

By: Reynolds

H.B. No. 4147

Substitute the following for H.B. No. 4147:

By: Martinez Fischer

C.S.H.B. No. 4147

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Missouri City Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3931 to read as follows:

CHAPTER 3931. MISSOURI CITY MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3931.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Missouri City.

(3) "County" means Fort Bend County.

(4) "Director" means a board member.

(5) "District" means the Missouri City Management District No. 1.

Sec. 3931.002. NATURE OF DISTRICT. The Missouri City Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3931.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the city, the

1 county, and other political subdivisions to contract with the
2 district, the legislature has established a program to accomplish
3 the public purposes set out in Section 52-a, Article III, Texas
4 Constitution.

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

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

16 Sec. 3931.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

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

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

25 (1) developing and diversifying the economy of the
26 state;

27 (2) eliminating unemployment and underemployment; and

1 (3) developing or expanding transportation and
2 commerce.

3 (d) The district will:

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

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

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

15 (4) provide for water, wastewater, drainage, road, and
16 recreational facilities for the district.

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

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

25 Sec. 3931.005. INITIAL DISTRICT TERRITORY. (a) The
26 district is initially composed of the territory described by
27 Section 2 of the Act enacting this chapter.

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

5 (1) organization, existence, or validity;

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

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

10 (4) legality or operation.

11 Sec. 3931.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

12 All or any part of the area of the district is eligible to be
13 included in:

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

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

18 (3) an enterprise zone created under Chapter 2303,
19 Government Code; or

20 (4) an industrial district created under Chapter 42,
21 Local Government Code.

22 Sec. 3931.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
23 DISTRICTS LAW. Except as otherwise provided by this chapter,
24 Chapter 375, Local Government Code, applies to the district.

25 Sec. 3931.008. CONSTRUCTION OF CHAPTER. This chapter shall
26 be liberally construed in conformity with the findings and purposes
27 stated in this chapter.

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 3931.051. GOVERNING BODY; TERMS. (a) The district is
3 governed by a board of seven voting directors who serve staggered
4 terms of four years, with three or four directors' terms expiring
5 June 1 of each odd-numbered year.

6 (b) The board by resolution may change the number of voting
7 directors on the board if the board determines that the change is in
8 the best interest of the district. The board may not consist of
9 fewer than 5 or more than 11 voting directors.

10 Sec. 3931.052. APPOINTMENT OF VOTING DIRECTORS. The mayor
11 and members of the governing body of the city shall appoint voting
12 directors from persons recommended by the board. A person is
13 appointed if a majority of the members of the governing body,
14 including the mayor, vote to appoint that person.

15 Sec. 3931.053. NONVOTING DIRECTORS. The board may appoint
16 nonvoting directors to serve at the pleasure of the voting
17 directors.

18 Sec. 3931.054. QUORUM. For purposes of determining the
19 requirements for a quorum of the board, the following are not
20 counted:

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

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

25 (3) a nonvoting director.

26 Sec. 3931.055. COMPENSATION. A director is entitled to
27 receive fees of office and reimbursement for actual expenses as

1 provided by Section 49.060, Water Code. Sections 375.069 and
2 375.070, Local Government Code, do not apply to the board.

3 Sec. 3931.056. INITIAL VOTING DIRECTORS. (a) The initial
4 board consists of the following voting directors:

5	<u>Pos. No.</u>	<u>Name of Director</u>
6	<u>1</u>	<u>Scott Frasier</u>
7	<u>2</u>	<u>Todd Burrer</u>
8	<u>3</u>	<u>Anthony C. Francis</u>
9	<u>4</u>	<u>Jaime Virkus</u>
10	<u>5</u>	<u>David Bale</u>
11	<u>6</u>	<u>Vicki Ann DePriest</u>
12	<u>7</u>	<u>Curtis Williams</u>

13 (b) Of the initial directors, the terms of directors
14 appointed for positions one through four expire June 1, 2019, and
15 the terms of directors appointed for positions five through seven
16 expire June 1, 2017.

17 (c) Section 3931.052 does not apply to this section.

18 SUBCHAPTER C. POWERS AND DUTIES

19 Sec. 3931.101. GENERAL POWERS AND DUTIES. The district has
20 the powers and duties necessary to accomplish the purposes for
21 which the district is created.

22 Sec. 3931.102. IMPROVEMENT PROJECTS AND SERVICES. The
23 district may provide, design, construct, acquire, improve,
24 relocate, operate, maintain, or finance an improvement project or
25 service using any money available to the district, or contract with
26 a governmental or private entity to provide, design, construct,
27 acquire, improve, relocate, operate, maintain, or finance an

1 improvement project or service authorized under this chapter or
2 Chapter 375, Local Government Code.

3 Sec. 3931.103. DEVELOPMENT CORPORATION POWERS. The
4 district, using money available to the district, may exercise the
5 powers given to a development corporation under Chapter 505, Local
6 Government Code, including the power to own, operate, acquire,
7 construct, lease, improve, or maintain a project under that
8 chapter.

9 Sec. 3931.104. NONPROFIT CORPORATION. (a) The board by
10 resolution may authorize the creation of a nonprofit corporation to
11 assist and act for the district in implementing a project or
12 providing a service authorized by this chapter.

13 (b) The nonprofit corporation:

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

17 (2) may implement any project and provide any service
18 authorized by this chapter.

19 (c) The board shall appoint the board of directors of the
20 nonprofit corporation. The board of directors of the nonprofit
21 corporation shall serve in the same manner as the board of directors
22 of a local government corporation created under Subchapter D,
23 Chapter 431, Transportation Code, except that a board member is not
24 required to reside in the district.

25 Sec. 3931.105. AGREEMENTS; GRANTS. (a) As provided by
26 Chapter 375, Local Government Code, the district may make an
27 agreement with or accept a gift or grant from any person. The

1 district shall promptly notify the city of any gift or grant
2 accepted by the district.

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

6 Sec. 3931.106. LAW ENFORCEMENT SERVICES. To protect the
7 public interest, the district may contract with a qualified party,
8 including the county or the city, to provide law enforcement
9 services in the district for a fee.

10 Sec. 3931.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
11 district may join and pay dues to a charitable or nonprofit
12 organization that performs a service or provides an activity
13 consistent with the furtherance of a district purpose.

14 Sec. 3931.108. PARKING FACILITIES. (a) The district may
15 acquire, lease as lessor or lessee, construct, develop, own,
16 operate, and maintain parking facilities or a system of parking
17 facilities, including lots, garages, parking terminals, or other
18 structures or accommodations for parking motor vehicles off the
19 streets and related appurtenances.

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

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

27 (d) The development and operation of the district's parking

1 facilities may be considered an economic development program.

2 Sec. 3931.109. ANNEXATION OF LAND. The district may annex
3 land as provided by Subchapter J, Chapter 49, Water Code.

4 Sec. 3931.110. APPROVAL BY CITY. (a) Except as provided
5 by Subsection (c), the district must obtain the approval of the city
6 for:

7 (1) the issuance of bonds;

8 (2) the plans and specifications of an improvement
9 project financed by bonds; and

10 (3) the plans and specifications of an improvement
11 project related to the use of land owned by the city, an easement
12 granted to or by the city, or a right-of-way of a street, road, or
13 highway.

14 (b) The district may not issue bonds until the governing
15 body of the city adopts a resolution or ordinance authorizing the
16 issuance of the bonds.

17 (c) If the district obtains the approval of the city's
18 governing body of a capital improvements budget for a period not to
19 exceed five years, the district may finance the capital
20 improvements and issue bonds specified in the budget without
21 further approval from the city.

22 (d) The governing body of the city:

23 (1) is not required to adopt a resolution or ordinance
24 to approve plans and specifications described by Subsection (a);
25 and

26 (2) may establish an administrative process to approve
27 plans and specifications described by Subsection (a) without the

1 involvement of the governing body.

2 Sec. 3931.111. CONSENT OF CITY REQUIRED. The district may
3 not take any of the following actions until the city has consented
4 by ordinance or resolution to the creation of the district and to
5 the inclusion of land in the district:

6 (1) hold an election under Subchapter L, Chapter 375,
7 Local Government Code;

8 (2) impose an ad valorem tax;

9 (3) impose an assessment;

10 (4) issue bonds; or

11 (5) enter into an agreement to reimburse the costs of
12 facilities.

13 Sec. 3931.112. NO EMINENT DOMAIN POWER. The district may
14 not exercise the power of eminent domain.

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

16 Sec. 3931.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
17 board by resolution shall establish the number of directors'
18 signatures and the procedure required for a disbursement or
19 transfer of district money.

20 Sec. 3931.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
21 The district may acquire, construct, finance, operate, or maintain
22 any improvement or service authorized under this chapter or Chapter
23 375, Local Government Code, using any money available to the
24 district.

25 Sec. 3931.153. PETITION REQUIRED FOR FINANCING SERVICES AND
26 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
27 service or improvement project with assessments under this chapter

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

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

7 Sec. 3931.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

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

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

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

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

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

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

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

5 SUBCHAPTER E. TAXES AND BONDS

6 Sec. 3931.201. ELECTIONS REGARDING TAXES AND BONDS.

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

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

10 (2) contract payments described by Section 3931.203.

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

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

17 (d) All or any part of any facilities or improvements that
18 may be acquired by a district by the issuance of its bonds may be
19 submitted as a single proposition or as several propositions to be
20 voted on at the election.

21 Sec. 3931.202. OPERATION AND MAINTENANCE TAX. (a) If

22 authorized by a majority of the district voters voting at an
23 election held in accordance with Section 3931.201, the district may
24 impose an operation and maintenance tax on taxable property in the
25 district in accordance with Section 49.107, Water Code, for any
26 district purpose, including to:

27 (1) maintain and operate the district;

1 (2) construct or acquire improvements; or

2 (3) provide a service.

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

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

7 Sec. 3931.203. CONTRACT TAXES. (a) In accordance with
8 Section 49.108, Water Code, the district may impose a tax other than
9 an operation and maintenance tax and use the revenue derived from
10 the tax to make payments under a contract after the provisions of
11 the contract have been approved by a majority of the district voters
12 voting at an election held for that purpose.

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

16 Sec. 3931.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
17 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
18 determined by the board. Section 375.205, Local Government Code,
19 does not apply to a loan, line of credit, or other borrowing from a
20 bank or financial institution secured by revenue other than ad
21 valorem taxes.

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

27 (c) The limitation on the outstanding principal amount of

1 bonds, notes, and other obligations provided by Section 49.4645,
2 Water Code, does not apply to the district.

3 Sec. 3931.205. TAXES FOR BONDS. At the time the district
4 issues bonds payable wholly or partly from ad valorem taxes, the
5 board shall provide for the annual imposition of a continuing
6 direct annual ad valorem tax, without limit as to rate or amount,
7 for each year that all or part of the bonds are outstanding as
8 required and in the manner provided by Sections 54.601 and 54.602,
9 Water Code.

10 Sec. 3931.206. CITY NOT REQUIRED TO PAY DISTRICT
11 OBLIGATIONS. Except as provided by Section 375.263, Local
12 Government Code, the city is not required to pay a bond, note, or
13 other obligation of the district.

14 SECTION 2. The Missouri City Management District No. 1
15 initially includes all territory contained in the following area:

16 TRACT 1

17 A METES & BOUNDS description of a certain 41.72 acre tract of
18 land situated in the H. Shropshire Survey 1/3 League, Abstract
19 No. 313 in Fort Bend County, Texas, being out of a called 565.1305
20 acre tract of land conveyed to Marhaba Partners Limited Partnership
21 by Special Warranty Deed recorded in Clerk's File No. 2001122130 of
22 the Fort Bend County Official Public Records of Real Property; said
23 41.72 acre tract being more particularly described as follows with
24 all bearings being based on the Texas Coordinate System, South
25 Central Zone, NAD 83;

26 COMMENCING at a found 3/4-inch iron rod (with cap stamped
27 "Cotton Surveying") in the southwest line of a called 82.741 acre

1 tract, Reserve A, Block 1 of Senior Road Tall Tower, plat of which
2 is recorded in Slide No. 1840B of the Fort Bend County Map Records,
3 from said iron rod a found 5/8-inch rod bears North 62°52'52" West,
4 412.26 feet;

5 THENCE, South 62°52'52" East, along the southwest line of said
6 Reserve A, at 0.16 feet passing a found 5/8-inch iron rod
7 (disturbed), continuing in all a total distance of 2225.38 feet
8 found 5/8-inch iron rod (with cap stamped "VTSM") being in the west
9 line of Fort Bend County Toll Road (right-of-way varies) recorded
10 in Clerk's File No. 2002112837 of the Fort Bend County Official
11 Public Records of Real Property, from said iron rod a found a found
12 5/8-inch iron rod bears North 02°49'05" West, 627.24 feet;

13 THENCE, along the west line of said Fort Bend County Toll
14 Road, the following seven (7) courses and distances:

15 1. South 02°49'05" East, 121.16 feet to a point at the
16 beginning of a curve to the left, from said point a found 5/8-inch
17 iron rod bears South 84°36'50" East, 0.4 feet;

18 2. Along the arc of said curve to the left having a
19 radius of 5879.60 feet, a central angle of 01°37'34", an arc length
20 of 166.87 feet, and a long chord bearing South 03°37'51" East,
21 166.86 feet to the POINT OF BEGINNING of the herein described tract;

22 3. Continuing along said curve to the left having a
23 radius of 5879.60 feet, a central angle of 09°51'34", an arc length
24 of 1011.77 feet, and a long chord bearing South 09°22'26" East,
25 1010.53 feet to a found 3/4-inch iron rod (with cap stamped "Cotton
26 Surveying");

27 4. South 02°50'47" East, 43.93 feet to a found 5/8-inch

1 iron rod at the beginning of a curve to the left;

2 5. Along the arc of said curve to the left having a
3 radius of 1453.39 feet, a central angle of 15°42'27", an arc length
4 of 398.45 feet, and a long chord bearing South 10°42'01" East,
5 397.20 feet to a found 5/8-inch iron rod at the beginning of
6 compound curve to the left;

7 6. Along the arc of said compound curve to the left
8 having a radius of 5929.60 feet, a central angle of 03°38'22", an arc
9 length of 376.65 feet, and a long chord bearing South 20°22'26"
10 East, 376.59 feet to a found 3/4-inch iron rod (with cap stamped
11 "Cotton Surveying"), from which a found 5/8-inch iron rod bears
12 North 03°52'05" East, 0.25 feet;

13 7. South 32°26'09" West, 63.40 feet to a found 3/4-inch
14 iron rod (with cap stamped "Cotton Surveying") in the north line of
15 Lake Olympia Parkway (called 100-feet wide) dedication of which is
16 described in Warranty Deed with Vendor's Lien recorded in Clerk's
17 File No. 200411056 of the Fort Bend County Official Public Records
18 of Real Property at the beginning of a non-tangent curve to the
19 right;

20 THENCE, along the north line of said Lake Olympia Parkway,
21 the following five (5) courses and distances:

22 1. Along the arc of said non-tangent curve to the right
23 having a radius of 1950.00 feet, a central angle of 03°14'44", an arc
24 length of 110.46 feet, and a long chord bearing South 88°46'43"
25 West, 110.44 feet to a found 3/4-inch iron rod (with cap stamped
26 "Cotton Surveying");

27 2. North 89°35'55" West, 120.00 feet to a found

1 5/8-inch iron rod at the beginning of a curve to the right;

2 3. Along the arc of said curve to the right having a
3 radius of 1150.00 feet, a central angle of 52°58'40", an arc length
4 of 1063.33 feet, and a long chord bearing North 63°06'34" West,
5 1025.86 feet to a found 3/4-inch iron rod;

6 4. North 36°37'19" West, 120.01 feet to a found
7 3/4-inch iron rod at the beginning of a curve to the left;

8 5. Along the arc of said curve to the left having a
9 radius of 2050.00 feet, a central angle of 24°46'42", an arc length
10 of 886.55 feet, and a long chord bearing North 49°00'36" West,
11 879.66 feet to a point for corner;

12 THENCE, North 65°32'32" East, 1695.44 feet to the POINT OF
13 BEGINNING, CONTAINING 41.72 acres of land in Fort Bend County,
14 Texas.

15 TRACT 2

16 A METES & BOUNDS description of a certain 25.35 acre tract of
17 land situated in the D. Bright League Survey, Abstract No. 13 in
18 Fort Bend County, Texas, being out of a called 40.787 acre tract of
19 land conveyed to Teahouse Beverage, Inc. by Deed without Warranties
20 recorded in Clerk's File No. 2013030020 of the Fort Bend County
21 Official Public Records of Real Property; said 25.35 acre tract
22 being more particularly described as follows with all bearings
23 being based on the Texas Coordinate System, South Central Zone, NAD
24 83;

25 BEGINNING at a set 5/8-inch iron rod (with cap stamped
26 "Cotton Surveying") at the southeast corner of said 40.787 acre
27 tract, common with the northeast corner of the remainder of a called

1 640 acre tract of land conveyed to Edward A. Palmer by Deed recorded
2 in Volume F, Page 219 and Volume 343, Page 483, both of the Fort Bend
3 County Deed Records, being in a west line of a called 280.740 acre
4 tract of land (Tract 1) conveyed to Memorial Herman Hospital System
5 by Substitute Trustee's Deed and Bill of Sale recorded in Clerk's
6 File No. 2011108901 of the Fort Bend County Official Public Records
7 of Real Property, from which a found 5/8-inch iron rod (with cap
8 stamped "Gary Bowes") bears South 87°25'38" West, 5.38 feet and a
9 found 3/4-inch iron rod (with cap stamped "Cotton Surveying") bears
10 South 02°31'08" East, 843.16 feet;

11 THENCE, South 87°25'38" West, along the south line of said
12 40.787 acre tract, common with the north line of the remainder of
13 said 640 acre tract, passing the northwest corner of the remainder
14 of said 640 acre tract, common with the northeast corner of Crescent
15 Oak Village at Lake Olympia Sec. 7, plat of which is recorded in
16 Slide No. 2334B of the Fort Bend County Plat Records, now along the
17 north line of said Crescent Oak Village at Lake Olympia Sec. 7,
18 981.63 feet to a point for corner in the center of Mustang Bayou,
19 from which a found 5/8-inch iron rod (with cap stamped "Gary Bowes")
20 bears South 87°25'38" West, 1697.00 feet;

21 THENCE, North 17°21'32" West, along the center of said Mustang
22 Bayou, 206.70 feet to a point for corner;

23 THENCE, North 14°24'28" West, continuing along the center of
24 said Mustang Bayou, 608.44 feet to a point for corner in the north
25 line of said 40.787 acre tract and the center of said Mustang Bayou,
26 at a southwest corner of the aforementioned 280.740 acre tract,
27 common with the southeast corner of a called 12.620 acre tract of

1 land conveyed to City of Missouri City by Warranty Deed recorded in
2 Volume 1943, Page 2541 of the Fort Bend County Deed Records, from
3 which a found 5/8-inch iron rod (with cap stamped "JT Jalibuk")
4 bears South 67°07'13" West, 987.26 feet;

5 THENCE, North 67°05'52" East, along the north line of said
6 40.787 acre tract, common with a south line of said 280.740 acre
7 tract, 1237.40 feet to a set 5/8-inch iron rod (with cap stamped
8 "Cotton Surveying") at the northeast corner of said 40.787 acre
9 tract, common with an interior corner of said 280.740 acre tract;

10 THENCE, South 02°31'08" East, along the east line of said
11 40.787 acre tract, common with a west line of said 280.740 acre
12 tract, 1225.26 feet to the POINT OF BEGINNING, CONTAINING 25.35
13 acres of land in Fort Bend County, Texas, as shown on Drawing
14 No. 8879 in the office of Cotton Surveying Company in Houston,
15 Texas.

16 TRACT 3

17 A METES & BOUNDS description of a certain 280.70 acre tract of
18 land situated in the H. Shropshire Survey, Abstract No. 313 and the
19 David Bright League Survey, Abstract No. 13 in Fort Bend County,
20 Texas, being all of a called 280.740 acre tract of land conveyed to
21 Memorial Herman Hospital System by Substitute Trustee's Deed and
22 Bill of Sale recorded in Clerk's File No. 2011108901 of the Fort
23 Bend County Official Public Records of Real Property; said 280.7
24 acre tract being more particularly described as follows with all
25 bearings being based on the Texas Coordinate System, South Central
26 Zone, NAD 83;

27 BEGINNING at a set 3/4-inch iron rod (with cap stamped

1 "Cotton Surveying") for the northeast corner of said 280.740 acre
2 tract, common with the northwest corner of a called 128.626 acre
3 tract of land conveyed to Richland Houston Tower, LLC by Special
4 Warranty Deed recorded in Clerk's File No. 2000025485 of the Fort
5 Bend County Official Public Records of Real Property, in the south
6 line of Quail Glen, plat of which is recorded in Slide No.'s 405B,
7 406A and 406B, all of the Fort Bend County Plat Records, from which
8 a found 1/2-inch iron rod bears South 67°41'59" East, 0.38 feet;

9 THENCE, South 40°04'17" East, along the east line of said
10 280.740 acre tract, common with the west line of said 128.626 acre
11 tract, 2128.84 feet to a set 3/4-inch iron rod (with cap stamped
12 "Cotton Surveying");

13 THENCE, South 41°56'11" East, continuing along said common
14 line, 3.85 feet to a found 5/8-inch iron rod at the southwest corner
15 of said 128.686 acre tract, common with the northwest corner of a
16 called 85.991 acre tract of land conveyed to American Tower, LP by
17 Special Warranty Deed recorded in Clerk's File No. 1999012142 of
18 the Fort Bend County Official Public Records of Real Property;

19 THENCE, South 47°19'50" East, along the east line of said
20 280.740 acre tract, common with a west line of said 85.991 acre
21 tract, 787.14 feet to a found 5/8-inch iron rod;

22 THENCE, South 40°09'26" West, along a south line of said
23 280.740 acre tract, common with a north line of said 85.991 acre
24 tract, 1715.36 feet to a found 5/8-inch iron rod;

25 THENCE, South 62°50'07" East, continuing along said common
26 line, 412.16 feet to a found 5/8-inch iron rod at the southeast
27 corner of said 280.740 acre tract, common with the north corner of a

1 called 110.884 acre tract of land conveyed to M.V. McCarthy by
2 Substitute Trustee's Deed recorded in Clerk's File No. 2011054594
3 of the Fort Bend County Official Public Records of Real Property;

4 THENCE, South 63°20'09" West, along the south line of said
5 280.740 acre tract, common with the north line of said 110.884 acre
6 tract, 2304.15 feet to a found 3/4-inch iron rod (with cap stamped
7 "Cotton Surveying") at the northwest corner of said 110.884 acre
8 tract, common with the southeast corner of Crescent Oak Village at
9 Lake Olympic Sec. 7, plat of which is recorded in Slide No. 2334B of
10 the Fort Bend County Plat Records;

11 THENCE, North 02°31'08" West, along the west line of said
12 280.740 acre tract, common with the east line of said Crescent Oak
13 Village at Lake Olympia Sec. 7, a remainder of a called 640 acre
14 tract of land conveyed to Edward A. Palmer recorded in Volume F,
15 Page 219 and Volume 343, Page 483, both of the Harris County Map
16 Records, passing a found 5/8-inch iron rod at a distance of 843.15
17 feet, 5.30 feet left, and along a called 40.787 acre tract of land
18 conveyed to Teahouse Beverage, Inc. by Deed without Warranties
19 recorded in Clerk's File No. 2013030020 of the Fort Bend County
20 Official Public Records of Real Property, 2068.42 feet to a set
21 3/4-inch iron rod (with cap stamped "Cotton Surveying") at an
22 interior corner of said 280.740 acre tract, common with the
23 northwest corner of said 40.787 acre tract;

24 THENCE, South 67°05'52" West, along a south line of said
25 280.740 acre tract, common with the north line of said 40.787 acre
26 tract, 1237.40 feet to the southeast corner of a called 12.620 acre
27 tract of land conveyed to City of Missouri City by Warranty Deed

1 recorded in Volume 1943, Page 2541 of the Fort Bend County Deed
2 Records;

3 THENCE, North 21°48'08" West, along a west line of said
4 280.740 acre tract, common with the east line of said 12.620 acre
5 tract, 226.10 feet to a point for corner;

6 THENCE, North 26°10'50" West, continuing along said common
7 line and then along the east line of Glen Lakes Lane (80 feet
8 right-of-way) no dedication found, 183.34 feet to a point for
9 corner;

10 THENCE, North 15°11'03" West, along the west line of said
11 280.740 acre tract, common with the east line of said Glen Lakes
12 Lane and then along the east line of a called 36.599 acre tract of
13 land conveyed to the City of Missouri City by Warranty Deed recorded
14 in Volume 1943, Page 2541 of the Fort Bend County Official Public
15 Records of Real Property, 759.72 feet to a point at the beginning of
16 a curve to the right;

17 THENCE, along the west line of said 280.740 acre tract,
18 common with the east line of said 36.599 acre tract and then along
19 the east line of a called 47.884 acre tract of land conveyed to the
20 City of Missouri City by Warranty Deed recorded in Volume 1929, Page
21 1217 of the Fort Bend County Deed Records, and along the arc of said
22 curve to the right having a radius of 650.00 feet, a central angle
23 of 34°22'27", an arc length of 389.96 feet, and a long chord bearing
24 North 02°00'10" East, 384.14 feet to a point for corner;

25 THENCE, along the west line of said 280.740 acre tract,
26 common with the east line of said 47.884 acre tract, the following
27 seven (7) courses and distances:

1 1. North 19°11'24" East, 260.36 feet to a point at the
2 beginning of a curve to the left;

3 2. Along the arc of said curve to the left having a
4 radius of 650.00 feet, a central angle of 16°55'17", an arc length of
5 191.97 feet, and a long chord bearing North 10°43'45" East, 191.27
6 feet to a point for corner;

7 3. North 02°16'07" East, 376.57 feet to a point at the
8 beginning of a curve to the right;

9 4. Along the arc of said curve to the right having a
10 radius of 480.00 feet, a central angle of 65°39'52", an arc length of
11 550.11 feet, and a long chord bearing North 35°06'03" East, 520.49
12 feet to a point for corner;

13 5. North 67°55'59" East, 138.16 feet to a point at the
14 beginning of a curve to the left;

15 6. Along the arc of said curve to the left having a
16 radius of 320.00 feet, a central angle of 36°02'18", an arc length of
17 201.28 feet, and a long chord bearing North 49°54'50" East, 197.97
18 feet to a point for corner;

19 7. North 31°53'41" East, 134.19 feet to a point in the
20 north line of said 280.740 acre tract, common with the south line of
21 Thunderbird North, plat of which is recorded in Slides 187A, 187B
22 and 188A, all of the Fort Bend County Plat Records;

23 THENCE, North 86°45'39" East, along said common line, and then
24 along the south line of the aforementioned Quail Glen, in all a
25 total distance of, 1644.89 feet to the POINT OF BEGINNING,
26 CONTAINING 280.7 acres of land in Fort Bend County, Texas, as shown
27 on Drawing No. 8878 in the office of Cotton Surveying Company in

1 Houston, Texas.

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

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

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

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

20 SECTION 4. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2015.