continuing along the said north
 11-40 right-of-way line, a distance of 18.57 feet to a 5/8-inch iron rod
 11-41 with plastic cap stamped "Terra Surveying" set marking an angle
 11-42 corner of the herein described tract;
 11-43 THENCE, South 80°22'16" West, continuing along said north
 11-44 right-of-way line, a distance of 844.01 feet, to an "X" in concrete
 11-45 found marking the southeast corner of a called 4.727 acre tract
 11-46 conveyed to Houston Lighting & Power Company in Volume 3018, Page 26
 11-47 of the Harris County Deed Records, common with an angle corner of
 11-48 the herein described tract;
 11-49 THENCE, North 09°36'02" West, along the east line of said called
 11-50 4.727 acre tract, a distance of 498.68 feet, to a 5/8-inch iron rod
 11-51 found marking the northeast corner of said called 4.727 acre tract
 11-52 common with an interior corner of the herein described tract;
 11-53 THENCE, South 80°23'58" West, along the north line of said called
 11-54 4.727 acre tract, a distance of 473.58 feet, to a 5/8-inch rod found
 11-55 in the east line of a the 150-foot wide Houston Lighting & Power
 11-56 Company easement recorded in Volume 3021, Page 30 of the Harris
 11-57 County Deed Records, common with the east line of the 22-foot wide
 11-58 Houston Lighting & Power Company easement recorded in Volume 2809,
 11-59 Page 645 of the Harris County Deed Records, marking the northwest
 11-60 corner of said called 4.727 acre tract common with an angle corner
 11-61 of the herein described tract;
 11-62 THENCE, North 23°29'12" West, along the east line of said 22-foot
 11-63 wide Houston Lighting and Power easement common with the east line
 11-64 of a said 150-foot Houston Lighting and Power easement, a distance
 11-65 of 1,966.90 feet to a 5/8-inch iron rod with plastic cap stamped
 11-66 "Terra Surveying" set in the south line of the 20-foot wide Seagull
 11-67 Petrochemical Corporation pipeline easement recorded under Harris
 11-68 County Clerk's File Numbers M373402 and M645320 marking the
 11-69 northwest corner of the herein described tract;
 11-70 THENCE, North 66°30'50" East, along the south line of said 20-foot
 11-71 wide Seagull Petrochemical Corporation pipeline easement, a

12-1 distance of 26.94 feet, to a 5/8-inch iron rod with plastic cap
12-2 stamped "Terra Surveying" set marking an angle corner of the herein
12-3 described tract;
12-4 THENCE, North 79°53'08" East, continuing along said south line, a
12-5 distance of 505.26 feet, to a 5/8-inch iron rod with plastic cap
12-6 stamped "Terra Surveying" set marking an angle corner of the herein
12-7 described tract;
12-8 THENCE, South 85°44'33" East, continuing along said south line, a
12-9 distance of 2,147.85 feet, to a 5/8-inch iron rod with plastic cap
12-10 stamped "Terra Surveying" set marking an angle corner of the herein
12-11 described tract;
12-12 THENCE, North 85°52'33" East, continuing along said south line, a
12-13 distance of 32.31 feet to the POINT OF BEGINNING and containing
12-14 111.307 acres (4,848,534 square feet) of land.
12-15 Tract 2:
12-16 COMMENCING at a 5/8-inch iron rod with plastic cap stamped "TERRA
12-17 SURVEYING" set marking the north end of the northwest right-of-way
12-18 line cutback line at the intersection of Garth Road (width varies),
12-19 recorded under Harris County Clerk's File Numbers D838008, W485307
12-20 and X600931 and in Volume 858, Page 333 of the Harris County Deed
12-21 Records and Wallisville Road (width varies), as described in the
12-22 deeds recorded under Harris County Clerk's File Numbers W485307,
12-23 X715895 and X600931 and in Volume 311, Page 3 of the Harris County
12-24 Map Records;
12-25 THENCE, South 36°32'16" West, along said northwest right-of-way
12-26 cutback line, a distance of 21.59 feet, to a 5/8-inch iron rod with
12-27 plastic cap stamped "Terra Surveying" set marking the south end of
12-28 said right-of-way cutback line;
12-29 THENCE, South 80°30'56" West, along the north right-of-way line of
12-30 said Wallisville Road, a distance of 772.43 feet to a 5/8-inch iron
12-31 rod with plastic cap stamped "Terra Surveying" set marking an angle
12-32 corner of the herein described tract;
12-33 THENCE, South 07°18'28" East, continuing along the said north
12-34 right-of-way line, a distance of 18.57 feet to a 5/8-inch iron rod
12-35 with plastic cap stamped "Terra Surveying" set marking an angle
12-36 corner of the herein described tract;
12-37 THENCE, South 80°22'16" West, continuing along said north
12-38 right-of-way line, a distance of 1,199.32 feet, to a 5/8-inch iron
12-39 rod with plastic cap stamped "TERRA SURVEYING" set marking an angle
12-40 corner in said north right-of-way line;
12-41 THENCE, North 89°32'55" West, continuing along said north
12-42 right-of-way line, a distance of 158.75 feet to the intersection of
12-43 said north right-of-way line and the west line of the 150-foot wide
12-44 Houston Lighting & Power Company easement recorded in Volume 3021,
12-45 Page 30 of the Harris County Deed Records;
12-46 THENCE, North 23°29'10" West, along said west line, a distance of
12-47 403.68 feet to a 5/8-inch iron rod with plastic cap stamped "TERRA
12-48 SURVEYING" set marking the intersection of said west line and the
12-49 north line of the 50-foot wide Humble Oil and Refining Company
12-50 easement recorded in Volume 5296, Page 354, of the Harris County
12-51 Deed Records marking the south corner and POINT OF BEGINNING of the
12-52 herein described tract;
12-53 THENCE, North 57°51'55" West, along said north line, a distance of
12-54 1,342.79 feet to a 5/8-inch iron rod with plastic cap stamped "S & V
12-55 SURVEYING" found marking the west corner of the aforesaid 13.860
12-56 acre tract common with the west corner of the herein described
12-57 tract;
12-58 THENCE, North 51°01'12" East, along a northwesterly line of said
12-59 13.860 acre tract, a distance of 651.92 feet to a 5/8-inch iron rod
12-60 with plastic cap stamped "S & V SURVEYING" found marking an angle
12-61 corner of said 13.860 acre tract common with an angle corner of the
12-62 herein described tract;
12-63 THENCE, North 23°29'12" West, along a westerly line of said 13.860
12-64 acre tract, a distance of 832.92 feet to a 5/8-inch iron rod with
12-65 plastic cap stamped "S & V SURVEYING" found in the south line of the
12-66 called 11.46 acre San Jacinto River Authority easement marking the
12-67 northwest corner of said 13.860 acre tract common with the
12-68 northwest corner of the herein described tract;
12-69 THENCE, North 79°53'28" East, along said south line, a distance of
12-70 133.63 feet to a 5/8-inch iron rod with plastic cap stamped "S & V
12-71 SURVEYING" found marking the northeast corner of said 13.860 acre

13-1 tract common with the intersection of said south line and the
13-2 aforesaid west line of the 150-foot wide Houston Lighting & Power
13-3 Company easement and the northeast corner of the herein described
13-4 tract;

13-5 THENCE, South 23°29'10" East, along said west line, a distance of
13-6 2,084.38 feet to the POINT OF BEGINNING and containing 13.860 acres
13-7 (603,742 square feet) of land.

13-8 SECTION 6. (a) The legal notice of the intention to
13-9 introduce this Act, setting forth the general substance of this
13-10 Act, has been published as provided by law, and the notice and a
13-11 copy of this Act have been furnished to all persons, agencies,
13-12 officials, or entities to which they are required to be furnished
13-13 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
13-14 Government Code.

13-15 (b) The governor, one of the required recipients, has
13-16 submitted the notice and Act to the Texas Commission on
13-17 Environmental Quality.

13-18 (c) The Texas Commission on Environmental Quality has filed
13-19 its recommendations relating to this Act with the governor, the
13-20 lieutenant governor, and the speaker of the house of
13-21 representatives within the required time.

13-22 (d) All requirements of the constitution and laws of this
13-23 state and the rules and procedures of the legislature with respect
13-24 to the notice, introduction, and passage of this Act are fulfilled
13-25 and accomplished.

13-26 SECTION 7. (a) If this Act does not receive a two-thirds
13-27 vote of all the members elected to each house, Subchapter C, Chapter
13-28 8478, Special District Local Laws Code, as added by Section 2 of
13-29 this Act, is amended by adding Section 8478.106 to read as follows:

13-30 Sec. 8478.106. NO EMINENT DOMAIN POWER. The district may
13-31 not exercise the power of eminent domain.

13-32 (b) This section is not intended to be an expression of a
13-33 legislative interpretation of the requirements of Section 17(c),
13-34 Article I, Texas Constitution.

13-35 SECTION 8. (a) If this Act does not receive a two-thirds
13-36 vote of all the members elected to each house, Subchapter C, Chapter
13-37 8479, Special District Local Laws Code, as added by Section 4 of
13-38 this Act, is amended by adding Section 8479.106 to read as follows:

13-39 Sec. 8479.106. NO EMINENT DOMAIN POWER. The district may
13-40 not exercise the power of eminent domain.

13-41 (b) This section is not intended to be an expression of a
13-42 legislative interpretation of the requirements of Section 17(c),
13-43 Article I, Texas Constitution.

13-44 SECTION 9. This Act takes effect September 1, 2013.

13-45 * * * * *