

1-1 By: Hegar S.B. No. 1921  
 1-2 (In the Senate - Filed May 9, 2013; May 9, 2013, read first  
 1-3 time and referred to Committee on Economic Development;  
 1-4 May 13, 2013, reported favorably by the following vote:  
 1-5 Yeas 5, Nays 0; May 13, 2013, sent to printer.)

1-6 COMMITTEE VOTE

|              | Yea | Nay | Absent | PNV |
|--------------|-----|-----|--------|-----|
| 1-7 Deuell   | X   |     |        |     |
| 1-8 Hancock  | X   |     |        |     |
| 1-9 Birdwell |     |     | X      |     |
| 1-10 Davis   | X   |     |        |     |
| 1-11 Eltife  | X   |     |        |     |
| 1-12 Fraser  | X   |     |        |     |
| 1-13 Watson  |     |     | X      |     |

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

1-17 relating to the creation of Kendleton 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 3928 to read as follows:

1-23 CHAPTER 3928. KENDLETON IMPROVEMENT DISTRICT  
 1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 3928.001. DEFINITIONS. In this chapter:

- 1-26 (1) "Board" means the district's board of directors.
- 1-27 (2) "City" means the City of Kendleton.
- 1-28 (3) "County" means Fort Bend County.
- 1-29 (4) "Director" means a board member.
- 1-30 (5) "District" means the Kendleton Improvement

1-31 District.

1-32 Sec. 3928.002. NATURE OF DISTRICT. The Kendleton  
 1-33 Improvement District is a special district created under Section  
 1-34 59, Article XVI, Texas Constitution.

1-35 Sec. 3928.003. PURPOSE; DECLARATION OF INTENT. (a) The  
 1-36 creation of the district is essential to accomplish the purposes of  
 1-37 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
 1-38 Texas Constitution, and other public purposes stated in this  
 1-39 chapter. By creating the district and in authorizing the city, the  
 1-40 county, and other political subdivisions to contract with the  
 1-41 district, the legislature has established a program to accomplish  
 1-42 the public purposes set out in Section 52-a, Article III, Texas  
 1-43 Constitution.

1-44 (b) The creation of the district is necessary to promote,  
 1-45 develop, encourage, and maintain employment, commerce,  
 1-46 transportation, housing, tourism, recreation, the arts,  
 1-47 entertainment, economic development, safety, and the public  
 1-48 welfare in the district.

1-49 (c) This chapter and the creation of the district may not be  
 1-50 interpreted to relieve the city or the county from providing the  
 1-51 level of services provided as of the effective date of the Act  
 1-52 enacting this chapter to the area in the district. The district is  
 1-53 created to supplement and not to supplant city or county services  
 1-54 provided in the district.

1-55 Sec. 3928.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-56 (a) The district is created to serve a public use and benefit.

1-57 (b) All land and other property included in the district  
 1-58 will benefit from the improvements and services to be provided by  
 1-59 the district under powers conferred by Sections 52 and 52-a,  
 1-60 Article III, and Section 59, Article XVI, Texas Constitution, and  
 1-61 other powers granted under this chapter.

2-1 (c) The creation of the district is in the public interest  
2-2 and is essential to further the public purposes of:

2-3 (1) developing and diversifying the economy of the  
2-4 state;

2-5 (2) eliminating unemployment and underemployment; and

2-6 (3) developing or expanding transportation and  
2-7 commerce.

2-8 (d) The district will:

2-9 (1) promote the health, safety, and general welfare of  
2-10 residents, employers, potential employees, employees, visitors,  
2-11 and consumers in the district, and of the public;

2-12 (2) provide needed funding for the district to  
2-13 preserve, maintain, and enhance the economic health and vitality of  
2-14 the district territory as a community and business center;

2-15 (3) promote the health, safety, welfare, and enjoyment  
2-16 of the public by providing pedestrian ways and by landscaping and  
2-17 developing certain areas in the district, which are necessary for  
2-18 the restoration, preservation, and enhancement of scenic beauty;  
2-19 and

2-20 (4) provide for water, wastewater, drainage, road,  
2-21 rail, and recreational facilities for the district.

2-22 (e) Pedestrian ways along or across a street, whether at  
2-23 grade or above or below the surface, and street lighting, street  
2-24 landscaping, parking, and street art objects are parts of and  
2-25 necessary components of a street and are considered to be a street  
2-26 or road improvement.

2-27 (f) The district will not act as the agent or  
2-28 instrumentality of any private interest even though the district  
2-29 will benefit many private interests as well as the public.

2-30 Sec. 3928.005. INITIAL DISTRICT TERRITORY. (a) The  
2-31 district is initially composed of the territory described by  
2-32 Section 2 of the Act enacting this chapter.

2-33 (b) The boundaries and field notes contained in Section 2 of  
2-34 the Act enacting this chapter form a closure. A mistake in the  
2-35 field notes or in copying the field notes in the legislative process  
2-36 does not affect the district's:

2-37 (1) organization, existence, or validity;

2-38 (2) right to issue any type of bonds for the purposes  
2-39 for which the district is created or to pay the principal of and  
2-40 interest on the bonds;

2-41 (3) right to impose or collect an assessment or tax; or

2-42 (4) legality or operation.

2-43 Sec. 3928.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.  
2-44 All or any part of the area of the district is eligible to be  
2-45 included in:

2-46 (1) a tax increment reinvestment zone created under  
2-47 Chapter 311, Tax Code;

2-48 (2) a tax abatement reinvestment zone created under  
2-49 Chapter 312, Tax Code;

2-50 (3) an enterprise zone created under Chapter 2303,  
2-51 Government Code; or

2-52 (4) an industrial district created under Chapter 42,  
2-53 Local Government Code.

2-54 Sec. 3928.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
2-55 DISTRICTS LAW. Except as otherwise provided by this chapter,  
2-56 Chapter 375, Local Government Code, applies to the district.

2-57 Sec. 3928.008. CONSTRUCTION OF CHAPTER. This chapter shall  
2-58 be liberally construed in conformity with the findings and purposes  
2-59 stated in this chapter.

2-60 SUBCHAPTER B. BOARD OF DIRECTORS

2-61 Sec. 3928.051. GOVERNING BODY; TERMS. (a) The district is  
2-62 governed by a board of five voting directors who serve staggered  
2-63 terms of four years, with two or three directors' terms expiring  
2-64 June 1 of each odd-numbered year.

2-65 (b) The board by resolution may change the number of voting  
2-66 directors on the board if the board determines that the change is in  
2-67 the best interest of the district. The board may not consist of  
2-68 fewer than 5 or more than 15 directors.

2-69 Sec. 3928.052. APPOINTMENT OF VOTING DIRECTORS. The Texas

3-1 Commission on Environmental Quality shall appoint voting directors  
 3-2 from persons recommended by the board.

3-3 Sec. 3928.053. NONVOTING DIRECTORS. The board may appoint  
 3-4 nonvoting directors to serve at the pleasure of the voting  
 3-5 directors.

3-6 Sec. 3928.054. QUORUM. For purposes of determining the  
 3-7 requirements for a quorum of the board, the following are not  
 3-8 counted:

3-9 (1) a board position vacant for any reason, including  
 3-10 death, resignation, or disqualification;

3-11 (2) a director who is abstaining from participation in  
 3-12 a vote because of a conflict of interest; or

3-13 (3) a nonvoting director.

3-14 Sec. 3928.055. COMPENSATION. A director is entitled to  
 3-15 receive fees of office and reimbursement for actual expenses as  
 3-16 provided by Section 49.060, Water Code. Sections 375.069 and  
 3-17 375.070, Local Government Code, do not apply to the board.

3-18 Sec. 3928.056. INITIAL VOTING DIRECTORS. (a) The initial  
 3-19 board consists of the following directors:

| <u>Pos. No.</u> | <u>Name of Director</u> |
|-----------------|-------------------------|
| 1.              | Bouche Mickey           |
| 2.              | Abe Soloman             |
| 3.              | Kanzetta Allen          |
| 4.              | Christopher Humphrey    |
| 5.              | Melvin Petitt           |

3-26 (b) Of the initial directors, the terms of directors  
 3-27 appointed for positions one through three expire June 1, 2015, and  
 3-28 the terms of directors appointed for positions four and five expire  
 3-29 June 1, 2017.

3-30 (c) Section 3928.052 does not apply to this section.

3-31 (d) This section expires September 1, 2017.

3-32 SUBCHAPTER C. POWERS AND DUTIES

3-33 Sec. 3928.101. GENERAL POWERS AND DUTIES. The district has  
 3-34 the powers and duties necessary to accomplish the purposes for  
 3-35 which the district is created.

3-36 Sec. 3928.102. IMPROVEMENT PROJECTS AND SERVICES. The  
 3-37 district may provide, design, construct, acquire, improve,  
 3-38 relocate, operate, maintain, or finance an improvement project or  
 3-39 service using any money available to the district, or contract with  
 3-40 a governmental or private entity to provide, design, construct,  
 3-41 acquire, improve, relocate, operate, maintain, or finance an  
 3-42 improvement project or service authorized under this chapter or  
 3-43 Chapter 375, Local Government Code.

3-44 Sec. 3928.103. RAIL FACILITIES. The district may  
 3-45 construct, acquire, improve, maintain, and operate rail facilities  
 3-46 and improvements in aid of those facilities.

3-47 Sec. 3928.104. DEVELOPMENT CORPORATION POWERS. The  
 3-48 district, using money available to the district, may exercise the  
 3-49 powers given to a development corporation under Chapter 505, Local  
 3-50 Government Code, including the power to own, operate, acquire,  
 3-51 construct, lease, improve, or maintain a project under that  
 3-52 chapter.

3-53 Sec. 3928.105. NONPROFIT CORPORATION. (a) The board by  
 3-54 resolution may authorize the creation of a nonprofit corporation to  
 3-55 assist and act for the district in implementing a project or  
 3-56 providing a service authorized by this chapter.

3-57 (b) The nonprofit corporation:

3-58 (1) has each power of and is considered to be a local  
 3-59 government corporation created under Subchapter D, Chapter 431,  
 3-60 Transportation Code; and

3-61 (2) may implement any project and provide any service  
 3-62 authorized by this chapter.

3-63 (c) The board shall appoint the board of directors of the  
 3-64 nonprofit corporation. The board of directors of the nonprofit  
 3-65 corporation shall serve in the same manner as the board of directors  
 3-66 of a local government corporation created under Subchapter D,  
 3-67 Chapter 431, Transportation Code, except that a board member is not  
 3-68 required to reside in the district.

3-69 Sec. 3928.106. AGREEMENTS; GRANTS. (a) As provided by

4-1 Chapter 375, Local Government Code, the district may make an  
4-2 agreement with or accept a gift, grant, or loan from any person.

4-3 (b) The implementation of a project is a governmental  
4-4 function or service for the purposes of Chapter 791, Government  
4-5 Code.

4-6 Sec. 3928.107. LAW ENFORCEMENT SERVICES. To protect the  
4-7 public interest, the district may contract with a qualified party,  
4-8 including the county or the city, to provide law enforcement  
4-9 services in the district for a fee.

4-10 Sec. 3928.108. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
4-11 district may join and pay dues to a charitable or nonprofit  
4-12 organization that performs a service or provides an activity  
4-13 consistent with the furtherance of a district purpose.

4-14 Sec. 3928.109. ECONOMIC DEVELOPMENT. (a) The district may  
4-15 engage in activities that accomplish the economic development  
4-16 purposes of the district.

4-17 (b) The district may establish and provide for the  
4-18 administration of one or more programs to promote state or local  
4-19 economic development and to stimulate business and commercial  
4-20 activity in the district, including programs to:

4-21 (1) make loans and grants of public money; and

4-22 (2) provide district personnel and services.

4-23 (c) The district may create economic development programs  
4-24 and exercise the economic development powers provided to  
4-25 municipalities by:

4-26 (1) Chapter 380, Local Government Code; and

4-27 (2) Subchapter A, Chapter 1509, Government Code.

4-28 Sec. 3928.110. PARKING FACILITIES. (a) The district may  
4-29 acquire, lease as lessor or lessee, construct, develop, own,  
4-30 operate, and maintain parking facilities or a system of parking  
4-31 facilities, including lots, garages, parking terminals, or other  
4-32 structures or accommodations for parking motor vehicles off the  
4-33 streets and related appurtenances.

4-34 (b) The district's parking facilities serve the public  
4-35 purposes of the district and are owned, used, and held for a public  
4-36 purpose even if leased or operated by a private entity for a term of  
4-37 years.

4-38 (c) The district's parking facilities are parts of and  
4-39 necessary components of a street and are considered to be a street  
4-40 or road improvement.

4-41 (d) The development and operation of the district's parking  
4-42 facilities may be considered an economic development program.

4-43 Sec. 3928.111. STRATEGIC PARTNERSHIP AGREEMENT. The  
4-44 district may negotiate and enter into a written strategic  
4-45 partnership agreement under Section 43.0751, Local Government  
4-46 Code, with a municipality in whose extraterritorial jurisdiction  
4-47 the district is located.

4-48 Sec. 3928.112. ANNEXATION OR EXCLUSION OF LAND. (a) The  
4-49 district may annex land as provided by Subchapter J, Chapter 49,  
4-50 Water Code.

4-51 (b) The district may exclude land as provided by Subchapter  
4-52 J, Chapter 49, Water Code. Section 375.044(b), Local Government  
4-53 Code, does not apply to the district.

4-54 Sec. 3928.113. NO EMINENT DOMAIN POWER. The district may  
4-55 not exercise the power of eminent domain.

4-56 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

4-57 Sec. 3928.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
4-58 board by resolution shall establish the number of directors'  
4-59 signatures and the procedure required for a disbursement or  
4-60 transfer of district money.

4-61 Sec. 3928.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
4-62 The district may acquire, construct, finance, operate, or maintain  
4-63 any improvement or service authorized under this chapter or Chapter  
4-64 375, Local Government Code, using any money available to the  
4-65 district.

4-66 Sec. 3928.153. PETITION REQUIRED FOR FINANCING SERVICES AND  
4-67 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
4-68 service or improvement project with assessments under this chapter  
4-69 unless a written petition requesting that service or improvement

5-1 has been filed with the board.

5-2 (b) A petition filed under Subsection (a) must be signed by  
5-3 the owners of a majority of the assessed value of real property in  
5-4 the district subject to assessment according to the most recent  
5-5 certified tax appraisal roll for the county.

5-6 Sec. 3928.154. METHOD OF NOTICE FOR HEARING. The district  
5-7 may mail the notice required by Section 375.115(c), Local  
5-8 Government Code, by certified or first class United States mail.  
5-9 The board shall determine the method of notice.

5-10 Sec. 3928.155. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The  
5-11 board by resolution may impose and collect an assessment for any  
5-12 purpose authorized by this chapter in all or any part of the district.

5-13 (b) An assessment, a reassessment, or an assessment  
5-14 resulting from an addition to or correction of the assessment roll  
5-15 by the district, penalties and interest on an assessment or  
5-16 reassessment, an expense of collection, and reasonable attorney's  
5-17 fees incurred by the district:

5-18 (1) are a first and prior lien against the property  
5-19 assessed;

5-20 (2) are superior to any other lien or claim other than  
5-21 a lien or claim for county, school district, or municipal ad valorem  
5-22 taxes; and

5-23 (3) are the personal liability of and a charge against  
5-24 the owners of the property even if the owners are not named in the  
5-25 assessment proceedings.

5-26 (c) The lien is effective from the date of the board's  
5-27 resolution imposing the assessment until the date the assessment is  
5-28 paid. The board may enforce the lien in the same manner that the  
5-29 board may enforce an ad valorem tax lien against real property.

5-30 (d) The board may make a correction to or deletion from the  
5-31 assessment roll that does not increase the amount of assessment of  
5-32 any parcel of land without providing notice and holding a hearing in  
5-33 the manner required for additional assessments.

5-34 Sec. 3928.156. RESIDENTIAL PROPERTY NOT EXEMPT. Section  
5-35 375.161, Local Government Code, does not apply to a tax authorized  
5-36 or approved by the voters of the district or a required payment for  
5-37 a service provided by the district, including water and sewer  
5-38 services.

5-39 Sec. 3928.157. COMPETITIVE BIDDING. Subchapter I, Chapter  
5-40 49, Water Code, applies to the district. Sections 375.221 and  
5-41 375.223, Local Government Code, do not apply to the district.

5-42 Sec. 3928.158. TAX AND ASSESSMENT ABATEMENTS. The district  
5-43 may designate reinvestment zones and may grant abatements of  
5-44 district taxes or assessments on property in the zones.

#### 5-45 SUBCHAPTER E. TAXES AND BONDS

5-46 Sec. 3928.201. ELECTIONS REGARDING TAXES AND BONDS.  
5-47 (a) The district may issue, without an election, bonds, notes, and  
5-48 other obligations secured by:

5-49 (1) revenue other than ad valorem taxes; or

5-50 (2) contract payments described by Section 3928.203.

5-51 (b) The district must hold an election in the manner  
5-52 provided by Subchapter L, Chapter 375, Local Government Code, to  
5-53 obtain voter approval before the district may impose an ad valorem  
5-54 tax or issue bonds payable from ad valorem taxes.

5-55 (c) Section 375.243, Local Government Code, does not apply  
5-56 to the district.

5-57 (d) All or any part of any facilities or improvements that  
5-58 may be acquired by a district by the issuance of its bonds may be  
5-59 submitted as a single proposition or as several propositions to be  
5-60 voted on at the election.

5-61 Sec. 3928.202. OPERATION AND MAINTENANCE TAX. (a) If  
5-62 authorized by a majority of the district voters voting at an  
5-63 election held in accordance with Section 3928.201, the district may  
5-64 impose an operation and maintenance tax on taxable property in the  
5-65 district in accordance with Section 49.107, Water Code, for any  
5-66 district purpose, including to:

5-67 (1) maintain and operate the district;

5-68 (2) construct or acquire improvements; or

5-69 (3) provide a service.

6-1 (b) The board shall determine the tax rate. The rate may not  
6-2 exceed the rate approved at the election.

6-3 (c) Section 49.107(h), Water Code, does not apply to the  
6-4 district.

6-5 Sec. 3928.203. CONTRACT TAXES. (a) In accordance with  
6-6 Section 49.108, Water Code, the district may impose a tax other than  
6-7 an operation and maintenance tax and use the revenue derived from  
6-8 the tax to make payments under a contract after the provisions of  
6-9 the contract have been approved by a majority of the district voters  
6-10 voting at an election held for that purpose.

6-11 (b) A contract approved by the district voters may contain a  
6-12 provision stating that the contract may be modified or amended by  
6-13 the board without further voter approval.

6-14 Sec. 3928.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS  
6-15 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms  
6-16 determined by the board. Section 375.205, Local Government Code,  
6-17 does not apply to a loan, line of credit, or other borrowing from a  
6-18 bank or financial institution secured by revenue other than ad  
6-19 valorem taxes.

6-20 (b) The district may issue bonds, notes, or other  
6-21 obligations payable wholly or partly from ad valorem taxes,  
6-22 assessments, impact fees, revenue, contract payments, grants, or  
6-23 other district money, or any combination of those sources of money,  
6-24 to pay for any authorized district purpose.

6-25 Sec. 3928.205. TAXES FOR BONDS. At the time the district  
6-26 issues bonds payable wholly or partly from ad valorem taxes, the  
6-27 board shall provide for the annual imposition of a continuing  
6-28 direct annual ad valorem tax, without limit as to rate or amount,  
6-29 for each year that all or part of the bonds are outstanding as  
6-30 required and in the manner provided by Sections 54.601 and 54.602,  
6-31 Water Code.

6-32 Sec. 3928.206. TAXES AND BONDS FOR RECREATIONAL FACILITIES.  
6-33 The limitation on the outstanding principal amount of bonds, notes,  
6-34 and other obligations provided by Section 49.4645, Water Code, does  
6-35 not apply to the district.

6-36 SUBCHAPTER F. DEFINED AREAS

6-37 Sec. 3928.251. AUTHORITY TO ESTABLISH DEFINED AREAS OR  
6-38 DESIGNATED PROPERTY. The district may define areas or designate  
6-39 certain property of the district to pay for improvements,  
6-40 facilities, or services that primarily benefit that area or  
6-41 property and do not generally and directly benefit the district as a  
6-42 whole.

6-43 Sec. 3928.252. PROCEDURE FOR ELECTION. (a) Before the  
6-44 district may impose an ad valorem tax or issue bonds payable from ad  
6-45 valorem taxes of the defined area or designated property, the board  
6-46 shall hold an election in the defined area or in the designated  
6-47 property only.

6-48 (b) The board may submit the issues to the voters on the same  
6-49 ballot to be used in another election.

6-50 Sec. 3928.253. DECLARING RESULT AND ISSUING ORDER. (a) If  
6-51 a majority of the voters voting at the election approve the  
6-52 proposition or propositions, the board shall declare the results  
6-53 and, by order, shall establish the defined area and describe it by  
6-54 metes and bounds or designate the specific property.

6-55 (b) A court may not review the board's order except on the  
6-56 ground of fraud, palpable error, or arbitrary and confiscatory  
6-57 abuse of discretion.

6-58 Sec. 3928.254. TAXES FOR SERVICES, IMPROVEMENTS, AND  
6-59 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter  
6-60 approval and adoption of the order described by Section 3928.253,  
6-61 the district may apply separately, differently, equitably, and  
6-62 specifically its taxing power and lien authority to the defined  
6-63 area or designated property to provide money to construct,  
6-64 administer, maintain, and operate services, improvements, and  
6-65 facilities that primarily benefit the defined area or designated  
6-66 property.

6-67 Sec. 3928.255. ISSUANCE OF BONDS FOR DEFINED AREA OR  
6-68 DESIGNATED PROPERTY. After the order under Section 3928.253 is  
6-69 adopted, the district may issue bonds to provide for any land,

7-1 improvements, facilities, plants, equipment, and appliances for  
7-2 the defined area or designated property.

7-3 SUBCHAPTER G. DISSOLUTION AND MUNICIPAL ANNEXATION

7-4 Sec. 3928.301. MUNICIPAL ANNEXATION; DISSOLUTION.

7-5 (a) The district is a "water or sewer district" under Section  
7-6 43.071, Local Government Code.

7-7 (b) Section 43.075, Local Government Code, applies to the  
7-8 district.

7-9 (c) Section 375.264, Local Government Code, does not apply  
7-10 to the dissolution of the district by a municipality.

7-11 SECTION 2. The Kendleton Improvement District initially  
7-12 includes all territory contained in the following area:

7-13 A 274 ACRES TRACT OF LAND, IN THE ISAAC MCGARY LEAGUE, ABSTRACT NO.  
7-14 58, FORT BEND COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE  
7-15 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

7-16 BEGINNING at a point at the intersection of the northwesterly  
7-17 right-of-way line of G.H. & S.A. Railroad and the westerly line of  
7-18 West End Tavener Road;

7-19 (1) THENCE, South 56°08'39" West, along the northerly right-of-way  
7-20 line of said G.H. & S.A. Railroad, a distance of 4169.55 feet to a  
7-21 point in the centerline of Brooks Branch;

7-22 (2) THENCE, North 04°58'48" West, along the centerline of Brooks  
7-23 Branch, a distance of 76.95 feet to a point;

7-24 (3) THENCE, North 20°38'09" West, along the centerline of Brooks  
7-25 Branch, a distance of 112.84 feet to a point;

7-26 (4) THENCE, North 27°38'06" West, along the centerline of Brooks  
7-27 Branch, a distance of 229.19 feet to a point;

7-28 (5) THENCE, North 59°22'20" West, along the centerline of Brooks  
7-29 Branch, a distance of 97.47 feet to a point;

7-30 (6) THENCE, North 72°10'20" West, along the centerline of Brooks  
7-31 Branch, a distance of 181.22 feet to a point;

7-32 (7) THENCE, North 30°00'00" West, along the centerline of Brooks  
7-33 Branch, a distance of 257.39 feet to a point in the south line of a

7-34 called 41.374 acres tract described to Anthony Humphrey in vol.  
7-35 2371, pg. 1473, F.B.C.C.F.;

7-36 (8) THENCE, South 57°15'05" West, a distance of 833.50 feet to a  
7-37 point;

7-38 (9) THENCE, North 23°45'00" West, a distance of 911.49 feet to a  
7-39 point in the south line of a called 42.0 acres tract described to

7-40 Lisa Davis in 2007122421, F.B.C.C.F.;

7-41 (10) THENCE, South 60°00'00" West, along the south line of said  
7-42 42.0 acres tract, a distance of 665.77 feet to a point;

7-43 (11) THENCE, North 30°00'00" West, a distance of 462.00 feet to a  
7-44 point;

7-45 (12) THENCE, North 60°00'00" East, along the north line of said  
7-46 42.0 acres, a distance of 992.15 feet to a point in the west line of

7-47 a called 9.74 acres tract described to Admiral, TLC in 2013037496,  
7-48 F.B.C.C.F.;

7-49 (13) THENCE, North 29°54'53" West, a distance of 748.50 feet to a  
7-50 point marking the northwesterly corner of a called 4.6 acres tract

7-51 described to Curtis Lucas in 2000102582, F.B.C.C.F.;

7-52 (14) THENCE, North 60°09'26" East, a distance of 2245.57 feet to a  
7-53 point marking the northeasterly corner of a called 19.47 acres

7-54 tract described to TD Phan in 2011011742, F.B.C.C.F.;

7-55 (15) THENCE, South 30°00'00" East, along the easterly line of said  
7-56 19.47 acres tract, a distance of 742.34 feet to a point;

7-57 (16) THENCE, North 60°00'00" East, a distance of 1211.18 feet to a  
7-58 point;

7-59 (17) THENCE, North 59°02'24" East, a distance of 1295.34 feet to a  
7-60 point in the west right-of-way line of West End Tavener Road;

7-61 (18) THENCE, South 31°02'43" East, along the west right-of-way  
7-62 line of West End Tavener Road, a distance of 1194.29 feet to a

7-63 point;

7-64 (19) THENCE, South 59°14'00" West, along the west right-of-way  
7-65 line of West End Tavener Road, a distance of 21.92 feet to a point;

7-66 (20) THENCE, South 24°14'50" East, along the said west line  
7-67 right-of-way line of West End Tavener Road, a distance of 765.58  
7-68 feet to the POINT OF BEGINNING and containing 274 acres of land.

7-69 SECTION 3. (a) The legal notice of the intention to

8-1 introduce this Act, setting forth the general substance of this  
8-2 Act, has been published as provided by law, and the notice and a  
8-3 copy of this Act have been furnished to all persons, agencies,  
8-4 officials, or entities to which they are required to be furnished  
8-5 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
8-6 Government Code.

8-7 (b) The governor, one of the required recipients, has  
8-8 submitted the notice and Act to the Texas Commission on  
8-9 Environmental Quality.

8-10 (c) The Texas Commission on Environmental Quality has filed  
8-11 its recommendations relating to this Act with the governor,  
8-12 lieutenant governor, and speaker of the house of representatives  
8-13 within the required time.

8-14 (d) The general law relating to consent by political  
8-15 subdivisions to the creation of districts with conservation,  
8-16 reclamation, and road powers and the inclusion of land in those  
8-17 districts has been complied with.

8-18 (e) All requirements of the constitution and laws of this  
8-19 state and the rules and procedures of the legislature with respect  
8-20 to the notice, introduction, and passage of this Act have been  
8-21 fulfilled and accomplished.

8-22 SECTION 4. This Act takes effect immediately if it receives  
8-23 a vote of two-thirds of all the members elected to each house, as  
8-24 provided by Section 39, Article III, Texas Constitution. If this  
8-25 Act does not receive the vote necessary for immediate effect, this  
8-26 Act takes effect September 1, 2013.

8-27

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