

By: Hegar

S.B. No. 1864

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Fulshear Parkway Improvement District;
providing authority to issue bonds; providing authority to impose
assessments, fees, or taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws
Code, is amended by adding Chapter 3921 to read as follows:

CHAPTER 3921. FULSHEAR PARKWAY IMPROVEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3921.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Fulshear Parkway Improvement
District.

Sec. 3921.002. NATURE OF DISTRICT. The Fulshear Parkway
Improvement District is a special district created under Section
59, Article XVI, Texas Constitution.

Sec. 3921.003. PURPOSE; DECLARATION OF INTENT. (a) The
creation of the district is essential to accomplish the purposes of
Sections 52 and 52-a, Article III, and Section 59, Article XVI,
Texas Constitution, and other public purposes stated in this
chapter. By creating the district and in authorizing a
municipality, county, or other political subdivision to contract
with the district, the legislature has established a program to

1 accomplish the public purposes set out in Section 52-a, Article
2 III, Texas Constitution.

3 (b) The creation of the district is necessary to promote,
4 develop, encourage, and maintain employment, commerce,
5 transportation, housing, tourism, recreation, the arts,
6 entertainment, economic development, safety, and the public
7 welfare in the district.

8 (c) This chapter and the creation of the district may not be
9 interpreted to relieve a municipality or county from providing the
10 level of services provided as of the effective date of the Act
11 enacting this chapter to the area in the district. The district is
12 created to supplement and not to supplant municipal or county
13 services provided in the district.

14 Sec. 3921.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

15 (a) The district is created to serve a public use and benefit.

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

21 (c) The creation of the district is in the public interest
22 and is essential to further the public purposes of:

23 (1) developing and diversifying the economy of the
24 state;

25 (2) eliminating unemployment and underemployment; and

26 (3) developing or expanding transportation and
27 commerce.

1 (d) The district will:

2 (1) promote the health, safety, and general welfare of
3 residents, employers, potential employees, employees, visitors,
4 and consumers in the district, and of the public;

5 (2) provide needed funding for the district to
6 preserve, maintain, and enhance the economic health and vitality of
7 the district territory as a community and business center;

8 (3) promote the health, safety, welfare, and enjoyment
9 of the public by providing pedestrian ways and by landscaping and
10 developing certain areas in the district, which are necessary for
11 the restoration, preservation, and enhancement of scenic beauty;
12 and

13 (4) provide for drainage, road, and recreational
14 facilities for the district.

15 (e) Pedestrian ways along or across a street, whether at
16 grade or above or below the surface, and street lighting, street
17 landscaping, parking, and street art objects are parts of and
18 necessary components of a street and are considered to be a street
19 or road improvement.

20 (f) The district will not act as the agent or
21 instrumentality of any private interest even though the district
22 will benefit many private interests as well as the public.

23 Sec. 3921.005. INITIAL DISTRICT TERRITORY. (a) The
24 district is initially composed of the territory described by
25 Section 2 of the Act enacting this chapter.

26 (b) The boundaries and field notes contained in Section 2 of
27 the Act enacting this chapter form a closure. A mistake in the

1 field notes or in copying the field notes in the legislative process
2 does not affect the district's:

3 (1) organization, existence, or validity;

4 (2) right to issue any type of bonds for the purposes
5 for which the district is created or to pay the principal of and
6 interest on the bonds;

7 (3) right to impose or collect an assessment or tax; or

8 (4) legality or operation.

9 Sec. 3921.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

10 All or any part of the area of the district is eligible to be
11 included in:

12 (1) a tax increment reinvestment zone created under
13 Chapter 311, Tax Code;

14 (2) a tax abatement reinvestment zone created under
15 Chapter 312, Tax Code;

16 (3) an enterprise zone created under Chapter 2303,
17 Government Code; or

18 (4) an industrial district created under Chapter 42,
19 Local Government Code.

20 Sec. 3921.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
21 DISTRICTS LAW. Except as otherwise provided by this chapter,
22 Chapter 375, Local Government Code, applies to the district.

23 Sec. 3921.008. CONSTRUCTION OF CHAPTER. This chapter shall
24 be liberally construed in conformity with the findings and purposes
25 stated in this chapter.

26 SUBCHAPTER B. BOARD OF DIRECTORS

27 Sec. 3921.051. GOVERNING BODY; TERMS. (a) The district is

1 governed by a board of five voting directors who serve staggered
2 terms of four years, with two or three directors' terms expiring
3 June 1 of each odd-numbered year.

4 (b) The board by resolution may change the number of voting
5 directors on the board if the board determines that the change is in
6 the best interest of the district. The board may not consist of
7 fewer than five or more than nine voting directors.

8 Sec. 3921.052. APPOINTMENT OF VOTING DIRECTORS. (a) The
9 governing body of Fort Bend County shall appoint voting directors
10 from persons nominated by the board.

11 (b) The governing body of Fort Bend County may reject the
12 nomination of a person by the board for a position as a voting
13 director. If the governing body rejects a nomination, the board
14 shall submit a new nominee for that position until the governing
15 body appoints a director to each position on the board.

16 Sec. 3921.053. NONVOTING DIRECTORS. The board may appoint
17 nonvoting directors to serve at the pleasure of the voting
18 directors.

19 Sec. 3921.054. QUORUM. For purposes of determining the
20 requirements for a quorum of the board, the following are not
21 counted:

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

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

26 (3) a nonvoting director.

27 Sec. 3921.055. COMPENSATION. A director is entitled to

1 receive fees of office and reimbursement for actual expenses as
2 provided by Section 49.060, Water Code. Sections 375.069 and
3 375.070, Local Government Code, do not apply to the board.

4 Sec. 3921.056. INITIAL VOTING DIRECTORS. (a) On or after
5 the effective date of the Act creating this chapter, the owner or
6 owners of a majority of the assessed value of the real property in
7 the district according to the most recent certified tax appraisal
8 roll for the county in which the district is located may submit a
9 petition to the governing body of Fort Bend County nominating the
10 five persons named in the petition as initial voting directors.

11 (b) The governing body of Fort Bend County may reject the
12 nomination of a person named in the petition described by
13 Subsection (a) for a position as an initial director. If the
14 governing body rejects a nomination, the owner or owners who
15 submitted the petition under Subsection (a) shall submit a new
16 nominee for that position until the governing body appoints an
17 initial director to each position on the board.

18 (c) Of the initial directors, the terms of directors
19 appointed for positions one through three expire June 1, 2015, and
20 the terms of directors appointed for positions four and five expire
21 June 1, 2017.

22 (d) Section 3921.052 does not apply to this section.

23 (e) This section expires September 1, 2017.

24 SUBCHAPTER C. POWERS AND DUTIES

25 Sec. 3921.101. GENERAL POWERS AND DUTIES. The district has
26 the powers and duties necessary to accomplish the purposes for
27 which the district is created.

1 Sec. 3921.102. IMPROVEMENT PROJECTS AND SERVICES. The
2 district may provide, design, construct, acquire, improve,
3 relocate, operate, maintain, or finance an improvement project or
4 service using any money available to the district, or contract with
5 a governmental or private entity to provide, design, construct,
6 acquire, improve, relocate, operate, maintain, or finance an
7 improvement project or service authorized under this chapter or
8 Chapter 375, Local Government Code.

9 Sec. 3921.103. DEVELOPMENT CORPORATION POWERS. The
10 district, using money available to the district, may exercise the
11 powers given to a development corporation under Chapter 505, Local
12 Government Code, including the power to own, operate, acquire,
13 construct, lease, improve, or maintain a project under that
14 chapter.

15 Sec. 3921.104. NONPROFIT CORPORATION. (a) The board by
16 resolution may authorize the creation of a nonprofit corporation to
17 assist and act for the district in implementing a project or
18 providing a service authorized by this chapter.

19 (b) The nonprofit corporation:

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

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

25 (c) The board shall appoint the board of directors of the
26 nonprofit corporation. The board of directors of the nonprofit
27 corporation shall serve in the same manner as the board of directors

1 of a local government corporation created under Subchapter D,
2 Chapter 431, Transportation Code, except that a board member is not
3 required to reside in the district.

4 Sec. 3921.105. AGREEMENTS; GRANTS. (a) As provided by
5 Chapter 375, Local Government Code, the district may make an
6 agreement with or accept a gift, grant, or loan from any person.

7 (b) The implementation of a project is a governmental
8 function or service for the purposes of Chapter 791, Government
9 Code.

10 Sec. 3921.106. LAW ENFORCEMENT SERVICES. To protect the
11 public interest, the district may contract with a qualified party,
12 including a municipality or county, to provide law enforcement
13 services in the district for a fee.

14 Sec. 3921.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
15 district may join and pay dues to a charitable or nonprofit
16 organization that performs a service or provides an activity
17 consistent with the furtherance of a district purpose.

18 Sec. 3921.108. ECONOMIC DEVELOPMENT. (a) The district may
19 engage in activities that accomplish the economic development
20 purposes of the district.

21 (b) The district may establish and provide for the
22 administration of one or more programs to promote state or local
23 economic development and to stimulate business and commercial
24 activity in the district, including programs to:

- 25 (1) make loans and grants of public money; and
26 (2) provide district personnel and services.

27 (c) The district may create economic development programs

1 and exercise the economic development powers provided to
2 municipalities by:

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

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

5 Sec. 3921.109. PARKING FACILITIES. (a) The district may
6 acquire, lease as lessor or lessee, construct, develop, own,
7 operate, and maintain parking facilities or a system of parking
8 facilities, including lots, garages, parking terminals, or other
9 structures or accommodations for parking motor vehicles off the
10 streets and related appurtenances.

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

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

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

20 Sec. 3921.110. ANNEXATION OF LAND. The district may annex
21 land as provided by Subchapter J, Chapter 49, Water Code.

22 Sec. 3921.111. ACCESS TO ROAD FACILITIES. The district may
23 control, restrict, and determine the type and extent of access to or
24 from a road facility, including designating and approving the
25 locations of access to the road facility from a street, road, alley,
26 highway, or other public or private road intersecting the road
27 facility.

1 Sec. 3921.112. ROAD STANDARDS AND REQUIREMENTS. (a) A
2 road facility must meet all applicable construction standards,
3 zoning and subdivision requirements, and regulations of each
4 municipality in whose corporate limits or extraterritorial
5 jurisdiction the road facility is located.

6 (b) If a road facility is not located in the corporate
7 limits of a municipality, the road facility must meet all
8 applicable construction standards, subdivision requirements, and
9 regulations of each county in which the road facility is located.

10 (c) If the state will maintain and operate the road, the
11 Texas Transportation Commission must approve the plans and
12 specifications of the road facility.

13 Sec. 3921.113. NO EMINENT DOMAIN POWER. The district may
14 not exercise the power of eminent domain.

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

16 Sec. 3921.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
17 board by resolution shall establish the number of directors'
18 signatures and the procedure required for a disbursement or
19 transfer of district money.

20 Sec. 3921.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
21 The district may acquire, construct, finance, operate, or maintain
22 any improvement or service authorized under this chapter or Chapter
23 375, Local Government Code, using any money available to the
24 district.

25 Sec. 3921.153. PETITION REQUIRED FOR FINANCING SERVICES AND
26 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
27 service or improvement project with assessments under this chapter

1 unless a written petition requesting that service or improvement
2 has been filed with the board.

3 (b) A petition filed under Subsection (a) must be signed by
4 the owners of a majority of the assessed value of real property in
5 the district subject to assessment according to the most recent
6 certified tax appraisal roll for the county in which the
7 assessments are to be imposed.

8 Sec. 3921.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

9 (a) The board by resolution may impose and collect an assessment
10 for any purpose authorized by this chapter in all or any part of the
11 district.

12 (b) An assessment, a reassessment, or an assessment
13 resulting from an addition to or correction of the assessment roll
14 by the district, penalties and interest on an assessment or
15 reassessment, an expense of collection, and reasonable attorney's
16 fees incurred by the district:

17 (1) are a first and prior lien against the property
18 assessed;

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

22 (3) are the personal liability of and a charge against
23 the owners of the property even if the owners are not named in the
24 assessment proceedings.

25 (c) The lien is effective from the date of the board's
26 resolution imposing the assessment until the date the assessment is
27 paid. The board may enforce the lien in the same manner that the

1 board may enforce an ad valorem tax lien against real property.

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

6 Sec. 3921.155. RESIDENTIAL PROPERTY NOT EXEMPT. Section
7 375.161, Local Government Code, does not apply to a tax authorized
8 or approved by the district voters or a required payment for service
9 provided by the district.

10 Sec. 3921.156. TAX AND ASSESSMENT ABATEMENTS. The district
11 may designate reinvestment zones and may grant abatements of a tax
12 or assessment on property in the zones.

13 SUBCHAPTER E. TAXES AND BONDS

14 Sec. 3921.201. ELECTIONS REGARDING TAXES AND BONDS.

15 (a) The district may issue, without an election, bonds, notes, and
16 other obligations secured by:

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

18 (2) contract payments described by Section 3921.203.

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

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

25 (d) All or any part of any facilities or improvements that
26 may be acquired by a district by the issuance of its bonds may be
27 submitted as a single proposition or as several propositions to be

1 voted on at the election.

2 Sec. 3921.202. OPERATION AND MAINTENANCE TAX. (a) If
3 authorized by a majority of the district voters voting at an
4 election held in accordance with Section 3921.201, the district may
5 impose an operation and maintenance tax on taxable property in the
6 district in accordance with Section 49.107, Water Code, for any
7 district purpose, including to:

8 (1) maintain and operate the district;

9 (2) construct or acquire improvements; or

10 (3) provide a service.

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

13 (c) Section 49.107(h), Water Code, does not apply to the
14 district.

15 Sec. 3921.203. CONTRACT TAXES. (a) In accordance with
16 Section 49.108, Water Code, the district may impose a tax other than
17 an operation and maintenance tax and use the revenue derived from
18 the tax to make payments under a contract after the provisions of
19 the contract have been approved by a majority of the district voters
20 voting at an election held for that purpose.

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

24 Sec. 3921.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
25 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
26 determined by the board. Section 375.205, Local Government Code,
27 does not apply to a loan, line of credit, or other borrowing from a

1 bank or financial institution secured by revenue other than ad
2 valorem taxes.

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

8 (c) The limitation on the outstanding principal amount of
9 bonds, notes, and other obligations provided by Section 49.4645,
10 Water Code, does not apply to the district.

11 Sec. 3921.205. TAXES FOR BONDS. At the time the district
12 issues bonds payable wholly or partly from ad valorem taxes, the
13 board shall provide for the annual imposition of a continuing
14 direct annual ad valorem tax, without limit as to rate or amount,
15 for each year that all or part of the bonds are outstanding as
16 required and in the manner provided by Sections 54.601 and 54.602,
17 Water Code.

18 SECTION 2. The Fulshear Parkway Improvement District
19 initially includes all territory contained in the following area:

20 BEING 2,781.3043 acres of land situated in the H. & T. C. R.R.
21 Co. Survey Section 105, Abstract No. 416, Jesse Thompson Survey,
22 Abstract No. 414, R.T. Van Slyke Survey, Abstract No. 407 of Waller
23 County, Texas and the H. & T. C. R.R. Co. Survey Section 105,
24 Abstract No. 261, Jesse Thompson Survey, Abstract No. 394, R.T. Van
25 Slyke Survey, Abstract No. 395, J.G. Bennett Survey Abstract No.611
26 (H. & T. C. R.R. Co. Survey Section 106), J.D. Vermillion Survey,
27 Abstract No. 339, Micajah Autry Survey, Abstract No. 100, Rufus

1 Wright Survey, Abstract No. 344, Daniel R. Perry Survey, Abstract
2 No. 301, Enoch Latham Survey, Abstract No. 50, Morris & Cummings
3 Survey, Abstract No. 294, J.C. McDonald Survey, Abstract No. 290,
4 Randon & Pennington Survey, Abstract No. 75 and the John Foster
5 Survey, Abstract No. 26 of Fort Bend County, Texas, said 2,781.3043
6 acres being comprised of the following described tracts: all of a
7 called 316 acre and 88 acre tract (called 404 acres) of land
8 described in an instrument to R&Y Interests, Ltd., filed for record
9 under Vol. 553, Page 91 of the Official Public Records of Waller
10 County, Texas and under Clerk's File Number (C.F. No.) 2011051593
11 of the Official Public Records of Fort Bend County, Texas
12 (O.P.R.F.B.C.T.), SAVE AND EXCEPT those portions of said 88 acre
13 tract of land and said 316 acre tract of land lying within the
14 limits of Waller County, Texas; all of a called 200 acre tract
15 described in an instrument to Silco Inc. filed for record under C.F.
16 No. 2006095116, all of a called 474.671 acre tract described in an
17 instrument to Silco Inc. filed for record under C.F. No. 2007009962
18 O.P.R.F.B.C.T. SAVE AND EXCEPT that portion of said 474.671 acre
19 tract lying within the limits of Waller County, Texas; all of a
20 called 235.146 acre tract described in an instrument to Silvestri
21 Investments of Florida, Inc. filed for record under C.F. No.
22 2007009964 O.P.R.F.B.C.T., all of a called 12.024 acre tract
23 described in an instrument to Blossom Inc. filed for record under
24 C.F. No. 2007009966 O.P.R.F.B.C.T., all of a called 473.246 acre
25 tract described in an instrument to Dan J. Harrison, Jr. filed for
26 record under Vol. 528, Pg. 132 of the Fort Bend County Deed Records
27 (F.B.C.D.R.), all of a called 579.0 acre tract, a called 2.1742

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1 acre tract, a called 1.500 acre tract and a called 1.166 acre tract
2 described in an instrument to Ronald W. Henriksen "B" Trust filed
3 for record under C.F. No. 2008132362 O.P.R.F.B.C.T., all of a
4 called 189.29 acre tract (Tract 1) and a portion of a called
5 1,005.19 acre tract (Tract 2) described in an instrument to Dan J.
6 Harrison Jr. filed for record under Vol. 302, Pg. 126, F.B.C.D.R.,
7 all of a called 48.787 acre tract and 23.675 acre tract described in
8 an instrument to Dan J. Harrison filed for record under Vol. 405,
9 Pg. 239, F.B.C.D.R., portion of a called 64.675 acre tract
10 described in an instrument to Dan. J. Harrison Jr. filed for record
11 under Vol. 422, Pg. 467, F.B.C.D.R., and all of the area of McKinnon
12 Road (Old Richmond-Fulshear Road, width varies) lying South of said
13 186.29 acre tract and North of said 48.787 acre tract and said
14 1,005.19 acre tract, said 2,781.3043 acres being more particularly
15 described in three (3) Parcels by metes and bounds as follows:

16 PARCEL "A" - 1,790.6130 ACRES:

17 BEGINNING at the Northwest corner of said 316 acre tract,
18 same being the Northwest corner of the Jesse Thompson Survey,
19 Abstract No. 414 Waller County, Texas and Abstract 394, Fort Bend
20 County, Texas;

21 THENCE, N 87° 51' 52" E, a distance of 5,738.88 feet (CALLED
22 EAST - 2,066 varas) along and with the North line of said 316 acre
23 tract and the North line of said 88 acre tract to a point for the
24 Northeast corner of said 88 acre tract and being in the North line
25 of said R.T. Van Slyke Survey, Abstract No. 407 (Waller) Abstract
26 No. 395 (Fort Bend);

27 THENCE, S 02° 08' 08" E, a distance of 1,450.00 feet (CALLED

1 SOUTH - 522 varas) along and with the East line of said 88 acre tract
2 to a point for the Southeast corner of said 88 acre tract in the
3 North line of said 316 acre tract, same being in the lower North
4 line of said Jesse Thompson Survey and a South line of said R.T. Van
5 Slyke Survey;

6 THENCE, N 87° 51' 52" E, a distance of 683.34 feet (CALLED
7 EAST) along and with the North line of said 316 acre tract to a point
8 for the most Easterly Northeast corner of said 316 acre tract;

9 THENCE, S 02° 08' 08" E, a distance of 1,448.65 feet (CALLED
10 SOUTH - 522 varas) along and with the East line of said 316 acre
11 tract to a point for the Southeast corner of said 316 acre tract and
12 being in the South line of said Jesse Thompson Survey and the North
13 line of the said J.D. Vermillion Survey;

14 THENCE, S 87° 51' 52" W, a distance of 4,533.05 feet (CALLED
15 WEST) along and with the South line of said 316 acre tract to a point
16 for the Northeast corner of said 235.146 acre tract;

17 THENCE, S 02° 10' 37" E, a distance of 2,024.61 feet (CALLED S
18 02° 10' 37" E, 2024.61 feet) along and with the East line of said
19 235.146 acre tract to a point for the most Easterly Southeast corner
20 of said 235.146 acre tract and being in the North line of said 200
21 acre tract;

22 THENCE, N 87° 53' 34" E, a distance of 894.09 feet (CALLED N
23 87° 53' 34" E, 894.07 feet) along and with the North line of said 200
24 acre tract to a point for the Northeast corner of said 200 acre
25 tract;

26 THENCE, S 01° 56' 47" E, a distance of 3,118.90 feet (CALLED S
27 01° 56' 47" E, 3,119.21 feet) along and with the East line of said

1 200 acre tract to a point for the Southeast corner of said 200 acre
2 tract and being in the North line of a called 686.0183 acre tract
3 described in an instrument to D.R. Horton-Texas, Ltd. filed for
4 record under C.F. No. 2013000056 O.P.R.F.B.C.T.;

5 THENCE, S 87° 51' 29" W, a distance of 2,792.12 feet (CALLED S
6 87° 51' 29" W) along and with the North line of said 686.0183 acre
7 tract to a point for the Northwest corner of said 686.0183 acre
8 tract, same being the Southwest corner of said Silco 200 acre tract
9 and also being in the East line of said 473.246 acre tract;

10 THENCE, S 01° 55' 43" E, a distance of 4,920.20 feet (CALLED S
11 01° 55' 43" E) along and with the West line of said 686.0183 acre
12 tract and an East line of said 473.246 acre tract to a point for the
13 Southwest corner of said 686.0183 acre tract and being in the North
14 line of a called 631.26 acre tract of land described in an
15 instrument to D.R. Horton-Texas, Ltd. filed for record under C.F.
16 No. 2013000056 O.P.R.F.B.C.T.;

17 THENCE, S 87° 40' 56" W, a distance of 6.43 feet (CALLED S 87°
18 41' 05" W) along and with a South line of said 473.246 acre tract and
19 a North line of said 631.26 acre tract to a point for the Northwest
20 corner of said 631.26 acre tract, same being a reentrant corner of
21 said 473.246 acre tract;

22 THENCE, S 00° 59' 24" E, a distance of 527.80 feet (CALLED S
23 00° 59' 15" E) along and with an East line of said 473.246 acre tract
24 and a West line of said 631.26 acre tract to a point for the
25 Southeast corner of said 473.246 acre tract, same being a reentrant
26 corner of said 631.26 acre tract;

27 THENCE, S 87° 50' 00" W, a distance of 2,634.66 feet (CALLED S

1 87° 50' 09" W) along with the North line of said 631.26 acre tract
2 and the South line of said 473.246 acre tract to a point for the
3 Southwest corner of said 473.246 acre tract;

4 THENCE, N 00° 17' 23" W, a distance of 2,905.55 feet (CALLED N
5 01° 07' E, 2,899.50 feet) along and with the West line of said
6 473.246 acre tract to a point for the Southeast corner of said
7 474.671 acre tract;

8 THENCE, N 86° 18' 38" W, a distance of 2,736.49 feet (CALLED)
9 along and with the South line of said 474.671 acre tract;

10 THENCE the following three (3) courses and distances along
11 and with the West line of said 474.671 acre tract:

12 N 01° 59' 02" W, a distance of 2,434.00 feet (CALLED) to an
13 angle point;

14 N 02° 07' 25" W, a distance of 3,428.59 feet (CALLED) to an
15 angle point;

16 N 01° 54' 20" W, a distance of 1,520.90 feet (CALLED) to a
17 point for the Northwest corner of said 474.671 acre tract;

18 THENCE, N 87° 37' 00" E, a distance of 2,705.78 feet (CALLED)
19 along and with the North line of said 474.671 acre tract to a point
20 for the Northeast corner of said 474.671 acre tract and the
21 Northwest corner of said 235.146 acre tract;

22 THENCE, N 87° 31' 40" E, a distance of 2,596.91 feet (CALLED N
23 87° 31'40" E, 2,597.32 feet) along and with the North line of said
24 235.146 acre tract to a point for the Southwest corner of said 316
25 acre tract;

26 THENCE, N 02° 08' 08" W, a distance of 2,900.00 feet (CALLED
27 NORTH - 1,044 varas) along the West line of said 316 acre tract to

1 the POINT OF BEGINNING and containing 1,790.6130 acres of land.

2 PARCEL "B" - 583.8370 ACRES

3 BEGINNING at the Northeast corner of a called 579.0 acre
4 tract described in an instrument to Ronald W. Henriksen "B" Trust
5 filed for record under C.F. No. 2008132362, same being a Northwest
6 corner of a called 1,913.31 acre tract of land described in an
7 instrument to CCR Texas Holdings LP filed for record under C.F. No.
8 2012038964 O.P.R.F.B.C.T., same also being an angle point in the
9 South line of a called 631.26 acre tract of land described in an
10 instrument to D.R. Horton-Texas, Ltd. filed for record under C.F.
11 No. 2013000056;

12 THENCE, S 01° 50' 55" E, a distance of 2,731.43 feet (CALLED S
13 01° 50' 13" E, 2,731.32 feet) along and with an East line of said
14 579.0 acre tract to a point for corner;

15 THENCE, N 89° 14' 57" E, a distance of 21.71 feet (CALLED N 89°
16 56' 16" E, 21.74 feet) along and with a North line of said 579.0 acre
17 tract to a point for corner;

18 THENCE, S 01° 26' 01" E, a distance of 1,338.51 feet (CALLED S
19 01° 25' 53" E, 1,338.13 feet) along and with an East line of said
20 579.0 acre tract to a point for corner;

21 THENCE, S 51° 53' 12" E, a distance of 223.27 feet (CALLED S
22 51° 56' 45" E, 223.23 feet) along and with a Northeasterly line of
23 said 579.0 acre tract to a point for corner in the Northwesterly
24 line of Fulshear-Katy Road (as occupied);

25 THENCE, S 37° 55' 51" W, a distance of 527.83 feet (CALLED S
26 37° 56' 10" W, 527.86 feet) along and with a Southeasterly line of
27 said 579.0 acre tract and the Northwesterly line of said

1 Fulshear-Katy Road to a point for the most Southerly Southeast
2 corner of said 579.0 acre tract;

3 THENCE, S 86° 40' 52" W, a distance of 3,077.04 feet (CALLED S
4 86° 41' 25" W, 3,076.67 feet) along and with the South line of said
5 579.0 acre tract to a point for the most Southerly Southwest corner
6 of said 579.0 acre tract and being in a West line of said Micajah
7 Autry Survey and the East line of said Daniel R. Perry Survey;

8 THENCE, N 01° 56' 26" W, a distance of 1,670.00 feet (CALLED N
9 01° 55' 53" E, 1,669.99 feet) along and with a West line of said
10 579.0 acre tract, the East line of said Daniel R. Perry Survey and a
11 West line of said Micajah Autry Survey to a point for corner;

12 THENCE, S 88° 09' 13" W, a distance of 853.23 feet (CALLED S
13 88° 09' 46" W, 853.60 feet) along and with a South line of said 579.0
14 acre tract to a point for corner;

15 THENCE, N 02° 27' 24" W, a distance of 156.95 feet (CALLED N
16 02° 26' 51" W, 156.95 feet) along and with a West line of said 579.0
17 acre tract to a point for corner in a South line of said 579.0 acre
18 tract, same being the most Easterly Southeast corner of said Rufus
19 Wright Survey, same also being in a West line of said Micajah Autry
20 Survey and the North line of said Daniel R. Perry Survey;

21 THENCE, S 87° 29' 44" W, a distance of 2,541.06 feet (CALLED S
22 87° 30' 17" W, 2,541.06) along and with a South line of said 579.0
23 acre tract, the North line of said Daniel R. Perry Survey and a
24 South line of said Rufus Wright Survey to an angle point being the
25 Southeast corner of said 1.166 acre tract and the most Westerly
26 Southwest corner of said 579.0 acre tract;

27 THENCE, S 87° 30' 17" W, a distance of 540.98 feet (CALLED S

1 89° 09' 06" W) along and with the South line of said 1.166 acre tract
2 to a point for corner being the Northeast corner of said 2.1742 acre
3 tract;

4 THENCE, S 00° 22' 22" E, a distance of 465.81 feet (CALLED S
5 01° 11' 24" W, 465.79 feet) along and with the East line of said
6 2.1742 acre tract and the East line of said 1.500 acre tract to a
7 point for the Southeast corner of said 1.500 acre tract;

8 THENCE, S 88° 28' 05" W, a distance of 358.18 feet (CALLED N
9 89° 58' 09" W, 358.18 feet) along and with the South line of said
10 1.500 acre tract to a point for corner;

11 THENCE, S 42° 09' 02" W, a distance of 230.96 feet (CALLED S
12 43° 42' 45" W, 230.96 feet) along and with a Southeasterly line of
13 said 1.500 acre tract to a point in the North right-of-way line of
14 Sprigg Road for the beginning of a non-tangent curve to the left
15 having a center which bears N 50° 07' 14" W, 60.00 feet;

16 In a Northeasterly direction, along and with said curve to
17 the left and the North right-of-way of Sprigg Road, a distance of
18 0.99 feet, having a radius of 60.00 feet, a central angle of 00°
19 56' 43" (CALLED 00° 56' 30") and a chord which bears N 39° 24' 24" E,
20 0.99 feet (CALLED N 40° 58' 11" E, 0.99) to a point for the beginning
21 of a non-tangent curve to the left having a center which bears N 50°
22 07' 14" W, 60.00 feet;

23 In a Northerly direction, along and with said curve to the
24 left and the North right-of-way of Sprigg Road, a distance of 91.88
25 feet, having a radius of 60.00 feet, a central angle of 87° 44' 10"
26 (CALLED 87° 43' 37") and a chord which bears N 03° 59' 16" W, 83.16
27 feet (CALLED N 02° 25' 23" W, 83.15 feet) to a point for corner;

1 THENCE, N 42° 09' 02" E, a distance of 323.81 feet (CALLED N
2 43° 42' 48" E, 323.81 feet) along and with a Northwesterly line of
3 said 1.500 acre tract to a point for the Northwest corner of said
4 1.500 acre tract and the Southwest corner of said 2.1742 acre tract;

5 THENCE, N 01° 31' 55" W, a distance of 369.59 feet (CALLED N
6 00° 01' 51" E, 370.03 feet) along and with the West line of said
7 2.1742 acre tract and the West line of said 1.166 acre tract to a
8 point for the Northwest corner of said 1.166 acre tract;

9 THENCE, N 87° 30' 17" E, a distance of 846.44 feet (CALLED 89°
10 09' 06" E, 846.21 feet) along and with the North line of said 1.166
11 acre tract to a point for the Northeast corner of said 1.166 acre
12 tract and being in the West line of said 579.0 acre tract;

13 THENCE, N 02° 27' 34" W, a distance of 2,925.01 feet (CALLED N
14 02° 27' 01" W, 2,925.01 feet) along and with the West line of said
15 579.0 acre tract to a point for the Northwest corner of said 579.0
16 acre tract;

17 THENCE, N 87° 32' 26" E, a distance of 2,541.20 feet (CALLED N
18 87° 32' 59" E, 2,541.20) along and with a North line of said 579.0
19 acre tract to a point for corner in the West line of said 631.26 acre
20 tract;

21 THENCE, S 02° 27' 24" E, a distance of 156.01 feet (CALLED S
22 02° 26' 51" E, 155.73 feet) along and with an East line of said 579.0
23 acre tract to a point for corner and being the Southwest corner of
24 said 631.26 acre tract;

25 THENCE, N 87° 31' 56" E, a distance of 4,118.43 feet (CALLED N
26 87° 32' 39" E, 4,118.62 feet) along and with the North line of said
27 579.0 acre tract and the South line of said 631.26 acre tract to the

1 POINT OF BEGINNING and containing 583.8370 acres of land.

2 PARCEL "C" - 474.4183 ACRES:

3 Beginning at a point for the Northwest corner of said 186.29
4 acre tract, same being in the South line of a 100-foot wide
5 Metropolitan Transit Authority of Harris County, Texas
6 right-of-way, same also being the Northwest corner of a called 3.01
7 acre tract of land described in an instrument to Prototype Machine
8 Co. Inc. filed for record under C.F. No. 2008112545,
9 O.P.R.F.B.C.T.;

10 THENCE, N 82° 58' 56" E, a distance of 2,424.31 feet (CALLED N
11 85° 26' E, 4310.5 feet) along and with the North line of said 186.29
12 acre tract and the South line of said Metropolitan Transit
13 Authority right-of-way to an angle point;

14 THENCE, N 83° 00' 02" E, a distance of 1,886.40 feet (CALLED N
15 85° 26' E, 4310.5 feet) along and with the North line of said 186.29
16 acre tract and the South line of said Metropolitan Transit
17 Authority right-of-way to a point for the Northeast corner of said
18 186.29 acre tract;

19 THENCE, S 02° 29' 41" E, a distance of 2,168.70 feet (CALLED S
20 00° 03' E, 2,168.70 feet) along and with the East line of said 186.29
21 acre tract to a point for the Southeast corner of said 186.29 acre
22 tract and being in the North line of said McKinnon Road;

23 THENCE, S 87° 40' 19" W, a distance of 66.52 feet (CALLED N 89°
24 53' W, 65.00 feet) along and with the South line of said 186.29 acre
25 tract and the North line of said McKinnon Road to a point for corner
26 being the intersection of a Northerly projection of an East line of
27 said 1,005.19 acre tract with the South line of said 186.29 acre

1 tract;

2 THENCE, S 02° 29' 41" E, a distance of 639.72 feet (CALLED S
3 00° 03' E, 639.60 feet) over and across said McKinnon Road, along and
4 with an East line of said 1,005.19 acre tract to a reentrant corner
5 of said 1,005.19 acre tract;

6 THENCE, N 88° 04' 19" E, a distance of 158.00 feet (CALLED S
7 89° 29' E, 158.00 feet) along and with a North line of said 1,005.19
8 acre tract to a point for corner;

9 THENCE, S 02° 14' 41" E, a distance of 2,210.40 feet (CALLED S
10 00° 12' W) along and with an East line of said 1,005.19 acre tract to
11 a point for corner;

12 THENCE, S 87° 14' 33" W, a distance of 4,037.52 feet over and
13 across said 1,005.19 acre tract, said 64.675 acre tract and along
14 and with the South line of said 23.675 acre tract (South line called
15 WEST, 964.5 feet) to a point for the Southwest corner of said 23.675
16 acre tract;

17 THENCE, N 02° 28' 27" W, a distance of 1,082.24 feet (CALLED N
18 00° 17' E, 1076.22 feet) along and with the West line of said 23.675
19 acre tract to a point for the Northwest corner of said 23.675 acre
20 tract and being in the South line of said 48.787 acre tract;

21 THENCE, S 87° 36' 19" W, a distance of 341.03 feet (CALLED
22 WEST) along and with the South line of said 48.787 acre tract to a
23 point for the Southwest corner of said 48.787 acre tract;

24 THENCE, N 02° 30' 41" W, a distance of 3,616.51 feet (CALLED N
25 00° 04' W - Vol. 302, Pg. 126; N01° 23' 50" E, - Vol. 405, Pg. 239)
26 along and with the West line of said 48.787 acre tract, over and
27 across said McKinnon Road and continuing along and with the West

1 line of said 186.29 acre tract to the POINT OF BEGINNING and
2 containing 474.4183 acres of land.

3 PARCEL "D" SAVE AND EXCEPT - 53.6042 ACRES:

4 BEING 53.6042 acres of land situated in the Jesse Thompson
5 Survey, Abstract No. 414 and the R.T. Van Slyke Survey, Abstract No.
6 407 of Waller County, Texas, said 58.6042 acres being a portion of a
7 called 316 acre and 88 acre tract (called 404 acres) of land
8 described in an instrument to R&Y Interests, Ltd., filed for record
9 under Vol. 553, Page 91 of the Official Public Records of Waller
10 County, Texas, said 53.6042 acres being all of the area of said 404
11 acre tract lying within the limits of Waller County, Texas, said
12 53.6042 acre tract being more particularly described by metes and
13 bounds as follows:

14 BEGINNING at the Northwest corner of said 316 acre tract,
15 same being the Northwest corner of the Jesse Thompson Survey,
16 Abstract No. 414 Waller County, Texas and Abstract 394, Fort Bend
17 County, Texas;

18 THENCE, N 87° 51' 52" E, (CALLED - EAST) a distance of
19 3,328.20 feet along and with the North line of said 316 acre tract
20 and said 88 acre tract to a point for corner on the Waller County
21 Line;

22 THENCE, S 65° 00' 15" W, a distance of 3,611.89 feet along and
23 with the Waller County Line to a point for corner in the West line of
24 said 316 acre tract;

25 THENCE, N 02° 08' 08" W, a distance of 1,403.16 feet along and
26 with the West line of said 316 acre tract to the POINT OF BEGINNING
27 and containing 53.6042 acres of land.

1 PARCEL "E" SAVE AND EXCEPT - 13.9598 ACRES:

2 BEING 13.9598 acres of land situated in the H. & T. C. R.R.
3 Co. Survey Section 105, Abstract No. 416, Waller County, Texas and
4 being that portion of a called 474.671 acre tract described in an
5 instrument to Silco Inc. filed for record under C.F. No. 2007009962
6 O.P.R.F.B.C.T lying within the limits of Waller County, Texas, said
7 13.9598 acre tract being more particularly described by metes and
8 bounds as follows:

9 BEGINNING at the Northwest corner of said 474.671 acre tract;

10 THENCE, N 87° 37' 00" E, a distance of 1,705.80 feet along and
11 with the North line of said 474.671 acre tract to a point for corner
12 on the Waller County Line;

13 THENCE, S 65° 00' 15" W, a distance of 1,854.29 feet along and
14 with the Waller County Line to a point for corner in the West line of
15 said 474.671 acre tract

16 THENCE, N 01° 54' 20" W, a distance of 712.99 feet along and
17 with the West line of said 474.671 acre tract to the POINT OF
18 BEGINNING and containing 13.9598 acres of land.

19 In conclusion, the herein described 1,790.6130 acre tract,
20 the 583.8370 acre tract and the 474.4183 acre tract SAVE AND EXCEPT
21 the herein described 53.6042 acre tract and the herein described
22 13.9598 acre tract comprise a total acreage of 2,781.3043 acres of
23 land for the boundary of the Fulshear Parkway Improvement District.

24 SECTION 3. (a) The legal notice of the intention to
25 introduce this Act, setting forth the general substance of this
26 Act, has been published as provided by law, and the notice and a
27 copy of this Act have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
3 Government Code.

4 (b) The governor, one of the required recipients, has
5 submitted the notice and Act to the Texas Commission on
6 Environmental Quality.

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

11 (d) The general law relating to consent by political
12 subdivisions to the creation of districts with conservation,
13 reclamation, and road powers and the inclusion of land in those
14 districts has been complied with.

15 (e) All requirements of the constitution and laws of this
16 state and the rules and procedures of the legislature with respect
17 to the notice, introduction, and passage of this Act have been
18 fulfilled and accomplished.

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