

1-1 By: Hegar S.B. No. 1864
1-2 (In the Senate - Filed April 2, 2013; April 4, 2013, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 22, 2013, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 April 22, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Hinojosa</u>	X		
1-10	<u>Nichols</u>	X		
1-11	<u>Garcia</u>	X		
1-12	<u>Paxton</u>	X		
1-13	<u>Taylor</u>	X		

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 1864 By: Nichols

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the creation of Fulshear Parkway Improvement District;
1-18 providing authority to issue bonds; providing authority to impose
1-19 assessments, fees, or taxes.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Subtitle C, Title 4, Special District Local Laws
1-22 Code, is amended by adding Chapter 3921 to read as follows:

1-23 CHAPTER 3921. FULSHEAR PARKWAY IMPROVEMENT DISTRICT

1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 3921.001. DEFINITIONS. In this chapter:

1-26 (1) "Board" means the district's board of directors.

1-27 (2) "Director" means a board member.

1-28 (3) "District" means the Fulshear Parkway Improvement
1-29 District.

1-30 Sec. 3921.002. NATURE OF DISTRICT. The Fulshear Parkway
1-31 Improvement District is a special district created under Section
1-32 59, Article XVI, Texas Constitution.

1-33 Sec. 3921.003. PURPOSE; DECLARATION OF INTENT. (a) The
1-34 creation of the district is essential to accomplish the purposes of
1-35 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-36 Texas Constitution, and other public purposes stated in this
1-37 chapter. By creating the district and in authorizing a
1-38 municipality, county, or other political subdivision to contract
1-39 with the district, the legislature has established a program to
1-40 accomplish the public purposes set out in Section 52-a, Article
1-41 III, Texas Constitution.

1-42 (b) The creation of the district is necessary to promote,
1-43 develop, encourage, and maintain employment, commerce,
1-44 transportation, housing, tourism, recreation, the arts,
1-45 entertainment, economic development, safety, and the public
1-46 welfare in the district.

1-47 (c) This chapter and the creation of the district may not be
1-48 interpreted to relieve a municipality or county from providing the
1-49 level of services provided as of the effective date of the Act
1-50 enacting this chapter to the area in the district. The district is
1-51 created to supplement and not to supplant municipal or county
1-52 services provided in the district.

1-53 Sec. 3921.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-54 (a) The district is created to serve a public use and benefit.

1-55 (b) All land and other property included in the district
1-56 will benefit from the improvements and services to be provided by
1-57 the district under powers conferred by Sections 52 and 52-a,
1-58 Article III, and Section 59, Article XVI, Texas Constitution, and
1-59 other powers granted under this chapter.

1-60 (c) The creation of the district is in the public interest

2-1 and is essential to further the public purposes of:
2-2 (1) developing and diversifying the economy of the
2-3 state;

2-4 (2) eliminating unemployment and underemployment; and
2-5 (3) developing or expanding transportation and
2-6 commerce.

2-7 (d) The district will:
2-8 (1) promote the health, safety, and general welfare of
2-9 residents, employers, potential employees, employees, visitors,
2-10 and consumers in the district, and of the public;

2-11 (2) provide needed funding for the district to
2-12 preserve, maintain, and enhance the economic health and vitality of
2-13 the district territory as a community and business center;

2-14 (3) promote the health, safety, welfare, and enjoyment
2-15 of the public by providing pedestrian ways and by landscaping and
2-16 developing certain areas in the district, which are necessary for
2-17 the restoration, preservation, and enhancement of scenic beauty;
2-18 and

2-19 (4) provide for drainage, road, and recreational
2-20 facilities for the district.

2-21 (e) Pedestrian ways along or across a street, whether at
2-22 grade or above or below the surface, and street lighting, street
2-23 landscaping, parking, and street art objects are parts of and
2-24 necessary components of a street and are considered to be a street
2-25 or road improvement.

2-26 (f) The district will not act as the agent or
2-27 instrumentality of any private interest even though the district
2-28 will benefit many private interests as well as the public.

2-29 Sec. 3921.005. INITIAL DISTRICT TERRITORY. (a) The
2-30 district is initially composed of the territory described by
2-31 Section 2 of the Act enacting this chapter.

2-32 (b) The boundaries and field notes contained in Section 2 of
2-33 the Act enacting this chapter form a closure. A mistake in the
2-34 field notes or in copying the field notes in the legislative process
2-35 does not affect the district's:

2-36 (1) organization, existence, or validity;

2-37 (2) right to issue any type of bonds for the purposes
2-38 for which the district is created or to pay the principal of and
2-39 interest on the bonds;

2-40 (3) right to impose or collect an assessment or tax; or

2-41 (4) legality or operation.

2-42 Sec. 3921.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
2-43 All or any part of the area of the district is eligible to be
2-44 included in:

2-45 (1) a tax increment reinvestment zone created under
2-46 Chapter 311, Tax Code;

2-47 (2) a tax abatement reinvestment zone created under
2-48 Chapter 312, Tax Code;

2-49 (3) an enterprise zone created under Chapter 2303,
2-50 Government Code; or

2-51 (4) an industrial district created under Chapter 42,
2-52 Local Government Code.

2-53 Sec. 3921.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
2-54 DISTRICTS LAW. Except as otherwise provided by this chapter,
2-55 Chapter 375, Local Government Code, applies to the district.

2-56 Sec. 3921.008. CONSTRUCTION OF CHAPTER. This chapter shall
2-57 be liberally construed in conformity with the findings and purposes
2-58 stated in this chapter.

2-59 SUBCHAPTER B. BOARD OF DIRECTORS

2-60 Sec. 3921.051. GOVERNING BODY; TERMS. (a) The district is
2-61 governed by a board of five voting directors who serve staggered
2-62 terms of four years, with two or three directors' terms expiring
2-63 June 1 of each odd-numbered year.

2-64 (b) The board by resolution may change the number of voting
2-65 directors on the board if the board determines that the change is in
2-66 the best interest of the district. The board may not consist of
2-67 fewer than five or more than nine voting directors.

2-68 Sec. 3921.052. APPOINTMENT OF VOTING DIRECTORS. (a) The
2-69 governing body of Fort Bend County shall appoint voting directors

3-1 from persons nominated by the board.

3-2 (b) The governing body of Fort Bend County may reject the
 3-3 nomination of a person by the board for a position as a voting
 3-4 director. If the governing body rejects a nomination, the board
 3-5 shall submit a new nominee for that position until the governing
 3-6 body appoints a director to each position on the board.

3-7 Sec. 3921.053. NONVOTING DIRECTORS. The board may appoint
 3-8 nonvoting directors to serve at the pleasure of the voting
 3-9 directors.

3-10 Sec. 3921.054. QUORUM. For purposes of determining the
 3-11 requirements for a quorum of the board, the following are not
 3-12 counted:

3-13 (1) a board position vacant for any reason, including
 3-14 death, resignation, or disqualification;

3-15 (2) a director who is abstaining from participation in
 3-16 a vote because of a conflict of interest; or

3-17 (3) a nonvoting director.

3-18 Sec. 3921.055. COMPENSATION. A director is entitled to
 3-19 receive fees of office and reimbursement for actual expenses as
 3-20 provided by Section 49.060, Water Code. Sections 375.069 and
 3-21 375.070, Local Government Code, do not apply to the board.

3-22 Sec. 3921.056. INITIAL VOTING DIRECTORS. (a) On or after
 3-23 the effective date of the Act creating this chapter, the owner or
 3-24 owners of a majority of the assessed value of the real property in
 3-25 the district according to the most recent certified tax appraisal
 3-26 roll for the county in which the district is located may submit a
 3-27 petition to the governing body of Fort Bend County nominating the
 3-28 five persons named in the petition as initial voting directors.

3-29 (b) The governing body of Fort Bend County may reject the
 3-30 nomination of a person named in the petition described by
 3-31 Subsection (a) for a position as an initial director. If the
 3-32 governing body rejects a nomination, the owner or owners who
 3-33 submitted the petition under Subsection (a) shall submit a new
 3-34 nominee for that position until the governing body appoints an
 3-35 initial director to each position on the board.

3-36 (c) Of the initial directors, the terms of directors
 3-37 appointed for positions one through three expire June 1, 2015, and
 3-38 the terms of directors appointed for positions four and five expire
 3-39 June 1, 2017.

3-40 (d) Section 3921.052 does not apply to this section.

3-41 (e) This section expires September 1, 2017.

3-42 SUBCHAPTER C. POWERS AND DUTIES

3-43 Sec. 3921.101. GENERAL POWERS AND DUTIES. The district has
 3-44 the powers and duties necessary to accomplish the purposes for
 3-45 which the district is created.

3-46 Sec. 3921.102. IMPROVEMENT PROJECTS AND SERVICES. The
 3-47 district may provide, design, construct, acquire, improve,
 3-48 relocate, operate, maintain, or finance an improvement project or
 3-49 service using any money available to the district, or contract with
 3-50 a governmental or private entity to provide, design, construct,
 3-51 acquire, improve, relocate, operate, maintain, or finance an
 3-52 improvement project or service authorized under this chapter or
 3-53 Chapter 375, Local Government Code.

3-54 Sec. 3921.103. DEVELOPMENT CORPORATION POWERS. The
 3-55 district, using money available to the district, may exercise the
 3-56 powers given to a development corporation under Chapter 505, Local
 3-57 Government Code, including the power to own, operate, acquire,
 3-58 construct, lease, improve, or maintain a project under that
 3-59 chapter.

3-60 Sec. 3921.104. NONPROFIT CORPORATION. (a) The board by
 3-61 resolution may authorize the creation of a nonprofit corporation to
 3-62 assist and act for the district in implementing a project or
 3-63 providing a service authorized by this chapter.

3-64 (b) The nonprofit corporation:

3-65 (1) has each power of and is considered to be a local
 3-66 government corporation created under Subchapter D, Chapter 431,
 3-67 Transportation Code; and

3-68 (2) may implement any project and provide any service
 3-69 authorized by this chapter.

4-1 (c) The board shall appoint the board of directors of the
 4-2 nonprofit corporation. The board of directors of the nonprofit
 4-3 corporation shall serve in the same manner as the board of directors
 4-4 of a local government corporation created under Subchapter D,
 4-5 Chapter 431, Transportation Code, except that a board member is not
 4-6 required to reside in the district.

4-7 Sec. 3921.105. AGREEMENTS; GRANTS. (a) As provided by
 4-8 Chapter 375, Local Government Code, the district may make an
 4-9 agreement with or accept a gift, grant, or loan from any person.

4-10 (b) The implementation of a project is a governmental
 4-11 function or service for the purposes of Chapter 791, Government
 4-12 Code.

4-13 Sec. 3921.106. LAW ENFORCEMENT SERVICES. To protect the
 4-14 public interest, the district may contract with a qualified party,
 4-15 including a municipality or county, to provide law enforcement
 4-16 services in the district for a fee.

4-17 Sec. 3921.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
 4-18 district may join and pay dues to a charitable or nonprofit
 4-19 organization that performs a service or provides an activity
 4-20 consistent with the furtherance of a district purpose.

4-21 Sec. 3921.108. ECONOMIC DEVELOPMENT. (a) The district may
 4-22 engage in activities that accomplish the economic development
 4-23 purposes of the district.

4-24 (b) The district may establish and provide for the
 4-25 administration of one or more programs to promote state or local
 4-26 economic development and to stimulate business and commercial
 4-27 activity in the district, including programs to:

4-28 (1) make loans and grants of public money; and

4-29 (2) provide district personnel and services.

4-30 (c) The district may create economic development programs
 4-31 and exercise the economic development powers provided to
 4-32 municipalities by:

4-33 (1) Chapter 380, Local Government Code; and

4-34 (2) Subchapter A, Chapter 1509, Government Code.

4-35 Sec. 3921.109. PARKING FACILITIES. (a) The district may
 4-36 acquire, lease as lessor or lessee, construct, develop, own,
 4-37 operate, and maintain parking facilities or a system of parking
 4-38 facilities, including lots, garages, parking terminals, or other
 4-39 structures or accommodations for parking motor vehicles off the
 4-40 streets and related appurtenances.

4-41 (b) The district's parking facilities serve the public
 4-42 purposes of the district and are owned, used, and held for a public
 4-43 purpose even if leased or operated by a private entity for a term of
 4-44 years.

4-45 (c) The district's parking facilities are parts of and
 4-46 necessary components of a street and are considered to be a street
 4-47 or road improvement.

4-48 (d) The development and operation of the district's parking
 4-49 facilities may be considered an economic development program.

4-50 Sec. 3921.110. ANNEXATION OF LAND. The district may annex
 4-51 land as provided by Subchapter J, Chapter 49, Water Code.

4-52 Sec. 3921.111. ACCESS TO ROAD FACILITIES. The district may
 4-53 control, restrict, and determine the type and extent of access to or
 4-54 from a road facility, including designating and approving the
 4-55 locations of access to the road facility from a street, road, alley,
 4-56 highway, or other public or private road intersecting the road
 4-57 facility.

4-58 Sec. 3921.112. ROAD STANDARDS AND REQUIREMENTS. (a) A road
 4-59 facility must meet all applicable construction standards, zoning
 4-60 and subdivision requirements, and regulations of each municipality
 4-61 in whose corporate limits or extraterritorial jurisdiction the road
 4-62 facility is located.

4-63 (b) If a road facility is not located in the corporate
 4-64 limits of a municipality, the road facility must meet all
 4-65 applicable construction standards, subdivision requirements, and
 4-66 regulations of each county in which the road facility is located.

4-67 (c) If the state will maintain and operate the road, the
 4-68 Texas Transportation Commission must approve the plans and
 4-69 specifications of the road facility.

5-1 Sec. 3921.113. INTERLOCAL AGREEMENT REQUIRED FOR INITIAL
5-2 COUNTY ROAD FACILITY. Before the district may finance or construct
5-3 any part of the road facility known as Fulshear Parkway that will be
5-4 maintained by Fort Bend County, the district and the governing body
5-5 of Fort Bend County must enter into an interlocal agreement
5-6 regarding the design, construction, and financing of the road
5-7 facility.

5-8 Sec. 3921.114. NO EMINENT DOMAIN POWER. The district may
5-9 not exercise the power of eminent domain.

5-10 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

5-11 Sec. 3921.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
5-12 board by resolution shall establish the number of directors'
5-13 signatures and the procedure required for a disbursement or
5-14 transfer of district money.

5-15 Sec. 3921.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
5-16 The district may acquire, construct, finance, operate, or maintain
5-17 any improvement or service authorized under this chapter or Chapter
5-18 375, Local Government Code, using any money available to the
5-19 district.

5-20 Sec. 3921.153. PETITION REQUIRED FOR FINANCING SERVICES AND
5-21 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
5-22 service or improvement project with assessments under this chapter
5-23 unless a written petition requesting that service or improvement
5-24 has been filed with the board.

5-25 (b) A petition filed under Subsection (a) must be signed by
5-26 the owners of a majority of the assessed value of real property in
5-27 the district subject to assessment according to the most recent
5-28 certified tax appraisal roll for the county in which the
5-29 assessments are to be imposed.

5-30 Sec. 3921.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.
5-31 (a) The board by resolution may impose and collect an assessment
5-32 for any purpose authorized by this chapter in all or any part of the
5-33 district.

5-34 (b) An assessment, a reassessment, or an assessment
5-35 resulting from an addition to or correction of the assessment roll
5-36 by the district, penalties and interest on an assessment or
5-37 reassessment, an expense of collection, and reasonable attorney's
5-38 fees incurred by the district:

5-39 (1) are a first and prior lien against the property
5-40 assessed;

5-41 (2) are superior to any other lien or claim other than
5-42 a lien or claim for county, school district, or municipal ad valorem
5-43 taxes; and

5-44 (3) are the personal liability of and a charge against
5-45 the owners of the property even if the owners are not named in the
5-46 assessment proceedings.

5-47 (c) The lien is effective from the date of the board's
5-48 resolution imposing the assessment until the date the assessment is
5-49 paid. The board may enforce the lien in the same manner that the
5-50 board may enforce an ad valorem tax lien against real property.

5-51 (d) The board may make a correction to or deletion from the
5-52 assessment roll that does not increase the amount of assessment of
5-53 any parcel of land without providing notice and holding a hearing in
5-54 the manner required for additional assessments.

5-55 Sec. 3921.155. RESIDENTIAL PROPERTY NOT EXEMPT. Section
5-56 375.161, Local Government Code, does not apply to a tax authorized
5-57 or approved by the district voters or a required payment for service
5-58 provided by the district.

5-59 Sec. 3921.156. TAX AND ASSESSMENT ABATEMENTS. The district
5-60 may designate reinvestment zones and may grant abatements of a tax
5-61 or assessment on property in the zones.

5-62 SUBCHAPTER E. TAXES AND BONDS

5-63 Sec. 3921.201. ELECTIONS REGARDING TAXES AND BONDS.
5-64 (a) The district may issue, without an election, bonds, notes, and
5-65 other obligations secured by:

5-66 (1) revenue other than ad valorem taxes; or

5-67 (2) contract payments described by Section 3921.203.

5-68 (b) The district must hold an election in the manner
5-69 provided by Subchapter L, Chapter 375, Local Government Code, to

6-1 obtain voter approval before the district may impose an ad valorem
6-2 tax or issue bonds payable from ad valorem taxes.

6-3 (c) Section 375.243, Local Government Code, does not apply
6-4 to the district.

6-5 (d) All or any part of any facilities or improvements that
6-6 may be acquired by a district by the issuance of its bonds may be
6-7 submitted as a single proposition or as several propositions to be
6-8 voted on at the election.

6-9 Sec. 3921.202. OPERATION AND MAINTENANCE TAX. (a) If
6-10 authorized by a majority of the district voters voting at an
6-11 election held in accordance with Section 3921.201, the district may
6-12 impose an operation and maintenance tax on taxable property in the
6-13 district in accordance with Section 49.107, Water Code, for any
6-14 district purpose, including to:

6-15 (1) maintain and operate the district;

6-16 (2) construct or acquire improvements; or

6-17 (3) provide a service.

6-18 (b) The board shall determine the tax rate. The rate may not
6-19 exceed the rate approved at the election.

6-20 (c) Section 49.107(h), Water Code, does not apply to the
6-21 district.

6-22 Sec. 3921.203. CONTRACT TAXES. (a) In accordance with
6-23 Section 49.108, Water Code, the district may impose a tax other than
6-24 an operation and maintenance tax and use the revenue derived from
6-25 the tax to make payments under a contract after the provisions of
6-26 the contract have been approved by a majority of the district voters
6-27 voting at an election held for that purpose.

6-28 (b) A contract approved by the district voters may contain a
6-29 provision stating that the contract may be modified or amended by
6-30 the board without further voter approval.

6-31 Sec. 3921.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
6-32 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
6-33 determined by the board. Section 375.205, Local Government Code,
6-34 does not apply to a loan, line of credit, or other borrowing from a
6-35 bank or financial institution secured by revenue other than ad
6-36 valorem taxes.

6-37 (b) The district may issue bonds, notes, or other
6-38 obligations payable wholly or partly from ad valorem taxes,
6-39 assessments, impact fees, revenue, contract payments, grants, or
6-40 other district money, or any combination of those sources of money,
6-41 to pay for any authorized district purpose.

6-42 (c) The limitation on the outstanding principal amount of
6-43 bonds, notes, and other obligations provided by Section 49.4645,
6-44 Water Code, does not apply to the district.

6-45 Sec. 3921.205. TAXES FOR BONDS. At the time the district
6-46 issues bonds payable wholly or partly from ad valorem taxes, the
6-47 board shall provide for the annual imposition of a continuing
6-48 direct annual ad valorem tax, without limit as to rate or amount,
6-49 for each year that all or part of the bonds are outstanding as
6-50 required and in the manner provided by Sections 54.601 and 54.602,
6-51 Water Code.

6-52 SECTION 2. The Fulshear Parkway Improvement District
6-53 initially includes all territory contained in the following area:

6-54 BEING 2,781.3043 acres of land situated in the H. & T. C. R.R.
6-55 Co. Survey Section 105, Abstract No. 416, Jesse Thompson Survey,
6-56 Abstract No. 414, R.T. Van Slyke Survey, Abstract No. 407 of Waller
6-57 County, Texas and the H. & T. C. R.R. Co. Survey Section 105,
6-58 Abstract No. 261, Jesse Thompson Survey, Abstract No. 394, R.T. Van
6-59 Slyke Survey, Abstract No. 395, J.G. Bennett Survey Abstract No.611
6-60 (H. & T. C. R.R. Co. Survey Section 106), J.D. Vermillion Survey,
6-61 Abstract No. 339, Micajah Autry Survey, Abstract No. 100, Rufus
6-62 Wright Survey, Abstract No. 344, Daniel R. Perry Survey, Abstract
6-63 No. 301, Enoch Latham Survey, Abstract No. 50, Morris & Cummings
6-64 Survey, Abstract No. 294, J.C. McDonald Survey, Abstract No. 290,
6-65 Randon & Pennington Survey, Abstract No. 75 and the John Foster
6-66 Survey, Abstract No. 26 of Fort Bend County, Texas, said 2,781.3043
6-67 acres being comprised of the following described tracts: all of a
6-68 called 316 acre and 88 acre tract (called 404 acres) of land
6-69 described in an instrument to R&Y Interests, Ltd., filed for record

7-1 under Vol. 553, Page 91 of the Official Public Records of Waller
7-2 County, Texas and under Clerk's File Number (C.F. No.) 2011051593
7-3 of the Official Public Records of Fort Bend County, Texas
7-4 (O.P.R.F.B.C.T.), SAVE AND EXCEPT those portions of said 88 acre
7-5 tract of land and said 316 acre tract of land lying within the
7-6 limits of Waller County, Texas; all of a called 200 acre tract
7-7 described in an instrument to Silco Inc. filed for record under C.F.
7-8 No. 2006095116, all of a called 474.671 acre tract described in an
7-9 instrument to Silco Inc. filed for record under C.F. No. 2007009962
7-10 O.P.R.F.B.C.T. SAVE AND EXCEPT that portion of said 474.671 acre
7-11 tract lying within the limits of Waller County, Texas; all of a
7-12 called 235.146 acre tract described in an instrument to Silvestri
7-13 Investments of Florida, Inc. filed for record under C.F. No.
7-14 2007009964 O.P.R.F.B.C.T., all of a called 12.024 acre tract
7-15 described in an instrument to Blossom Inc. filed for record under
7-16 C.F. No. 2007009966 O.P.R.F.B.C.T., all of a called 473.246 acre
7-17 tract described in an instrument to Dan J. Harrison, Jr. filed for
7-18 record under Vol. 528, Pg. 132 of the Fort Bend County Deed Records
7-19 (F.B.C.D.R.), all of a called 579.0 acre tract, a called 2.1742
7-20 acre tract, a called 1.500 acre tract and a called 1.166 acre tract
7-21 described in an instrument to Ronald W. Henriksen "B" Trust filed
7-22 for record under C.F. No. 2008132362 O.P.R.F.B.C.T., all of a
7-23 called 189.29 acre tract (Tract 1) and a portion of a called
7-24 1,005.19 acre tract (Tract 2) described in an instrument to Dan J.
7-25 Harrison Jr. filed for record under Vol. 302, Pg. 126, F.B.C.D.R.,
7-26 all of a called 48.787 acre tract and 23.675 acre tract described in
7-27 an instrument to Dan J. Harrison filed for record under Vol. 405,
7-28 Pg. 239, F.B.C.D.R., portion of a called 64.675 acre tract
7-29 described in an instrument to Dan. J. Harrison Jr. filed for record
7-30 under Vol. 422, Pg. 467, F.B.C.D.R., and all of the area of McKinnon
7-31 Road (Old Richmond-Fulshear Road, width varies) lying South of said
7-32 186.29 acre tract and North of said 48.787 acre tract and said
7-33 1,005.19 acre tract, said 2,781.3043 acres being more particularly
7-34 described in three (3) Parcels by metes and bounds as follows:
7-35 PARCEL "A" - 1,790.6130 ACRES:
7-36 BEGINNING at the Northwest corner of said 316 acre tract,
7-37 same being the Northwest corner of the Jesse Thompson Survey,
7-38 Abstract No. 414 Waller County, Texas and Abstract 394, Fort Bend
7-39 County, Texas;
7-40 THENCE, N 87° 51' 52" E, a distance of 5,738.88 feet (CALLED
7-41 EAST - 2,066 varas) along and with the North line of said 316 acre
7-42 tract and the North line of said 88 acre tract to a point for the
7-43 Northeast corner of said 88 acre tract and being in the North line
7-44 of said R.T. Van Slyke Survey, Abstract No. 407 (Waller) Abstract
7-45 No. 395 (Fort Bend);
7-46 THENCE, S 02° 08' 08" E, a distance of 1,450.00 feet (CALLED
7-47 SOUTH - 522 varas) along and with the East line of said 88 acre tract
7-48 to a point for the Southeast corner of said 88 acre tract in the
7-49 North line of said 316 acre tract, same being in the lower North
7-50 line of said Jesse Thompson Survey and a South line of said R.T. Van
7-51 Slyke Survey;
7-52 THENCE, N 87° 51' 52" E, a distance of 683.34 feet (CALLED
7-53 EAST) along and with the North line of said 316 acre tract to a point
7-54 for the most Easterly Northeast corner of said 316 acre tract;
7-55 THENCE, S 02° 08' 08" E, a distance of 1,448.65 feet (CALLED
7-56 SOUTH - 522 varas) along and with the East line of said 316 acre
7-57 tract to a point for the Southeast corner of said 316 acre tract and
7-58 being in the South line of said Jesse Thompson Survey and the North
7-59 line of the said J.D. Vermillion Survey;
7-60 THENCE, S 87° 51' 52" W, a distance of 4,533.05 feet (CALLED
7-61 WEST) along and with the South line of said 316 acre tract to a point
7-62 for the Northeast corner of said 235.146 acre tract;
7-63 THENCE, S 02° 10' 37" E, a distance of 2,024.61 feet (CALLED S
7-64 02° 10' 37" E, 2024.61 feet) along and with the East line of said
7-65 235.146 acre tract to a point for the most Easterly Southeast corner
7-66 of said 235.146 acre tract and being in the North line of said 200
7-67 acre tract;
7-68 THENCE, N 87° 53' 34" E, a distance of 894.09 feet (CALLED N
7-69 87° 53' 34" E, 894.07 feet) along and with the North line of said 200

8-1 acre tract to a point for the Northeast corner of said 200 acre
8-2 tract;
8-3 THENCE, S 01° 56' 47" E, a distance of 3,118.90 feet (CALLED S
8-4 01° 56' 47" E, 3,119.21 feet) along and with the East line of said
8-5 200 acre tract to a point for the Southeast corner of said 200 acre
8-6 tract and being in the North line of a called 686.0183 acre tract
8-7 described in an instrument to D.R. Horton-Texas, Ltd. filed for
8-8 record under C.F. No. 2013000056 O.P.R.F.B.C.T.;
8-9 THENCE, S 87° 51' 29" W, a distance of 2,792.12 feet (CALLED S
8-10 87° 51' 29" W) along and with the North line of said 686.0183 acre
8-11 tract to a point for the Northwest corner of said 686.0183 acre
8-12 tract, same being the Southwest corner of said Silco 200 acre tract
8-13 and also being in the East line of said 473.246 acre tract;
8-14 THENCE, S 01° 55' 43" E, a distance of 4,920.20 feet (CALLED S
8-15 01° 55' 43" E) along and with the West line of said 686.0183 acre
8-16 tract and an East line of said 473.246 acre tract to a point for the
8-17 Southwest corner of said 686.0183 acre tract and being in the North
8-18 line of a called 631.26 acre tract of land described in an
8-19 instrument to D.R. Horton-Texas, Ltd. filed for record under C.F.
8-20 No. 2013000056 O.P.R.F.B.C.T.;
8-21 THENCE, S 87° 40' 56" W, a distance of 6.43 feet (CALLED S 87°
8-22 41' 05" W) along and with a South line of said 473.246 acre tract and
8-23 a North line of said 631.26 acre tract to a point for the Northwest
8-24 corner of said 631.26 acre tract, same being a reentrant corner of
8-25 said 473.246 acre tract;
8-26 THENCE, S 00° 59' 24" E, a distance of 527.80 feet (CALLED S
8-27 00° 59' 15" E) along and with an East line of said 473.246 acre tract
8-28 and a West line of said 631.26 acre tract to a point for the
8-29 Southeast corner of said 473.246 acre tract, same being a reentrant
8-30 corner of said 631.26 acre tract;
8-31 THENCE, S 87° 50' 00" W, a distance of 2,634.66 feet (CALLED S
8-32 87° 50' 09" W) along with the North line of said 631.26 acre tract
8-33 and the South line of said 473.246 acre tract to a point for the
8-34 Southwest corner of said 473.246 acre tract;
8-35 THENCE, N 00° 17' 23" W, a distance of 2,905.55 feet (CALLED N
8-36 01° 07' E, 2,899.50 feet) along and with the West line of said
8-37 473.246 acre tract to a point for the Southeast corner of said
8-38 474.671 acre tract;
8-39 THENCE, N 86° 18' 38" W, a distance of 2,736.49 feet (CALLED)
8-40 along and with the South line of said 474.671 acre tract;
8-41 THENCE the following three (3) courses and distances along
8-42 and with the West line of said 474.671 acre tract:
8-43 N 01° 59' 02" W, a distance of 2,434.00 feet (CALLED) to an
8-44 angle point;
8-45 N 02° 07' 25" W, a distance of 3,428.59 feet (CALLED) to an
8-46 angle point;
8-47 N 01° 54' 20" W, a distance of 1,520.90 feet (CALLED) to a
8-48 point for the Northwest corner of said 474.671 acre tract;
8-49 THENCE, N 87° 37' 00" E, a distance of 2,705.78 feet (CALLED)
8-50 along and with the North line of said 474.671 acre tract to a point
8-51 for the Northeast corner of said 474.671 acre tract and the
8-52 Northwest corner of said 235.146 acre tract;
8-53 THENCE, N 87° 31' 40" E, a distance of 2,596.91 feet (CALLED N
8-54 87° 31'40" E, 2,597.32 feet) along and with the North line of said
8-55 235.146 acre tract to a point for the Southwest corner of said 316
8-56 acre tract;
8-57 THENCE, N 02° 08' 08" W, a distance of 2,900.00 feet (CALLED
8-58 NORTH - 1,044 varas) along the West line of said 316 acre tract to
8-59 the POINT OF BEGINNING and containing 1,790.6130 acres of land.
8-60 PARCEL "B" - 583.8370 ACRES
8-61 BEGINNING at the Northeast corner of a called 579.0 acre
8-62 tract described in an instrument to Ronald W. Henriksen "B" Trust
8-63 filed for record under C.F. No. 2008132362, same being a Northwest
8-64 corner of a called 1,913.31 acre tract of land described in an
8-65 instrument to CCR Texas Holdings LP filed for record under C.F. No.
8-66 2012038964 O.P.R.F.B.C.T., same also being an angle point in the
8-67 South line of a called 631.26 acre tract of land described in an
8-68 instrument to D.R. Horton-Texas, Ltd. filed for record under C.F.
8-69 No. 2013000056;

9-1 THENCE, S 01° 50' 55" E, a distance of 2,731.43 feet (CALLED S
9-2 01° 50' 13" E, 2,731.32 feet) along and with an East line of said
9-3 579.0 acre tract to a point for corner;
9-4 THENCE, N 89° 14' 57" E, a distance of 21.71 feet (CALLED N 89°
9-5 56' 16" E, 21.74 feet) along and with a North line of said 579.0 acre
9-6 tract to a point for corner;
9-7 THENCE, S 01° 26' 01" E, a distance of 1,338.51 feet (CALLED S
9-8 01° 25' 53" E, 1,338.13 feet) along and with an East line of said
9-9 579.0 acre tract to a point for corner;
9-10 THENCE, S 51° 53' 12" E, a distance of 223.27 feet (CALLED S
9-11 51° 56' 45" E, 223.23 feet) along and with a Northeasterly line of
9-12 said 579.0 acre tract to a point for corner in the Northwesterly
9-13 line of Fulshear-Katy Road (as occupied);
9-14 THENCE, S 37° 55' 51" W, a distance of 527.83 feet (CALLED S
9-15 37° 56' 10" W, 527.86 feet) along and with a Southeasterly line of
9-16 said 579.0 acre tract and the Northwesterly line of said
9-17 Fulshear-Katy Road to a point for the most Southerly Southeast
9-18 corner of said 579.0 acre tract;
9-19 THENCE, S 86° 40' 52" W, a distance of 3,077.04 feet (CALLED S
9-20 86° 41' 25" W, 3,076.67 feet) along and with the South line of said
9-21 579.0 acre tract to a point for the most Southerly Southwest corner
9-22 of said 579.0 acre tract and being in a West line of said Micajah
9-23 Autry Survey and the East line of said Daniel R. Perry Survey;
9-24 THENCE, N 01° 56' 26" W, a distance of 1,670.00 feet (CALLED N
9-25 01° 55' 53" E, 1,669.99 feet) along and with a West line of said
9-26 579.0 acre tract, the East line of said Daniel R. Perry Survey and a
9-27 West line of said Micajah Autry Survey to a point for corner;
9-28 THENCE, S 88° 09' 13" W, a distance of 853.23 feet (CALLED S
9-29 88° 09' 46" W, 853.60 feet) along and with a South line of said 579.0
9-30 acre tract to a point for corner;
9-31 THENCE, N 02° 27' 24" W, a distance of 156.95 feet (CALLED N
9-32 02° 26' 51" W, 156.95 feet) along and with a West line of said 579.0
9-33 acre tract to a point for corner in a South line of said 579.0 acre
9-34 tract, same being the most Easterly Southeast corner of said Rufus
9-35 Wright Survey, same also being in a West line of said Micajah Autry
9-36 Survey and the North line of said Daniel R. Perry Survey;
9-37 THENCE, S 87° 29' 44" W, a distance of 2,541.06 feet (CALLED S
9-38 87° 30' 17" W, 2,541.06) along and with a South line of said 579.0
9-39 acre tract, the North line of said Daniel R. Perry Survey and a
9-40 South line of said Rufus Wright Survey to an angle point being the
9-41 Southeast corner of said 1.166 acre tract and the most Westerly
9-42 Southwest corner of said 579.0 acre tract;
9-43 THENCE, S 87° 30' 17" W, a distance of 540.98 feet (CALLED S
9-44 89° 09' 06" W) along and with the South line of said 1.166 acre tract
9-45 to a point for corner being the Northeast corner of said 2.1742 acre
9-46 tract;
9-47 THENCE, S 00° 22' 22" E, a distance of 465.81 feet (CALLED S
9-48 01° 11' 24" W, 465.79 feet) along and with the East line of said
9-49 2.1742 acre tract and the East line of said 1.500 acre tract to a
9-50 point for the Southeast corner of said 1.500 acre tract;
9-51 THENCE, S 88° 28' 05" W, a distance of 358.18 feet (CALLED N
9-52 89° 58' 09" W, 358.18 feet) along and with the South line of said
9-53 1.500 acre tract to a point for corner;
9-54 THENCE, S 42° 09' 02" W, a distance of 230.96 feet (CALLED S
9-55 43° 42' 45" W, 230.96 feet) along and with a Southeasterly line of
9-56 said 1.500 acre tract to a point in the North right-of-way line of
9-57 Sprigg Road for the beginning of a non-tangent curve to the left
9-58 having a center which bears N 50° 07' 14" W, 60.00 feet;
9-59 In a Northeasterly direction, along and with said curve to
9-60 the left and the North right-of-way of Sprigg Road, a distance of
9-61 0.99 feet, having a radius of 60.00 feet, a central angle of 00°
9-62 56' 43" (CALLED 00° 56' 30") and a chord which bears N 39° 24' 24" E,
9-63 0.99 feet (CALLED N 40° 58' 11" E, 0.99) to a point for the beginning
9-64 of a non-tangent curve to the left having a center which bears N 50°
9-65 07' 14" W, 60.00 feet;
9-66 In a Northerly direction, along and with said curve to the
9-67 left and the North right-of-way of Sprigg Road, a distance of 91.88
9-68 feet, having a radius of 60.00 feet, a central angle of 87° 44' 10"
9-69 (CALLED 87° 43' 37") and a chord which bears N 03° 59' 16" W, 83.16

10-1 feet (CALLED N 02° 25' 23" W, 83.15 feet) to a point for corner;
10-2 THENCE, N 42° 09' 02" E, a distance of 323.81 feet (CALLED N
10-3 43° 42' 48" E, 323.81 feet) along and with a Northwesterly line of
10-4 said 1.500 acre tract to a point for the Northwest corner of said
10-5 1.500 acre tract and the Southwest corner of said 2.1742 acre tract;
10-6 THENCE, N 01° 31' 55" W, a distance of 369.59 feet (CALLED N
10-7 00° 01' 51" E, 370.03 feet) along and with the West line of said
10-8 2.1742 acre tract and the West line of said 1.166 acre tract to a
10-9 point for the Northwest corner of said 1.166 acre tract;
10-10 THENCE, N 87° 30' 17" E, a distance of 846.44 feet (CALLED 89°
10-11 09' 06" E, 846.21 feet) along and with the North line of said 1.166
10-12 acre tract to a point for the Northeast corner of said 1.166 acre
10-13 tract and being in the West line of said 579.0 acre tract;
10-14 THENCE, N 02° 27' 34" W, a distance of 2,925.01 feet (CALLED N
10-15 02° 27' 01" W, 2,925.01 feet) along and with the West line of said
10-16 579.0 acre tract to a point for the Northwest corner of said 579.0
10-17 acre tract;
10-18 THENCE, N 87° 32' 26" E, a distance of 2,541.20 feet (CALLED N
10-19 87° 32' 59" E, 2,541.20) along and with a North line of said 579.0
10-20 acre tract to a point for corner in the West line of said 631.26 acre
10-21 tract;
10-22 THENCE, S 02° 27' 24" E, a distance of 156.01 feet (CALLED S
10-23 02° 26' 51" E, 155.73 feet) along and with an East line of said 579.0
10-24 acre tract to a point for corner and being the Southwest corner of
10-25 said 631.26 acre tract;
10-26 THENCE, N 87° 31' 56" E, a distance of 4,118.43 feet (CALLED N
10-27 87° 32' 39" E, 4,118.62 feet) along and with the North line of said
10-28 579.0 acre tract and the South line of said 631.26 acre tract to the
10-29 POINT OF BEGINNING and containing 583.8370 acres of land.
10-30 PARCEL "C" - 474.4183 ACRES:
10-31 Beginning at a point for the Northwest corner of said 186.29
10-32 acre tract, same being in the South line of a 100-foot wide
10-33 Metropolitan Transit Authority of Harris County, Texas
10-34 right-of-way, same also being the Northwest corner of a called 3.01
10-35 acre tract of land described in an instrument to Prototype Machine
10-36 Co. Inc. filed for record under C.F. No. 2008112545,
10-37 O.P.R.F.B.C.T.;

10-38 THENCE, N 82° 58' 56" E, a distance of 2,424.31 feet (CALLED N
10-39 85° 26' E, 4310.5 feet) along and with the North line of said 186.29
10-40 acre tract and the South line of said Metropolitan Transit
10-41 Authority right-of-way to an angle point;
10-42 THENCE, N 83° 00' 02" E, a distance of 1,886.40 feet (CALLED N
10-43 85° 26' E, 4310.5 feet) along and with the North line of said 186.29
10-44 acre tract and the South line of said Metropolitan Transit
10-45 Authority right-of-way to a point for the Northeast corner of said
10-46 186.29 acre tract;
10-47 THENCE, S 02° 29' 41" E, a distance of 2,168.70 feet (CALLED S
10-48 00° 03' E, 2,168.70 feet) along and with the East line of said 186.29
10-49 acre tract to a point for the Southeast corner of said 186.29 acre
10-50 tract and being in the North line of said McKinnon Road;
10-51 THENCE, S 87° 40' 19" W, a distance of 66.52 feet (CALLED N 89°
10-52 53' W, 65.00 feet) along and with the South line of said 186.29 acre
10-53 tract and the North line of said McKinnon Road to a point for corner
10-54 being the intersection of a Northerly projection of an East line of
10-55 said 1,005.19 acre tract with the South line of said 186.29 acre
10-56 tract;
10-57 THENCE, S 02° 29' 41" E, a distance of 639.72 feet (CALLED S
10-58 00° 03' E, 639.60 feet) over and across said McKinnon Road, along and
10-59 with an East line of said 1,005.19 acre tract to a reentrant corner
10-60 of said 1,005.19 acre tract;
10-61 THENCE, N 88° 04' 19" E, a distance of 158.00 feet (CALLED S
10-62 89° 29' E, 158.00 feet) along and with a North line of said 1,005.19
10-63 acre tract to a point for corner;
10-64 THENCE, S 02° 14' 41" E, a distance of 2,210.40 feet (CALLED S
10-65 00° 12' W) along and with an East line of said 1,005.19 acre tract to
10-66 a point for corner;
10-67 THENCE, S 87° 14' 33" W, a distance of 4,037.52 feet over and
10-68 across said 1,005.19 acre tract, said 64.675 acre tract and along
10-69 and with the South line of said 23.675 acre tract (South line called

11-1 WEST, 964.5 feet) to a point for the Southwest corner of said 23.675
11-2 acre tract;
11-3 THENCE, N 02° 28' 27" W, a distance of 1,082.24 feet (CALLED N
11-4 00° 17' E, 1076.22 feet) along and with the West line of said 23.675
11-5 acre tract to a point for the Northwest corner of said 23.675 acre
11-6 tract and being in the South line of said 48.787 acre tract;
11-7 THENCE, S 87° 36' 19" W, a distance of 341.03 feet (CALLED
11-8 WEST) along and with the South line of said 48.787 acre tract to a
11-9 point for the Southwest corner of said 48.787 acre tract;
11-10 THENCE, N 02° 30' 41" W, a distance of 3,616.51 feet (CALLED N
11-11 00° 04' W - Vol. 302, Pg. 126; N01° 23' 50" E, - Vol. 405, Pg. 239)
11-12 along and with the West line of said 48.787 acre tract, over and
11-13 across said McKinnon Road and continuing along and with the West
11-14 line of said 186.29 acre tract to the POINT OF BEGINNING and
11-15 containing 474.4183 acres of land.
11-16 PARCEL "D" SAVE AND EXCEPT - 53.6042 ACRES:
11-17 BEING 53.6042 acres of land situated in the Jesse Thompson
11-18 Survey, Abstract No. 414 and the R.T. Van Slyke Survey, Abstract No.
11-19 407 of Waller County, Texas, said 53.6042 acres being a portion of a
11-20 called 316 acre and 88 acre tract (called 404 acres) of land
11-21 described in an instrument to R&Y Interests, Ltd., filed for record
11-22 under Vol. 553, Page 91 of the Official Public Records of Waller
11-23 County, Texas, said 53.6042 acres being all of the area of said 404
11-24 acre tract lying within the limits of Waller County, Texas, said
11-25 53.6042 acre tract being more particularly described by metes and
11-26 bounds as follows:
11-27 BEGINNING at the Northwest corner of said 316 acre tract,
11-28 same being the Northwest corner of the Jesse Thompson Survey,
11-29 Abstract No. 414 Waller County, Texas and Abstract 394, Fort Bend
11-30 County, Texas;
11-31 THENCE, N 87° 51' 52" E, (CALLED - EAST) a distance of
11-32 3,328.20 feet along and with the North line of said 316 acre tract
11-33 and said 88 acre tract to a point for corner on the Waller County
11-34 Line;
11-35 THENCE, S 65° 00' 15" W, a distance of 3,611.89 feet along and
11-36 with the Waller County Line to a point for corner in the West line of
11-37 said 316 acre tract;
11-38 THENCE, N 02° 08' 08" W, a distance of 1,403.16 feet along and
11-39 with the West line of said 316 acre tract to the POINT OF BEGINNING
11-40 and containing 53.6042 acres of land.
11-41 PARCEL "E" SAVE AND EXCEPT - 13.9598 ACRES:
11-42 BEING 13.9598 acres of land situated in the H. & T. C. R.R.
11-43 Co. Survey Section 105, Abstract No. 416, Waller County, Texas and
11-44 being that portion of a called 474.671 acre tract described in an
11-45 instrument to Silco Inc. filed for record under C.F. No. 2007009962
11-46 O.P.R.F.B.C.T lying within the limits of Waller County, Texas, said
11-47 13.9598 acre tract being more particularly described by metes and
11-48 bounds as follows:
11-49 BEGINNING at the Northwest corner of said 474.671 acre tract;
11-50 THENCE, N 87° 37' 00" E, a distance of 1,705.80 feet along and
11-51 with the North line of said 474.671 acre tract to a point for corner
11-52 on the Waller County Line;
11-53 THENCE, S 65° 00' 15" W, a distance of 1,854.29 feet along and
11-54 with the Waller County Line to a point for corner in the West line of
11-55 said 474.671 acre tract
11-56 THENCE, N 01° 54' 20" W, a distance of 712.99 feet along and
11-57 with the West line of said 474.671 acre tract to the POINT OF
11-58 BEGINNING and containing 13.9598 acres of land.
11-59 In conclusion, the herein described 1,790.6130 acre tract,
11-60 the 583.8370 acre tract and the 474.4183 acre tract SAVE AND EXCEPT
11-61 the herein described 53.6042 acre tract and the herein described
11-62 13.9598 acre tract comprise a total acreage of 2,781.3043 acres of
11-63 land for the boundary of the Fulshear Parkway Improvement District.
11-64 SECTION 3. (a) The legal notice of the intention to
11-65 introduce this Act, setting forth the general substance of this
11-66 Act, has been published as provided by law, and the notice and a
11-67 copy of this Act have been furnished to all persons, agencies,
11-68 officials, or entities to which they are required to be furnished
11-69 under Section 59, Article XVI, Texas Constitution, and Chapter 313,

12-1 Government Code.

12-2 (b) The governor, one of the required recipients, has
12-3 submitted the notice and Act to the Texas Commission on
12-4 Environmental Quality.

12-5 (c) The Texas Commission on Environmental Quality has filed
12-6 its recommendations relating to this Act with the governor,
12-7 lieutenant governor, and speaker of the house of representatives
12-8 within the required time.

12-9 (d) The general law relating to consent by political
12-10 subdivisions to the creation of districts with conservation,
12-11 reclamation, and road powers and the inclusion of land in those
12-12 districts has been complied with.

12-13 (e) All requirements of the constitution and laws of this
12-14 state and the rules and procedures of the legislature with respect
12-15 to the notice, introduction, and passage of this Act have been
12-16 fulfilled and accomplished.

12-17 SECTION 4. This Act takes effect immediately if it receives
12-18 a vote of two-thirds of all the members elected to each house, as
12-19 provided by Section 39, Article III, Texas Constitution. If this
12-20 Act does not receive the vote necessary for immediate effect, this
12-21 Act takes effect September 1, 2013.

12-22

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