

By: Kolkhorst

S.B. No. 999

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of the Fulshear Municipal Utility
3 Districts Nos. 4, 5, and 6; granting a limited power of eminent
4 domain; providing authority to issue bonds; providing authority to
5 impose assessments, fees, and taxes.

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

7 ARTICLE 1. CREATION OF MUNICIPAL UTILITY DISTRICTS

8 SECTION 1.01. Subtitle F, Title 6, Special District Local
9 Laws Code, is amended by adding Chapter 8494 to read as follows:

10 CHAPTER 8494. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 4

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 8494.001. DEFINITIONS. In this chapter:

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

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

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

17 (4) "District" means the Fulshear Municipal Utility
18 District No. 4.

19 Sec. 8494.002. NATURE OF DISTRICT. The district is a
20 municipal utility district created under Section 59, Article XVI,
21 Texas Constitution.

22 Sec. 8494.003. CONFIRMATION AND DIRECTORS' ELECTION
23 REQUIRED. The temporary directors shall hold an election to
24 confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 8494.004. CONSENT OF MUNICIPALITY REQUIRED. The
3 temporary directors may not hold an election under Section 8494.003
4 until each municipality in whose corporate limits or
5 extraterritorial jurisdiction the district is located has
6 consented by ordinance or resolution to the creation of the
7 district and to the inclusion of land in the district.

8 Sec. 8494.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
9 The district is created to serve a public purpose and benefit.

10 (b) The district is created to accomplish the purposes of:

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

13 (2) Section 52, Article III, Texas Constitution, that
14 relate to the construction, acquisition, improvement, operation,
15 or maintenance of macadamized, graveled, or paved roads, or
16 improvements, including storm drainage, in aid of those roads.

17 Sec. 8494.006. INITIAL DISTRICT TERRITORY. (a) The
18 district is initially composed of the territory described by
19 Section 2.01 of the Act enacting this chapter.

20 (b) The boundaries and field notes contained in Section 2.01
21 of the Act enacting this chapter form a closure. A mistake made in
22 the field notes or in copying the field notes in the legislative
23 process does not affect the district's:

24 (1) organization, existence, or validity;

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

1 (3) right to impose a tax; or

2 (4) legality or operation.

3 SUBCHAPTER B. BOARD OF DIRECTORS

4 Sec. 8494.051. GOVERNING BODY; TERMS. (a) The district is
5 governed by a board of five elected directors.

6 (b) Except as provided by Section 8494.052, directors serve
7 staggered four-year terms.

8 Sec. 8494.052. TEMPORARY DIRECTORS. (a) On or after
9 September 1, 2015, the owner or owners of a majority of the assessed
10 value of the real property in the district may submit a petition to
11 the commission requesting that the commission appoint as temporary
12 directors the five persons named in the petition. The commission
13 shall appoint as temporary directors the five persons named in the
14 petition.

15 (b) Temporary directors serve until the earlier of the date
16 permanent directors are elected under Section 8494.003 or September
17 1, 2019.

18 (c) If permanent directors have not been elected under
19 Section 8494.003 and the terms of the temporary directors have
20 expired, successor temporary directors shall be appointed or
21 reappointed as provided by Subsection (d) to serve terms that
22 expire on the earlier of:

23 (1) the date permanent directors are elected under
24 Section 8494.003; or

25 (2) the fourth anniversary of the date of the
26 appointment or reappointment.

27 (d) If Subsection (c) applies, the owner or owners of a

1 majority of the assessed value of the real property in the district
2 may submit a petition to the commission requesting that the
3 commission appoint as successor temporary directors the five
4 persons named in the petition. The commission shall appoint as
5 successor temporary directors the five persons named in the
6 petition.

7 SUBCHAPTER C. POWERS AND DUTIES

8 Sec. 8494.101. GENERAL POWERS AND DUTIES. The district has
9 the powers and duties necessary to accomplish the purposes for
10 which the district is created.

11 Sec. 8494.102. MUNICIPAL UTILITY DISTRICT POWERS AND
12 DUTIES. The district has the powers and duties provided by the
13 general law of this state, including Chapters 49 and 54, Water Code,
14 applicable to municipal utility districts created under Section 59,
15 Article XVI, Texas Constitution.

16 Sec. 8494.103. AUTHORITY FOR ROAD PROJECTS. Under Section
17 52, Article III, Texas Constitution, the district may design,
18 acquire, construct, finance, issue bonds for, improve, operate,
19 maintain, and convey to this state, a county, or a municipality for
20 operation and maintenance macadamized, graveled, or paved roads, or
21 improvements, including storm drainage, in aid of those roads.

22 Sec. 8494.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
23 project must meet all applicable construction standards, zoning and
24 subdivision requirements, and regulations of each municipality in
25 whose corporate limits or extraterritorial jurisdiction the road
26 project is located.

27 (b) If a road project is not located in the corporate limits

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

5 (c) If the state will maintain and operate the road, the
6 Texas Transportation Commission must approve the plans and
7 specifications of the road project.

8 Sec. 8494.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
9 OR RESOLUTION. (a) Except as provided by this section, the
10 district shall comply with all applicable requirements of any
11 ordinance or resolution that is adopted under Section 54.016 or
12 54.0165, Water Code, and that consents to the creation of the
13 district or to the inclusion of land in the district.

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

16 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

17 Sec. 8494.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
18 district may issue, without an election, bonds and other
19 obligations secured by:

- 20 (1) revenue other than ad valorem taxes; or
21 (2) contract payments described by Section 8494.153.

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

26 (c) The district may not issue bonds payable from ad valorem
27 taxes to finance a road project unless the issuance is approved by a

1 vote of a two-thirds majority of the district voters voting at an
2 election held for that purpose.

3 Sec. 8494.152. OPERATION AND MAINTENANCE TAX. (a) If
4 authorized at an election held under Section 8494.151, the district
5 may impose an operation and maintenance tax on taxable property in
6 the district in accordance with Section 49.107, Water Code.

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

9 Sec. 8494.153. CONTRACT TAXES. (a) In accordance with
10 Section 49.108, Water Code, the district may impose a tax other than
11 an operation and maintenance tax and use the revenue derived from
12 the tax to make payments under a contract after the provisions of
13 the contract have been approved by a majority of the district voters
14 voting at an election held for that purpose.

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

18 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

19 Sec. 8494.201. AUTHORITY TO ISSUE BONDS AND OTHER
20 OBLIGATIONS. The district may issue bonds or other obligations
21 payable wholly or partly from ad valorem taxes, impact fees,
22 revenue, contract payments, grants, or other district money, or any
23 combination of those sources, to pay for any authorized district
24 purpose.

25 Sec. 8494.202. TAXES FOR BONDS. At the time the district
26 issues bonds payable wholly or partly from ad valorem taxes, the
27 board shall provide for the annual imposition of a continuing

1 direct ad valorem tax, without limit as to rate or amount, while all
2 or part of the bonds are outstanding as required and in the manner
3 provided by Sections 54.601 and 54.602, Water Code.

4 Sec. 8494.203. BONDS FOR ROAD PROJECTS. At the time of
5 issuance, the total principal amount of bonds or other obligations
6 issued or incurred to finance road projects and payable from ad
7 valorem taxes may not exceed one-fourth of the assessed value of the
8 real property in the district.

9 SECTION 1.02. Subtitle F, Title 6, Special District Local
10 Laws Code, is amended by adding Chapter 8495 to read as follows:

11 CHAPTER 8495. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 5

12 SUBCHAPTER A. GENERAL PROVISIONS

13 Sec. 8495.001. DEFINITIONS. In this chapter:

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

15 (2) "Commission" means the Texas Commission on
16 Environmental Quality.

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

18 (4) "District" means the Fulshear Municipal Utility
19 District No. 5.

20 Sec. 8495.002. NATURE OF DISTRICT. The district is a
21 municipal utility district created under Section 59, Article XVI,
22 Texas Constitution.

23 Sec. 8495.003. CONFIRMATION AND DIRECTORS' ELECTION
24 REQUIRED. The temporary directors shall hold an election to
25 confirm the creation of the district and to elect five permanent
26 directors as provided by Section 49.102, Water Code.

27 Sec. 8495.004. CONSENT OF MUNICIPALITY REQUIRED. The

1 temporary directors may not hold an election under Section 8495.003
2 until each municipality in whose corporate limits or
3 extraterritorial jurisdiction the district is located has
4 consented by ordinance or resolution to the creation of the
5 district and to the inclusion of land in the district.

6 Sec. 8495.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)

7 The district is created to serve a public purpose and benefit.

8 (b) The district is created to accomplish the purposes of:

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

11 (2) Section 52, Article III, Texas Constitution, that
12 relate to the construction, acquisition, improvement, operation,
13 or maintenance of macadamized, graveled, or paved roads, or
14 improvements, including storm drainage, in aid of those roads.

15 Sec. 8495.006. INITIAL DISTRICT TERRITORY. (a) The

16 district is initially composed of the territory described by
17 Section 2.02 of the Act enacting this chapter.

18 (b) The boundaries and field notes contained in Section 2.02
19 of the Act enacting this chapter form a closure. A mistake made in
20 the field notes or in copying the field notes in the legislative
21 process does not affect the district's:

22 (1) organization, existence, or validity;

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

26 (3) right to impose a tax; or

27 (4) legality or operation.

Sec. 8495.007. ANNEXATION BY MUNICIPALITY. (a)

Notwithstanding any other law, if all of the territory of the district is annexed by a municipality into the corporate limits of that municipality before the date of the election under Section 8495.003, the district may not be dissolved and shall continue until the district is dissolved under Section 43.074, Local Government Code.

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

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8495.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8495.052, directors serve staggered four-year terms.

Sec. 8495.052. TEMPORARY DIRECTORS. (a) On or after September 1, 2015, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8495.003; or

(2) September 1, 2019.

(c) If permanent directors have not been elected under Section 8495.003 and the terms of the temporary directors have

1 expired, successor temporary directors shall be appointed or
2 reappointed as provided by Subsection (d) to serve terms that
3 expire on the earlier of:

4 (1) the date permanent directors are elected under
5 Section 8495.003; or

6 (2) the fourth anniversary of the date of the
7 appointment or reappointment.

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

15 SUBCHAPTER C. POWERS AND DUTIES

16 Sec. 8495.101. GENERAL POWERS AND DUTIES. The district has
17 the powers and duties necessary to accomplish the purposes for
18 which the district is created.

19 Sec. 8495.102. MUNICIPAL UTILITY DISTRICT POWERS AND
20 DUTIES. The district has the powers and duties provided by the
21 general law of this state, including Chapters 49 and 54, Water Code,
22 applicable to municipal utility districts created under Section 59,
23 Article XVI, Texas Constitution.

24 Sec. 8495.103. LEVEE IMPROVEMENT DISTRICT POWERS AND
25 DUTIES. The district has the powers and duties provided by the
26 general law of this state, including Chapter 57, Water Code,
27 applicable to levee improvement districts created under Section 59,

1 Article XVI, Texas Constitution.

2 Sec. 8495.104. AUTHORITY FOR ROAD PROJECTS. Under Section
3 52, Article III, Texas Constitution, the district may design,
4 acquire, construct, finance, issue bonds for, improve, operate,
5 maintain, and convey to this state, a county, or a municipality for
6 operation and maintenance macadamized, graveled, or paved roads, or
7 improvements, including storm drainage, in aid of those roads
8 inside or outside the district.

9 Sec. 8495.105. ROAD STANDARDS AND REQUIREMENTS. (a) A road
10 project must meet all applicable construction standards, zoning and
11 subdivision requirements, and regulations of each municipality in
12 whose corporate limits or extraterritorial jurisdiction the road
13 project is located.

14 (b) If a road project is not located in the corporate limits
15 or extraterritorial jurisdiction of a municipality, the road
16 project must meet all applicable construction standards,
17 subdivision requirements, and regulations of each county in which
18 the road project is located.

19 (c) If the state will maintain and operate the road, the
20 Texas Transportation Commission must approve the plans and
21 specifications of the road project.

22 Sec. 8495.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
23 OR RESOLUTION. The district shall comply with all applicable
24 requirements of any ordinance or resolution that is adopted under
25 Section 54.016 or 54.0165, Water Code, and that consents to the
26 creation of the district or to the inclusion of land in the
27 district.

1 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2 Sec. 8495.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
3 district may issue, without an election, bonds and other
4 obligations secured by:

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

6 (2) contract payments described by Section 8495.153.

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

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

15 Sec. 8495.152. OPERATION AND MAINTENANCE TAX. (a) If
16 authorized at an election held under Section 8495.151, the district
17 may impose an operation and maintenance tax on taxable property in
18 the district in accordance with Section 49.107, Water Code.

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

21 Sec. 8495.153. CONTRACT TAXES. (a) In accordance with
22 Section 49.108, Water Code, the district may impose a tax other than
23 an operation and maintenance tax and use the revenue derived from
24 the tax to make payments under a contract after the provisions of
25 the contract have been approved by a majority of the district voters
26 voting at an election held for that purpose.

27 (b) A contract approved by the district voters may contain a

1 provision stating that the contract may be modified or amended by
2 the board without further voter approval.

3 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4 Sec. 8495.201. AUTHORITY TO ISSUE BONDS AND OTHER
5 OBLIGATIONS. The district may issue bonds or other obligations
6 payable wholly or partly from ad valorem taxes, impact fees,
7 revenue, contract payments, grants, or other district money, or any
8 combination of those sources, to pay for any authorized district
9 purpose.

10 Sec. 8495.202. TAXES FOR BONDS. At the time the district
11 issues bonds payable wholly or partly from ad valorem taxes, the
12 board shall provide for the annual imposition of a continuing
13 direct ad valorem tax, without limit as to rate or amount, while all
14 or part of the bonds are outstanding as required and in the manner
15 provided by Sections 54.601 and 54.602, Water Code.

16 Sec. 8495.203. BONDS FOR ROAD PROJECTS. At the time of
17 issuance, the total principal amount of bonds or other obligations
18 issued or incurred to finance road projects and payable from ad
19 valorem taxes may not exceed one-fourth of the assessed value of the
20 real property in the district.

21 SECTION 1.03. Subtitle F, Title 6, Special District Local
22 Laws Code, is amended by adding Chapter 8496 to read as follows:

23 CHAPTER 8496. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 6

24 SUBCHAPTER A. GENERAL PROVISIONS

25 Sec. 8496.001. DEFINITIONS. In this chapter:

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

27 (2) "Commission" means the Texas Commission on

1 Environmental Quality.

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

3 (4) "District" means the Fulshear Municipal Utility
4 District No. 6.

5 Sec. 8496.002. NATURE OF DISTRICT. The district is a
6 municipal utility district created under Section 59, Article XVI,
7 Texas Constitution.

8 Sec. 8496.003. CONFIRMATION AND DIRECTORS' ELECTION
9 REQUIRED. The temporary directors shall hold an election to
10 confirm the creation of the district and to elect five permanent
11 directors as provided by Section 49.102, Water Code.

12 Sec. 8496.004. CONSENT OF MUNICIPALITY AND DEVELOPMENT
13 AGREEMENT REQUIRED. The temporary directors may not hold an
14 election under Section 8496.003 until each municipality in whose
15 corporate limits or extraterritorial jurisdiction the district is
16 located has:

17 (1) consented by ordinance or resolution to the
18 creation of the district and to the inclusion of land in the
19 district; and

20 (2) entered into a development agreement under Section
21 212.172, Local Government Code, with the owners of the land
22 described by Section 2.03 of the Act enacting this chapter.

23 Sec. 8496.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
24 The district is created to serve a public purpose and benefit.

25 (b) The district is created to accomplish the purposes of:

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

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

5 Sec. 8496.006. INITIAL DISTRICT TERRITORY. (a) The
6 district is initially composed of the territory described by
7 Section 2.03 of the Act enacting this chapter.

8 (b) The boundaries and field notes contained in Section 2.03
9 of the Act enacting this chapter form a closure. A mistake made in
10 the field notes or in copying the field notes in the legislative
11 process does not affect the district's:

12 (1) organization, existence, or validity;

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

16 (3) right to impose a tax; or

17 (4) legality or operation.

18 Sec. 8496.007. ANNEXATION BY MUNICIPALITY. (a)
19 Notwithstanding any other law, if all of the territory of the
20 district is annexed by a municipality into the corporate limits of
21 that municipality before the date of the election under Section
22 8496.003, the district may not be dissolved and shall continue
23 until the district is dissolved under Section 43.074, Local
24 Government Code.

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

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 8496.051. GOVERNING BODY; TERMS. (a) The district is
3 governed by a board of five elected directors.

4 (b) Except as provided by Section 8496.052, directors serve
5 staggered four-year terms.

6 Sec. 8496.052. TEMPORARY DIRECTORS. (a) On or after
7 September 1, 2015, the owner or owners of a majority of the assessed
8 value of the real property in the district may submit a petition to
9 the commission requesting that the commission appoint as temporary
10 directors the five persons named in the petition. The commission
11 shall appoint as temporary directors the five persons named in the
12 petition.

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

14 (1) the date permanent directors are elected under
15 Section 8496.003; or

16 (2) September 1, 2019.

17 (c) If permanent directors have not been elected under
18 Section 8496.003 and the terms of the temporary directors have
19 expired, successor temporary directors shall be appointed or
20 reappointed as provided by Subsection (d) to serve terms that
21 expire on the earlier of:

22 (1) the date permanent directors are elected under
23 Section 8496.003; or

24 (2) the fourth anniversary of the date of the
25 appointment or reappointment.

26 (d) If Subsection (c) applies, the owner or owners of a
27 majority of the assessed value of the real property in the district

1 may submit a petition to the commission requesting that the
2 commission appoint as successor temporary directors the five
3 persons named in the petition. The commission shall appoint as
4 successor temporary directors the five persons named in the
5 petition.

6 SUBCHAPTER C. POWERS AND DUTIES

7 Sec. 8496.101. GENERAL POWERS AND DUTIES. The district has
8 the powers and duties necessary to accomplish the purposes for
9 which the district is created.

10 Sec. 8496.102. MUNICIPAL UTILITY DISTRICT POWERS AND
11 DUTIES. The district has the powers and duties provided by the
12 general law of this state, including Chapters 49 and 54, Water Code,
13 applicable to municipal utility districts created under Section 59,
14 Article XVI, Texas Constitution.

15 Sec. 8496.103. LEVEE IMPROVEMENT DISTRICT POWERS AND
16 DUTIES. The district has the powers and duties provided by the
17 general law of this state, including Chapter 57, Water Code,
18 applicable to levee improvement districts created under Section 59,
19 Article XVI, Texas Constitution.

20 Sec. 8496.104. AUTHORITY FOR ROAD PROJECTS. Under Section
21 52, Article III, Texas Constitution, the district may design,
22 acquire, construct, finance, issue bonds for, improve, operate,
23 maintain, and convey to this state, a county, or a municipality for
24 operation and maintenance macadamized, graveled, or paved roads, or
25 improvements, including storm drainage, in aid of those roads
26 inside or outside the district.

27 Sec. 8496.105. 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. 8496.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
14 OR RESOLUTION. 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 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

20 Sec. 8496.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
21 district may issue, without an election, bonds and other
22 obligations secured by:

- 23 (1) revenue other than ad valorem taxes; or
24 (2) contract payments described by Section 8496.153.

25 (b) The district must hold an election in the manner
26 provided by Chapters 49 and 54, Water Code, to obtain voter approval
27 before the district may impose an ad valorem tax or issue bonds

1 payable from ad valorem taxes.

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

6 Sec. 8496.152. OPERATION AND MAINTENANCE TAX. (a) If
7 authorized at an election held under Section 8496.151, the district
8 may impose an operation and maintenance tax on taxable property in
9 the district in accordance with Section 49.107, Water Code.

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

12 Sec. 8496.153. CONTRACT TAXES. (a) In accordance with
13 Section 49.108, Water Code, the district may impose a tax other than
14 an operation and maintenance tax and use the revenue derived from
15 the tax to make payments under a contract after the provisions of
16 the contract have been approved by a majority of the district voters
17 voting at an election held for that purpose.

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

21 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

22 Sec. 8496.201. AUTHORITY TO ISSUE BONDS AND OTHER
23 OBLIGATIONS. The district may issue bonds or other obligations
24 payable wholly or partly from ad valorem taxes, impact fees,
25 revenue, contract payments, grants, or other district money, or any
26 combination of those sources, to pay for any authorized district
27 purpose.

1 Sec. 8496.202. TAXES FOR BONDS. At the time the district
2 issues bonds payable wholly or partly from ad valorem taxes, the
3 board shall provide for the annual imposition of a continuing
4 direct ad valorem tax, without limit as to rate or amount, while all
5 or part of the bonds are outstanding as required and in the manner
6 provided by Sections 54.601 and 54.602, Water Code.

7 Sec. 8496.203. BONDS FOR ROAD PROJECTS. At the time of
8 issuance, the total principal amount of bonds or other obligations
9 issued or incurred to finance road projects and payable from ad
10 valorem taxes may not exceed one-fourth of the assessed value of the
11 real property in the district.

12 ARTICLE 2. METES AND BOUNDS

13 SECTION 2.01. FULSHEAR MUNICIPAL UTILITY DISTRICT NO.
14 4. The Fulshear Municipal Utility District No. 4 initially
15 includes all the territory contained in the following area:

16 A Field Note Description of 227.024 Acres of Land, being the
17 same call 227.08 Acre Tract of Land (Volume 1376, Page 598; Deed
18 Records of Fort Bend County, Texas), and being out of the original
19 W.J. Walker, Jr. call 318.91 Acre Tract in the David Randon & I.
20 Pennington League, Abstract No. 75, Fort Bend County, Texas.

21 For Connection Begin at the Northeast corner of said David
22 Randon & I. Pennington League, Abstract No. 75; THENCE, Call South
23 00deg.22'30" West, 2653.0 feet to a 5/8 inch capped iron rod stamped
24 "1535-4035" set marking the Northeast corner of and place of
25 beginning for this tract;

26 THENCE, South 00deg.17'17" East, along a wire fence line,
27 2420.0 feet to a 1 inch iron pipe found marking the Southeast corner

1 of this tract;

2 THENCE, North 89deg.59'30" West, along the North line of the
3 ELLIS CATTLE COMPANY DIVISION (an unrecorded subdivision), at 297.6
4 feet pass a Seaway Pipeline (Enterprise), at 305.4 feet pass
5 another Seaway Pipeline (Enterprise), at 330.1 feet pass the Exxon
6 Pipeline, continuing along a fence line, at 3754.49 feet pass the
7 Phillips Pipeline, at 3860.19 feet pass a 1 inch iron pipe found in
8 the East right-of-way line of Bois D' Arc Lane (width varies), in
9 all 3888.0 feet to a point in the center of said Bois D' Arc Lane
10 marking the Southwest corner of this tract; said point also marks
11 the Northwest corner of the Pamela Carr call 7.036 Acre Tractc (FBC
12 2006054222)

13 THENCE, North 00drg.40'36" East, 2580.18 feet along a line is
14 said Bois D' Arc Lane to a point marking the Northwest corner of
15 this tract;

16 THENCE, South 89deg.59'38" East, at 30.26 feet pass a 1 inch
17 iron pipe found in the East right-of-way line of said Bois D'Arc
18 Lane, then along the South line of BOIS D'ARC ESTATE ACRES (an
19 unrecorded subdivision), in all 2769.04 feet to a 1 inch iron pipe
20 found marking an angle point;

21 THENCE, South 81deg.31'45" East, passing said Exxon Pipeline
22 and two Seaway Pipelines (Enterprise), 1088.2 feet to the place of
23 beginning and containing 227.024 Acres of Land, including 1.720
24 Acres in Bois d' Arc Lane, leaving a net of 225.304, Acres.

25 SECTION 2.02. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 5.
26 The Fulshear Municipal Utility District No. 5 initially includes
27 all the territory contained in the following area:

S.B. No. 999

1 A FIELD NOTE DESCRIPTION of a 636.76 acre tract of land in the
2 D. Randon & I. Pennington Survey, Abstract No. 75, and in the
3 Churchill Fulshear Survey, Abstract No. 29, Fort Bend County,
4 Texas; said 636.76 acre tract being that same called 635.1725 acre
5 tract of land conveyed to Highland Management, Inc., as recorded in
6 Volume 1438, Page 632 of the Fort Bend County Deed Records; said
7 tract being more particularly described by metes-and-bounds as
8 follows with the bearings being based on Texas State Plane
9 Coordinate System, South Central Zone (NAD83) per GPS Observations
10 using National Geodetic Survey Continuously Operating Reference
11 Stations:

12 COMMENCING FOR REFERENCE at a fence post found for the
13 northeast corner of a called 514.321 acre tract conveyed to said
14 Highland Management, Inc., as recorded in Volume 801, Page 410 of
15 the Fort Bend County Deed Records;

16 THENCE, South 88° 42' 45" West - 40.00 feet with the north line
17 of said 514.321 acre tract to a fence post broken off at ground
18 level found for the southeast corner of a 200.013 acre tract of land
19 conveyed to Highland Management, Inc., as recorded in Volume 1089,
20 Page 165 of the Fort Bend County Deed Records;

21 THENCE, North 01° 12' 55" West - 1,244.75 feet with the west
22 right-of-way line of Montgomery Road and with the east line of said
23 200.013 acre tract to a 5/8-inch iron rod with cap stamped
24 "T.E.A.M." set for an angle point;

25 THENCE, North 04° 04' 05" West - 116.45 feet with the west
26 right-of-way line of Montgomery Road and with the east line of said
27 200.013 acre tract to a TXDOT monument disk found corner;

1 THENCE, South 87° 26' 43" West - 48.23 feet with the south line
2 of a tract of land conveyed to the County of Fort Bend, as recorded
3 in Volume 2205, Page 1910 of the Fort Bend County Deed Records to a
4 5/8- inch iron rod with cap stamped "T.E.A.M." set for corner;

5 THENCE, North 02° 33' 17" West with the west line of said
6 County of Fort Bend tract, at a distance of 213.19 feet pass a
7 5/8-inch iron rod with cap stamped "T.E.A.M." set and continuing
8 for a total distance of 414.35 feet to a point for a south corner and
9 POINT OF BEGINNING of this tract;

10 THENCE the following courses and distances with the north
11 line of Cottonwood Slough:

12 1.) North 32° 21' 49" West - 134.59 feet to a 5/8-inch iron
13 rod with cap stamped "T.E.A.M." set;

14 2.) In a northwesterly direction with a curve to the left
15 having a radius of 175.00 feet, a central angel of 44° 24' 58", a
16 length of 135.66 feet, and a chord bearing North 54° 52' 13" West -
17 132.29 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

18 3.) North 32° 39' 45" West - 177.53 feet to a 1-1/4-inch iron
19 pipe found;

20 THENCE the flowing courses and distances with a line parallel
21 to and approximately 200 feet north of the centerline of an existing
22 canal:

23 1.) In a southwesterly direction with a curve to the left
24 having a radius of 325.00 feet, a central angel of 38° 59' 02", a
25 length of 221.13 feet, and a chord bearing South 60° 28' 27" West -
26 216.89 feet to a 1-1/4- inch iron pipe found;

27 2.) South 41° 01' 32" West - 1,644.35 feet to a 1-1/4-inch

1 iron pipe found;

2 3.) In a westerly direction with a curve to the right having
3 a radius of 516.80 feet, a central angel of $61^{\circ} 36' 54''$, a length of
4 555.76 feet, and a chord bearing South $71^{\circ} 50' 37''$ West -529.36 feet
5 to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

6 4.) North $77^{\circ} 20' 57''$ West - 288.00 feet to a 5/8-inch iron
7 rod with cap stamped "T.E.A.M." set;

8 5.) In a northwesterly direction with a curve to the right
9 having a radius of 771.50 feet, a central angel of $21^{\circ} 11' 00''$, a
10 length of 285.24 feet, and a chord bearing North $66^{\circ} 45' 27''$ West -
11 283.62 feet to a 1- 1/4-inch iron pipe found;

12 6.) North $56^{\circ} 09' 57''$ West - 1,498.21 feet to a 1-1/4-inch
13 iron pipe found;

14 7.) In a northwesterly direction with a curve to the left
15 having a radius of 816.50 feet, a central angel of $13^{\circ} 11' 30''$, a
16 length of 187.99 feet, and a chord bearing North $62^{\circ} 35' 06''$ West -
17 187.57 feet to a 1-1/4- inch iron pipe found;

18 8.) North $69^{\circ} 18' 32''$ West - 368.65 feet to a 1/2-inch iron
19 pipe found;

20 9.) North $72^{\circ} 04' 49''$ West - 1,006.13 feet to a 5/8-inch iron
21 rod with cap stamped "T.E.A.M." set to replace a disturbed
22 1-1/4-inch iron pipe found for a southwest corner of this tract;

23 THENCE, North $01^{\circ} 00' 37''$ West - 417.97 feet with the east line
24 of Gulf Coast Water Authority Pumping Station, as recorded in
25 Volume 138, Page 170 and Volume 121, Page 301 of the Fort Bend
26 County Deed Records to a 3/4-inch iron pipe found for an interior
27 corner of this tract;

1 THENCE, North 82° 42' 48" West -447.90 feet with the north
2 line of said Gulf Coast Water Authority Pumping Station to a
3 3/4-inch iron pipe found for an angle point of this tract;

4 THENCE, North 78° 57' 13" West with the north line of said Gulf
5 Coast Water Authority Pumping Station, at a distance of 485.02 feet
6 pass a 5/8-inch iron rod with cap stamped "T.E.A.M." set and
7 continuing for a total distance of 585.02 feet to a point for a west
8 corner of this tract;

9 THENCE, North 73° 20' 40" East -477.14 feet with the south
10 line of a tract of land conveyed to Transcontinental Gas Pipeline
11 Corporation, as recorded in Volume 272, Page 532 of the Fort Bend
12 County Deed Records, at a distance of 100 feet pass a 5/8-inch iron
13 rod with cap stamped "T.E.A.M." set and continuing for a total
14 distance of 477.14 feet to a 1/2-inch iron pipe found for an
15 interior corner of this tract;

16 THENCE, North 16° 39' 20" West - 150.00 feet with the east line
17 of said Transcontinental Gas Pipeline Corporation tract to a
18 5/8-inch iron rod with cap stamped "T.E.A.M." set for an interior
19 corner of this tract; from which a 1/2-inch iron pipe found bears
20 North 75° 16' 06" East -7.39 feet; also from which a 3/4-inch iron
21 pipe found bears North 75° 06' 23" West - 25.71 feet;

22 THENCE, South 73° 20' 40" West with the north line of said
23 Transcontinental Gas Pipeline Corporation tract, at a distance of
24 443.79 feet pass a 5/8-inch iron rod with cap stamped "T.E.A.M." set
25 and continuing for a total distance of 543.79 feet to a point in the
26 lowest bank of the Brazos River at the mature vegetation growth for
27 a southwest corner of this tract;

1 THENCE, the following two courses and distances along the
2 lowest bank of the Brazos River at the mature vegetation growth:

- 3 1.) North 28° 02' 36" West -416.20 feet to a point;
4 2.) North 22° 27' 03" West - 405.70 feet to a point in the
5 centerline of Fulshear Creek;

6 THENCE, with the centerline of said Fulshear Creek the
7 following twenty four courses and distances:

- 8 1.) North 05° 49' 46" East - 100.03 feet to a point;
9 2.) North 10° 15' 10" East - 49.43 feet to a point;
10 3.) North 01° 08' 50" West - 153.09 feet to a point;
11 4.) North 17° 00' 01" West - 61.41 feet to a point;
12 5.) North 26° 45' 17" West - 239.18 feet to a point;
13 6.) North 01° 17' 17" East - 113.22 feet to a point;
14 7.) North 24° 32' 42" East - 108.82 feet to a point;
15 8.) North 37° 42' 16" East - 136.42 feet to a point;
16 9.) North 56° 21' 03" East - 94.64 feet to a point;
17 10.) North 75° 04' 37" East - 115.64 feet to a point;
18 11.) North 58° 04' 04" East - 72.09 feet to a point;
19 12.) North 16° 14' 40" East - 41.14 feet to a point;
20 13.) North 06° 12' 56" West - 65.26 feet to a point;
21 14.) North 19° 51' 43" West - 35.03 feet to a point;
22 15.) North 29° 54' 57" West - 25.60 feet to a point;
23 16.) North 17° 09' 05" West - 64.07 feet to a point;
24 17.) North 07° 30' 33" West - 113.18 feet to a point;
25 18.) North 20° 21' 38" West - 145.53 feet to a point;
26 19.) North 23° 57' 03" West - 80.13 feet to a point;
27 20.) North 30° 00' 50" West - 152.00 feet to a point;

- 1 21.) North 19° 40' 07" West - 45.93 feet to a point;
2 22.) North 02° 27' 59" East - 92.84 feet to a point;
3 23.) North 05° 08' 30" West - 139.91 feet to a point;
4 24.) North 15° 23' 49" East - 67.42 feet to a point for a
5 northwest corner of this tract;

6 THENCE, North 89° 40' 14" East, at a distance of 159.51 feet
7 pass a car axle found and continuing for a total distance of 655.88
8 feet with the south line of a tract of land conveyed to Jeffrey
9 Jacob Schaatt, as recorded in Fort Bend County Clerk's File
10 No. 9440230 to a 5/8-inch iron rod with cap stamped "T.E.A.M." set
11 for an angle point of this tract;

12 THENCE, North 88° 58' 48" East - 633.16 feet with the south
13 line of a 9.44 acre tract, as surveyed by Charlie Kalkomey, RPLS
14 No. 1399, on October 16, 2003, to a flat iron bar found for an
15 interior corner of this tract;

16 THENCE, North 01° 31' 53" West - 451.97 feet with the east line
17 of said 9.44 acre tract to a 5/8-inch iron rod with cap stamped
18 "T.E.A.M." set for a northwest corner of this tract; from which a
19 3/4-inch iron pipe found bears North 68° 23' 31" East - 1.21 feet;

20 THENCE, North 68° 23' 31" East - 669.50 feet with the south
21 line of a 38.27 acre tract conveyed to Dan J. Harrison, Jr., as
22 recorded in Volume 512, Page 107 of the Fort Bend County Deed
23 Records to a 3/4-inch iron pipe found for an angle point of this
24 tract;

25 THENCE, North 69° 32' 30" East - 155.02 feet with the south
26 line of a 18.35 acre tract of land conveyed to Dan J. Harrison, Jr,
27 as recorded in Volume 512, Page 110 of the Fort Bend County Deed

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1 Records and with the south line of a 2.83 acre tract of land
2 conveyed to Harrison Interests, Ltd., as recorded in Fort Bend
3 County Clerk's File No. 9669126 to a 3/4-inch iron pipe found for an
4 angle point of this tract;

5 THENCE, North 87° 47' 02" East - 378.33 feet with the south
6 line of said Harrison Interests, Ltd. tract and with the south line
7 of a 1.0 acre tract of land conveyed to Dan J. Harrison III, as
8 recorded in Fort Bend County Clerk's File No. 2007136540 to a
9 1-1/4-inch iron pipe found for a northeast corner of this tract;

10 THENCE, South 01° 35' 13" East with the west line of a tract of
11 land conveyed to Derrick B. Woods and Gloria Kelly, as recorded in
12 Fort Bend County Clerk's File No. 2007013056, at a distance of
13 750.90 feet pass a 3/4-inch iron pipe found and continuing for a
14 total distance of 1,478.13 feet with the west line of a tract of
15 land conveyed to Laura Monroe, as recorded in Fort Bend County
16 Clerk's File No. 2002085617 to a 5/8-inch iron rod with cap stamped
17 "T.E.A.M." set for an interior corner of this tract;

18 THENCE, North 88° 15' 42" East with the south line of said
19 Laura Monroe tract, at a distance of 654.48 feet pass a 5/8-inch
20 iron rod with cap stamped "1943 4349" found and continuing for a
21 total distance of 773.44 feet to a 5/8-inch iron rod with cap
22 stamped "1943 4349" found for a northeast corner of this tract; from
23 which a 1- 1/4-inch iron pipe found bears South 78° 16' 03" West -
24 6.68 feet;

25 THENCE, South 00° 48' 50" East - 905.14 feet with the west line
26 of a tract of land conveyed to Kimberly J. Renshaw, Trustee, as
27 recorded in Fort Bend County Clerk's File No. 2003116900 and as

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1 surveyed by C. Tim Griffith, RPLS No. 4349 on December 09, 2002, to
2 a 5/8-inch iron rod with cap stamped "1048 4948" found for an
3 interior corner of this tract; from which a 1-1/4-inch iron pipe
4 found bears South 83° 55' 10" West - 15.65 feet;

5 THENCE, North 88° 14' 41" East - 529.27 feet with the south
6 line of said Kimberly J. Renshaw tract, as surveyed by said C. Tim
7 Griffith to a 5/8-inch iron rod found for an interior corner of this
8 tract; from which a 1- inch iron pipe found bears South 71° 00' 07"
9 West - 9.87 feet;

10 THENCE, North 00° 48' 32" West with the east line of said
11 Kimberly J. Renshaw tract, as surveyed by said C. Tim Griffith, at a
12 distance of 904.99 feet pass a 5/8-inch iron rod with cap stamped
13 "Kaluza" found and continuing for a total distance of 1,631.92 feet
14 to a 3/4-inch iron rod found for an angle point of this tract;

15 THENCE, North 00° 23' 13" West - 525.84 feet with the east line
16 of said Derrick B. Woods and Gloria Kelly tract to a 1-1/4-inch iron
17 pipe found in the south right-of-way line of Red Bird Lane for a
18 northwest corner of this tract;

19 THENCE, North 83° 40' 55" East - 627.27 feet with the south
20 right-of-way line of said Red Bird Lane to a 1-1/4-inch iron pipe
21 found for an angle point of this tract;

22 THENCE, North 80° 56' 53" East - 340.41 feet with the south
23 right-of-way line of said Red Bird Lane to a 3/4-inch iron pipe
24 found for an angle point of this tract;

25 THENCE, North 69° 57' 23" East - 213.19 feet with the south
26 right-of-way line of said Red Bird Lane to a 1-1/4-inch iron pipe
27 found for an angle point of this tract;

1 THENCE, North 88° 34' 50" East - 754.52 feet with the south
2 right-of-way line of said Red Bird Lane to a 1-1/4-inch iron pipe
3 found for a northeast corner of this tract; from which a 3/4-inch
4 iron pipe found bears North 13° 42' 36" East - 28.03 feet

5 THENCE, South 00° 49' 07" East - 152.65 feet to a point in
6 Cottonwood Slough for an interior corner of this tract;

7 THENCE, North 89° 11' 54" East - 516.40 feet to a 5/8-inch iron
8 rod with cap stamped "T.E.A.M." set for a northeast corner of this
9 tract;

10 THENCE, South 01° 11' 18" East - 178.00 feet with the west line
11 said Pleasant Hill Cemetery, as recorded in Fort Bend County
12 Clerk's File No. 2002098914 to a point in Cottonwood Creek for an
13 interior corner of this tract;

14 THENCE, North 83° 23' 44" East - 489.40 feet with the south
15 line of said Pleasant Hill Cemetery to a 1- 1/4-inch iron pipe found
16 for a northeast corner of this tract;

17 THENCE, South 00° 31' 15" East - 2,678.08 feet with the east
18 line of said 635.1725 acre tract and with the west right-of-way line
19 of Bois D'Arc Lane to a 1-1/4-inch iron pipe found for an angle
20 point of this tract;

21 THENCE, South 02° 20' 36" East feet with the east line of said
22 635.1725 acre tract and with the west right-of-way line of said Bois
23 D'Arc Lane, at a distance of 1,32.24 feet pass a 3/4-inch iron pipe
24 found and continuing for a total distance of 1,702.81 feet to a
25 TXDOT monument disk found for a southeast corner of this tract;

26 THENCE, South 87° 26' 43" West - 37.53 feet with the north line
27 of said County of Fort Bend tract to a TXDOT monument disk found for

1 an interior corner of this tract;

2 THENCE, South 02° 33' 17" East - 7.65 feet with the west line
3 of said County of Fort Bend tract to the POINT OF BEGINNING and
4 containing 636.76 acres

5 SECTION 2.03. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 6.
6 The Fulshear Municipal Utility District No. 6 initially includes
7 all the territory contained in the following area:

8 A FIELD NOTE DESCRIPTION of a 631.62 acre tract of land in the
9 D. Randon & I. Pennington Survey, Abstract No. 75, and in the
10 Churchill Fulshear Survey, Abstract No. 29, Fort Bend County,
11 Texas; said 631.62 acre tract being all of called 200.013 acre tract
12 of land conveyed to Highland Management, Inc., as recorded in
13 Volume 1089, Page 165 of the Fort Bend County Deed Records, and
14 being out of a called 514.321 acre tract of land conveyed to
15 Highland Management, Inc., as recorded in Volume 801, Page 410 of
16 the Fort Bend County Deed Records; said tract being more
17 particularly described by metes-and-bounds as follows with the
18 bearings being based on Texas State Plane Coordinate System, South
19 Central Zone (NAD83) per GPS Observations using National Geodetic
20 Survey Continuously Operating Reference Stations:

21 BEGINNING at a fence post found for the northeast corner of
22 said called 514.321 acre tract for a northeast corner of this tract;

23 THENCE, South 01° 42' 53" East - 5,953.33 feet with the east
24 line of said 514.321 acre tract to a point for a southeast corner of
25 this tract; from which a 5/8-inch iron rod with cap stamped
26 "T.E.A.M." set bears South 01° 42' 53" East - 1,411.13 feet;

27 THENCE, South 89° 17' 07" West - 1,992.07 feet to a point in

1 the lowest bank of the Brazos River at the mature vegetation growth
2 for the southwest corner of this tract;

3 THENCE, the following courses and distances along the lowest
4 bank of the Brazos River at the mature vegetation growth:

- 5 1. North 03° 11' 41" West - 430.76 feet;
- 6 2. North 06° 04' 31" East - 26.26 feet;
- 7 3. North 12° 54' 35" West - 565.76 feet;
- 8 4. North 22° 25' 36" West - 644.88 feet;
- 9 5. North 27° 40' 58" West - 307.69 feet;
- 10 6. North 29° 38' 28" West - 437.35 feet;
- 11 7. North 31° 48' 49" West - 627.73 feet;
- 12 8. North 38° 31' 29" West - 562.58 feet;
- 13 9. North 46° 01' 27" West - 449.81 feet;
- 14 10. North 45° 15' 08" West - 697.67 feet;
- 15 11. North 48° 07' 57" West - 497.49 feet;
- 16 12. North 50° 57' 15" West - 593.34 feet;
- 17 13. North 68° 49' 05" West - 424.90 feet;
- 18 14. North 53° 29' 12" West - 562.34 feet;
- 19 15. North 34° 16' 18" West - 808.37 feet;
- 20 16. North 15° 44' 19" West - 467.54 feet to a point for a
21 northwest corner of this tract;

22 THENCE, North 87° 31' 50" East - 1,007.16 feet with the south
23 line of a Gulf Coast Water Authority Pumping Station, as recorded in
24 Volume 138, Page 170 and Volume 121, Page 301 of the Fort Bend
25 County Deed Records to a 3/4-inch iron pipe found for an interior
26 corner of this tract;

27 THENCE, North 03° 56' 57" West - 625.49 feet with the east line

1 of said Gulf Coast Water Authority Pumping Station and with the west
2 line of said 200.013 acre tract to a 3/4-inch iron pipe found for an
3 angle point of this tract;

4 THENCE, North 05° 00' 40" West - 776.08 feet with the east line
5 of said Gulf Coast Water Authority Pumping Station and with the west
6 line of said 200.013 acre tract to a point in a 54-inch pecan tree
7 for an angle point of this tract;

8 THENCE, North 17° 29' 55" East - 43.79 feet with the east line
9 of said Gulf Coast Water Authority Pumping Station and with the west
10 line of said 200.013 acre tract to a fence post found for an angle
11 point of this tract;

12 THENCE, North 00° 21' 32" West - 46.08 feet with the east line
13 of said Gulf Coast Water Authority Pumping Station and with the west
14 line of said 200.013 acre tract to a 5/8-inch iron rod with cap
15 stamped "T.E.A.M." set for a northwest corner of this tract; from
16 which a 1/2-inch iron pipe found bears South 00° 21' 32" East - 7.66
17 feet;

18 THENCE, the following ten courses and distances with a line
19 parallel to and approximately 50 feet south of the centerline of an
20 existing canal:

21 1.) South 72° 04' 49" East - 894.48 feet to a 5/8-inch iron
22 rod with cap stamped "T.E.A.M." set;

23 2.) South 69° 18' 32" East - 362.30 feet to a 5/8-inch iron
24 rod with cap stamped "T.E.A.M." set;

25 3.) In a southeasterly direction with a curve to the right
26 having a radius of 566.50 feet, a central angle of 13° 12' 05", a
27 length of 130.53 feet and a chord bearing South 62° 33' 16" East -

1 130.24 feet;

2 4.) South $56^{\circ} 09' 57''$ East - 1,498.63 feet to a 5/8-inch iron
3 rod with cap stamped "T.E.A.M." set;

4 5.) In a southeasterly direction with a curve to the left
5 having a radius of 1,021.50 feet, a central angle of $21^{\circ} 11' 00''$, a
6 length of 377.67 feet and a chord bearing South $66^{\circ} 45' 27''$ East -
7 375.52 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

8 6.) South $77^{\circ} 20' 57''$ East - 288.00 feet to a 5/8-inch iron
9 rod with cap stamped "T.E.A.M." set;

10 7.) In a northeasterly direction with a curve to the left
11 having a radius of 766.80 feet, a central angle of $61^{\circ} 38' 12''$, a
12 length of 824.90 feet and a chord bearing North $71^{\circ} 49' 58''$ East -
13 785.69 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

14 8.) North $41^{\circ} 01' 32''$ East - 1,644.40 feet to a 5/8-inch iron
15 rod with cap stamped "T.E.A.M." set;

16 9.) In an easterly direction with a curve to the right
17 having a radius of 75.00 feet, a central angle of $106^{\circ} 36' 38''$, a
18 length of 139.55 feet and a chord bearing South $85^{\circ} 40' 08''$ East -
19 120.27 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

20 10.) South $32^{\circ} 21' 49''$ East - 308.27 feet to a 5/8-inch iron
21 rod with cap stamped "T.E.A.M." set for an angle point;

22 THENCE, South $02^{\circ} 33' 17''$ East - 213.19 feet with the west line
23 of a tract of land conveyed to the County of Fort Bend, as recorded
24 in Volume 2205, Page 1910 of the Fort Bend County Deed Records to a
25 5/8-inch iron rod with cap stamped "T.E.A.M." set for an interior
26 corner of this tract;

27 THENCE, North $87^{\circ} 26' 43''$ East - 48.23 feet to a TXDOT disk

1 found for a northeast corner of this tract;

2 THENCE, South 04° 04' 05" East - 116.45 feet with the east line
3 of said 200.013 acre tract and with the west right-of-way line
4 Montgomery Road to a 5/8-inch iron rod with cap stamped "T.E.A.M."
5 set for an angle point of this tract;

6 THENCE, South 01° 12' 55" East - 1,244.75 feet with the east
7 line of said 200.013 acre tract and with the west right-of-way line
8 Montgomery Road to a fence post broken off at ground level found for
9 the southeast corner of said 200.013 acre tract and for an interior
10 corner of this tract;

11 THENCE, North 88° 42' 45" East - 40.00 feet with the north line
12 of said 514.321 acre tract to the POINT OF BEGINNING and containing
13 631.62 acres of land.

14 ARTICLE 3. LEGAL NOTICE, EMINENT DOMAIN, AND EFFECTIVE DATE

15 SECTION 3.01. (a) The legal notice of the intention to
16 introduce this Act, setting forth the general substance of this
17 Act, has been published as provided by law, and the notice and a
18 copy of this Act have been furnished to all persons, agencies,
19 officials, or entities to which they are required to be furnished
20 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
21 Government Code.

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

25 (c) The Texas Commission on Environmental Quality has filed
26 its recommendations relating to this Act with the governor, the
27 lieutenant governor, and the speaker of the house of

1 representatives within the required time.

2 (d) All requirements of the constitution and laws of this
3 state and the rules and procedures of the legislature with respect
4 to the notice, introduction, and passage of this Act are fulfilled
5 and accomplished.

6 SECTION 3.02. (a) If this Act does not receive a two-thirds
7 vote of all the members elected to each house, Subchapter C, Chapter
8 8494, Special District Local Laws Code, as added by Section 1.01 of
9 this Act, is amended by adding Section 8494.106 to read as follows:

10 Sec. 8494.106. NO EMINENT DOMAIN POWER. The district may
11 not exercise the power of eminent domain.

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

15 SECTION 3.03. (a) If this Act does not receive a two-thirds
16 vote of all the members elected to each house, Subchapter C, Chapter
17 8495, Special District Local Laws Code, as added by Section 1.02 of
18 this Act, is amended by adding Section 8495.107 to read as follows:

19 Sec. 8495.107. NO EMINENT DOMAIN POWER. The district may
20 not exercise the power of eminent domain.

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

24 SECTION 3.04. (a) If this Act does not receive a two-thirds
25 vote of all the members elected to each house, Subchapter C, Chapter
26 8496, Special District Local Laws Code, as added by Section 1.03 of
27 this Act, is amended by adding Section 8496.107 to read as follows:

1 Sec. 8496.107. NO EMINENT DOMAIN POWER. The district may
2 not exercise the power of eminent domain.

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

6 SECTION 3.05. This Act takes effect September 1, 2015.