

By: Reynolds

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 five voting directors who serve staggered  
4 terms of four years, with two or three 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:

	<u>Pos. No.</u>	<u>Name of Director</u>
6	<u>1</u>	_____
7	<u>2</u>	_____
8	<u>3</u>	_____
9	<u>4</u>	_____
10	<u>5</u>	_____

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

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

16 SUBCHAPTER C. POWERS AND DUTIES

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

20 Sec. 3931.102. IMPROVEMENT PROJECTS AND SERVICES. The  
21 district may provide, design, construct, acquire, improve,  
22 relocate, operate, maintain, or finance an improvement project or  
23 service using any money available to the district, or contract with  
24 a governmental or private entity to provide, design, construct,  
25 acquire, improve, relocate, operate, maintain, or finance an  
26 improvement project or service authorized under this chapter or  
27 Chapter 375, Local Government Code.

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

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

11       (b) The nonprofit corporation:

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

15               (2) may implement any project and provide any service  
16 authorized by this chapter.

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

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

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

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

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

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

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

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

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

27       Sec. 3931.109. ANNEXATION OF LAND. The district may annex



1 land as provided by Subchapter J, Chapter 49, Water Code.

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

5 (1) the issuance of bonds;

6 (2) the plans and specifications of an improvement  
7 project financed by bonds; and

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

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

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

20 (d) The governing body of the city:

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

24 (2) may establish an administrative process to approve  
25 plans and specifications described by Subsection (a) without the  
26 involvement of the governing body.

27 Sec. 3931.111. CONSENT OF CITY REQUIRED. The district may

1 not take any of the following actions until the city has consented  
2 by ordinance or resolution to the creation of the district and to  
3 the inclusion of land in the district:

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

6 (2) impose an ad valorem tax;

7 (3) impose an assessment;

8 (4) issue bonds; or

9 (5) enter into an agreement to reimburse the costs of  
10 facilities.

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

13 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

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

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

23 Sec. 3931.153. PETITION REQUIRED FOR FINANCING SERVICES AND  
24 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
25 service or improvement project with assessments under this chapter  
26 unless a written petition requesting that service or improvement  
27 has been filed with the board.

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

5       Sec. 3931.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

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

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

14               (1) are a first and prior lien against the property  
15 assessed;

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

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

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

26       (d) The board may make a correction to or deletion from the  
27 assessment roll that does not increase the amount of assessment of

1 any parcel of land without providing notice and holding a hearing in  
2 the manner required for additional assessments.

3 SUBCHAPTER E. TAXES AND BONDS

4 Sec. 3931.201. ELECTIONS REGARDING TAXES AND BONDS.

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

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

8 (2) contract payments described by Section 3931.203.

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

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

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

19 Sec. 3931.202. OPERATION AND MAINTENANCE TAX. (a) If  
20 authorized by a majority of the district voters voting at an  
21 election held in accordance with Section 3931.201, the district may  
22 impose an operation and maintenance tax on taxable property in the  
23 district in accordance with Section 49.107, Water Code, for any  
24 district purpose, including to:

25 (1) maintain and operate the district;

26 (2) construct or acquire improvements; or

27 (3) provide a service.

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

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

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

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

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

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

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

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

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

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

14       TRACT 1

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

24       COMMENCING at a found 3/4-inch iron rod (with cap stamped  
25 "Cotton Surveying") in the southwest line of a called 82.741 acre  
26 tract, Reserve A, Block 1 of Senior Road Tall Tower, plat of which  
27 is recorded in Slide No. 1840B of the Fort Bend County Map Records,

1 from said iron rod a found 5/8-inch rod bears North 62°52'52" West,  
2 412.26 feet;

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

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

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

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

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

25             4. South 02°50'47" East, 43.93 feet to a found 5/8-inch  
26 iron rod at the beginning of a curve to the left;

27             5. Along the arc of said curve to the left having a

1 radius of 1453.39 feet, a central angle of  $15^{\circ}42'27''$ , an arc length  
2 of 398.45 feet, and a long chord bearing South  $10^{\circ}42'01''$  East,  
3 397.20 feet to a found 5/8-inch iron rod at the beginning of  
4 compound curve to the left;

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

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

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

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

25           2. North  $89^{\circ}35'55''$  West, 120.00 feet to a found  
26 5/8-inch iron rod at the beginning of a curve to the right;

27           3. Along the arc of said curve to the right having a



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

4 4. North 36°37'19" West, 120.01 feet to a found  
5 3/4-inch iron rod at the beginning of a curve to the left;

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

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

13 TRACT 2

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

23 BEGINNING at a set 5/8-inch iron rod (with cap stamped  
24 "Cotton Surveying") at the southeast corner of said 40.787 acre  
25 tract, common with the northeast corner of the remainder of a called  
26 640 acre tract of land conveyed to Edward A. Palmer by Deed recorded  
27 in Volume F, Page 219 and Volume 343, Page 483, both of the Fort Bend

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

9       THENCE, South 87°25'38" West, along the south line of said  
10 40.787 acre tract, common with the north line of the remainder of  
11 said 640 acre tract, passing the northwest corner of the remainder  
12 of said 640 acre tract, common with the northeast corner of Crescent  
13 Oak Village at Lake Olympia Sec. 7, plat of which is recorded in  
14 Slide No. 2334B of the Fort Bend County Plat Records, now along the  
15 north line of said Crescent Oak Village at Lake Olympia Sec. 7,  
16 981.63 feet to a point for corner in the center of Mustang Bayou,  
17 from which a found 5/8-inch iron rod (with cap stamped "Gary Bowes")  
18 bears South 87°25'38" West, 1697.00 feet;

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

21       THENCE, North 14°24'28" West, continuing along the center of  
22 said Mustang Bayou, 608.44 feet to a point for corner in the north  
23 line of said 40.787 acre tract and the center of said Mustang Bayou,  
24 at a southwest corner of the aforementioned 280.740 acre tract,  
25 common with the southeast corner of a called 12.620 acre tract of  
26 land conveyed to City of Missouri City by Warranty Deed recorded in  
27 Volume 1943, Page 2541 of the Fort Bend County Deed Records, from

1 which a found 5/8-inch iron rod (with cap stamped "JT Jalibuk")  
2 bears South 67°07'13" West, 987.26 feet;

3 THENCE, North 67°05'52" East, along the north line of said  
4 40.787 acre tract, common with a south line of said 280.740 acre  
5 tract, 1237.40 feet to a set 5/8-inch iron rod (with cap stamped  
6 "Cotton Surveying") at the northeast corner of said 40.787 acre  
7 tract, common with an interior corner of said 280.740 acre tract;

8 THENCE, South 02°31'08" East, along the east line of said  
9 40.787 acre tract, common with a west line of said 280.740 acre  
10 tract, 1225.26 feet to the POINT OF BEGINNING, CONTAINING 25.35  
11 acres of land in Fort Bend County, Texas, as shown on Drawing  
12 No. 8879 in the office of Cotton Surveying Company in Houston,  
13 Texas.

14 TRACT 3

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

25 BEGINNING at a set 3/4-inch iron rod (with cap stamped  
26 "Cotton Surveying") for the northeast corner of said 280.740 acre  
27 tract, common with the northwest corner of a called 128.626 acre

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

7       THENCE, South 40°04'17" East, along the east line of said  
8 280.740 acre tract, common with the west line of said 128.626 acre  
9 tract, 2128.84 feet to a set 3/4-inch iron rod (with cap stamped  
10 "Cotton Surveying");

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

17       THENCE, South 47°19'50" East, along the east line of said  
18 280.740 acre tract, common with a west line of said 85.991 acre  
19 tract, 787.14 feet to a found 5/8-inch iron rod;

20       THENCE, South 40°09'26" West, along a south line of said  
21 280.740 acre tract, common with a north line of said 85.991 acre  
22 tract, 1715.36 feet to a found 5/8-inch iron rod;

23       THENCE, South 62°50'07" East, continuing along said common  
24 line, 412.16 feet to a found 5/8-inch iron rod at the southeast  
25 corner of said 280.740 acre tract, common with the north corner of a  
26 called 110.884 acre tract of land conveyed to M.V. McCarthy by  
27 Substitute Trustee's Deed recorded in Clerk's File No. 2011054594

1 of the Fort Bend County Official Public Records of Real Property;

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

9       THENCE, North 02°31'08" West, along the west line of said  
10 280.740 acre tract, common with the east line of said Crescent Oak  
11 Village at Lake Olympia Sec. 7, a remainder of a called 640 acre  
12 tract of land conveyed to Edward A. Palmer recorded in Volume F,  
13 Page 219 and Volume 343, Page 483, both of the Harris County Map  
14 Records, passing a found 5/8-inch iron rod at a distance of 843.15  
15 feet, 5.30 feet left, and along a called 40.787 acre tract of land  
16 conveyed to Teahouse Beverage, Inc. by Deed without Warranties  
17 recorded in Clerk's File No. 2013030020 of the Fort Bend County  
18 Official Public Records of Real Property, 2068.42 feet to a set  
19 3/4-inch iron rod (with cap stamped "Cotton Surveying") at an  
20 interior corner of said 280.740 acre tract, common with the  
21 northwest corner of said 40.787 acre tract;

22       THENCE, South 67°05'52" West, along a south line of said  
23 280.740 acre tract, common with the north line of said 40.787 acre  
24 tract, 1237.40 feet to the southeast corner of a called 12.620 acre  
25 tract of land conveyed to City of Missouri City by Warranty Deed  
26 recorded in Volume 1943, Page 2541 of the Fort Bend County Deed  
27 Records;

1           THENCE, North 21°48'08" West, along a west line of said  
2 280.740 acre tract, common with the east line of said 12.620 acre  
3 tract, 226.10 feet to a point for corner;

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

8           THENCE, North 15°11'03" West, along the west line of said  
9 280.740 acre tract, common with the east line of said Glen Lakes  
10 Lane and then along the east line of a called 36.599 acre tract of  
11 land conveyed to the City of Missouri City by Warranty Deed recorded  
12 in Volume 1943, Page 2541 of the Fort Bend County Official Public  
13 Records of Real Property, 759.72 feet to a point at the beginning of  
14 a curve to the right;

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

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

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

1           2. Along the arc of said curve to the left having a  
2 radius of 650.00 feet, a central angle of  $16^{\circ}55'17''$ , an arc length of  
3 191.97 feet, and a long chord bearing North  $10^{\circ}43'45''$  East, 191.27  
4 feet to a point for corner;

5           3. North  $02^{\circ}16'07''$  East, 376.57 feet to a point at the  
6 beginning of a curve to the right;

7           4. Along the arc of said curve to the right having a  
8 radius of 480.00 feet, a central angle of  $65^{\circ}39'52''$ , an arc length of  
9 550.11 feet, and a long chord bearing North  $35^{\circ}06'03''$  East, 520.49  
10 feet to a point for corner;

11          5. North  $67^{\circ}55'59''$  East, 138.16 feet to a point at the  
12 beginning of a curve to the left;

13          6. Along the arc of said curve to the left having a  
14 radius of 320.00 feet, a central angle of  $36^{\circ}02'18''$ , an arc length of  
15 201.28 feet, and a long chord bearing North  $49^{\circ}54'50''$  East, 197.97  
16 feet to a point for corner;

17          7. North  $31^{\circ}53'41''$  East, 134.19 feet to a point in the  
18 north line of said 280.740 acre tract, common with the south line of  
19 Thunderbird North, plat of which is recorded in Slides 187A, 187B  
20 and 188A, all of the Fort Bend County Plat Records;

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

27          SECTION 3. (a) The legal notice of the intention to

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

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

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

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

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