

1-1 By: Kolkhorst S.B. No. 998  
1-2 (In the Senate - Filed March 5, 2015; March 10, 2015, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; April 29, 2015, reported favorably by the following  
1-5 vote: Yeas 7, Nays 0; April 29, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

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

1-17 relating to the creation of the Fort Bend County Municipal Utility  
1-18 District No. 216; granting a limited power of eminent domain;  
1-19 providing authority to issue bonds; providing authority to impose  
1-20 assessments, fees, and taxes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-23 Code, is amended by adding Chapter 7901 to read as follows:

1-24 CHAPTER 7901. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 216

1-25 SUBCHAPTER A. GENERAL PROVISIONS

1-26 Sec. 7901.001. DEFINITIONS. In this chapter:

1-27 (1) "Board" means the district's board of directors.

1-28 (2) "Commission" means the Texas Commission on  
1-29 Environmental Quality.

1-30 (3) "Director" means a board member.

1-31 (4) "District" means the Fort Bend County Municipal  
1-32 Utility District No. 216.

1-33 Sec. 7901.002. NATURE OF DISTRICT. The district is a  
1-34 municipal utility district created under Section 59, Article XVI,  
1-35 Texas Constitution.

1-36 Sec. 7901.003. CONFIRMATION AND DIRECTORS' ELECTION  
1-37 REQUIRED. The temporary directors shall hold an election to  
1-38 confirm the creation of the district and to elect five permanent  
1-39 directors as provided by Section 49.102, Water Code.

1-40 Sec. 7901.004. CONSENT OF MUNICIPALITY REQUIRED. The  
1-41 temporary directors may not hold an election under Section 7901.003  
1-42 until each municipality in whose corporate limits or  
1-43 extraterritorial jurisdiction the district is located has  
1-44 consented by ordinance or resolution to the creation of the  
1-45 district and to the inclusion of land in the district.

1-46 Sec. 7901.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-47 (a) The district is created to serve a public purpose and benefit.

1-48 (b) The district is created to accomplish the purposes of:

1-49 (1) a municipal utility district as provided by  
1-50 general law and Section 59, Article XVI, Texas Constitution; and

1-51 (2) Section 52, Article III, Texas Constitution, that  
1-52 relate to the construction, acquisition, improvement, operation,  
1-53 or maintenance of macadamized, graveled, or paved roads, or  
1-54 improvements, including storm drainage, in aid of those roads.

1-55 Sec. 7901.006. INITIAL DISTRICT TERRITORY. (a) The  
1-56 district is initially composed of the territory described by  
1-57 Section 2 of the Act enacting this chapter.

1-58 (b) The boundaries and field notes contained in Section 2 of  
1-59 the Act enacting this chapter form a closure. A mistake made in the  
1-60 field notes or in copying the field notes in the legislative process  
1-61 does not affect the district's:

2-1 (1) organization, existence, or validity;  
 2-2 (2) right to issue any type of bond for the purposes  
 2-3 for which the district is created or to pay the principal of and  
 2-4 interest on a bond;

2-5 (3) right to impose a tax; or

2-6 (4) legality or operation.

2-7 SUBCHAPTER B. BOARD OF DIRECTORS

2-8 Sec. 7901.051. GOVERNING BODY; TERMS. (a) The district is  
 2-9 governed by a board of five elected directors.

2-10 (b) Except as provided by Section 7901.052, directors serve  
 2-11 staggered four-year terms.

2-12 Sec. 7901.052. TEMPORARY DIRECTORS. (a) The temporary  
 2-13 board consists of:

2-14 (1) Elizabeth D. Barnett;

2-15 (2) Phillip S. Froehlich;

2-16 (3) Jeff Holstein;

2-17 (4) Teresa Kelly; and

2-18 (5) Harry Peyton.

2-19 (b) Temporary directors serve until the earlier of:

2-20 (1) the date permanent directors are elected under  
 2-21 Section 7901.003; or

2-22 (2) the fourth anniversary of the effective date of  
 2-23 the Act enacting this chapter.

2-24 (c) If permanent directors have not been elected under  
 2-25 Section 7901.003 and the terms of the temporary directors have  
 2-26 expired, successor temporary directors shall be appointed or  
 2-27 reappointed as provided by Subsection (d) to serve terms that  
 2-28 expire on the earlier of:

2-29 (1) the date permanent directors are elected under  
 2-30 Section 7901.003; or

2-31 (2) the fourth anniversary of the date of the  
 2-32 appointment or reappointment.

2-33 (d) If Subsection (c) applies, the owner or owners of a  
 2-34 majority of the assessed value of the real property in the district  
 2-35 may submit a petition to the commission requesting that the  
 2-36 commission appoint as successor temporary directors the five  
 2-37 persons named in the petition. The commission shall appoint as  
 2-38 successor temporary directors the five persons named in the  
 2-39 petition.

2-40 SUBCHAPTER C. POWERS AND DUTIES

2-41 Sec. 7901.101. GENERAL POWERS AND DUTIES. The district has  
 2-42 the powers and duties necessary to accomplish the purposes for  
 2-43 which the district is created.

2-44 Sec. 7901.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-45 DUTIES. The district has the powers and duties provided by the  
 2-46 general law of this state, including Chapters 49 and 54, Water Code,  
 2-47 applicable to municipal utility districts created under Section 59,  
 2-48 Article XVI, Texas Constitution.

2-49 Sec. 7901.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
 2-50 52, Article III, Texas Constitution, the district may design,  
 2-51 acquire, construct, finance, issue bonds for, improve, operate,  
 2-52 maintain, and convey to this state, a county, or a municipality for  
 2-53 operation and maintenance macadamized, graveled, or paved roads, or  
 2-54 improvements, including storm drainage, in aid of those roads.

2-55 Sec. 7901.104. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 2-56 road project must meet all applicable construction standards,  
 2-57 zoning and subdivision requirements, and regulations of each  
 2-58 municipality in whose corporate limits or extraterritorial  
 2-59 jurisdiction the road project is located.

2-60 (b) If a road project is not located in the corporate limits  
 2-61 or extraterritorial jurisdiction of a municipality, the road  
 2-62 project must meet all applicable construction standards,  
 2-63 subdivision requirements, and regulations of each county in which  
 2-64 the road project is located.

2-65 (c) If the state will maintain and operate the road, the  
 2-66 Texas Transportation Commission must approve the plans and  
 2-67 specifications of the road project.

2-68 Sec. 7901.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
 2-69 OR RESOLUTION. The district shall comply with all applicable

3-1 requirements of any ordinance or resolution that is adopted under  
3-2 Section 54.016 or 54.0165, Water Code, and that consents to the  
3-3 creation of the district or to the inclusion of land in the  
3-4 district.

3-5 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-6 Sec. 7901.151. ELECTIONS REGARDING TAXES OR BONDS.

3-7 (a) The district may issue, without an election, bonds and other  
3-8 obligations secured by:

3-9 (1) revenue other than ad valorem taxes; or

3-10 (2) contract payments described by Section 7901.153.

3-11 (b) The district must hold an election in the manner  
3-12 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
3-13 before the district may impose an ad valorem tax or issue bonds  
3-14 payable from ad valorem taxes.

3-15 (c) The district may not issue bonds payable from ad valorem  
3-16 taxes to finance a road project unless the issuance is approved by a  
3-17 vote of a two-thirds majority of the district voters voting at an  
3-18 election held for that purpose.

3-19 Sec. 7901.152. OPERATION AND MAINTENANCE TAX. (a) If  
3-20 authorized at an election held under Section 7901.151, the district  
3-21 may impose an operation and maintenance tax on taxable property in  
3-22 the district in accordance with Section 49.107, Water Code.

3-23 (b) The board shall determine the tax rate. The rate may not  
3-24 exceed the rate approved at the election.

3-25 Sec. 7901.153. CONTRACT TAXES. (a) In accordance with  
3-26 Section 49.108, Water Code, the district may impose a tax other than  
3-27 an operation and maintenance tax and use the revenue derived from  
3-28 the tax to make payments under a contract after the provisions of  
3-29 the contract have been approved by a majority of the district voters  
3-30 voting at an election held for that purpose.

3-31 (b) A contract approved by the district voters may contain a  
3-32 provision stating that the contract may be modified or amended by  
3-33 the board without further voter approval.

3-34 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-35 Sec. 7901.201. AUTHORITY TO ISSUE BONDS AND OTHER  
3-36 OBLIGATIONS. The district may issue bonds or other obligations  
3-37 payable wholly or partly from ad valorem taxes, impact fees,  
3-38 revenue, contract payments, grants, or other district money, or any  
3-39 combination of those sources, to pay for any authorized district  
3-40 purpose.

3-41 Sec. 7901.202. TAXES FOR BONDS. At the time the district  
3-42 issues bonds payable wholly or partly from ad valorem taxes, the  
3-43 board shall provide for the annual imposition of a continuing  
3-44 direct ad valorem tax, without limit as to rate or amount, while all  
3-45 or part of the bonds are outstanding as required and in the manner  
3-46 provided by Sections 54.601 and 54.602, Water Code.

3-47 Sec. 7901.203. BONDS FOR ROAD PROJECTS. At the time of  
3-48 issuance, the total principal amount of bonds or other obligations  
3-49 issued or incurred to finance road projects and payable from ad  
3-50 valorem taxes may not exceed one-fourth of the assessed value of the  
3-51 real property in the district.

3-52 SECTION 2. The Fort Bend County Municipal Utility District  
3-53 No. 216 initially includes all the territory contained in the  
3-54 following area:

3-55 Being 503.983 acres of land located in the John Randon  
3-56 League, Abstract Number 76, Fort Bend County, Texas, being all of  
3-57 that certain called 411.052 acre tract conveyed to Fulshear Lakes,  
3-58 Ltd. by instrument of record under File Number 2014007854 of the  
3-59 Official Public Records of Real Property of said Fort Bend County  
3-60 (F.B.C.O.P.R.R.P.), being all of that certain called 70.1425 acre  
3-61 tract, designated Tract I, conveyed to Fulshear Lakes, Ltd., by an  
3-62 instrument of record under File Number 2014007853,  
3-63 F.B.C.O.P.R.R.P., same being all of Rustic Oaks Subdivision, a plat  
3-64 of record under Volume 14, Page 13 of the Plat Records of said Fort  
3-65 Bend County (F.B.C.P.R.), (Slide Number 185B, F.B.C.P.R.), being  
3-66 all of that certain called 14.313 acre tract, designated Tract II,  
3-67 conveyed to Fulshear Lakes, Ltd., by an instrument of record under  
3-68 File Number 2014007853, F.B.C.O.P.R.R.P., being all of that certain  
3-69 called 5.32 acre tract, designated Lot 1 of the Cornelius Randon

4-1 Estate as recorded in Volume 179, Page 128-A of the Deed Records of  
 4-2 said Fort Bend County (F.B.C.D.R.), being the same land, designated  
 4-3 Tract III, as conveyed to Fulshear Lakes, Ltd., by an instrument of  
 4-4 record under File Number 2014007853, F.B.C.O.P.R.R.P., and being  
 4-5 all of that certain called 4.000 acre tract, conveyed to Fulshear  
 4-6 Lakes, Ltd. by instrument of record under File Number 2014007852,  
 4-7 F.B.C.O.P.R.R.P.; said 503.983 acres being more particularly  
 4-8 described by metes and bounds as follows (all bearings referenced  
 4-9 to Texas Coordinate System, South Central Zone, Grid North, NAD83  
 4-10 (NA2011) Epoch 2010.00;

4-11 BEGINNING at the common north corner of said 411.052 acre  
 4-12 tract and that certain called 58.96 acre tract conveyed to Nigel  
 4-13 Stewart Patterson, et ux by an instrument of record under File  
 4-14 Number 2009110810, F.B.C.O.P.R.R.P., being on the line common to  
 4-15 the north line of said John Randon League and the south line of the  
 4-16 I. H. Charles League, Abstract Number 17 of said Fort Bend County,  
 4-17 and being within existing Rogers Road (width varies), from which a  
 4-18 found 5/8-inch iron rod (bent) bears North 09° 56' 38" West, 0.52  
 4-19 feet and also from which the common easterly corner of said John  
 4-20 Randon League and the George Roberts League, Abstract Number 432 of  
 4-21 said Fort Bend County bears North 87° 41' 03" East, 3,932.37 feet;

4-22 Thence, with the easterly line of said 411.052 acre tract,  
 4-23 the following five (5) courses:

4-24 1. South 02° 02' 39" East, with the westerly line of said  
 4-25 58.96 acre tract, passing at 30.69 feet (called 31.0 feet) a found  
 4-26 1/2-inch iron pipe, and continuing for a total distance of 1,104.86  
 4-27 feet (called 1,105.0 feet) to a 1/2-inch iron pipe found for corner;

4-28 2. South 02° 21' 32" East, continuing with the westerly line  
 4-29 of said 58.96 acre tract, 1,232.04 feet (called 1,232.08 feet) to a  
 4-30 3/4-inch iron pipe found for corner;

4-31 3. South 01° 43' 27" East, continuing with the westerly line  
 4-32 of said 58.96 acre tract, 1,133.03 feet (called 1,132.98 feet) to a  
 4-33 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set  
 4-34 for the southwest corner of said 58.96 acre tract;

4-35 4. North 87° 47' 51" East, with the southerly line of said  
 4-36 58.96 acre tract, passing at 296.51 feet a found 1" iron pipe, and  
 4-37 continuing for a total distance of 1,004.52 feet (called 1,004.50  
 4-38 feet) to a 1/2-inch iron pipe found on the westerly line of that  
 4-39 certain called 241.258 acre tract conveyed to Rogers Road  
 4-40 Investors, LP by an instrument of record under File Number  
 4-41 2009066602, F.B.C.O.P.R.R.P.;

4-42 5. South 02° 18' 57" East, with the westerly line of said  
 4-43 241.258 acre tract, passing at 2,894.68 feet the approximate  
 4-44 centerline of Fulshear Creek, same being the common westerly corner  
 4-45 of said 241.258 acre tract and that certain called 58.139 acre tract  
 4-46 conveyed to K. R. Arnold, et ux, by an instrument of record under  
 4-47 File Number 1999008859, F.B.C.O.P.R.R.P., and continuing with the  
 4-48 westerly line of said 58.139 acre tract, for a total distance of  
 4-49 4,646.53 feet (called 4,646.9 feet) to a 5/8-inch iron rod with  
 4-50 plastic cap stamped "LJA ENG" previously set for the southeast  
 4-51 corner of said 411.052 acre tract, being on the northerly line of  
 4-52 that certain called 100-foot wide tract conveyed to Metropolitan  
 4-53 Transit Authority of Harris County by an instrument of record under  
 4-54 Volume 2478, Page 1664, F.B.C.D.R.;

4-55 Thence, South 81° 25' 02" West, with the line common to the  
 4-56 south line of said 411.052 acre tract and the north line of said  
 4-57 100-foot wide tract, passing at 1,532.69 feet (called 1,532.63  
 4-58 feet) a 1/2-inch iron pipe found for the common south corner of said  
 4-59 411.052 acre tract and aforementioned Rustic Oaks Subdivision, and  
 4-60 continuing along the line common to the south line of said Rustic  
 4-61 Oaks Subdivision and the north line of said 100-foot wide tract,  
 4-62 continuing for a total distance of 3,010.59 feet to a 1/4-inch iron pipe  
 4-63 found for the southwest corner of said Rustic Oaks Subdivision and  
 4-64 aforementioned 70.1425 acre tract, same being the southeast corner  
 4-65 of that certain called 5.32 acre tract, designated Lot 8 of  
 4-66 aforementioned Cornelius Randon Estate, and as conveyed to Walter  
 4-67 Kelly, et al, by an instrument of record under File Number  
 4-68 2012140197, F.B.C.O.P.R.R.P.;

4-69 Thence, North 02° 37' 49" East, with the common line of said

5-1 Rustic Oaks Subdivision, said 70.1425 acre tract and said Lot 8,  
5-2 362.39 feet to a 5/8-inch iron rod with plastic cap stamped "LJA  
5-3 ENG" previously set for the common east corner of said Lot 8 and  
5-4 aforementioned Lot 1 conveyed to Fulshear Lakes, Ltd.;

5-5 Thence, South 87° 17' 09" West, with the common line to said  
5-6 Lot's 1 and 8, 434.10 feet to a 5/8-inch iron rod with plastic cap  
5-7 stamped "LJA ENG" previously set for the southwest corner of said  
5-8 5.32 acre tract conveyed to Fulshear Lakes, Ltd.;

5-9 Thence, North 02° 13' 49" West, along the west line of said  
5-10 5.32 acre tract conveyed to Fulshear Lakes, Ltd., 444.84 feet to a  
5-11 1/2-inch iron pipe found for the northwest corner of said 5.32 acre  
5-12 tract, also being on a south line of the aforementioned 14.313 acre  
5-13 tract;

5-14 Thence, South 87° 15' 05" West, with said south line, 522.20  
5-15 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG"  
5-16 previously set for corner;

5-17 Thence, South 02° 11' 04" East, continuing along a south line  
5-18 of said 14.313 acre tract, 442.70 feet to a 1-inch iron pipe found  
5-19 for corner;

5-20 Thence, South 87° 05' 11" West, continuing along a south line  
5-21 of said 14.313 acre tract, 507.27 feet to a 5/8-inch iron rod with  
5-22 plastic cap stamped "LJA ENG" previously set for corner;

5-23 Thence, North 02° 29' 17" West, continuing along a south line  
5-24 of said 14.313 acre tract, 445.89 feet to point for corner, from  
5-25 which a found 5/8-inch iron rod with cap stamped "RPLS No. 2085"  
5-26 bears South 76° 14' 39" East, 0.23 feet;

5-27 Thence, South 87° 26' 47" West, continuing along a south line  
5-28 of said 14.313 acre tract, passing at 486.91 feet a found 5/8-inch  
5-29 iron rod with cap stamped "RPLS No. 2085" and continuing for a total  
5-30 distance of 512.83 feet to a PK-Nail found for corner within  
5-31 existing Pool Hill Road (width unknown);

5-32 Thence, North 02° 33' 10" West, with the most westerly line of  
5-33 said 14.313 acre tract and within said existing Pool Hill Road,  
5-34 196.30 feet to a PK-Nail found for the common west corner of said  
5-35 14.313 acre tract and that certain called 5.155 acre tract conveyed  
5-36 to Royal Parrot Farm, LLC by an instrument of record under File  
5-37 Number 2010000252, F.B.C.O.P.R.R.P.;

5-38 Thence, North 87° 25' 18" East, with the common line to said  
5-39 14.313 acre tract and said 5.155 acre tract, passing at 22.96 feet a  
5-40 found 5/8-inch iron rod with cap stamped "RPLS No. 2085", and  
5-41 continuing for a total distance of 1,143.40 feet to the common south  
5-42 corner of aforementioned 4.000 acre tract conveyed to Fulshear  
5-43 Lakes, Ltd. and said 5.155 acre tract, from which a found 1/2-inch  
5-44 iron rod with cap (illegible) bears North 15° 28' 18" West, 0.92  
5-45 feet;

5-46 Thence, North 02° 34' 42" West, departing the north line of  
5-47 said 14.313 acre tract and along the line common to said 4.000 acre  
5-48 tract and said 5.155 acre tract, 196.40 feet to the common north  
5-49 corner said 4.000 acre tract and said 5.155 acre tract and also  
5-50 being on the south line of that certain called 9.15 acre tract  
5-51 conveyed to Eula Mac Taplin, et al, by an instrument of record under  
5-52 Volume 2259, Page 1936, F.B.C.D.R., from which a found 1/2-inch  
5-53 iron rod with cap stamped "Precision Surveying" bears South 46° 34'  
5-54 34" West, 0.26 feet;

5-55 Thence North, 87°25'18" East, along the line common to said  
5-56 4.000 acre tract and said called 9.15 acre tract, 887.17 feet, to  
5-57 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set  
5-58 for corner on the westerly line of aforementioned 70.1425 acre  
5-59 tract and Rustic Oaks Subdivision, from which a 1-inch pipe with  
5-60 "Cotton Surveying" cap bears South 18°04'42" East, 3.68 feet;

5-61 Thence North 03°16'16" East, with the line common to said 9.15  
5-62 acre tract and said 70.1425 acre tract and Rustic Oaks Subdivision,  
5-63 197.17 feet to a 1-inch iron pipe in concrete found for the common  
5-64 east corner of said 9.15 acre tract and that certain called 18.87  
5-65 acre tract, designated Tract I, conveyed to Robert Fendley, by  
5-66 instrument of record under Volume 1415, Page 037, F.B.C.D.R.;

5-67 Thence, North 01°17'54" West, with the westerly line of said  
5-68 70.1425 acre tract and Rustic Oaks Subdivision, 565.92 feet to a  
5-69 1-inch iron pipe found for corner;



6-1 Thence, North 00° 49' 19" West, continuing along the westerly  
 6-2 line of said 70.1425 acre tract and said Rustic Oaks Subdivision,  
 6-3 196.67 feet to a point for corner on the approximate centerline of  
 6-4 Fulshear Creek and being the line common to the north line of said  
 6-5 Rustic Oaks Subdivision, said 70.1425 acre tract and a south line of  
 6-6 the aforementioned 411.052 acre tract;

6-7 Thence, along the south line of said 411.052 acre tract and  
 6-8 along the meanders of said Fulshear Creek, the following five (5)  
 6-9 courses:

- 6-10 1. South 85° 09' 23" West, 488.60 feet to a point for corner;
- 6-11 2. North 74° 47' 41" West, 354.56 feet to a point for corner;
- 6-12 3. North 18° 11' 05" West, 260.16 feet to a point for corner;
- 6-13 4. North 09° 17' 09" East, 391.53 feet to a point for corner;
- 6-14 5. North 00° 34' 16" West, 47.82 feet (called 48.67 feet) to

6-15 a point for corner on the south line of that certain called 71.56  
 6-16 acre tract conveyed to Lavetta Lazzara by an instrument of record  
 6-17 under Volume 2320, Page 1231, F.B.C.D.R., and an undivided fifty  
 6-18 (50) percent interest conveyed to Lavetta Lazzara, Trustee by an  
 6-19 instrument of record under Volume 2479, Page 591, F.B.C.D.R.;

6-20 Thence, North 87° 05' 26" East, with the common line of said  
 6-21 411.052 acre tract and said 71.56 acre tract, passing at 76.49 feet  
 6-22 a found 1/2-iron pipe and continuing for a total distance of 817.56  
 6-23 feet (called 816.0 feet) to a 1/2-inch iron pipe found for corner;

6-24 Thence, North 01° 49' 07" West, with the line common to said  
 6-25 411.052 acre tract and said 71.56 acre tract, 2,373.01 feet (called  
 6-26 2,373.19 feet) to a PK-Nail in asphalt previously set for the  
 6-27 northeast corner of said 71.56 acre tract;

6-28 Thence, North 01° 47' 54" West, with the westerly line of said  
 6-29 411.052 acre tract, 2,073.64 feet (called 2,074.08 feet) to a gun  
 6-30 barrel found for the common easterly corner of that certain called  
 6-31 5.432 acre tract conveyed to Emma Jean Smith by an instrument of  
 6-32 record under Volume 2707, Page 2128, F.B.C.D.R. and that certain  
 6-33 called 46.33 acre tract conveyed to Frances Peckham Kelly, et al, by  
 6-34 an instrument of record under volume 433, Page 87, F.B.C.D.R. and  
 6-35 under Probate Record Number 08-CPR-020916 of the Probate Records of  
 6-36 said Fort Bend County;

6-37 Thence, North 01° 20' 51" West, with the westerly line of said  
 6-38 411.052 acre tract, 1,070.10 feet (called 1,069.68 feet) to point  
 6-39 for corner on the northerly line of the aforementioned John Randon  
 6-40 League and the southerly line of the J. San Pierre Survey, Abstract  
 6-41 Number 81, of said Fort Bend County and the northwest corner of said  
 6-42 411.052 acre tract, and being within the aforementioned Rogers  
 6-43 Road, from which a found 5/8-inch iron rod (bent) bears South 77° 51'  
 6-44 34" East, 0.29 feet;

6-45 Thence, North 87° 41' 03" East, with the northerly line of  
 6-46 said 411.52 acre tract, said John Randon League, and the southerly  
 6-47 line of said J. San Pierre Survey and the aforementioned I. H.  
 6-48 Charles League, 1,829.92 feet to the POINT OF BEGINNING and  
 6-49 containing 503.983 acres of land and of which 1.320 acres (57,529  
 6-50 square feet) of land lies within the existing roadway area of said  
 6-51 Rogers Road.

6-52 SECTION 3. (a) The legal notice of the intention to  
 6-53 introduce this Act, setting forth the general substance of this  
 6-54 Act, has been published as provided by law, and the notice and a  
 6-55 copy of this Act have been furnished to all persons, agencies,  
 6-56 officials, or entities to which they are required to be furnished  
 6-57 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
 6-58 Government Code.

6-59 (b) The governor, one of the required recipients, has  
 6-60 submitted the notice and Act to the Texas Commission on  
 6-61 Environmental Quality.

6-62 (c) The Texas Commission on Environmental Quality has filed  
 6-63 its recommendations relating to this Act with the governor, the  
 6-64 lieutenant governor, and the speaker of the house of  
 6-65 representatives within the required time.

6-66 (d) All requirements of the constitution and laws of this  
 6-67 state and the rules and procedures of the legislature with respect  
 6-68 to the notice, introduction, and passage of this Act are fulfilled  
 6-69 and accomplished.

7-1 SECTION 4. (a) If this Act does not receive a two-thirds  
7-2 vote of all the members elected to each house, Subchapter C, Chapter  
7-3 7901, Special District Local Laws Code, as added by Section 1 of  
7-4 this Act, is amended by adding Section 7901.106 to read as follows:

7-5 Sec. 7901.106. NO EMINENT DOMAIN POWER. The district may  
7-6 not exercise the power of eminent domain.

7-7 (b) This section is not intended to be an expression of a  
7-8 legislative interpretation of the requirements of Section 17(c),  
7-9 Article I, Texas Constitution.

7-10 SECTION 5. This Act takes effect immediately if it receives  
7-11 a vote of two-thirds of all the members elected to each house, as  
7-12 provided by Section 39, Article III, Texas Constitution. If this  
7-13 Act does not receive the vote necessary for immediate effect, this  
7-14 Act takes effect September 1, 2015.

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