

1-1 By: Williams S.B. No. 482  
1-2 (In the Senate - Filed February 11, 2013; February 13, 2013,  
1-3 read first time and referred to Committee on Intergovernmental  
1-4 Relations; May 2, 2013, reported favorably by the following vote:  
1-5 Yeas 4, Nays 0; May 2, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			

1-13 A BILL TO BE ENTITLED  
1-14 AN ACT

1-15 relating to the creation of the Montgomery County Municipal Utility  
1-16 District No. 136; granting a limited power of eminent domain;  
1-17 providing authority to issue bonds and impose a tax.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-20 Code, is amended by adding Chapter 8433 to read as follows:

1-21 CHAPTER 8433. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 136

1-22 SUBCHAPTER A. GENERAL PROVISIONS

1-23 Sec. 8433.001. DEFINITIONS. In this chapter:

1-24 (1) "Board" means the district's board of directors.

1-25 (2) "Commission" means the Texas Commission on  
1-26 Environmental Quality.

1-27 (3) "Director" means a board member.

1-28 (4) "District" means the Montgomery County Municipal  
1-29 Utility District No. 136.

1-30 Sec. 8433.002. NATURE OF DISTRICT. The district is a  
1-31 municipal utility district created under Section 59, Article XVI,  
1-32 Texas Constitution.

1-33 Sec. 8433.003. CONFIRMATION AND DIRECTORS' ELECTION  
1-34 REQUIRED. The temporary directors shall hold an election to  
1-35 confirm the creation of the district and to elect five permanent  
1-36 directors as provided by Section 49.102, Water Code.

1-37 Sec. 8433.004. CONSENT OF MUNICIPALITY REQUIRED. The  
1-38 temporary directors may not hold an election under Section 8433.003  
1-39 until each municipality in whose corporate limits or  
1-40 extraterritorial jurisdiction the district is located has  
1-41 consented by ordinance or resolution to the creation of the  
1-42 district and to the inclusion of land in the district.

1-43 Sec. 8433.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-44 (a) The district is created to serve a public purpose and benefit.

1-45 (b) The district is created to accomplish the purposes of:

1-46 (1) a municipal utility district as provided by  
1-47 general law and Section 59, Article XVI, Texas Constitution; and

1-48 (2) Section 52, Article III, Texas Constitution, that  
1-49 relate to the construction, acquisition, or improvement of  
1-50 macadamized, graveled, or paved roads described by Section 54.234,  
1-51 Water Code, or improvements, including storm drainage, in aid of  
1-52 those roads.

1-53 Sec. 8433.006. INITIAL DISTRICT TERRITORY. (a) The  
1-54 district is initially composed of the territory described by  
1-55 Section 2 of the Act enacting this chapter.

1-56 (b) The boundaries and field notes contained in Section 2 of  
1-57 the Act enacting this chapter form a closure. A mistake made in the  
1-58 field notes or in copying the field notes in the legislative process  
1-59 does not affect the district's:

1-60 (1) organization, existence, or validity;

1-61 (2) right to issue any type of bond for the purposes

2-1 for which the district is created or to pay the principal of and  
 2-2 interest on a bond;

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

2-4 (4) legality or operation.

2-5 SUBCHAPTER B. BOARD OF DIRECTORS

2-6 Sec. 8433.051. GOVERNING BODY; TERMS. (a) The district is  
 2-7 governed by a board of five elected directors.

2-8 (b) Except as provided by Section 8433.052, directors serve  
 2-9 staggered four-year terms.

2-10 Sec. 8433.052. TEMPORARY DIRECTORS. (a) On or after the  
 2-11 effective date of the Act enacting this chapter, the owner or owners  
 2-12 of a majority of the assessed value of the real property in the  
 2-13 district may submit a petition to the commission requesting that  
 2-14 the commission appoint as temporary directors the five persons  
 2-15 named in the petition. The commission shall appoint as temporary  
 2-16 directors the five persons named in the petition.

2-17 (b) Temporary directors serve until the earlier of:

2-18 (1) the date permanent directors are elected under  
 2-19 Section 8433.003; or

2-20 (2) the fourth anniversary of the effective date of  
 2-21 the Act enacting this chapter.

2-22 (c) If permanent directors have not been elected under  
 2-23 Section 8433.003 and the terms of the temporary directors have  
 2-24 expired, successor temporary directors shall be appointed or  
 2-25 reappointed as provided by Subsection (d) to serve terms that  
 2-26 expire on the earlier of:

2-27 (1) the date permanent directors are elected under  
 2-28 Section 8433.003; or

2-29 (2) the fourth anniversary of the date of the  
 2-30 appointment or reappointment.

2-31 (d) If Subsection (c) applies, the owner or owners of a  
 2-32 majority of the assessed value of the real property in the district  
 2-33 may submit a petition to the commission requesting that the  
 2-34 commission appoint as successor temporary directors the five  
 2-35 persons named in the petition. The commission shall appoint as  
 2-36 successor temporary directors the five persons named in the  
 2-37 petition.

2-38 SUBCHAPTER C. POWERS AND DUTIES

2-39 Sec. 8433.101. GENERAL POWERS AND DUTIES. The district has  
 2-40 the powers and duties necessary to accomplish the purposes for  
 2-41 which the district is created.

2-42 Sec. 8433.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-43 DUTIES. The district has the powers and duties provided by the  
 2-44 general law of this state, including Chapters 49 and 54, Water Code,  
 2-45 applicable to municipal utility districts created under Section 59,  
 2-46 Article XVI, Texas Constitution.

2-47 Sec. 8433.103. AUTHORITY FOR ROAD PROJECTS. (a) Under  
 2-48 Section 52, Article III, Texas Constitution, the district may  
 2-49 design, acquire, construct, finance, issue bonds for, improve, and  
 2-50 convey to this state, a county, or a municipality for operation and  
 2-51 maintenance macadamized, graveled, or paved roads described by  
 2-52 Section 54.234, Water Code, or improvements, including storm  
 2-53 drainage, in aid of those roads.

2-54 (b) The district may exercise the powers provided by this  
 2-55 section without submitting a petition to or obtaining approval from  
 2-56 the commission as required by Section 54.234, Water Code.

2-57 Sec. 8433.104. APPROVAL OF ROAD PROJECT. (a) The district  
 2-58 may not undertake a road project authorized by Section 8433.103  
 2-59 unless:

2-60 (1) each municipality or county that will operate and  
 2-61 maintain the road has approved the plans and specifications of the  
 2-62 road project, if a municipality or county will operate and maintain  
 2-63 the road; or

2-64 (2) the Texas Transportation Commission has approved  
 2-65 the plans and specifications of the road project, if the state will  
 2-66 operate and maintain the road.

2-67 (b) Except as provided by Subsection (a), the district is  
 2-68 not required to obtain approval from the Texas Transportation  
 2-69 Commission to design, acquire, construct, finance, issue bonds for,

3-1 improve, or convey a road project.

3-2 Sec. 8433.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
 3-3 OR RESOLUTION. The district shall comply with all applicable  
 3-4 requirements of any ordinance or resolution that is adopted under  
 3-5 Section 54.016 or 54.0165, Water Code, and that consents to the  
 3-6 creation of the district or to the inclusion of land in the  
 3-7 district.

3-8 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-9 Sec. 8433.151. ELECTIONS REGARDING TAXES OR BONDS.

3-10 (a) The district may issue, without an election, bonds and other  
 3-11 obligations secured by:

3-12 (1) revenue other than ad valorem taxes; or

3-13 (2) contract payments described by Section 8433.153.

3-14 (b) The district must hold an election in the manner  
 3-15 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
 3-16 before the district may impose an ad valorem tax or issue bonds  
 3-17 payable from ad valorem taxes.

3-18 (c) The district may not issue bonds payable from ad valorem  
 3-19 taxes to finance a road project unless the issuance is approved by a  
 3-20 vote of a two-thirds majority of the district voters voting at an  
 3-21 election held for that purpose.

3-22 Sec. 8433.152. OPERATION AND MAINTENANCE TAX. (a) If  
 3-23 authorized at an election held under Section 8433.151, the district  
 3-24 may impose an operation and maintenance tax on taxable property in  
 3-25 the district in accordance with Section 49.107, Water Code.

3-26 (b) The board shall determine the tax rate. The rate may not  
 3-27 exceed the rate approved at the election.

3-28 Sec. 8433.153. CONTRACT TAXES. (a) In accordance with  
 3-29 Section 49.108, Water Code, the district may impose a tax other than  
 3-30 an operation and maintenance tax and use the revenue derived from  
 3-31 the tax to make payments under a contract after the provisions of  
 3-32 the contract have been approved by a majority of the district voters  
 3-33 voting at an election held for that purpose.

3-34 (b) A contract approved by the district voters may contain a  
 3-35 provision stating that the contract may be modified or amended by  
 3-36 the board without further voter approval.

3-37 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-38 Sec. 8433.201. AUTHORITY TO ISSUE BONDS AND OTHER  
 3-39 OBLIGATIONS. The district may issue bonds or other obligations  
 3-40 payable wholly or partly from ad valorem taxes, impact fees,  
 3-41 revenue, contract payments, grants, or other district money, or any  
 3-42 combination of those sources, to pay for any authorized district  
 3-43 purpose.

3-44 Sec. 8433.202. TAXES FOR BONDS. At the time the district  
 3-45 issues bonds payable wholly or partly from ad valorem taxes, the  
 3-46 board shall provide for the annual imposition of a continuing  
 3-47 direct ad valorem tax, without limit as to rate or amount, while all  
 3-48 or part of the bonds are outstanding as required and in the manner  
 3-49 provided by Sections 54.601 and 54.602, Water Code.

3-50 Sec. 8433.203. BONDS FOR ROAD PROJECTS. At the time of  
 3-51 issuance, the total principal amount of bonds or other obligations  
 3-52 issued or incurred to finance road projects and payable from ad  
 3-53 valorem taxes may not exceed one-fourth of the assessed value of the  
 3-54 real property in the district.

3-55 SECTION 2. The Montgomery County Municipal Utility District  
 3-56 No. 136 initially includes all the territory contained in the  
 3-57 following area:

3-58 Being a 302.00 acre (13,155,064 square feet) parcel situated  
 3-59 in the John M. Smith Survey, Abstract 533 and the John Foster  
 3-60 Survey, Abstract 205, Montgomery County, Texas, being all of a  
 3-61 called 292.0 acre tract conveyed to Lakes At Mill Creek, L.P. by  
 3-62 General Warranty Deed recorded under Clerk's File No. 2006-092982  
 3-63 of the Official Public Records of Real Property, Montgomery County,  
 3-64 Texas, all of a called 10.0088 acre tract conveyed to Lakes at Mill  
 3-65 Creek, L.P. by Deed recorded under Clerk's File No. 2009-010587 of  
 3-66 the Official Public Records of Real Property, Montgomery County,  
 3-67 Texas, containing Unrestricted Reserve "A", Unrestricted Reserve  
 3-68 "B" and Unrestricted Reserve "C" of Silverado Ranches according to  
 3-69 the map or plat recorded under Cabinet G, Sheet 135 of the Map

4-1 Records of Montgomery County, Texas, said 302.00 acre parcel more  
4-2 particularly described by metes and bounds as follows with all  
4-3 bearings referenced to the Texas State Plane Coordinate System,  
4-4 Central Zone;

4-5 BEGINNING, at a concrete monument found for the most easterly  
4-6 corner of a called 2,420.0166 acre tract conveyed to Terra  
4-7 Investments, L.P. by Special Warranty Deed recorded under Clerk's  
4-8 File No. 2004-023496 of the Official Public Records of Real  
4-9 Property, Montgomery County, Texas, for an interior corner of said  
4-10 292.0 acre tract, and the herein described parcel, from which a  
4-11 1-inch iron pipe found bears South 66°05'10" East, 23.42 feet;

4-12 THENCE, North 47°33'32" West, 2965.11 feet along the  
4-13 northeasterly line of said 2,420.0166 acre tract, and a  
4-14 southwesterly line of said 292.0 acre tract to a 5/8-inch iron rod  
4-15 found in the southeasterly line of a called 44.3605 acre tract  
4-16 conveyed to L. Frankie Hughes by Warranty Deed recorded under  
4-17 Clerk's File No. 9342675 of the Official Public Records of Real  
4-18 Property, Montgomery County, Texas, for the northerly most corner  
4-19 of said 2,420.0166 acre tract, a southwesterly corner of said 292.0  
4-20 acre tract, and the herein described parcel;

4-21 THENCE, North 48°16'19" East, 115.62 feet along a  
4-22 southeasterly line of said 44.3605 acre tract, and a westerly line  
4-23 of said 292.0 acre tract to a 1/2-inch iron rod found with cap for  
4-24 the most easterly corner of said 44.3605 acre tract, and a  
4-25 southwesterly corner of said 292.0 acre tract, and the herein  
4-26 described parcel;

4-27 THENCE, North 49°09'16" West, 111.59 feet along the  
4-28 northeasterly line of said 44.3605 acre tract, and a westerly line  
4-29 of said 292.0 acre tract to a 1/2-inch iron rod found for the most  
4-30 southerly corner of Lot 18 of Silverado Ranches according to the map  
4-31 or plat thereof recorded under Cabinet G, Sheet 135 of the Map  
4-32 Records of Montgomery County, Texas, for angle point in the west  
4-33 line of said 292.0 acre tract, and the herein described parcel;

4-34 THENCE, North 06°38'19" East, 299.51 feet along the east line  
4-35 of said Lot 18, and a westerly line of said 292.0 acre tract to a  
4-36 1/2-inch iron rod found for an angle point in the east line of said  
4-37 Lot 18, and an angle point in the westerly line of said 292.0 acre  
4-38 tract, and the herein described parcel;

4-39 THENCE, North 16°56'26" East, 298.99 feet along the east line  
4-40 of said Lot 18, and a westerly line of said 292.0 acre tract to a  
4-41 1/2-inch iron rod found for the most southerly corner of Lot 16 of  
4-42 said Silverado Ranches, for an angle point in the westerly line of  
4-43 said 292.0 acre tract;

4-44 THENCE, North 27°25'49" East, 406.81 feet along the east line  
4-45 of said Lot 16, and a westerly line of said 292.0 acre tract to a  
4-46 1/2-inch iron rod found for an angle point in the east line of said  
4-47 Lot 16, for an angle point in the west line of said 292.0 acre tract,  
4-48 and the herein described parcel;

4-49 THENCE, North 03°40'26" West, 9.91 feet along the east line of  
4-50 said Lot 16, and a westerly line of said 292.0 acre tract, to a  
4-51 1/2-inch iron rod found for the southeast corner of said  
4-52 Unrestricted Reserve "A", for the northeast corner of said Lot 16,  
4-53 and an angle point in the westerly line of said 292.0 acre tract,  
4-54 and the herein described parcel;

4-55 THENCE, South 87°48'31" West, 1032.81 feet along the north  
4-56 line of said Lot 16, the north line of Lot 17 of said Silverado  
4-57 Ranches, the south line of said Unrestricted Reserve "A", the  
4-58 southerly line of said 292.0 acre tract to a 1/2-inch iron rod found  
4-59 in the east right-of-way line of Collier Smith Road (called 60 feet  
4-60 wide), for the northwest corner of said Lot 17, the southwest corner  
4-61 of said Unrestricted Reserve "A", for a southwesterly corner of  
4-62 said 292.0 acre tract, and the herein described parcel;

4-63 THENCE, North 02°03'22" West, 70.00 feet along the east  
4-64 right-of-way line of said Collier Smith Road, and the west line of  
4-65 said Unrestricted Reserve "A", and said 292.0 acre tract to a  
4-66 1/2-inch iron rod found for the southwest corner of Lot 14 of said  
4-67 Silverado Ranches, for the northwest corner of said Unrestricted  
4-68 Reserve "A", for a southwesterly corner of said 292.0 acre tract,  
4-69 and the herein described parcel;

5-1           THENCE, North 87°48'31" East 1030.83 feet along the south line  
 5-2 of said Lot 14, south line of Lot 15 of said Silverado Ranches, and  
 5-3 the north line of said Unrestricted Reserve "A", and a northerly  
 5-4 line of said 292.0 acre tract to a 1/2-inch iron rod found for the  
 5-5 southeast corner of said Lot 15, the northeast corner of said  
 5-6 Unrestricted Reserve "A", for an angle point in the west line of  
 5-7 said 292.0 acre tract, and the herein described parcel;

5-8           THENCE, North 03°40'26" West, along the east line of said  
 5-9 Silverado Ranches, the west line of said 292.0 acres, and the west  
 5-10 line of said Unrestricted Reserve "B", passing at a distance of  
 5-11 259.52 feet a 1/2-inch iron rod for the southeast corner of Lot 12  
 5-12 of said Silverado Ranches and the northeast corner of Lot 15 of said  
 5-13 Silverado Ranches, passing at a distance of 469.34 feet a 1/2-inch  
 5-14 iron rod found with cap for the southeast corner of Lot 11 of said  
 5-15 Silverado Ranches and the northeast corner of said Lot 12, passing  
 5-16 at a distance of 1188.598 feet a 1/2-inch iron rod found for the  
 5-17 southeast corner of Lot 6 of said Silverado Ranches the northeast  
 5-18 corner of Lot 7 of said Silverado Ranches, passing at 1425.87 feet a  
 5-19 1/2-inch iron rod found for the southeast corner of Lot 4 of said  
 5-20 Silverado Ranches and the northeast corner of Lot 6 of said  
 5-21 Silverado Ranches, continuing for a total distance of 1885.03 feet  
 5-22 to a 5/8-inch iron rod found in the south right-of-way line of  
 5-23 Dobbin Huffsmith Road (called 100 feet wide) for the northeast  
 5-24 corner of said Lot 4, the northwest corner of said Unrestricted  
 5-25 Reserve "B", for a northerly corner of said 292.0 acre tract, and  
 5-26 the herein described parcel;

5-27           THENCE, South 88°35'26" East, 80.29 feet along the south  
 5-28 right-of-way line of Dobbin Huffsmith Road, the north line of said  
 5-29 Unrestricted Reserve "B", and a northerly line of said 292.0 acre  
 5-30 tract to a 5/8-inch iron rod found for the northwest corner of the  
 5-31 residue of a called 7.6697 acre tract conveyed to Hollis Marlow by  
 5-32 Warranty Deed with Vendor's Lien recorded under Clerk's File No.  
 5-33 8133571 of the Official Public Records of Real Property, Montgomery  
 5-34 County, Texas, for the northeast corner of said Unrestricted  
 5-35 Reserve "C", for a northwesterly corner of said 292.0 acre tract,  
 5-36 and the herein described parcel;

5-37           THENCE, South 03°33'04" East, 321.12 feet along the west line  
 5-38 of said 7.6697 acre tract, the easterly line of said Unrestricted  
 5-39 Reserve "C" to a 5/8-inch iron rod set with cap (stamped "4833 Town  
 5-40 & Country") for the southwest corner of said 7.6697 acres, for an  
 5-41 interior corner of said Unrestricted Reserve "C", for a  
 5-42 northwesterly corner of said 292.0 acre tract, and the herein  
 5-43 described parcel;

5-44           THENCE, North 87°42'38" East, 688.90 feet along the south line  
 5-45 of said 7.6697 acre tract, the north line of said Unrestricted  
 5-46 Reserve "C", and a northerly line of said 292.0 acre tract to a  
 5-47 5/8-inch iron rod found for a northwesterly corner of a called 7.82  
 5-48 acre tract conveyed to Outback Ventures, LLC by Deed recorded under  
 5-49 Clerk's File No. 2006-086282 of the Official Public Records of Real  
 5-50 Property, Montgomery County, Texas, for the northeast corner of  
 5-51 said Unrestricted Reserve "C", for a northwesterly corner of said  
 5-52 292.0 acre tract, and the herein described parcel;

5-53           THENCE, South 02°29'36" East, 203.28 feet along the west line  
 5-54 of said 7.82 acre tract, along the east line of said Unrestricted  
 5-55 Reserve "C", and an easterly line of said 292.0 acre tract, to a  
 5-56 5/8-inch iron rod found with cap for the southwest corner of said  
 5-57 7.82 acres, for the northwest corner of said 10.0088 acre tract, for  
 5-58 a northwesterly corner of the herein described parcel;

5-59           THENCE, North 87°51'00" East, 786.99 feet along the south line  
 5-60 of said 7.82 acre tract, north line of said 10.0088 acre tract to a  
 5-61 5/8-inch iron rod found with cap for an angle point in the south  
 5-62 line of said 7.82 acre tract, the north line of said 10.0088 acre  
 5-63 tract, and an angle point in the north line of the herein described  
 5-64 parcel;

5-65           THENCE, South 61°50'46" East, 91.47 feet along the south line  
 5-66 of said 7.82 acre tract, the north line of said 10.0088 acre tract  
 5-67 to a 5/8-inch iron rod for an angle point in the south line of said  
 5-68 7.82 acre tract, and the northerly line of said 10.0088 acre tract,  
 5-69 and the herein described parcel;

6-1           THENCE, South 07°50'00" East, 211.57 feet along a westerly  
6-2 line of 7.82 acre tract, and an easterly line of said 10.0088 acre  
6-3 tract, to a 5/8-inch iron rod found for a southeasterly corner of  
6-4 said 7.82 acre tract, and an angle point in the northerly line of  
6-5 said 10.0088 acre tract, and the herein described parcel;

6-6           THENCE, North 85°27'26" East, 172.05 feet along the southerly  
6-7 line of said 7.82 acre tract, and a northerly line of said 10.0088  
6-8 acre tract to a 5/8-inch iron rod set with cap (stamped "4833 Town &  
6-9 Country) in the west line of a called 10.00 acre tract conveyed to  
6-10 R.M. Prince Inc. by Deed recorded under Clerk's File No. 8709356 of  
6-11 the Official Public Records of Real Property, Montgomery County,  
6-12 Texas, for the southeast corner of said 7.82 acre tract, for a  
6-13 northeasterly corner of said 10.0088 acre tract, for an angle point  
6-14 in northerly line of the herein described parcel;

6-15           THENCE, South 03°08'05" East, 379.05 feet along the westerly  
6-16 line of said 10.00 acre tract, the west line of the residue of a  
6-17 called 3.00 acre tract conveyed to R.M. Prince Inc. by Deed recorded  
6-18 under Clerk's File No. 9509057 of the Official Public Records of  
6-19 Real Property, Montgomery County, Texas, and the east line of said  
6-20 10.0088 acre tract to a 1/2-inch iron rod found in the northerly  
6-21 line of said 292.0 acre tract, for the southwest corner of said 3.00  
6-22 acre tract, for the southeast corner of said 10.0088 acre tract, for  
6-23 an angle point in the northerly line of said 292.0 acre tract, and  
6-24 the herein described parcel;

6-25           THENCE, North 87°42'04" East, along the south line of said  
6-26 3.00 acre tract, and a northerly line of said 292.0 acre tract,  
6-27 passing at a distance of 53.72 feet a 5/8-inch iron rod, continuing  
6-28 for a total distance of 342.79 feet to a 1/2-inch iron rod found for  
6-29 the northwest corner of a called 3.00 acre tract conveyed to R.M.  
6-30 Prince Inc. by Deed recorded under Clerk' File No. 9651886 of the  
6-31 Official Public Records of Real Property, Montgomery County, Texas,  
6-32 for the southwest corner of a called 3.00 acre tract conveyed to  
6-33 R.M. Prince Inc. by Deed recorded under Clerk's File No. 9322880 of  
6-34 the Official Public Records of Real Property, Montgomery County,  
6-35 Texas, for the southeast corner of said 3.00 acres (C.F. No.  
6-36 9509057), for an angle point in the northerly line of said 292.0  
6-37 acre tract, and the herein described parcel;

6-38           THENCE, South 02°08'47" East, 343.83 feet along the west line  
6-39 of said 3.00 acre tract (C.F. No. 9651886), an easterly line of said  
6-40 292.0 acre tract to a 5/8-inch iron rod set with cap (stamped "4833  
6-41 Town & Country) for the southwest corner of said 3.00 acre tract  
6-42 (C.F. No. 9651886), for an angle point in the northerly line of said  
6-43 292.0 acre tract, and the herein described parcel;

6-44           THENCE, North 87°51'09" East, 268.60 feet along the south line  
6-45 of said 3.00 acre tract (C.F. No. 9651886), and the northerly line  
6-46 of said 292.0 acre tract to a 5/8-inch iron rod set with cap  
6-47 (stamped "4833 Town & Country) for the southeast corner of said 3.00  
6-48 acre tract (C.F. No. 9651886), for an angle point in the northerly  
6-49 line of said 292.0 acre tract, and the herein described parcel;

6-50           THENCE, North 20°10'18" East, 1062.91 feet along the east line  
6-51 of said 3.00 acre tract (C.F. No. 9651886), and a westerly line of  
6-52 292.0 acre tract to a 1/2-inch iron rod in the south right-of-way  
6-53 line of said Dobbin Huffsmith Road, for the most northeasterly  
6-54 corner of said 3.00 acre tract (C.F. No. 9651886) for a  
6-55 northeasterly corner of said 292.0 acre tract, and the herein  
6-56 described parcel;

6-57           THENCE, South 61°25'49" East, 1029.91 feet along the south  
6-58 right-of-way line of said Dobbin Huffsmith Road, for the northerly  
6-59 line of said 292.0 acre tract to a 5/8-inch iron rod set with cap  
6-60 (stamped "4833 Town & Country) for the most northerly corner of  
6-61 Decker Hills Section 3 according to the map or plat thereof recorded  
6-62 under Cabinet D, Sheet 116-B of the Map Records of Montgomery  
6-63 County, Texas, for the most northeasterly corner of said 292.0 acre  
6-64 tract, and the herein described parcel;

6-65           THENCE, South 17°27'17" West, along the westerly line of said  
6-66 Decker Hills Section 3, along the easterly line of said 292.0 acre  
6-67 tract, passing at a distance of 887.47 feet a 1/2-inch iron rod  
6-68 found for the southwest corner of Lot 2 of Block 10C of said Decker  
6-69 Hills Section 3, for the northeast corner of Lot 26, Block 4C of

7-1 said Decker Hills Section 3, passing at a distance of 1274.93 feet  
 7-2 the southwest corner of Lot 2, Block 4C of said Decker Hills Section  
 7-3 3, for the northwest corner of Lot 25, Block 5C of said Decker Hills  
 7-4 Section 3, passing at a distance of 1919.97 feet a 1/2-inch iron rod  
 7-5 found for the southwest corner of Lot 27, Block 6C, and the  
 7-6 northwest corner of Lot 1, Block 6C of said Decker Hills Section 3,  
 7-7 passing at a distance of 2365.65 feet a 1/2-inch iron rod for the  
 7-8 southwest corner of Lot 26, Block 7C of said Decker Hills Section 3,  
 7-9 for the northwest corner of Lot 1, Block 7C of said Decker Hills  
 7-10 Section 3, passing at a distance of 2885.37 feet a 1/2-inch iron rod  
 7-11 found for the southwest corner of Lot 1, Block 8C of said Decker  
 7-12 Hills Section 3, for the northwest corner of Lot 2, Block 8C of said  
 7-13 Decker Hills Section 3, passing at a distance of 3015.05 feet a  
 7-14 1-1/2 inch iron pipe for the southwest corner of said Lot 2, for the  
 7-15 northwest corner of Lot 28, Block 8C of said Decker Hills Section 3,  
 7-16 passing at a distance of 3167.88 feet a 1/2-inch iron rod found for  
 7-17 the southwest corner of said Lot 28, for the northwest corner of Lot  
 7-18 2, Block 9C of said Decker Hills Section 3, passing at a distance of  
 7-19 3325.90 feet a 1/2-inch iron rod found for the southwest corner of  
 7-20 said Lot 1, and the northwest corner of Lot 2 of said Block 9C,  
 7-21 continuing for a total distance of 3746.83 feet to a fence corner  
 7-22 found in the west line of Lot 2, Block 10C of said Decker Hills  
 7-23 Section 3, for a southeasterly corner of said 292.0 acre tract, and  
 7-24 the herein described parcel, beginning a curve to the left;

7-25 THENCE, along the westerly line of said Lot 2, the westerly  
 7-26 line of Lot 3 of said Block 10C, and an easterly line of said 292.0  
 7-27 acre tract, along the arc of said curve to the left with a radius of  
 7-28 180.00 feet, an arc length of 173.99 feet, through a delta of  
 7-29 55°22'54", and a chord bearing South 10°12'26" East, 167.29 feet to a  
 7-30 power pole found for a northwesterly corner of said Lot 3, for a  
 7-31 southeasterly corner of said 292.0 acre tract, and the herein  
 7-32 described parcel;

7-33 THENCE, South 37°53'53" East, 190.29 feet along the  
 7-34 southwesterly line of said Block 10C, and an easterly line of said  
 7-35 292.0 acre tract to a fence corner found for the most southerly  
 7-36 corner of Lot 4 of said Block C, for the most westerly corner of Lot  
 7-37 5 of said Block 10C, for a southeasterly corner of said 292.0 acre  
 7-38 tract, and the herein described parcel, beginning a curve to the  
 7-39 right;

7-40 THENCE, continuing along the west line of said Block 10C, and  
 7-41 an easterly line of said 292.0 acre tract, along the arc of said  
 7-42 curve to the right with a radius of 175.00 feet, an arc length of  
 7-43 168.47 feet, through a delta of 55°09'34", and a chord bearing South  
 7-44 10°19'06" East, 162.04 feet to a 5/8-inch iron rod found in the south  
 7-45 right-of-way line of Wichita Falls Street (called 60 feet wide),  
 7-46 for the most northerly corner of a Sewer Plant Site in said Decker  
 7-47 Hills Section 3, for a southeasterly corner of said 292.0 acre  
 7-48 tract, and the herein described parcel;

7-49 THENCE, South 17°15'41" West, along a westerly line of said  
 7-50 Sewer Plant Site and a tract Reserved for Ranchette Tracts, and an  
 7-51 easterly line of said 292.0 acre tract, passing at a distance of  
 7-52 292.76 feet a 5/8-inch iron rod found, continuing for a total  
 7-53 distance of 1811.09 feet to a point in the center of Mill Creek, in  
 7-54 the northerly line of Decker Woods Ranchettes according to the map  
 7-55 or plat thereof recorded under Cabinet D, Sheet 112 of the Map  
 7-56 Records of Montgomery County, Texas, for a southwesterly corner of  
 7-57 said tract Reserved for Ranchette Tracts, for a southeasterly  
 7-58 corner of said 292.0 acre tract, and the herein described parcel;

7-59 THENCE, along the northerly line of said Decker Woods  
 7-60 Ranchettes, along a southwesterly line of said 292.0 acre tract,  
 7-61 along the centerline of said Mill Creek the following courses and  
 7-62 distances:

7-63 North 28°40'20" West, 15.81 feet;  
 7-64 North 72°05'01" West, 25.18 feet  
 7-65 South 34°21'33" West, 39.78 feet;  
 7-66 South 79°04'29" West, 126.76 feet;  
 7-67 North 71°24'37" West, 48.48 feet;  
 7-68 North 42°52'57" West, 69.21 feet;  
 7-69 North 03°18'28" West, 265.84 feet;

8-1 North 33°32'33" East, 157.09 feet;  
 8-2 North 21°37'23" East, 196.46 feet;  
 8-3 North 14°41'01" West, 179.25 feet;  
 8-4 North 28°11'12" West, 104.46 feet;  
 8-5 North 02°27'44" West, 121.90 feet;  
 8-6 North 82°54'33" West, 54.32 feet;  
 8-7 North 33°59'19" West, 130.65 feet;  
 8-8 North 53°40'15" West, 132.72 feet;  
 8-9 South 47°14'33" West, 80.96 feet;  
 8-10 South 87°29'16" West, 45.61 feet;  
 8-11 North 55°46'50" West, 120.20 feet to a point in the  
 8-12 center of said Mill Creek, in the southeasterly line of said  
 8-13 2,420.0166 acre tract, for the most northerly corner of Lot 21 of  
 8-14 said Decker Woods Ranchettes, for a southeasterly corner of said  
 8-15 292.0 acre tract and the herein described parcel;

8-16 THENCE, North 41°38'57" East, 563.33 feet along the  
 8-17 southeasterly line of said 2,420.0166 acre tract, and a westerly  
 8-18 line of said 292.0 acre tract to the POINT OF BEGINNING, CONTAINING  
 8-19 302.0 acres (13,155,064 square feet) of land in Montgomery County,  
 8-20 Texas.

8-21 SECTION 3. (a) The legal notice of the intention to  
 8-22 introduce this Act, setting forth the general substance of this  
 8-23 Act, has been published as provided by law, and the notice and a  
 8-24 copy of this Act have been furnished to all persons, agencies,  
 8-25 officials, or entities to which they are required to be furnished  
 8-26 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
 8-27 Government Code.

8-28 (b) The governor, one of the required recipients, has  
 8-29 submitted the notice and Act to the Texas Commission on  
 8-30 Environmental Quality.

8-31 (c) The Texas Commission on Environmental Quality has filed  
 8-32 its recommendations relating to this Act with the governor, the  
 8-33 lieutenant governor, and the speaker of the house of  
 8-34 representatives within the required time.

8-35 (d) All requirements of the constitution and laws of this  
 8-36 state and the rules and procedures of the legislature with respect  
 8-37 to the notice, introduction, and passage of this Act are fulfilled  
 8-38 and accomplished.

8-39 SECTION 4. (a) If this Act does not receive a two-thirds  
 8-40 vote of all the members elected to each house, Subchapter C, Chapter  
 8-41 8433, Special District Local Laws Code, as added by Section 1 of  
 8-42 this Act, is amended by adding Section 8433.106 to read as follows:

8-43 Sec. 8433.106. NO EMINENT DOMAIN POWER. The district may  
 8-44 not exercise the power of eminent domain.

8-45 (b) This section is not intended to be an expression of a  
 8-46 legislative interpretation of the requirements of Subsection (c),  
 8-47 Section 17, Article I, Texas Constitution.

8-48 SECTION 5. This Act takes effect immediately if it receives  
 8-49 a vote of two-thirds of all the members elected to each house, as  
 8-50 provided by Section 39, Article III, Texas Constitution. If this  
 8-51 Act does not receive the vote necessary for immediate effect, this  
 8-52 Act takes effect September 1, 2013.

8-53

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