

By: Smith

H.B. No. 4186

Substitute the following for H.B. No. 4186:

By: Martinez Fischer

C.S.H.B. No. 4186

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the East Lake Houston Management District; 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 3936 to read as follows:

CHAPTER 3936. EAST LAKE HOUSTON MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3936.001. DEFINITIONS. In this chapter:

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

(2) "City" means the city of Houston.

(3) "Director" means a board member.

(4) "District" means the East Lake Houston Management District.

Sec. 3936.002. CREATION AND NATURE OF DISTRICT. The district is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3936.003. PURPOSE; LEGISLATIVE FINDINGS. (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 and other political subdivisions to contract with the district, the

1 legislature has established a program to accomplish the public
2 purposes set out in Section 52-a, Article III, Texas Constitution.

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

8 (c) The district is created to supplement and not to
9 supplant city services provided in the district.

10 Sec. 3936.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
11 The district is created to serve a public use and benefit.

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

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

19 (1) developing and diversifying the economy of the
20 state;

21 (2) eliminating unemployment and underemployment;

22 (3) developing or expanding transportation and
23 commerce; and

24 (4) providing quality residential housing.

25 (d) The district will:

26 (1) promote the health, safety, and general welfare of
27 residents, employers, potential employees, employees, visitors,

1 and consumers in the district, and of the public;

2 (2) provide needed funding for the district to
3 preserve, maintain, and enhance the economic health and vitality of
4 the district territory as a residential community and business
5 center; and

6 (3) promote the health, safety, welfare, and enjoyment
7 of the public by providing pedestrian ways and by landscaping,
8 removing graffiti from, and developing certain areas in the
9 district, which are necessary for the restoration, preservation,
10 and enhancement of scenic beauty.

11 (e) Pedestrian ways along or across a street, whether at
12 grade or above or below the surface, and street lighting, street
13 landscaping, vehicle parking, and street art objects are parts of
14 and necessary components of a street and are considered to be an
15 improvement project that includes a street or road improvement.

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

19 Sec. 3936.005. DISTRICT TERRITORY. (a) The district is
20 initially composed of the territory described by Section 2 of the
21 Act enacting this chapter.

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

26 (1) organization, existence, or validity;

27 (2) right to issue any type of bond for the purposes

for which the district is created or to pay the principal of and interest on a bond;

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

(4) legality or operation.

Sec. 3936.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

(a) All or any part of the area of the district is eligible to be included in:

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

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

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

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

(b) If the city creates a tax increment reinvestment zone described by Subsection (a), the city and the board of directors of the zone, by contract with the district, may grant money deposited in the tax increment fund to the district to be used by the district for the purposes permitted for money granted to a corporation under Section 380.002(b), Local Government Code, including the right to pledge the money as security for any bonds issued by the district for an improvement project.

(c) A tax increment reinvestment zone created by the city in the district is not subject to the limitations provided by Section 311.006(b), Tax Code.

Sec. 3936.007. APPLICABILITY OF MUNICIPAL MANAGEMENT

DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3936.008. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3936.051. GOVERNING BODY; TERMS. The district is governed by a board of five voting directors who serve staggered terms of four years with two or three directors' terms expiring June 1 of each odd-numbered year.

Sec. 3936.052. QUALIFICATIONS OF DIRECTORS APPOINTED BY CITY. To be qualified to serve as a director appointed by the governing body of the city, a person must be:

(1) a resident of the district who is also a registered voter of the district;

(2) an owner of property in the district;

(3) an owner of stock or a partnership or membership interest, whether beneficial or otherwise, of a corporate partnership, limited liability company, or other entity owner of a direct or indirect interest in property in the district;

(4) an owner of a beneficial interest in a trust, or a trustee in a trust, that directly or indirectly owns property in the district;

(5) an agent, employee, or tenant of a person described by Subdivision (2), (3), or (4); or

(6) an initial director.

Sec. 3936.053. APPOINTMENT OF DIRECTORS. The governing

1 body of the city shall appoint directors from persons recommended
2 by the board.

3 Sec. 3936.054. VACANCY. If a vacancy occurs on the board,
4 the remaining directors shall appoint a director for the remainder
5 of the unexpired term.

6 Sec. 3936.055. DIRECTOR'S OATH OR AFFIRMATION. (a) A
7 director shall file the director's oath or affirmation of office
8 with the district, and the district shall retain the oath or
9 affirmation in the district records.

10 (b) A director shall file a copy of the director's oath or
11 affirmation with the secretary of the city.

12 Sec. 3936.056. QUORUM. A vacant director position is not
13 counted for purposes of establishing a quorum.

14 Sec. 3936.057. OFFICERS. The board shall elect from among
15 the directors a chair, a vice chair, and a secretary. The offices
16 of chair and secretary may not be held by the same person.

17 Sec. 3936.058. COMPENSATION; EXPENSES. (a) The district
18 may compensate each director in an amount not to exceed \$50 for each
19 board meeting. The total amount of compensation a director may
20 receive each year may not exceed \$2,000.

21 (b) A director is entitled to reimbursement for necessary
22 and reasonable expenses incurred in carrying out the duties and
23 responsibilities of the board.

24 Sec. 3936.059. LIABILITY INSURANCE. The district may obtain
25 and pay for comprehensive general liability insurance coverage from
26 a commercial insurance company or other source that protects and
27 insures a director against personal liability and from all claims

relating to:

(1) actions taken by the director in the director's capacity as a member of the board;

(2) actions and activities taken by the district; or

(3) the actions of others acting on behalf of the district.

Sec. 3936.060. NO EXECUTIVE COMMITTEE. The board may not create an executive committee to exercise the powers of the board.

Sec. 3936.061. BOARD MEETINGS. The board shall hold meetings at a place accessible to the public.

Sec. 3936.062. INITIAL DIRECTORS. (a) The initial board consists of:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>John Hauser</u>
<u>2</u>	<u>Bob Harris</u>
<u>3</u>	<u>Martin Filfil</u>
<u>4</u>	<u>Tammy Reed</u>
<u>5</u>	<u>Zach Dehghanpoo</u>

(b) The terms of the initial directors expire June 1, 2017.

(c) Of the directors who replace an initial director, the terms of directors serving in positions 1 through 3 expire June 1, 2019, and the terms of directors serving in positions 4 and 5 expire June 1, 2021.

(d) Section 3936.052 does not apply to initial directors under this section.

(e) This section expires September 1, 2021.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3936.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3936.102. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. 3936.103. LOCATION OF IMPROVEMENT PROJECT. An improvement project described by Section 3936.102 may be located:

(1) in the district; or

(2) in an area outside but adjacent to the district if the project is for the purpose of extending a public infrastructure improvement beyond the district's boundaries to a logical terminus.

Sec. 3936.104. DEVELOPMENT CORPORATION POWERS. The district, using money available to the district, may exercise the powers given to a development corporation under Chapter 505, Local Government Code, including the power to own, operate, acquire, construct, lease, improve, or maintain a project under that chapter.

Sec. 3936.105. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or

1 providing a service authorized by this chapter.

2 (b) The nonprofit corporation:

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

6 (2) may implement any project and provide any service
7 authorized by this chapter.

8 (c) The board shall appoint the board of directors of the
9 nonprofit corporation. The board of directors of the nonprofit
10 corporation shall serve in the same manner as the board of directors
11 of a local government corporation created under Subchapter D,
12 Chapter 431, Transportation Code, except that a board member is not
13 required to reside in the district.

14 Sec. 3936.106. AGREEMENTS; GRANTS. (a) As provided by
15 Chapter 375, Local Government Code, the district may make an
16 agreement with or accept a gift, grant, or loan from any person.

17 (b) The implementation of a project is a governmental
18 function or service for the purposes of Chapter 791, Government
19 Code.

20 Sec. 3936.107. LAW ENFORCEMENT SERVICES. To protect the
21 public interest, the district may contract with a qualified party,
22 including the city or a county, to provide law enforcement services
23 in the district for a fee.

24 Sec. 3936.108. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
25 district may join and pay dues to a charitable or nonprofit
26 organization that performs a service or provides an activity
27 consistent with the furtherance of a district purpose.

1 Sec. 3936.109. ECONOMIC DEVELOPMENT. (a) The district may
2 engage in activities that accomplish the economic development
3 purposes of the district.

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

8 (1) make loans and grants of public money; and

9 (2) provide district personnel and services.

10 (c) The district may create economic development programs
11 and exercise the economic development powers that:

12 (1) Chapter 380, Local Government Code, provides to a
13 municipality; and

14 (2) Subchapter A, Chapter 1509, Government Code,
15 provides to a municipality.

16 Sec. 3936.110. REAL PROPERTY RESTRICTIONS. (a) The
17 district may adopt restrictions on the use of real property in the
18 district.

19 (b) The district may enforce restrictions on the use of real
20 property in the district in the manner provided for a municipal
21 utility district by Section 54.237, Water Code.

22 Sec. 3936.111. CONCURRENCE ON ADDITIONAL POWERS. If the
23 legislature grants the district a power that is in addition to the
24 powers approved by the initial resolution of the governing body of
25 the city consenting to the creation of the district, the district
26 may not exercise that power unless the governing body of the city
27 consents to that change by resolution.

1 Sec. 3936.112. NO EMINENT DOMAIN POWER. The district may
2 not exercise the power of eminent domain.

3 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

4 Sec. 3936.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
5 board by resolution shall establish the number of signatures and
6 the procedure required for a disbursement or transfer of the
7 district's money.

8 Sec. 3936.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
9 The district may acquire, construct, finance, operate, or maintain
10 an improvement project or service authorized under this chapter or
11 Chapter 375, Local Government Code, using any money available to
12 the district.

13 Sec. 3936.153. GENERAL POWERS REGARDING PAYMENT OF DISTRICT
14 BONDS, OBLIGATIONS, OR OTHER COSTS. The district may provide or
15 secure the payment or repayment of any bond, note, or other
16 temporary or permanent obligation or reimbursement or other
17 contract with any person and the costs and expenses of the
18 establishment, administration, and operation of the district and
19 the district's costs or share of the costs or revenue of an
20 improvement project or district contractual obligation or
21 indebtedness by:

22 (1) the imposition of an ad valorem tax or sales and
23 use tax or an assessment, user fee, concession fee, or rental
24 charge; or

25 (2) any other revenue or resources of the district, or
26 other revenue authorized by the city, including revenues from a tax
27 increment reinvestment zone created by the city under applicable

1 law.

2 Sec. 3936.154. PETITION REQUIRED FOR FINANCING SERVICES AND
3 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
4 service or improvement project with assessments under this chapter
5 unless a written petition requesting that service or improvement
6 has been filed with the board.

7 (b) The petition must be signed by:

8 (1) the owners of a majority of the assessed value of
9 real property in the district subject to assessment according to
10 the most recent certified tax appraisal roll for the county; or

11 (2) at least 50 persons who own real property in the
12 district subject to assessment, if more than 50 persons own real
13 property in the district subject to assessment as determined by the
14 most recent certified tax appraisal roll for the county.

15 Sec. 3936.155. METHOD OF NOTICE FOR HEARING. The district
16 may mail the notice required by Section 375.115(c), Local
17 Government Code, by certified or first class United States mail.
18 The board shall determine the method of notice.

19 Sec. 3936.156. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
20 The board by resolution may impose and collect an assessment for any
21 purpose authorized by this chapter in all or any part of the
22 district.

23 (b) An assessment, a reassessment, or an assessment
24 resulting from an addition to or correction of the assessment roll
25 by the district, penalties and interest on an assessment or
26 reassessment, an expense of collection, and reasonable attorney's
27 fees incurred by the district:

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

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

6 (3) are the personal liability of and a charge against
7 the owners of the property even if the owners are not named in the
8 assessment proceedings.

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

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

17 Sec. 3936.157. STORM WATER USER CHARGES. The district may
18 establish user charges related to the operation of storm water
19 facilities, including the regulation of storm water for the
20 protection of water quality in the district.

21 Sec. 3936.158. NONPOTABLE WATER USER CHARGES. The district
22 may establish user charges for the use of nonpotable water for
23 irrigation purposes, subject to approval of the governing body of
24 the city.

25 Sec. 3936.159. COSTS FOR IMPROVEMENT PROJECTS. The
26 district may undertake separately or jointly with other persons,
27 including the city or a county, all or part of the cost of an

improvement project, including an improvement project:

(1) for improving, enhancing, and supporting public safety and security, fire protection and emergency medical services, and law enforcement in or adjacent to the district; or

(2) that confers a general benefit on the entire district or a special benefit on a definable part of the district.

Sec. 3936.160. TAX AND ASSESSMENT ABATEMENTS. The district may designate reinvestment zones and may grant abatements of a tax or assessment on property in the zones.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3936.201. TAX ABATEMENT. The district may enter into a tax abatement agreement in accordance with the general laws of this state authorizing and applicable to a tax abatement agreement by a municipality.

Sec. 3936.202. PROPERTY TAX AUTHORIZED. (a) The district may impose an ad valorem tax on all taxable property in the district to:

(1) pay for an improvement project of the types authorized by Section 52(b), Article III, and Section 59, Article XVI, Texas Constitution; or

(2) secure the payment of bonds issued for a purpose described by Subdivision (1).

(b) The district may not impose an ad valorem tax to pay for an improvement project under this chapter unless the imposition is approved by the voters of the district voting at an election held for that purpose. The board may call an election to approve the imposition of an ad valorem tax to pay for an improvement project

under this chapter only if the board receives a petition requesting the election signed by:

(1) more than 51 percent of the record owners of real property in the district subject to taxation; or

(2) owners representing more than 51 percent of the appraised value of real property in the district subject to taxation, as determined by the tax rolls of the appraisal district.

Sec. 3936.203. SALES AND USE TAX. (a) The district may impose a sales and use tax if authorized by a majority of the voters of the district voting at an election called for that purpose. Revenue from the tax may be used for any purpose for which ad valorem tax revenue of the district may be used.

(b) The district may not adopt a sales and use tax if as a result of the adoption of the tax the combined rate of all sales and use taxes imposed by the district and other political subdivisions of this state having territory in the district would exceed two percent at any location in the district.

(c) If the voters of the district approve the adoption of the tax at an election held on the same election date on which another political subdivision adopts a sales and use tax or approves an increase in the rate of its sales and use tax and as a result the combined rate of all sales and use taxes imposed by the district and other political subdivisions of this state having territory in the district would exceed two percent at any location in the district, the election to adopt a sales and use tax under this chapter has no effect.

Sec. 3936.204. BONDS AND OTHER OBLIGATIONS. (a) The

1 district may issue, by public or private sale, bonds, notes, or
2 other obligations payable wholly or partly from ad valorem taxes,
3 sales and use taxes, or assessments in the manner provided by
4 Subchapter A, Chapter 372, or Subchapter J, Chapter 375, Local
5 Government Code.

6 (b) In exercising the district's borrowing power, the
7 district may issue a bond or other obligation in the form of a bond,
8 note, certificate of participation or other instrument evidencing a
9 proportionate interest in payments to be made by the district, or
10 other type of obligation.

11 (c) In addition to the sources of money described by
12 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local
13 Government Code, district bonds may be secured and made payable
14 wholly or partly by a pledge of any part of the money the district
15 receives from improvement revenue or from any other source.

16 Sec. 3936.205. BOND MATURITY. Bonds may mature not more
17 than 40 years from their date of issue.

18 Sec. 3936.206. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
19 the time bonds or other obligations payable wholly or partly from ad
20 valorem taxes are issued:

21 (1) the board shall impose a continuing direct annual
22 ad valorem tax for each year that all or part of the bonds are
23 outstanding; and

24 (2) the district annually shall impose an ad valorem
25 tax on all taxable property in the district in an amount sufficient
26 to:

27 (A) pay the interest on the bonds or other

obligations as the interest becomes due; and

(B) create a sinking fund for the payment of the principal of the bonds or other obligations when due or the redemption price at any earlier required redemption date.

SUBCHAPTER F. DISSOLUTION

Sec. 3936.251. DISSOLUTION BY CITY ORDINANCE. (a) The city by ordinance may dissolve the district.

(b) The city may not dissolve the district until the district's outstanding debt or contractual obligations that are payable from ad valorem taxes have been repaid or discharged, or the city has affirmatively assumed the obligation to pay the outstanding debt from city revenue.

Sec. 3936.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

(a) If the dissolved district has bonds or other obligations outstanding secured by and payable from assessments or other revenue, other than ad valorem taxes, the city shall succeed to the rights and obligations of the district regarding enforcement and collection of the assessments or other revenue.

(b) The city shall have and exercise all district powers to enforce and collect the assessments or other revenue to pay:

(1) the bonds or other obligations when due and payable according to their terms; or

(2) special revenue or assessment bonds or other obligations issued by the city to refund the outstanding bonds or obligations.

Sec. 3936.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a) After the city dissolves the district, the city assumes, subject to

1 the appropriation and availability of funds, the obligations of the
2 district, including any bonds or other debt payable from
3 assessments or other district revenue.

4 (b) If the city dissolves the district, the board shall
5 transfer ownership of all district property to the city.

6 SECTION 2. The East Lake Houston Management District
7 initially includes all the territory contained in the following
8 area:

9 East Lake Houston is comprised of four tracts in northeast Harris
10 County within the City of Houston Full Purpose and
11 Extra-Territorial Jurisdictions.

12 Tract 1 +/- 137 acres, within the F. Rankin Survey Abstract (No. 57)
13 and situated southwest of intersection Crosby Huffman Road
14 (Farm-to-Market Road 2100) and Old Atascocita Road in northeast
15 Harris County with point of beginning being southeast corner of +/-
16 137 acre tract (ABST 57 F H RANKIN TRS 8A & 8B) and west Right-Of-Way
17 (ROW) of Crosby Huffman Road (FM 2100) and north boundary of Spanish
18 Cove Subdivision Section 2;

19 Then generally west along south boundary of said 137 acre tract, and
20 north boundary of Spanish Cove Subdivision Sections 1-2 to east ROW
21 Union Pacific Railway (former BSL&W);

22 Then northeast along the east ROW of Union Pacific Railway (former
23 BSL&W) to a point southeast of northeast corner of 0.2914 acre
24 parcel (ABST 57 F H RANKIN TRS 8B-1 & 8B-2 (LIFT STATION) (PT NM));

25 Then northwest across ROW of Union Pacific Railway and along south
26 boundary of said +/- 137 acre tract to northeast corner of said
27 0.2914 acre parcel;

1 Then west along south boundary of said +/- 137 acre tract and north
2 boundary of said 0.2914 acre parcel to northwest corner of said
3 0.2914 acre parcel;
4 Then south along boundary line of said +/- 137 acre tract and west
5 boundary of said 0.2914 acre parcel to southwest corner of said
6 0.2914 parcel and north boundary of 0.455 acre parcel (SPANISH COVE
7 SEC 1 LT 44 BLK 1);
8 Then west along boundary line of said +/- 137 acre tract and north
9 boundary of said 0.455 acre parcel, and 0.499 acre parcel (SPANISH
10 COVE SEC 1 LT 43 BLK 1) to southwest corner of said +/- 137 acre
11 tract;
12 Then northeast and north along the west boundary of said +/- 137
13 acre tract to northwest corner of said tract and southwest corner of
14 0.73 acre tract (ABST 57 F H RANKIN TRS 1E 1F 1G & 1K);
15 Then east along north boundary of said +/- 137 acre tract, across
16 ROW of Union Pacific Railway to northeast corner of said tract and
17 west ROW of Crosby Huffman Road (FM 2100);
18 Then south along east boundary of said +/- 137 acre tract and west
19 ROW of Crosby Huffman Road (FM 2100) to southeast corner of said +/-
20 137 acre tract and point of beginning of +/-137 acre Tract 1;
21 Tract 2 is +/- 111 acres within the A. Barber Survey (Abstract
22 No. 125) and situated at northeast intersection of Broze and FM
23 1960 (Humble Westfield) Roads in north central Harris County with
24 point of beginning being east Right-Of-Way (ROW) of Broze Rd. and
25 north ROW of FM 1960 at west boundary of 49.4516 acre tract (ABST
26 125 A BARBER PT TRS 42A & 43);
27 Then generally northwest and northeast along east ROW of Broze Rd.

1 to north corner of 23.5382 acre tract (ABST 125 A BARBER TRS 12 12A
2 12B 13 14A-1 & 42B) and northwest corner of 16.5344 acre tract (ABST
3 125 A BARBER 14A);
4 Then south southeast along east boundary of said 23.5382 acre tract
5 and west boundary of said 16.5344 acre tract to interior corner of
6 said 23.5382 acre tract and southwest corner of said 16.5344 acre
7 tract;
8 Then generally northeast along south boundary of said 16.5344 acre
9 tract to southeast corner of said tract and west boundary of 6.063
10 acre tract (ABST 125 A BARBER TR 14B);
11 Then south southeast along west boundary of said 6.063 acre tract to
12 southwest corner of said tract;
13 Then generally northeast along south boundary of said tract and
14 north boundary of 13.3449 acre tract (ABST 125 A BARBER TRS 42C &
15 42G) to southeast corner of 12.535 acre tract (ABST 125 A BARBER TR
16 14D);
17 Then northwest along east boundary of said 12.535 acre tract to
18 southwest corner of 12.553 acre tract (ABST 125 A BARBER TR 14E);
19 Then generally northeast along south boundary of said 12.553 acre
20 tract, and 8.8319 acre tract (ABST 125 A BARBER TR 14) to west
21 boundary of 48 acre tract (ABST 125 A BARBER TRS 38 & 38A) and north
22 corner of 10.2757 acre tract (ABST 125 A BARBER TRS 14E-1 14F & 16);
23 Then generally southeast along east boundary of said 10.2757 acre
24 tract, and YYY to east corner of said 49.4516 acre tract and north
25 corner of 2.511 acre tract (ABST 125 A BARBER TR 18A);
26 Then generally west southwest along south boundary of 49.4516 acre
27 tract (ABST 125 A BARBER PT TRS 42A & 43) to north ROW of FM 1960

1 (Humble-Westfield) Road;
2 Then generally west along north ROW of FM 1960 (Humble-Westfield)
3 Road, and boundary line of said 49.4516 acre tract to east ROW of
4 Broze Road and point of beginning of +/- 111 acre Tract 2;
5 Tract 3 is 98.703 acres of land situated in the Amos Barber Survey,
6 Abstract Number 125 and the John Taylor Survey, Abstract Number
7 777, Harris County, Texas, being out of and a part of a called
8 161.21277 acre tract (Tract 2) conveyed to Skinner Lands Turkey
9 Creek, LLC, by deed recorded under Harris County Clerks File
10 (H.C.C.F.) Number W476145, all called 15.0234 acre tract (North
11 Tract) conveyed to Resscomm Trust #1 by deed recorded under
12 H.C.C.F. Number X083314, all called 15.0234 acre tract (South
13 Tract) conveyed to Resscomm Trust #1 by deed recorded under
14 H.C.C.F. Number X083315 and all of a called 19.4002 acre tract
15 conveyed to 301 Lone Oak Partners. Ltd. by deed recorded under
16 H.C.C.F. Number Z368309. Said 98.703 acre tract being more
17 particularly described as follows (bearings are oriented to the
18 Texas State Plane Coordinate System of 1983, South Central Zone):
19 BEGINNING at 5/8 inch iron rod found in the westerly right-of-way
20 (R.O.W.) line of Cypresswood Drive (width varies), as widened by
21 deed recorded under H.C.C.F. Number H057592. Said iron rod marking
22 the southeasterly corner of a called 17.8631 acre tract conveyed to
23 the Mayfield Equiland Partnership, Ltd. By deed recorded under
24 H.C.C.F. Number X756857 and marking the northeasterly corner of
25 said North Tract and the herein described tract;
26 THENCE, S 02°09'35" E, along the westerly R.O.W. line of said
27 Cypresswood Drive and the easterly line of said North Tract, at a

1 distance of 585.68 feet pass the easterly common corner of said
2 North and South Tracts, and continuing, along the easterly line of
3 said South Tract, in all, a distance of 1171.37 feet to a 5/8 inch
4 iron rod found marking the northeasterly corner of a called 21.323
5 acre tract conveyed to Charles Henke, Trustee, by deed recorded
6 under H.C.C.F. Number L375554 and marking the southeasterly corner
7 of said South Tract and the herein described tract;

8 THENCE, S 87°50'37" W, departing said westerly R.O.W. line and along
9 the northerly line of said 21.323 acre tract and the southerly line
10 of said South Tract, a distance of 1135.50 feet to a 5/8 inch iron
11 rod found marking on angle point;

12 THENCE, S 56°25'44" W, along the northerly line of said 21.323 acre
13 tract and the southerly line of said South Tract, a distance of
14 856.37 feet to a 5/8 inch iron rod found in the northeasterly line
15 of a called 41.5609 acre tract conveyed to Marvin Noble Trustee by
16 deed recorded under H.C.C.F. Number M231144, marking the
17 northwesterly corner of said 21.323 acre tract and a southerly
18 corner of the herein described tract;

19 THENCE, N 34°17'44" W, along the northeasterly line of said 41.5609
20 acre tract, a distance of 147.39 feet to a 5/8 inch iron rod found
21 marking the northerly corner of said 41.5609 acre tract, a westerly
22 corner of said 161.21277 acre tract and an interior corner of the
23 herein described tract;

24 THENCE, S 56°22'29" W, along the northwesterly line of said 41.5609
25 acre tract, a distance of 1061.32 feet to a 1/2 inch iron rod found
26 marking the westerly corner of said 41.5609 acre tract, an interior
27 corner of said 161.21277 acre tract and the southwesterly corner of

1 the herein described tract;
2 THENCE, N 34°13'17" W, a distance of 1127.40 feet to a 1-1/2 inch
3 iron pipe found marking the southerly corner of a called 49.0095
4 acre tract conveyed to Mary A. Sitton Lacy by deed recorded under
5 H.C.C.F. Number R446593 and marking the westerly corner of the
6 herein described tract;
7 THENCE, N 55°56'11" E, along the southeasterly line of said 49.0095
8 acre tract, a distance of 1288.50 feet to a 1/2 Inch iron rod found
9 marking the southerly corner of Kattar Subdivision of Share 5, a
10 subdivision of record in Volume 655, Page 226, Harris County Deed
11 Records (H.C.D.R.) said iron rod marking the easterly corner of
12 said 49.0095 acre tract and an angle point in the north line of the
13 herein described tract;
14 THENCE, N 55°45'25" E, along the southeasterly line of said Kattar
15 Subdivision of Share 5, a distance of 260.34 feet to a 5/8 inch Iron
16 rod found marking the southerly corner of Lot 7 of said Kattar
17 Subdivision of Share 5 and an interior corner of the herein
18 described tract;
19 THENCE, N 34°06'27" W, along the southwesterly line of said Lot 7, a
20 distance of 838.65 feet to 5/8 Inch iron rod set marking the common
21 corner of Lots 1, 2, 6 and 7 of said Kattar Subdivision of Share 5
22 and marking a westerly corner of the herein described tract;
23 THENCE, N 56°07'40" E, along the common line of said Lots 2 and 7, a
24 distance of 259.84 feet to a 5/8 inch iron rod set marking the
25 common corner of Lots 2, 3, 7 and 8 of said Kattar Subdivision of
26 Share 5 and marking an interior corner of the herein described
27 tract;

1 THENCE, N 34°06'27" W, along the common line of said Lots 2 and 3, a
2 distance of 840.24 feet to 5/8 Inch Iron rod set in the southerly
3 line of a called 85.1442 acre tract conveyed to the County of Harris
4 by deed recorded under H.C.C.F. Number F471196, said iron rod
5 marking the northerly common corner of said Lots 2 and 3 and marking
6 the northwesterly corner of the herein described tract;
7 THENCE, N 56°07'40" E, along the southeasterly corner of said
8 85.1442 acre tract and the southwesterly corner of a called 53.6308
9 acre tract conveyed to Harris County Flood Control District by deed
10 recorded under H.C.C.F. Number U971496 and marking a northerly
11 corner of the herein described tract;
12 THENCE, N 87°37'15" E, along the southerly line of said 53.6308 acre
13 tract, a distance of 95.54 feet to a 5/8 inch iron rod found marking
14 a northeasterly corner of the herein described tract;
15 THENCE, S 30°34'44" E, over and across Lot 4 of said Kattar
16 Subdivision of Share 5, a distance of 128.99 feet to a 5/8 inch iron
17 rod set marking an angle point;
18 THENCE, S 33°47'46" E, over and across Lots 4 and 9 of said Kattar
19 Subdivision of Share 5, a distance of 1537.09 feet to a 5/8 inch
20 iron rod set in the southerly line of said Lot 9, in a northerly line
21 of said 17.8631 acre tract and marking an angle point of the herein
22 described tract;
23 THENCE, S 88°02'07" W, along the southerly line of said Lot 9 and a
24 northerly line of said 17.8631 acre tract, a distance of 76.74 feet
25 to a 3/4 inch iron pipe found marking the northeasterly corner of
26 said 161.21277 acre tract, the northwest corner of said 17.8631
27 acre tract and an interior corner of the herein described tract;

1 THENCE, S 34°06'27" E, along the southwesterly line of said 17.8631
2 acre tract, a distance of 900.00 feet (called 901.67 feet) to a 5/8
3 inch iron rod found in the northwesterly line of said called 15.0234
4 acre tract (north tract) and marking an interior corner of the
5 herein described tract;
6 THENCE, N 55°52'41" E, along the northwesterly line of said 15.0234
7 acre tract (north tract), a distance of 1390.44 feet to the POINT OF
8 BEGINNING of 98.703 acre Tract 3;
9 Tract 4 is +/- 57 acres located due north of intersection of Rayford
10 and FM 1960 (Humble-Westfield) Roads in northeast Harris County,
11 within the City of Houston ETJ with point of beginning being the
12 east Right-Of-Way (ROW) Rayford Road, northwest corner of 27.3658
13 acre tract (ABST 125 A BARBER TR 33 & 33A) and south boundary of
14 29.1747 acre tract (ABST 125 A BARBER TRS 33C & 33D);
15 Then generally east along north boundary of said 27.3658 acre tract
16 and south boundary of said 29.1747 acre tract to northeast corner of
17 said 27.3658 acre tract and west boundary of Forest Shadows
18 Subdivision Section 3-4;
19 Then south southeast along east boundary of said 27.3658 acre tract
20 and west boundary of Forest Shadows Subdivision Section 3-4 to east
21 corner of said 27.3658 acre tract and north boundary of 4.55 acre
22 tract (ABST 125 A BARBER TRS 33A-1 & 33F);
23 Then west and southwest along east boundary of said 27.3658 acre
24 tract and north boundary of said 4.55 acre tract to southeast corner
25 of said 27.3648 acre tract and north ROW of FM 1960
26 (Humble-Westfield) Road;
27 Then west along south boundary of said 27.3658 acre tract and north

1 ROW of FM 1960 (Humble-Westfield) Road to east ROW of Rayford Road
2 and southwest corner of said 27.3658 acre tract;
3 Then north and north northeast along east ROW of Rayford Road and
4 west boundary of said 27.3658 acre tract to south corner of 0.2907
5 acre tract (ABST 125 A BARBER TR 32C);
6 Then north northeast along west boundary of said 27.3658 acre tract
7 and south boundary of said 0.2907 acre tract to east corner of said
8 0.2907 acre tract;
9 Then north northwest along east boundary of said 0.2907 acre tract,
10 and west boundary of said 27.3658 acre tract to north corner of said
11 0.2907 acre tract and east ROW of Rayford Road;
12 Then northeast along east ROW of Rayford Road, and west boundary of
13 said 27.3658 acre tract to a point south of south corner of 16.2092
14 acre tract (ABST 125 A BARBER TR 33A-1) and east corner of 3.0329
15 acre tract (ABST 125 A BARBER TR 32);
16 Then north across ROW of Rayford Road to south corner of said
17 16.2092 acre tract and east corner of said 3.0329 acre tract;
18 Then west northwest along west boundary of said 16.2092 acre tract
19 and east boundary of said 3.0329 acre tract to northeast corner of
20 said 3.0329 acre tract and southeast corner of 12.7163 acre tract
21 (ABST 125 A BARBER TR 32B);
22 Then southwest along south boundary of said 12.7163 acre tract and
23 north boundary of said 3.0329 acre tract to southwest corner of said
24 12.7163 acre tract and east boundary of 33.2084 acre tract (ABST 385
25 HT&BRR CO SEC 1 TR 2B);
26 Then northwest along west boundary of said 12.7163 acre tract and
27 east boundary of said 33.2084 acre tract to southwest corner of

2.0074 acre tract (ABST 125 A BARBER TRS 32B-2) and northwest corner of said 12.7163 acre tract;

Then northeast along north boundary of said 12.7163 acre tract, and south boundary of said 2.0074 acre tract and 39.975 acre tract (RAYFORD INTERMEDIATE RES A BLK 1) to northeast corner of said 12.7163 tract and northwest corner of 16.2092 acre tract (ABST 125 A BARBER TR 33A-1);

Then generally east along north boundary of said 16.2092 acre tract and south boundary of said 39.975 acre tract to northeast corner of said 16.2092 acre tract and west ROW of Rayford Road;

Then generally south along east boundary of said 16.2092 acre tract and west ROW of Rayford Road to a point west of northwest corner of 27.3658 acre tract (ABST 125 A BARBER TRS 33 & 33A);

Then east across ROW of Rayford Road to northwest corner of said 27.3658 acre tract and point of beginning of +/- 57 acre Tract 4;

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

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

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor,

1 lieutenant governor, and speaker of the house of representatives
2 within the required time.

3 (d) The general law relating to consent by political
4 subdivisions to the creation of districts with conservation,
5 reclamation, and road powers and the inclusion of land in those
6 districts has been complied with.

7 (e) All requirements of the constitution and laws of this
8 state and the rules and procedures of the legislature with respect
9 to the notice, introduction, and passage of this Act have been
10 fulfilled and accomplished.

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