

1-1 By: Hegar S.B. No. 1910
 1-2 (In the Senate - Filed April 24, 2013; April 25, 2013, read
 1-3 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 Hinojosa	X			
1-8 Nichols	X			
1-9 Garcia			X	
1-10 Paxton	X			
1-11 Taylor	X			

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

1-15 relating to the creation of the Fulshear Municipal Utility District
 1-16 No. 3; providing authority to impose taxes and issue bonds;
 1-17 granting a limited power of eminent domain.

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 8487 to read as follows:

1-21 CHAPTER 8487. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 3

1-22 SUBCHAPTER A. GENERAL PROVISIONS

1-23 Sec. 8487.001. 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 Fulshear Municipal Utility
 1-29 District No. 3.

1-30 Sec. 8487.002. 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. 8487.003. 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. 8487.004. CONSENT OF MUNICIPALITY REQUIRED. The
 1-38 temporary directors may not hold an election under Section 8487.003
 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. 8487.005. 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, improvement, operation,
 1-50 or maintenance of macadamized, graveled, or paved roads, or
 1-51 improvements, including storm drainage, in aid of those roads.

1-52 Sec. 8487.006. INITIAL DISTRICT TERRITORY. (a) The
 1-53 district is initially composed of the territory described by
 1-54 Section 2 of the Act enacting this chapter.

1-55 (b) The boundaries and field notes contained in Section 2 of
 1-56 the Act enacting this chapter form a closure. A mistake made in the
 1-57 field notes or in copying the field notes in the legislative process
 1-58 does not affect the district's:

1-59 (1) organization, existence, or validity;

1-60 (2) right to issue any type of bond for the purposes
 1-61 for which the district is created or to pay the principal of and

2-1 interest on a bond;
2-2 (3) right to impose a tax; or
2-3 (4) legality or operation.

2-4 SUBCHAPTER B. BOARD OF DIRECTORS

2-5 Sec. 8487.051. GOVERNING BODY; TERMS. (a) The district is
2-6 governed by a board of five elected directors.

2-7 (b) Except as provided by Section 8487.052, directors serve
2-8 staggered four-year terms.

2-9 Sec. 8487.052. TEMPORARY DIRECTORS. (a) On or after
2-10 September 1, 2013, the owner or owners of a majority of the assessed
2-11 value of the real property in the district may submit a petition to
2-12 the commission requesting that the commission appoint as temporary
2-13 directors the five persons named in the petition. The commission
2-14 shall appoint as temporary directors the five persons named in the
2-15 petition.

2-16 (b) Temporary directors serve until the earlier of:

2-17 (1) the date permanent directors are elected under
2-18 Section 8487.003; or

2-19 (2) September 1, 2017.

2-20 (c) If permanent directors have not been elected under
2-21 Section 8487.003 and the terms of the temporary directors have
2-22 expired, successor temporary directors shall be appointed or
2-23 reappointed as provided by Subsection (d) to serve terms that
2-24 expire on the earlier of:

2-25 (1) the date permanent directors are elected under
2-26 Section 8487.003; or

2-27 (2) the fourth anniversary of the date of the
2-28 appointment or reappointment.

2-29 (d) If Subsection (c) applies, the owner or owners of a
2-30 majority of the assessed value of the real property in the district
2-31 may submit a petition to the commission requesting that the
2-32 commission appoint as successor temporary directors the five
2-33 persons named in the petition. The commission shall appoint as
2-34 successor temporary directors the five persons named in the
2-35 petition.

2-36 SUBCHAPTER C. POWERS AND DUTIES

2-37 Sec. 8487.101. GENERAL POWERS AND DUTIES. The district has
2-38 the powers and duties necessary to accomplish the purposes for
2-39 which the district is created.

2-40 Sec. 8487.102. MUNICIPAL UTILITY DISTRICT POWERS AND
2-41 DUTIES. The district has the powers and duties provided by the
2-42 general law of this state, including Chapters 49 and 54, Water Code,
2-43 applicable to municipal utility districts created under Section 59,
2-44 Article XVI, Texas Constitution.

2-45 Sec. 8487.103. AUTHORITY FOR ROAD PROJECTS. Under Section
2-46 52, Article III, Texas Constitution, the district may design,
2-47 acquire, construct, finance, issue bonds for, improve, operate,
2-48 maintain, and convey to this state, a county, or a municipality for
2-49 operation and maintenance macadamized, graveled, or paved roads, or
2-50 improvements, including storm drainage, in aid of those roads.

2-51 Sec. 8487.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
2-52 road project must meet all applicable construction standards,
2-53 zoning and subdivision requirements, and regulations of each
2-54 municipality in whose corporate limits or extraterritorial
2-55 jurisdiction the road project is located.

2-56 (b) If a road project is not located in the corporate limits
2-57 or extraterritorial jurisdiction of a municipality, the road
2-58 project must meet all applicable construction standards,
2-59 subdivision requirements, and regulations of each county in which
2-60 the road project is located.

2-61 (c) If the state will maintain and operate the road, the
2-62 Texas Transportation Commission must approve the plans and
2-63 specifications of the road project.

2-64 Sec. 8487.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
2-65 OR RESOLUTION. The district shall comply with all applicable
2-66 requirements of any ordinance or resolution that is adopted under
2-67 Section 54.016 or 54.0165, Water Code, and that consents to the
2-68 creation of the district or to the inclusion of land in the
2-69 district.

3-1 Sec. 8487.106. DIVISION OF DISTRICT. (a) The district may
3-2 be divided into two or more new districts only if:

- 3-3 (1) the district has no outstanding bonded debt; and
- 3-4 (2) the district is not imposing ad valorem taxes.

3-5 (b) This chapter applies to any new district created by the
3-6 division of the district, and a new district has all the powers and
3-7 duties of the district.

3-8 (c) Any new district created by the division of the district
3-9 may not, at the time the new district is created, contain any land
3-10 outside the area described by Section 2 of the Act creating this
3-11 chapter.

3-12 (d) The board, on its own motion or on receipt of a petition
3-13 signed by the owner or owners of a majority of the assessed value of
3-14 the real property in the district, may adopt an order dividing the
3-15 district.

3-16 (e) The board may adopt an order dividing the district
3-17 before or after the date the board holds an election under Section
3-18 8487.151 to authorize the district's bonds.

3-19 (f) An order dividing the district shall:

- 3-20 (1) name each new district;
- 3-21 (2) include the metes and bounds description of the
3-22 territory of each new district;
- 3-23 (3) appoint temporary directors for each new district;
3-24 and
- 3-25 (4) provide for the division of assets and liabilities
3-26 between or among the new districts.

3-27 (g) On or before the 30th day after the date of adoption of
3-28 an order dividing the district, the district shall file the order
3-29 with the commission and record the order in the real property
3-30 records of each county in which the district is located.

3-31 (h) Any new district created by the division of the district
3-32 shall hold a confirmation and directors' election as required by
3-33 Section 8487.003.

3-34 (i) Any new district created by the division of the district
3-35 must hold an election as required by this chapter to obtain voter
3-36 approval before the district may impose a maintenance tax or issue
3-37 bonds payable wholly or partly from ad valorem taxes.

3-38 (j) If the creation of the new district is confirmed, the
3-39 new district shall provide the election date and results to the
3-40 commission.

3-41 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-42 Sec. 8487.151. ELECTIONS REGARDING TAXES OR BONDS.

3-43 (a) The district may issue, without an election, bonds and other
3-44 obligations secured by:

- 3-45 (1) revenue other than ad valorem taxes; or
- 3-46 (2) contract payments described by Section 8487.153.

3-47 (b) The district must hold an election in the manner
3-48 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-49 before the district may impose an ad valorem tax or issue bonds
3-50 payable from ad valorem taxes.

3-51 (c) The district may not issue bonds payable from ad valorem
3-52 taxes to finance a road project unless the issuance is approved by a
3-53 vote of a two-thirds majority of the district voters voting at an
3-54 election held for that purpose.

3-55 Sec. 8487.152. OPERATION AND MAINTENANCE TAX. (a) If

3-56 authorized at an election held under Section 8487.151, the district
3-57 may impose an operation and maintenance tax on taxable property in
3-58 the district in accordance with Section 49.107, Water Code.

3-59 (b) The board shall determine the tax rate. The rate may not
3-60 exceed the rate approved at the election.

3-61 Sec. 8487.153. CONTRACT TAXES. (a) In accordance with

3-62 Section 49.108, Water Code, the district may impose a tax other than
3-63 an operation and maintenance tax and use the revenue derived from
3-64 the tax to make payments under a contract after the provisions of
3-65 the contract have been approved by a majority of the district voters
3-66 voting at an election held for that purpose.

3-67 (b) A contract approved by the district voters may contain a
3-68 provision stating that the contract may be modified or amended by
3-69 the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-1 Sec. 8487.201. AUTHORITY TO ISSUE BONDS AND OTHER
 4-2 OBLIGATIONS. The district may issue bonds or other obligations
 4-3 payable wholly or partly from ad valorem taxes, impact fees,
 4-4 revenue, contract payments, grants, or other district money, or any
 4-5 combination of those sources, to pay for any authorized district
 4-6 purpose.

4-7 Sec. 8487.202. TAXES FOR BONDS. At the time the district
 4-8 issues bonds payable wholly or partly from ad valorem taxes, the
 4-9 board shall provide for the annual imposition of a continuing
 4-10 direct ad valorem tax, without limit as to rate or amount, while all
 4-11 or part of the bonds are outstanding as required and in the manner
 4-12 provided by Sections 54.601 and 54.602, Water Code.

4-13 Sec. 8487.203. BONDS FOR ROAD PROJECTS. At the time of
 4-14 issuance, the total principal amount of bonds or other obligations
 4-15 issued or incurred to finance road projects and payable from ad
 4-16 valorem taxes may not exceed one-fourth of the assessed value of the
 4-17 real property in the district.

4-18 SECTION 2. The Fulshear Municipal Utility District No. 3
 4-19 initially includes all the territory contained in the following
 4-20 area:

4-21 FIELD NOTES FOR A 1,354.459 ACRE TRACT OF LAND IN THE H. & T. C.
 4-22 RAILROAD COMPANY SURVEY SECTION 75, ABSTRACT 155, AND THE H. & T. C.
 4-23 RAILROAD COMPANY SURVEY SECTION 105, ABSTRACT 416, WALLER COUNTY
 4-24 TEXAS, AND THE H. & T. C. RAILROAD COMPANY SURVEY SECTION 75,
 4-25 ABSTRACT 732, THE H. & T. C. RAILROAD COMPANY SURVEY SECTION 105,
 4-26 ABSTRACT 261, THE J. G. BENNETT SURVEY, ABSTRACT 611, AND THE J. D.
 4-27 VERMILLION SURVEY, ABSTRACT 339, FORT BEND COUNTY, TEXAS, SAID
 4-28 1,354.459 ACRE TRACT BEING OUT OF THE ESTATE OF BESSIE MAE JORDAN AS
 4-29 RECORDED UNDER COUNTY CLERK'S FILE NUMBER 2000015121, OFFICIAL
 4-30 PUBLIC RECORDS, FORT BEND COUNTY, TEXAS, AND IN VOLUME 0648, PAGE
 4-31 384, OFFICIAL RECORDS, WALLER COUNTY, TEXAS, SAID 1,354.459 ACRE
 4-32 TRACT ALSO BEING COMPRISED OF THAT CERTAIN CALLED 200 ACRE TRACT
 4-33 DESCRIBED IN DEED RECORDED IN VOLUME 252, PAGE 465, DEED RECORDS,
 4-34 FORT BEND COUNTY, TEXAS, THAT CERTAIN CALLED 110 ACRE TRACT
 4-35 DESCRIBED IN DEED RECORDED IN VOLUME 252, PAGE 465, DEED RECORDS,
 4-36 FORT BEND COUNTY, TEXAS, THAT CERTAIN CALLED 137-1/2 ACRE TRACT
 4-37 DESCRIBED IN DEED RECORDED IN VOLUME 208, PAGE 635, DEED RECORDS,
 4-38 FORT BEND COUNTY, TEXAS, THAT CERTAIN CALLED 160 ACRE TRACT
 4-39 DESCRIBED IN DEED RECORDED IN VOLUME 208, PAGE 633, DEED RECORDS,
 4-40 FORT BEND COUNTY, TEXAS, THAT CERTAIN CALLED 200 ACRE TRACT
 4-41 DESCRIBED IN DEED RECORDED IN VOLUME 251, PAGE 551, DEED RECORDS,
 4-42 FORT BEND COUNTY, TEXAS, THAT CERTAIN CALLED 75.856 ACRE TRACT
 4-43 DESCRIBED IN DEED RECORDED IN VOLUME 416, PAGE 572, DEED RECORDS,
 4-44 FORT BEND COUNTY, TEXAS, THAT CERTAIN CALLED 10 ACRE TRACT
 4-45 DESCRIBED IN DEED RECORDED IN VOLUME 281, PAGE 207, DEED RECORDS,
 4-46 FORT BEND COUNTY, TEXAS, THAT CERTAIN CALLED 2.0 ACRE TRACT
 4-47 DESCRIBED IN DEED RECORDED IN VOLUME 523, PAGE 545, DEED RECORDS,
 4-48 FORT BEND COUNTY, TEXAS, THE RESIDUE OF THAT CERTAIN CALLED 40 ACRE
 4-49 TRACT DESCRIBED IN DEED RECORDED IN VOLUME 70, PAGE 68, DEED
 4-50 RECORDS, FORT BEND COUNTY, TEXAS, AND THE RESIDUE OF THE H. & T. C.
 4-51 RAILROAD COMPANY SURVEY SECTION 75, ABSTRACT 155, WALLER COUNTY
 4-52 TEXAS, AND ABSTRACT 732, FORT BEND COUNTY, TEXAS, WITH ALL BEARINGS
 4-53 BEING GRID AND COORDINATES BEING TEXAS STATE PLANE, SOUTH CENTRAL
 4-54 ZONE, NAD83, BASED UPON GPS OBSERVATIONS OF N.G.S. TRIANGULATION
 4-55 STATION "BROOKSHIRE", SCALE FACTOR USED = 0.99988896.

4-56 COMMENCING at a 1/2 inch iron pipe with cap marked "Kalkomey
 4-57 Surveying" found on the common line of the H. & T. C. Railroad
 4-58 Company Survey Section 75, Abstract 155, Waller County, Texas, and
 4-59 Abstract 732, Fort Bend County, Texas, and the adjoining H. & T. C.
 4-60 Railroad Company Survey Section 76, Abstract 322, Waller County,
 4-61 Texas, and Abstract 764, Fort Bend County, Texas, at its
 4-62 intersection with the east right-of-way line of Woods Road (80-foot
 4-63 wide), said point being the southwest corner of an adjoining called
 4-64 280.3406 acre tract described in deed recorded in Volume 0817, Page
 4-65 027, Official Records, Waller County, Texas, and being in the north
 4-66 line of Jordan Road (70-foot wide private road), said point having
 4-67 coordinates of X = 2,945,451.66, Y = 13,835,816.55;
 4-68 THENCE North 88 degrees 02 minutes 42 seconds East (adjoiner called
 4-69

5-1 North 88 degrees 02 minutes 42 seconds East) along the common line
5-2 of the H. & T. C. Railroad Company Survey Section 75, and said
5-3 adjoining H. & T. C. Railroad Company Survey Section 76, at 270.00
5-4 feet pass a 1/2 inch iron pipe with cap marked "Kalkomey Surveying"
5-5 set on said line for the northwest corner of an adjoining 15.396
5-6 acre tract surveyed by the undersigned this date, and continuing
5-7 for a total distance of 1,000.45 feet to a 1/2 inch iron pipe with
5-8 cap marked "Kalkomey Surveying" set on said line for a northwest
5-9 corner and Place of Beginning of the herein described 1,354.459
5-10 acre tract, same being the northeast corner of said adjoining
5-11 15.396 acre tract;
5-12 THENCE North 88 degrees 02 minutes 42 seconds East (adjoiner called
5-13 North 88 degrees 02 minutes 42 seconds East) continuing along said
5-14 common line, being the north line of the residue of said called 40
5-15 acre tract and the north line of said residue of the H. & T. C.
5-16 Railroad Company Survey Section 75, same being the south line of
5-17 said adjoining called 280.3406 acre tract, 5,016.89 feet to a 3/4
5-18 inch iron pipe found for reentry corner to the herein described
5-19 tract, said point being the northeast corner of said residue of the
5-20 H. & T. C. Railroad Company Survey Section 75, same being the
5-21 southeast corner of the H. & T. C. Railroad Company Survey Section
5-22 76, and the southeast corner of said adjoining called 280.3406 acre
5-23 tract, and being in the west line of the H. & T. C. Railroad Company
5-24 Survey Section 105, Abstract 416, Waller County, Texas, and
5-25 Abstract 261, Fort Bend County, Texas, same being the west line of
5-26 said called 200 acre tract recorded in Volume 252, Page 465, Deed
5-27 Records, Fort Bend County, Texas;
5-28 THENCE North 01 degree 54 minutes 20 seconds West (adjoiner called
5-29 North 01 degree 54 minutes 20 seconds West) along the common line of
5-30 the H. & T. C. Railroad Company Survey Section 105, and the H. & T.
5-31 C. Railroad Company Survey Section 76, same being the common line of
5-32 the herein described tract and said adjoining called 280.3406 acre
5-33 tract, 1,520.90 feet to a 1/2 inch iron pipe with cap marked
5-34 "Kalkomey Surveying" set for the upper northwest corner of the
5-35 herein described tract, the northwest corner of said called 200
5-36 acre tract, and the northwest corner of the H. & T. C. Railroad
5-37 Company Survey Section 105, same being the southwest corner of the
5-38 adjoining J. G. Bennett Survey, Abstract 292, Waller County, Texas,
5-39 and Abstract 568, Fort Bend County, Texas, and the southwest corner
5-40 of an adjoining called 261.701 acre tract described in deed
5-41 recorded in Volume 0808, Page 067, Official Records, Waller County,
5-42 Texas;
5-43 THENCE North 87 degrees 37 minutes 00 seconds East (called East,
5-44 adjoiner called North 87 degrees 37 minutes 00 seconds East) along
5-45 the common line of the H. & T. C. Railroad Company Survey Section
5-46 105, and the J. G. Bennett Survey, same being the common line of the
5-47 herein described tract and said adjoining called 261.701 acre
5-48 tract, 2,705.78 feet (called 950 varas, 2,638.89 feet, adjoiner
5-49 called 2,705.78 feet) to a 1/2 inch iron pipe with cap marked
5-50 "Kalkomey Surveying" found on said line for angle point, said point
5-51 being the northeast corner of the H. & T. C. Railroad Company Survey
5-52 Section 105, same being the northwest corner of the J. G. Bennett
5-53 Survey, Abstract 611, Fort Bend County, Texas, said point also
5-54 being the northeast corner of said called 200 acre tract recorded in
5-55 Volume 252, Page 465, Deed Records, Fort Bend County, Texas, same
5-56 being the northwest corner of said called 160 acre tract recorded in
5-57 Volume 200 date, Page 635, Deed Records, Fort Bend County, Texas;
5-58 THENCE North 87 degrees 31 minutes 40 seconds East (called North 89
5-59 degrees 40 minutes East, adjoiner called North 87 degrees 31
5-60 minutes 44 seconds East) along the common line of the J. G. Bennett
5-61 Survey, Abstract 611, and the J. G. Bennett Survey, Abstract 568,
5-62 same being the common line of the herein described tract and said
5-63 adjoining called 261.701 acre tract, 2,597.32 feet (called 2,640
5-64 feet, adjoiner called 2,597.32 feet) to a 12-inch square concrete
5-65 post found on said line for angle point, being the northeast corner
5-66 of said called 160 acre tract (Volume 208, Page 635, Deed Records,
5-67 Fort Bend County, Texas), the southeast corner of said adjoining
5-68 called 261.701 acre tract, the southwest corner of an adjoining
5-69 called 316 acre tract described in deed recorded in Volume 0553,

6-1 Page 088, Official Records, Waller County, Texas, and the northwest
6-2 corner of said called 75.856 acre tract recorded in Volume 416, Page
6-3 572, Deed Records, Fort Bend County, Texas, said point also being
6-4 the northeast corner of the J. G. Bennett Survey, Abstract 611, the
6-5 southeast corner of the J. G. Bennett Survey, Abstract 568, the
6-6 southwest corner of the Jesse Thompson Survey, Abstract 292 and the
6-7 northwest corner of the J. D. Vermillion Survey, Abstract 339;
6-8 THENCE North 87 degrees 49 minutes 24 seconds East (adjoiner called
6-9 East) along the common line of the J. D. Vermillion Survey, Abstract
6-10 339, and the Jesse Thompson Survey, Abstract 292, same being the
6-11 common line of the herein described tract and said adjoining called
6-12 316 acre tract, 1,888.76 feet (called 1,910.87 feet) to a 5/8 inch
6-13 iron rod with cap marked "Cotton Surveying" inside a 1-inch iron
6-14 pipe found for the upper northeast corner of the herein described
6-15 tract and the northeast corner of said called 75.856 acre tract,
6-16 same being the northwest corner of an adjoining called 430.083 acre
6-17 tract described in deed recorded in Volume 2185, Page 899, Official
6-18 Records, Fort Bend County, Texas;
6-19 THENCE South 02 degrees 10 minutes 37 seconds East (called South,
6-20 adjoiner called South 00 degrees 08 minutes 16 seconds East) along
6-21 the common line of the herein described tract and said adjoining
6-22 called 430.083 acre tract, 2,024.61 feet (called 2,002.77 feet,
6-23 adjoiner called 2,024.13 feet) to a 1-inch iron pipe found for
6-24 reentry corner to the herein described tract, same being the upper
6-25 southwest corner of said adjoining called 430.083 acre tract, said
6-26 point also being the southeast corner of said called 75.856 acre
6-27 tract, and being in the north line of said called 200 acre tract
6-28 recorded in Volume 251, Page 551, Deed Records, Fort Bend County,
6-29 Texas;
6-30 THENCE North 87 degrees 53 minutes 34 seconds East (called East,
6-31 adjoiner called North 89 degrees 55 minutes 56 seconds East)
6-32 continuing along said common line, being the north line of said
6-33 called 200 acre tract, 894.07 feet (adjoiner called 894.11 feet) to
6-34 a 3/4 inch iron pipe found for the lower northeast corner of the
6-35 herein described tract and the northeast corner of said called 200
6-36 acre tract, same being a reentry corner to said adjoining called
6-37 430.083 acre tract;
6-38 THENCE South 01 degree 56 minutes 47 seconds East (called South,
6-39 adjoiner called South 00 degrees 02 minutes 54 seconds West)
6-40 continuing along said common line, 3,119.21 feet (called 3,122.2
6-41 feet, adjoiner called 3,120.16 feet) to a 1-inch iron pipe found for
6-42 the most easterly southeast corner of the herein described tract
6-43 and the southeast corner of said called 200 acre tract, same being
6-44 the lower southwest corner of said adjoining called 430.083 acre
6-45 tract, and being in the north line of an adjoining called 685.9742
6-46 acre tract described in deed recorded under County Clerk's File
6-47 Number 2004061394, Official Public Records, Fort Bend County,
6-48 Texas;
6-49 THENCE South 87 degrees 51 minutes 51 seconds West (called West,
6-50 adjoiner called South 89 degrees 51 minutes 39 seconds West) along
6-51 the common line of the herein described tract and said adjoining
6-52 called 685.9742 acre tract, 2,792.12 feet (called 2,794.44 feet,
6-53 adjoiner called 2,793.03 feet) to a 1-1/4 inch iron pipe found for
6-54 the most easterly southwest corner of the herein described tract
6-55 and the southwest corner of said called 200 acre tract, same being
6-56 the northwest corner of said adjoining called 685.9742 acre tract,
6-57 and being in the east line of an adjoining called 473.246 acre tract
6-58 described in deed recorded in Volume 528, Page 132, Deed Records,
6-59 Fort Bend County, Texas, said point also being in the west line of
6-60 the J. D. Vermillion Survey, Abstract 339, same being the east line
6-61 of the J. G. Bennett Survey, Abstract 611;
6-62 THENCE North 01 degree 56 minutes 18 seconds West (called North,
6-63 adjoiner called North 00 degrees 31 minutes 25 seconds West) along
6-64 common line of the J. D. Vermillion Survey, Abstract 339, and the J.
6-65 G. Bennett Survey, Abstract 611, same being the common line of the
6-66 herein described tract and said adjoining called 473.246 acre
6-67 tract, 2,445.26 feet (adjoiner called 2,445.70 feet) to a 1/2 inch
6-68 iron pipe with cap marked "Kalkomey Surveying" set at a 1-1/4 inch
6-69 iron pipe found disturbed for a reentry corner to the herein

7-1 described tract, same being the northeast corner of said adjoining
7-2 called 473.2466 tract, said point also being the southeast corner
7-3 of said called 160 acre tract, and being in the west line of said
7-4 called 200 acre tract (Volume 251, Page 551, Deed Records, Fort Bend
7-5 County, Texas);
7-6 THENCE South 87 degrees 14 minutes 39 seconds West (called South 89
7-7 degrees 40 minutes West, adjoiner called South 88 degrees 40
7-8 minutes 50 seconds West) along the common line of the herein
7-9 described tract and said adjoining called 473.246 acre tract,
7-10 2,533.40 feet (called 2,640 feet, adjoiner called 2,533.40 feet) to
7-11 a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" set for
7-12 reentry corner to the herein described tract, same being the
7-13 northwest corner of said adjoining called 473.246 acre tract, said
7-14 point being the southwest corner of said called 160 acre tract, and
7-15 being in the east line of said called 200 acre tract recorded in
7-16 Volume 252, Page 465, Deed Records, Fort Bend County, Texas, said
7-17 point also being in the west line of the J. G. Bennett Survey,
7-18 Abstract 611, and the H. & T. C. Railroad Company Survey Section
7-19 105;
7-20 THENCE South 01 degree 54 minutes 43 seconds East (called South,
7-21 adjoiner called South 00 degrees 57 minutes 52 seconds East) along
7-22 the common line of the herein described tract and said adjoining
7-23 called 473.246 acre tract, same being the common line of the J. G.
7-24 Bennett Survey, Abstract 611, and the H. & T. C. Railroad Company
7-25 Survey Section 105, Abstract 261, same being the east line of said
7-26 called 200 acre tract (Volume 252, Page 465, Deed Records, Fort Bend
7-27 County, Texas), and the east line of said called 110 acre tract,
7-28 2,397.64 feet (adjoiner called 2,398.52 feet) to a 1-1/4 inch iron
7-29 pipe found on said line for angle point, said point being the
7-30 southeast corner of said called 110 acre tract, same being the
7-31 northeast corner of said called 137-1/2 acre tract;
7-32 THENCE South 01 degree 12 minutes 21 seconds East (called South,
7-33 adjoiner called South 00 degrees 18 minutes 20 seconds West)
7-34 continuing along the common line of the herein described tract and
7-35 said adjoining called 473.246 acre tract, same being the common
7-36 line of the J. G. Bennett Survey, Abstract 611, and the H. & T. C.
7-37 Railroad Company Survey Section 105, and along the east line of said
7-38 called 137-1/2 acre tract, 2,565.81 feet (called 817 varas,
7-39 2,269.44 feet, adjoiner called 2,766.96 feet) to a 3/4 inch iron
7-40 pipe found for the occupied lower southeast corner of the herein
7-41 described tract and the occupied southeast corner of said called
7-42 137-1/2 acre tract, same being the occupied northeast corner of an
7-43 adjoining called 192.50 acre tract described in deed recorded in
7-44 Volume 661, Page 696, Deed Records, Fort Bend County, Texas, said
7-45 point having coordinates of X = 2,954,406.59, Y = 13,829,987.63;
7-46 THENCE North 86 degrees 18 minutes 38 seconds West (called West)
7-47 along the occupied common line of the herein described tract and
7-48 said adjoining called 192.50 acre tract, same being the occupied
7-49 south line of said called 137-1/2 acre tract, 2,736.49 feet (called
7-50 950 varas, 2,638.89 feet) to a 1/2 inch iron pipe with cap marked
7-51 "Kalkomey Surveying" set for the occupied lower southwest corner of
7-52 the herein described tract and the occupied southwest corner of
7-53 said called 137-1/2 acre tract, same being the occupied northwest
7-54 corner of said adjoining called 192.50 acre tract, said point also
7-55 being in the east line of an adjoining called 1,316.47 acre tract
7-56 described in deed recorded in Volume 671, Page 310, Deed Records,
7-57 Fort Bend County, Texas, same being the common line of the H. & T. C.
7-58 Railroad Company Survey Section 105, Abstract 261, and the Micajah
7-59 Autrey Survey, Abstract 100, Fort Bend County, Texas;
7-60 THENCE North 01 degree 59 minutes 02 seconds West (called North)
7-61 along the lower west line of the herein described tract, being the
7-62 west line of the H. & T. C. Railroad Company Survey Section 105, the
7-63 west line of said called 137-1/2 acre tract, and the west line of
7-64 said called 110 acre tract, same being the east line of said
7-65 adjoining called 1,316.47 acre tract, the east line of the Micajah
7-66 Autrey Survey, Abstract 100, and the east line of the H. & T. C.
7-67 Railroad Company Survey Section 75, Abstract 732, Fort Bend County,
7-68 Texas, 2,434.00 feet to a 2-inch iron pipe found for reentry corner
7-69 to the herein described tract, same being the northeast corner of

8-1 said adjoining called 1,316.47 acre tract, and the southeast corner
8-2 of the aforementioned residue of the H. & T. C. Railroad Company
8-3 Survey Section 75, said point being in the west line of said called
8-4 110 acre tract, same being the common line of the H. & T. C. Railroad
8-5 Company Survey Section 105, Abstract 261, and the H. & T. C.
8-6 Railroad Company Survey Section 75, Abstract 732, Fort Bend County,
8-7 Texas;
8-8 THENCE South 87 degrees 38 minutes 20 seconds West (adjoiner called
8-9 South 89 degrees 12 minutes 37 seconds West) along the common line
8-10 of the herein described tract and said adjoining called 1,316.47
8-11 acre tract, 4,988.30 feet to a 1/2 inch iron pipe with cap marked
8-12 "Kalkomey Surveying" set on said line for corner, said point being
8-13 the southeast corner of an adjoining 10.00 acre tract surveyed by
8-14 the undersigned this date;
8-15 THENCE North 02 degrees 36 minutes 12 seconds West along the common
8-16 line of the herein described tract and said adjoining 10.00 acre
8-17 tract, 435.60 feet to a 1/2 inch iron pipe with cap marked "Kalkomey
8-18 Surveying" set for reentry corner to the herein described tract,
8-19 same being the northeast corner of said adjoining 10.00 acre tract;
8-20 THENCE South 87 degrees 38 minutes 20 seconds West continuing along
8-21 said common line, 1,000.00 feet to a 1/2 inch iron pipe with cap
8-22 marked "Kalkomey Surveying" set for the most westerly southwest
8-23 corner of the herein described tract, same being the northwest
8-24 corner of said adjoining 10.00 acre tract, and being in the east
8-25 right-of-way line of Woods Road;
8-26 THENCE North 02 degrees 36 minutes 12 seconds West along the most
8-27 westerly west line of the herein described tract, same being the
8-28 east right-of-way line of Woods Road, 1,146.34 feet to a 1/2 inch
8-29 iron pipe found for corner of the herein described tract, being the
8-30 southwest corner of an adjoining called 1.0 acre tract described in
8-31 deed recorded in Volume 0676, Page 580, Official Records, Waller
8-32 County, Texas, and County Clerk's File Number 2000050964, Official
8-33 Public Records, Fort Bend County, Texas;
8-34 THENCE North 87 degrees 22 minutes 09 seconds East along the common
8-35 line of the herein described tract and said adjoining called 1.0
8-36 acre tract, at 211.82 feet pass a 1/2 inch iron pipe found on said
8-37 line for the southeast corner of said adjoining called 1.0 acre
8-38 tract, same being the southwest corner of an adjoining called 4.00
8-39 acre tract described in deed recorded in Volume 0651, Page 148,
8-40 Official Records, Waller County, Texas, and County Clerk's File
8-41 Number 2000050963, Official Public Records, Fort Bend County,
8-42 Texas, and continuing for a total distance of 461.91 feet to a 1/2
8-43 inch iron pipe with cap marked "Kalkomey Surveying" found for
8-44 reentry corner to the herein described tract, same being the
8-45 southeast corner of said adjoining called 4.00 acre tract;
8-46 THENCE North 02 degrees 36 minutes 57 seconds West along the common
8-47 line the herein described tract and said adjoining called 4.00 acre
8-48 tract, at 696.74 feet pass a 1/2 inch iron pipe with cap marked
8-49 "Kalkomey Surveying" found on said line for the northeast corner of
8-50 said adjoining called 4.00 acre tract, same being the southeast
8-51 corner of an adjoining 3.922 acre tract surveyed by the undersigned
8-52 this date, and continuing for a total distance of 853.82 feet to a
8-53 1/2 inch iron pipe with cap marked "Kalkomey Surveying" set for a
8-54 northwest corner of the herein described tract, same being the
8-55 lower southwest corner of the aforementioned adjoining 15.396 acre
8-56 tract surveyed by the undersigned this date, and being in the east
8-57 line of said adjoining 3.922 acre tract;
8-58 THENCE North 88 degrees 02 minutes 42 seconds East along the common
8-59 line of the herein described tract and said adjoining 15.396 acre
8-60 tract, 540.44 feet to a 1/2 inch iron pipe with cap marked "Kalkomey
8-61 Surveying" set for reentry corner to the herein described tract,
8-62 same being the southeast corner of said adjoining 15.396 acre
8-63 tract;
8-64 THENCE North 02 degrees 42 minutes 01 second West continuing along
8-65 said common line, at 960.06 feet pass a 1/2 inch iron pipe with cap
8-66 marked "Kalkomey Surveying" set on said line at its intersection
8-67 with the south margin of Jordan Road, and continuing for a total
8-68 distance of 1,030.06 feet to the Place of Beginning and containing
8-69 1,354.459 acres of land, more or less.

9-1 SECTION 3. (a) The legal notice of the intention to
9-2 introduce this Act, setting forth the general substance of this
9-3 Act, has been published as provided by law, and the notice and a
9-4 copy of this Act have been furnished to all persons, agencies,
9-5 officials, or entities to which they are required to be furnished
9-6 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
9-7 Government Code.

9-8 (b) The governor, one of the required recipients, has
9-9 submitted the notice and Act to the Texas Commission on
9-10 Environmental Quality.

9-11 (c) The Texas Commission on Environmental Quality has filed
9-12 its recommendations relating to this Act with the governor, the
9-13 lieutenant governor, and the speaker of the house of
9-14 representatives within the required time.

9-15 (d) All requirements of the constitution and laws of this
9-16 state and the rules and procedures of the legislature with respect
9-17 to the notice, introduction, and passage of this Act are fulfilled
9-18 and accomplished.

9-19 SECTION 4. (a) If this Act does not receive a two-thirds
9-20 vote of all the members elected to each house, Subchapter C, Chapter
9-21 8487, Special District Local Laws Code, as added by Section 1 of
9-22 this Act, is amended by adding Section 8487.107 to read as follows:

9-23 Sec. 8487.107. NO EMINENT DOMAIN POWER. The district may
9-24 not exercise the power of eminent domain.

9-25 (b) This section is not intended to be an expression of a
9-26 legislative interpretation of the requirements of Subsection (c),
9-27 Section 17, Article I, Texas Constitution.

9-28 SECTION 5. This Act takes effect September 1, 2013.

9-29 * * * * *