

By: Bell

H.B. No. 4153

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of the Montgomery County Municipal Utility
3 District No. 146; granting a limited power of eminent domain;
4 providing authority to issue bonds; providing authority to impose
5 assessments, fees, and taxes.

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

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws
8 Code, is amended by adding Chapter 7906 to read as follows:

9 CHAPTER 7906. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 146

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 7906.001. DEFINITIONS. In this chapter:

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

13 (2) "Commission" means the Texas Commission on
14 Environmental Quality.

15 (3) "Director" means a board member.

16 (4) "District" means the Montgomery County Municipal
17 Utility District No. 146.

18 Sec. 7906.002. NATURE OF DISTRICT. The district is a
19 municipal utility district created under Section 59, Article XVI,
20 Texas Constitution.

21 Sec. 7906.003. CONFIRMATION AND DIRECTORS' ELECTION
22 REQUIRED. The temporary directors shall hold an election to
23 confirm the creation of the district and to elect five permanent
24 directors as provided by Section 49.102, Water Code.

1 Sec. 7906.004. CONSENT OF MUNICIPALITY REQUIRED. (a) The
2 temporary directors may not hold an election under Section 7906.003
3 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 (b) Municipal consent to the creation of the district and to
8 the inclusion of land in the district granted under this section
9 acts as municipal consent to the creation of any new district
10 created by the division of the district and to the inclusion of land
11 in the new district.

12 Sec. 7906.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
13 The district is created to serve a public purpose and benefit.

14 (b) The district is created to accomplish the purposes of:
15 (1) a municipal utility district as provided by
16 general law and Section 59, Article XVI, Texas Constitution; and
17 (2) Section 52, Article III, Texas Constitution, that
18 relate to the construction, acquisition, improvement, operation,
19 or maintenance of macadamized, graveled, or paved roads, or
20 improvements, including storm drainage, in aid of those roads.

21 Sec. 7906.006. INITIAL DISTRICT TERRITORY. (a) The
22 district is initially composed of the territory described by
23 Section 2 of the Act enacting this chapter.

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

1 (1) organization, existence, or validity;

2 (2) right to issue any type of bond for the purposes
3 for which the district is created or to pay the principal of and
4 interest on a bond;

5 (3) right to impose a tax; or

6 (4) legality or operation.

7 SUBCHAPTER B. BOARD OF DIRECTORS

8 Sec. 7906.051. GOVERNING BODY; TERMS. (a) The district is
9 governed by a board of five elected directors.

10 (b) Except as provided by Section 7906.052, directors serve
11 staggered four-year terms.

12 Sec. 7906.052. TEMPORARY DIRECTORS. (a) On or after
13 September 1, 2015, the owner or owners of a majority of the assessed
14 value of the real property in the district may submit a petition to
15 the commission requesting that the commission appoint as temporary
16 directors the five persons named in the petition. The commission
17 shall appoint as temporary directors the five persons named in the
18 petition.

19 (b) Temporary directors serve until the earlier of:

20 (1) the date permanent directors are elected under
21 Section 7906.003; or

22 (2) September 1, 2019.

23 (c) If permanent directors have not been elected under
24 Section 7906.003 and the terms of the temporary directors have
25 expired, successor temporary directors shall be appointed or
26 reappointed as provided by Subsection (d) to serve terms that
27 expire on the earlier of:

1 (1) the date permanent directors are elected under
2 Section 7906.003; or

3 (2) the fourth anniversary of the date of the
4 appointment or reappointment.

5 (d) If Subsection (c) applies, the owner or owners of a
6 majority of the assessed value of the real property in the district
7 may submit a petition to the commission requesting that the
8 commission appoint as successor temporary directors the five
9 persons named in the petition. The commission shall appoint as
10 successor temporary directors the five persons named in the
11 petition.

12 SUBCHAPTER C. POWERS AND DUTIES

13 Sec. 7906.101. GENERAL POWERS AND DUTIES. The district has
14 the powers and duties necessary to accomplish the purposes for
15 which the district is created.

16 Sec. 7906.102. MUNICIPAL UTILITY DISTRICT POWERS AND
17 DUTIES. The district has the powers and duties provided by the
18 general law of this state, including Chapters 49 and 54, Water Code,
19 applicable to municipal utility districts created under Section 59,
20 Article XVI, Texas Constitution.

21 Sec. 7906.103. AUTHORITY FOR ROAD PROJECTS. Under Section
22 52, Article III, Texas Constitution, the district may design,
23 acquire, construct, finance, issue bonds for, improve, operate,
24 maintain, and convey to this state, a county, or a municipality for
25 operation and maintenance macadamized, graveled, or paved roads, or
26 improvements, including storm drainage, in aid of those roads.

27 Sec. 7906.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road

1 project must meet all applicable construction standards, zoning and
2 subdivision requirements, and regulations of each municipality in
3 whose corporate limits or extraterritorial jurisdiction the road
4 project is located.

5 (b) If a road project is not located in the corporate limits
6 or extraterritorial jurisdiction of a municipality, the road
7 project must meet all applicable construction standards,
8 subdivision requirements, and regulations of each county in which
9 the road project is located.

10 (c) If the state will maintain and operate the road, the
11 Texas Transportation Commission must approve the plans and
12 specifications of the road project.

13 Sec. 7906.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
14 OR RESOLUTION. (a) The district shall comply with all applicable
15 requirements of any ordinance or resolution that is adopted under
16 Section 54.016 or 54.0165, Water Code, and that consents to the
17 creation of the district or to the inclusion of land in the
18 district.

19 (b) Section 54.016(f), Water Code, does not apply to the
20 district.

21 Sec. 7906.106. DIVISION OF DISTRICT. (a) The district may
22 be divided into two or more new districts only if the district:

23 (1) has no outstanding bonded debt; and

24 (2) is not imposing ad valorem taxes.

25 (b) This chapter applies to any new district created by the
26 division of the district, and a new district has all the powers and
27 duties of the district.

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

5 (d) The board, on its own motion or on receipt of a petition
6 signed by the owner or owners of a majority of the assessed value of
7 the real property in the district, may adopt an order dividing the
8 district.

9 (e) The board may adopt an order dividing the district
10 before or after the date the board holds an election under Section
11 7906.003 to confirm the creation of the district and before or after
12 an election under Section 7906.151 to authorize the issuance of
13 bonds.

14 (f) An order dividing the district must:

15 (1) name each new district;

16 (2) include the metes and bounds description of the
17 territory of each new district;

18 (3) appoint temporary directors for each new district;

19 and

20 (4) provide for the division of assets and liabilities
21 between or among the new districts.

22 (g) On or before the 30th day after the date of adoption of
23 an order dividing the district, the district shall file the order
24 with the commission and record the order in the real property
25 records of each county in which the district is located.

26 (h) Any new district created by the division of the district
27 shall hold a confirmation and directors' election as required by

1 Section 7906.003.

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

6 (j) If the creation of the new district is confirmed, the
7 new district shall provide the election date and results to the
8 commission.

9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

10 Sec. 7906.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
11 district may issue, without an election, bonds and other
12 obligations secured by:

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

14 (2) contract payments described by Section 7906.153.

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

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

23 Sec. 7906.152. OPERATION AND MAINTENANCE TAX. (a) If
24 authorized at an election held under Section 7906.151, the district
25 may impose an operation and maintenance tax on taxable property in
26 the district in accordance with Section 49.107, Water Code.

27 (b) The board shall determine the tax rate. The rate may not

1 exceed the rate approved at the election.

2 Sec. 7906.153. CONTRACT TAXES. (a) In accordance with
3 Section 49.108, Water Code, the district may impose a tax other than
4 an operation and maintenance tax and use the revenue derived from
5 the tax to make payments under a contract after the provisions of
6 the contract have been approved by a majority of the district voters
7 voting at an election held for that purpose.

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

11 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

12 Sec. 7906.201. AUTHORITY TO ISSUE BONDS AND OTHER
13 OBLIGATIONS. The district may issue bonds or other obligations
14 payable wholly or partly from ad valorem taxes, impact fees,
15 revenue, contract payments, grants, or other district money, or any
16 combination of those sources, to pay for any authorized district
17 purpose.

18 Sec. 7906.202. TAXES FOR BONDS. At the time the district
19 issues bonds payable wholly or partly from ad valorem taxes, the
20 board shall provide for the annual imposition of a continuing
21 direct ad valorem tax, without limit as to rate or amount, while all
22 or part of the bonds are outstanding as required and in the manner
23 provided by Sections 54.601 and 54.602, Water Code.

24 Sec. 7906.203. BONDS FOR ROAD PROJECTS. At the time of
25 issuance, the total principal amount of bonds or other obligations
26 issued or incurred to finance road projects and payable from ad
27 valorem taxes may not exceed one-fourth of the assessed value of the

1 real property in the district.

2 SECTION 2. The Montgomery County Municipal Utility District
3 No. 146 initially includes all the territory contained in the
4 following area:

5 428.212 Acres

6 Joseph G. Ferguson Survey, A-221

7 Montgomery County, Texas

8 Being 428.212 acres of land situated in the Joseph G. Ferguson
9 Survey, A-221, Montgomery County, Texas, and being out of a
10 residual of a certain 1936.077 acres of land as described in deed
11 recorded under County Clerk's File No. 2007-037712 of the Real
12 Property Records of Montgomery County, Texas, said 428.212 acres of
13 land being more particularly described by metes and bounds as
14 follows:

15 BEGINNING at a concrete monument found in the west line of F.M.
16 1486, a 110 foot right-of-way, for the southeast corner of Blake
17 Ranch as described in deed recorded under County Clerk's File
18 No. 9366055 of the Real Property Records of Montgomery County,
19 Texas, same being the northeast corner and POINT OF BEGINNING of
20 the herein described tract;

21 THENCE South 02 degrees 33 minutes 01 seconds East, along the west
22 line of said F.M. 1486 and the east boundary line of the said
23 1936.077 acres of land, same being the east boundary line of the
24 herein described tract, a distance of 2677.01 feet to a 5/8 inch
25 iron rod with survey cap (Moyer) set for the northeast corner of Lot
26 1, Block 8, Crown Ranch Section One Amending Plat No. 1, according
27 to the map or plat thereof recorded in Cabinet Z, Sheets 755 thru

1 759 of the Map Records of Montgomery County, Texas, and the
2 southeast corner of the herein described tract;
3 THENCE North 85 degrees 35 minutes 50 seconds West, along the north
4 boundary line of Lots 1, 2, 3, and 4, Block 8, of said Crown Ranch
5 and the southerly boundary line of the herein described tract, a
6 distance of 1128.30 feet to a 5/8 inch iron rod with survey cap
7 (Moyer) set for an angle point;
8 THENCE South 59 degrees 34 minutes 02 seconds West, continuing
9 along the north boundary line of said Lot 4 and the north boundary
10 line of Lots 5 and 6, Block 8 of said Crown Ranch and continuing
11 along the south boundary line of the herein described tract, a
12 distance of 635.56 feet to a 5/8 inch iron rod with survey cap
13 (Moyer) set for the northwest corner of said Lot 6 and a southerly
14 corner of the herein described tract;
15 THENCE in a southeasterly direction along the west boundary line of
16 said Lot 6 and a southerly boundary line of the herein described
17 tract along a non-tangent curve to the left having as its elements:
18 a radius of 616.14 feet, a central angle of 37 degrees 40 minutes 18
19 seconds, an arc length of 405.11 feet, and a chord bearing of South
20 23 degrees 38 minutes 52 seconds East, a distance of 397.85 feet to
21 a 5/8 inch iron rod with survey cap (Moyer) set in the north line of
22 Crown Ranch Boulevard (a northwesterly cut-back corner) for the
23 southwest corner of said Lot 6 and a southerly corner of the herein
24 described tract;
25 THENCE South 37 degrees 53 minutes 49 seconds West, continuing
26 along the northwesterly line of said Crown Ranch Boulevard and the
27 southerly boundary line of the herein described tract, a distance

1 of 60.78 feet to a 5/8 inch iron rod with survey cap (Moyer) set for
2 the most easterly southeast corner of Restricted Reserve "F" of
3 said Crown Ranch and a southerly corner of the herein described
4 tract;

5 THENCE in a northwesterly direction along the northeast boundary
6 line of said Restricted Reserve "F" and continuing along the
7 southerly boundary line of the herein described tract along a
8 non-tangent curve to the right having as its elements: a radius of
9 676.14 feet, a central angle of 27 degrees 37 minutes 46 seconds, an
10 arc length of 326.05 feet, and a chord bearing of North 29 degrees
11 31 minutes 46 seconds West, a distance of 322.90 feet to a 5/8 inch
12 iron rod with survey cap (Moyer) set for the northeast corner of
13 said Restricted Reserve "F" and a southerly corner of the herein
14 described tract;

15 THENCE South 59 degrees 34 minutes 02 seconds West, along the north
16 boundary line of said Restricted Reserve "F" and continuing along
17 the southerly boundary line of the herein described tract, a
18 distance of 657.92 feet to a 5/8 inch iron rod with survey cap
19 (Moyer) set for the northwest corner of said Restricted Reserve "F"
20 and a southerly corner of the herein described tract;

21 THENCE South 14 degrees 38 minutes 43 seconds West, along the west
22 boundary line of said Restricted Reserve "F" and continuing along
23 the southerly boundary line of the herein described tract, a
24 distance of 243.59 feet to a 5/8 inch iron rod with survey cap
25 (Moyer) set for an angle point;

26 THENCE South 02 degrees 30 minutes 07 seconds East, continuing
27 along the west boundary line of said Restricted Reserve "F" and the

1 southerly boundary line of the herein described tract, a distance
2 of 89.62 feet to a 5/8 inch iron rod with survey cap (Moyer) set in
3 the north line of said Crown Ranch Boulevard for the southwest
4 corner of said Restricted Reserve "F" and a southerly corner of the
5 herein described tract;

6 THENCE South 87 degrees 29 minutes 53 seconds West, along the north
7 line of said Crown Ranch Boulevard and continuing along the
8 southerly boundary line of the herein described tract, a distance
9 of 850.45 feet to a 5/8 inch iron rod with survey cap (Moyer) set for
10 the southeast corner of Lot 1, Block 7, of said Crown Ranch and a
11 southerly corner of the herein described tract;

12 THENCE North 02 degrees 30 minutes 07 seconds West, along the east
13 boundary line of said Lot 1, Block 7 and continuing along the
14 southerly boundary line of the herein described tract, a distance
15 of 405.55 feet to a 5/8 inch iron rod with survey cap (Moyer) set for
16 the northeast corner of said Lot 1, Block 7 and a southerly corner
17 of the herein described tract;

18 THENCE South 87 degrees 29 minutes 53 seconds West, along the north
19 boundary line of Lots 1 and 2, Block 7 and continuing along the
20 southerly boundary line of the herein described tract, a distance
21 of 383.12 feet to a 5/8 inch iron rod with survey cap (Moyer) set for
22 the northwest corner of said Lot 2, Block 7 and a southerly corner
23 of the herein described tract;

24 THENCE South 02 degrees 30 minutes 07 seconds East, along the west
25 boundary line of said Lot 2 and continuing along the southerly
26 boundary line of the herein described tract, a distance of 380.55
27 feet to a 5/8 inch iron rod with survey cap (Moyer) set in the north

1 line of said Crown Ranch Boulevard for the southwest corner of said
2 Lot 2 and a southerly corner of the herein described tract;
3 THENCE South 87 degrees 29 minutes 53 seconds West, along the north
4 line of said Crown Ranch Boulevard and continuing along the
5 southerly boundary line of the herein described tract, a distance
6 of 60.00 feet to a 5/8 inch iron rod with survey cap (Moyer) set for
7 the southeast corner of Lot 1, Block 6 of said Crown Ranch and a
8 southerly corner of the herein described tract;
9 THENCE North 02 degrees 30 minutes 07 seconds West, along the east
10 boundary line of said a Lot 1, Block 6 and continuing along the
11 southerly boundary line of the herein described tract, a distance
12 of 380.55 feet to a 5/8 inch iron rod with survey cap (Moyer) set for
13 the northeast corner of said Lot 1, Block 6 and a southerly corner
14 of the herein described tract;
15 THENCE South 87 degrees 29 minutes 53 second West, along the north
16 boundary lines of Lots 1, 2, 3, 4, and 5, Block 6 of said Crown Ranch
17 Section One and continuing along the southerly boundary line of the
18 herein described tract, a distance of 865.08 feet to a 5/8 inch iron
19 rod with survey cap (Moyer) set for the northeast corner of Lot 1,
20 Block 5, of said Crown Ranch and a southerly angle point of the
21 herein described tract;
22 THENCE North 59 degrees 17 minutes 57 seconds West, along the
23 northeast boundary line of Lots 1, 2, and 3, Block 5 of said Crown
24 Ranch and along the southwesterly boundary line of the herein
25 described tract, a distance of 451.13 feet to a 5/8 inch iron rod
26 with survey cap (Moyer) set for the common corner of Lots 3 and 4,
27 Block 5 of said Crown Ranch and an angle point of the herein

1 described tract;

2 THENCE North 47 degrees 07 minutes 57 seconds West, along the
3 northeast boundary line of Lots 4 and 5, Block 5 of said Crown Ranch
4 and continuing along the southwesterly boundary line of the herein
5 described tract, a distance of 298.12 feet to a 5/8 inch iron rod
6 with survey cap (Moyer) set for the common corner of Lots 5 and 6,
7 Block 5 of said Crown Ranch and an angle point of the herein
8 described tract;

9 THENCE North 37 degrees 48 minutes 49 seconds West, along the
10 northeast boundary line of Lots 6, 7, 8, 9, and 10, Block 5, of said
11 Crown Ranch and continuing along the southwesterly boundary line of
12 the herein described tract, a distance of 901.31 feet to a 5/8 inch
13 iron rod with survey cap (Moyer) set in a curve for the north corner
14 of said Lot 10 common to a southerly corner of the herein described
15 tract;

16 THENCE in a southwesterly direction along the northwest boundary
17 line of said Lot 10 and continuing along the southwesterly boundary
18 line of the herein described tract along a non-tangent curve to the
19 right having as its elements: a radius of 1030.00 feet, a central
20 angle of 01 degrees 09 minutes 44 seconds, an arc length of 20.90
21 feet, and a chord bearing of South 51 degrees 36 minutes 18 seconds
22 West, a distance of 20.89 feet to a 5/8 inch iron rod with survey cap
23 (Moyer) set for the end of the curve;

24 THENCE South 52 degrees 11 minutes 11 seconds West, continuing
25 along the northwest boundary line of said Lot 10 and continuing
26 along the southwesterly boundary line of the herein described
27 tract, a distance of 332.11 feet to a 5/8 inch iron rod with survey

1 cap (Moyer) set in the northeast line of Crown Ranch Boulevard, a 60
2 foot private right-of-way, for the southwest corner of said Lot 10,
3 same being a southerly corner of the herein described tract;
4 THENCE North 37 degrees 48 minutes 49 seconds West, along the
5 northeast line of said Crown Ranch Boulevard and continuing along
6 the southwesterly boundary line of the herein described tract, a
7 distance of 60.00 feet to a 5/8 inch iron rod with survey cap
8 (Moyer) set for the southeast corner of Lot 1, Block 4, of said
9 Crown Ranch Section One and a southerly corner of the herein
10 described tract;
11 THENCE North 52 degrees 11 minutes 10 seconds East, along the
12 southeast boundary line of said Lot 1 and continuing along the
13 southwesterly boundary line of the herein described tract, a
14 distance of 332.11 feet to a 5/8 inch iron rod with survey cap for
15 the beginning of a curve;
16 THENCE in a northeasterly direction continuing along the southeast
17 boundary line of said Lot 1 and continuing along the southwesterly
18 boundary line of the herein described tract along a curve to the
19 left having as its elements: a radius of 970.00 feet, a central
20 angle of 01 degrees 11 minutes 13 seconds, an arc length of 20.09
21 feet, and a chord bearing of North 51 degrees 35 minutes 34 seconds
22 East, a distance of 20.09 feet to a 5/8 inch iron rod with survey cap
23 (Moyer) set for the northeast corner of said Lot 1 and a southerly
24 corner of the herein described tract;
25 THENCE North 43 degrees 36 minutes 42 seconds West, along the
26 northeast boundary line of Lots 1, 2, and 3, Block 4 of said Crown
27 Ranch, and continuing along the southwesterly boundary line of the

1 herein described tract, a distance of 552.90 feet to a 5/8 inch iron
2 rod with survey cap (Moyer) set for an angle point;
3 THENCE North 58 degrees 26 minutes 29 seconds West, along the
4 northeast boundary line of said Lots 3, 4, 5, and 6, Block 4, of said
5 Crown Ranch and continuing along the southwesterly boundary line of
6 the herein described tract, a distance of 561.07 feet to a 5/8 inch
7 iron rod with survey cap (Moyer) set for an angle point;
8 THENCE North 73 degrees 22 minutes 49 seconds West, along the
9 northeast boundary line of Lots 6, 7, 8, and Restricted Reserve "E",
10 Block 4 of said Crown Ranch, and the southwesterly boundary line of
11 the herein described tract, a distance of 561.07 feet to a 5/8 inch
12 iron rod with survey cap (Moyer) set for an angle point;
13 THENCE North 87 degrees 16 minutes 13 seconds West, along the north
14 boundary line of Restricted Reserve "E" and Lot 9, Block 4, of said
15 Crown Ranch and continuing along the southwesterly boundary line
16 of the herein described tract, a distance of 247.65 feet to a point
17 for the southeast corner of Restricted Reserve "G" of Crown Ranch
18 Section Three, according to the map or plat thereof recorded in
19 Cabinet Z, Sheet 1208 of the Map Records of Montgomery County, Texas
20 and a northwest corner of the herein described tract;
21 THENCE North 27 degrees 21 minutes 07 seconds East, along the east
22 boundary line of said Restricted Reserve "G", southeast boundary
23 line of said Lot 35 and the northwest boundary line of the herein
24 described tract, a distance of 164.86 feet to a point for the most
25 easterly southeast corner of said Lot 35 and an interior
26 northwesterly corner of the herein described tract;
27 THENCE North 65 degrees 26 minutes 22 seconds West, along the

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1 northeast boundary line of Lot 35, Block 2, of said Crown Ranch
2 Section Three, and continuing along the northwest boundary line of
3 the herein described tract, a distance of 188.65 feet to an angle
4 point;

5 THENCE North 40 degrees 41 minutes 22 seconds West, continuing
6 along the northeast boundary line of said Lot 35 and the east
7 boundary line of Lot 34 and 33, Block 2, of said Crown Ranch Section
8 Three, common to the northwest boundary line of the herein
9 described tract, a distance of
10 443.41 feet to an angle point;

11 THENCE North 03 degrees 49 minutes 38 seconds West, along the east
12 boundary line of Lots 33 and 32, and Restricted Reserve "F", Block
13 2, of said Crown Ranch Section Three and continuing along the
14 northwest boundary line of the herein described tract, a distance
15 of 259.25 feet to a 5/8 inch iron rod with survey cap (Moyer) set in
16 the common boundary line of the aforesaid Blake Ranch Property and
17 the 1936.077 acres of land for the northeast corner of Restricted
18 Reserve "F" of said Crown Ranch Section Three, and the northwest
19 corner of the herein described tract;

20 THENCE North 86 degrees 10 minutes 23 seconds East, along the said
21 common boundary line and the north boundary line of the herein
22 described tract, a distance of 7650.14 feet to the POINT OF
23 BEGINNING and containing 428.212 acres of land.

24 Job No. 11014-B

25 Job No. 10080

26 1929.279 Acres

27 Joseph G. Ferguson Survey, A-227; Charles Weaver Survey, A-624;

1 Alexander Robblis Survey, A-464; Robert Elgin Survey, A-199
2 Montgomery County, Texas
3 Alexander Robblis Survey, A-400; Charles Weaver Survey, A-482;
4 P.G. Moffitt Survey, A-330; E.T. Estis Survey, A-194
5 William R. Wheelis Survey, A-481
6 Grimes County, Texas
7 Being 1929.279 acres of land situated in the Joseph G. Ferguson
8 Survey, A-227; the Charles Weaver Survey, A-624; the Alexander
9 Robblis Survey, A-464; and the Robert Elgin Survey, A-199,
10 Montgomery County, Texas, and situated in the Alexander Robblis
11 Survey, A-400; the Charles Weaver Survey, A-482; the P.G. Moffitt
12 Survey, A-330; and the E.T. Estis Survey, A-194, Grimes County,
13 Texas, and being 1988.459 acres of land save and except 59.180 acres
14 of land, said 1929.279 acres of land being more particularly
15 described by metes and bounds as follows:
16 BEGINNING at a 5/8 inch iron rod with survey cap set in the west line
17 of F.M. 1486, a 110 foot right of way per Tx Dot ROW Map R-1416-3-1
18 February 22, 1960, for the southeast corner of Crown Ranch Section
19 One, according to the map or plat thereof recorded in Cabinet Z,
20 Sheets 755 thru 759 of the Map Records of Montgomery County, Texas,
21 and the northeast corner of a certain 1,675.016 acres of land
22 (Parcel N7395-C2) as described in deed recorded in Volume 849, Page
23 205 of the Deed Records of Grimes County, Texas, and under County
24 Clerk's File No. 968009 of the Real Property Records of Montgomery
25 County, Texas, same being the northeast corner and POINT OF
26 BEGINNING of the herein described tract;
27 THENCE South 02 degrees 43 minutes 16 seconds East, along the west

1 line of said F.M. 1486 and the common east boundary line of the said
2 1,675.016 acres of land and the herein described tract, a distance
3 of 5,114.36 feet to a 5/8 inch iron rod with survey cap (Burgess)
4 found for the southeast corner of the herein described tract;

5 THENCE South 87 degrees 31 minutes 55 seconds West along the common
6 south boundary line of the said 1675.016 acres of land and the
7 herein described tract, passing at 10,209.67 feet, a 3 inch brass
8 disc in concrete stamped Moyer Surveying 5656 Grimes and Montgomery
9 County Line, continuing in all a distance of 12,654.87 feet to a 5/8
10 inch iron rod with survey cap (Burgess) found in the east boundary
11 line of a certain 16.0 acres of land as described in deed recorded
12 in Volume 362, Page 558 of the Deed Records of Grimes County, Texas,
13 for the most southerly southwest corner of the herein described
14 tract;

15 THENCE North 03 degrees 31 minutes 33 seconds West, along the east
16 boundary line of the said 16.0 acres of land and continuing along
17 the east boundary line of a certain 49.963 acres of land as
18 described in deed recorded in Volume 324, Page 60 of the Deed
19 Records of Grimes County, Texas, same being a southwesterly
20 boundary line of the herein described tract, a distance of 2371.80
21 feet to a concrete monument found for the northeast corner of the
22 said 49.963 acres of land and an interior southwesterly corner of
23 the herein described tract from which a 1 inch iron pipe found for
24 reference bears South 46 degrees 26 minutes 12 seconds East, a
25 distance of 0.92 feet;

26 THENCE South 86 degrees 27 minutes 11 seconds West, along the north
27 boundary line of the said 49.963 acres of land and a northerly

1 boundary line of a certain 193.424 acres of land as described in
2 deed recorded in Volume 932, Page 105 of the Deed Records of Grimes
3 County, Texas, same being a southwesterly boundary line of the
4 herein described tract, a distance of 2219.95 feet to a 5/8 inch
5 iron rod with survey cap (Moyer) set for an interior northwesterly
6 corner of the said 193.424 acres of land and a southwesterly corner
7 of the herein described tract from which a 1 inch iron pipe found
8 for reference bears North 60 degrees 31 minutes 23 seconds East, a
9 distance of 0.55 feet;

10 THENCE North 03 degrees 32 minutes 32 seconds West, along a
11 northerly boundary line of the said 193.424 acres of land and a
12 southwesterly boundary line of the herein described tract, a
13 distance of 1245.68 feet to a 1 inch iron pipe found for a
14 northwesterly corner of the said 193.424 acres and an interior
15 westerly corner of the herein described tract;

16 THENCE South 86 degrees 51 minutes 46 seconds West, along the
17 northwest boundary line of the said 193.424 acres of land and an
18 interior westerly boundary line of the herein described tract, a
19 distance of 731.85 feet to a 1 inch iron pipe found for the
20 northwest corner of the said 193.424 acres of land from which a 1
21 inch iron pipe found for reference bears North 04 degrees 27 minutes
22 04 seconds West, a distance of 34.76 feet;

23 THENCE South 03 degrees 41 minutes 41 seconds East, along the east
24 boundary line of a certain 261.066 acres of land as described in
25 deed recorded in Volume 849, Page 205 of the Deed Records of Grimes
26 County, Texas, common to the west boundary line of the said 193.424
27 acres of land, same being an interior westerly boundary line of the

1 herein described tract, a distance of 2879.52 feet to a 1 inch iron
2 pipe found for the northeast corner of a certain 49.0 acres of land
3 as described in deed recorded in Volume 286, Page 737 of the Deed
4 Records of Grimes County, Texas, and the southeast corner of the
5 said 261.066 acres of land, same being a southwesterly corner of the
6 herein described tract;

7 THENCE South 86 degrees 10 minutes 28 seconds West, along the north
8 boundary line of the said 49.0 acres of land and the south boundary
9 line of the said 261.066 acres of land, same being the southwest
10 boundary line of the herein described tract, a distance of 1531.74
11 feet to a 5/8 inch iron rod with survey cap (Moyer) set in the
12 centerline of Mill Creek for the southeast corner of a certain 68.50
13 acres of land as described in deed recorded in Volume 625, Page 691
14 of the Deed Records of Grimes County, Texas, and the southwest
15 corner of the herein described tract;

16 THENCE in a northerly direction along the east boundary line of the
17 said 68.50 acres of land and a southwest boundary line of the herein
18 described tract along the centerline meanders of said Mill Creek
19 the following courses and distances:

- 20 1. North 04 deg. 01 min. 17 sec. West, a distance of 43.26 feet;
- 21 2. North 01 deg. 25 min. 10 sec. West, a distance of 298.68 feet;
- 22 3. North 05 deg. 22 min. 10 sec. West, a distance of 183.35 feet;
- 23 4. North 18 deg. 31 min. 11 sec. West, a distance of 76.10 feet;
- 24 5. North 22 deg. 46 min. 19 sec. West, a distance of 212.60 feet;
- 25 6. North 23 deg. 35 min. 43 sec. West, a distance of 114.58 feet;
- 26 7. North 34 deg. 17 min. 37 sec. West, a distance of 82.07 feet;
- 27 8. North 22 deg. 34 min. 55 sec. West, a distance of 334.57 feet;

1 9. North 03 deg. 41 min. 04 sec. West, a distance of 60.79 feet;
2 10. North 58 deg. 40 min. 35 sec. West, a distance of 98.49 feet;
3 11. North 66 deg. 35 min. 20 sec. West, a distance of 151.67 feet;
4 12. North 87 deg. 34 min. 10 sec. West, a distance of 58.50 feet;
5 13. North 87 deg. 53 min. 47 sec. West, a distance of 28.52 feet;
6 14. North 78 deg. 35 min. 48 sec. West, a distance of 42.79 feet;
7 15. North 64 deg. 57 min. 06 sec. West, a distance of 100.15 feet;
8 16. North 58 deg. 19 min. 28 sec. West, a distance of 108.07 feet;
9 17. North 51 deg. 08 min. 18 sec. West, a distance of 154.36 feet;
10 18. North 56 deg. 11 min. 55 sec. West, a distance of 47.73 feet;
11 19. North 41 deg. 02 min. 54 sec. West, a distance of 48.93 feet;
12 20. North 26 deg. 22 min. 46 sec. West, a distance of 70.52 feet;
13 21. North 18 deg. 55 min. 33 sec. West, a distance of 115.55 feet
14 to a point for the northeasterly corner of the said 68.50 acres of
15 land and an interior southwesterly corner of the herein described
16 tract;
17 THENCE South 87 degrees 41 minutes 36 seconds West, along the north
18 boundary line of the said 68.50 acres of land and a southwesterly
19 boundary line of the herein described tract, passing at 6.88 feet, a
20 railroad tie fence post found for reference continuing in all a
21 distance of 1661.16 feet to a 1 inch iron pipe found in the east line
22 of F.M. 1774, a 100 foot right-of-way, for the northwest corner of a
23 certain 2.0 acres of land as described in deed recorded in Volume
24 583, Page 462 of the Deed Records of Grimes County, Texas, and a
25 southwesterly corner of the herein described tract from which a 1
26 inch iron pipe found for reference bears South 87 degrees 45 minutes
27 38 seconds West, a distance of 99.0 feet;

1 THENCE North 07 degrees 15 minutes 44 seconds West, passing at 42.05
2 feet, a 5/8 inch iron rod found for reference continuing in all, a
3 distance of 1324.41 feet to a 5/8 inch iron rod found for the
4 southwest corner of a certain 100.36 acres of land and the most
5 westerly corner of the herein described tract from which a 1 inch
6 iron pipe found for reference bears North 86 degrees 07 minutes 28
7 seconds East, a distance of 13.65 feet;

8 THENCE North 86 degrees 38 minutes 28 seconds East, along the south
9 boundary line of the said 100.36 acres of land and a northwesterly
10 boundary line of the herein described tract, passing at 1501.19
11 feet, a fence post found for reference continuing in all, a distance
12 of 1571.95 feet to a point in the centerline of said Mill Creek for
13 the southeast corner of the said 100.36 acres of land and an
14 interior northeasterly corner of the herein described tract;

15 THENCE in a northerly direction along the east boundary line of the
16 said 100.36 acres of land and the northwesterly boundary line of the
17 herein described tract along the centerline meanders of said Mill
18 Creek the following courses and distances:

- 19 1. North 05 deg. 22 min. 57 sec. East, a distance of 591.86 feet;
- 20 2. North 06 deg. 00 min. 52 sec. West, a distance of 250.76 feet;
- 21 3. North 09 deg. 54 min. 50 sec. West, a distance of 347.55 feet;
- 22 4. North 29 deg. 37 min. 27 sec. West, a distance of 268.49 feet;
- 23 5. North 41 deg. 51 min. 19 sec. West, a distance of 155.57 feet;
- 24 6. North 36 deg. 30 min. 59 sec. West, a distance of 215.63 feet to
25 a point for the northwest corner of the herein described tract;

26 THENCE North 86 degrees 26 minutes 31 seconds East, along a
27 northwesterly boundary line of the herein described tract, passing

1 at 93.64 feet, a 1 and 1/2 inch iron pipe found for reference and the
2 southwest corner of a certain 130 acres of land as described in deed
3 recorded in Volume 897, Page 443 of the Deed Records of Grimes
4 County, Texas, continuing in all a distance of 3756.33 feet to a 1
5 inch iron pipe found for the southeast corner of the said 130 acres
6 of land and a northwesterly corner of the herein described tract;
7 THENCE South 03 degrees 26 minutes 39 seconds East, along a
8 northwesterly boundary line of the herein described tract, a
9 distance of 617.42 feet to a 5/8 inch iron rod with survey cap set
10 for an interior northwesterly corner of the herein described tract;
11 THENCE North 87 degrees 31 minutes 20 seconds East, along the north
12 boundary line of the herein described tract, passing at 4,751.81
13 feet, a brass disc in concrete stamped Moyer Surveying 5656 Grimes
14 and Montgomery County Line and set for the southeast corner of Crown
15 Ranch Section Two, a corrected plat according to the map or plat
16 thereof recorded in Volume 1221, Page 315 of the Map Records of
17 Grimes County, Texas, and the southwest corner of Crown Ranch
18 Section One-A Amending Plat No. 1, according to the map or plat
19 thereof recorded in Cabinet Z, Sheet 762 of the Map Records of
20 Montgomery County, Texas, continuing in all a distance of 14,947.98
21 feet to the POINT OF BEGINNING and containing 1,988.459 acres of
22 land;
23 SAVE AND EXCEPT a certain 59.180 acres of land described in deed as
24 60 acres recorded in Volume 156, Page 217 of the Deed Records of
25 Grimes County, Texas, said 59.180 acres being more particularly
26 described by metes and bounds as follows:
27 COMMENCING at a 1 inch iron pipe found for the northwest corner of

1 the aforesaid 193.424 acres of land;
2 THENCE North 04 degrees 27 minutes 04 seconds West, a distance of
3 34.76 feet to a 1 inch iron pipe found for refernce;
4 TEHNCE South 87 degrees 49 minutes 37 seconds West, a distance of
5 72.03 feet to a 1 and 1/4 inch iron pipe found for the southeast
6 corner and POINT OF BEGINNING of the herein described tract;
7 THENCE South 87 degrees 21 minutes 15 seconds West, along the south
8 boundary line of the herein described tract, a distance of 1352.68
9 feet to a 1 inch iron pipe found for the southwest corner of the
10 herein described tract;
11 THENCE North 02 degrees 43 minutes 52 seconds West, along the west
12 boundary line of the herein described tract, a distance of 1868.58
13 feet to a 1 and 1/4 inch iron pipe found for the northwest corner of
14 the herein described tract;
15 THENCE North 87 degrees 17 minutes 50 seconds East, along the north
16 boundary line of the herein described tract, a distance of 1451.45
17 feet to a concrete monument (disturbed) for the northeast corner of
18 the herein described tract;
19 THECNE South 02 degrees 33 minutes 59 seconds East, along the east
20 boundary line of the herein described tract, a distance of 486.58
21 feet to a concrete monument (broken) found for a northeasterly
22 corner of the herein described tract;
23 THENCE South 86 degrees 05 minutes 18 seconds West, along
24 continuing along the east boundary line of the herein described
25 tract, a distance of 95.11 feet to a concrete monument found for an
26 interior northeasterly corner of the herein described tract;
27 THENCE South 02 degrees 38 minutes 11 seconds East, continuing

1 along the east boundary line of the herein described tract, a
2 distance of 1381.34 feet to the POINT OF BEGINNING and containing
3 59.180 acres of land.

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

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

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

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

22 SECTION 4. (a) If this Act does not receive a two-thirds
23 vote of all the members elected to each house, Subchapter C, Chapter
24 7906, Special District Local Laws Code, as added by Section 1 of
25 this Act, is amended by adding Section 7906.107 to read as follows:

26 Sec. 7906.107. NO EMINENT DOMAIN POWER. The district may
27 not exercise the power of eminent domain.

1 (b) This section is not intended to be an expression of a
2 legislative interpretation of the requirements of Section 17(c),
3 Article I, Texas Constitution.

4 SECTION 5. This Act takes effect September 1, 2015.