

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of Simonton Management District No. 1;  
3 providing authority to issue bonds; providing authority to impose  
4 assessments, fees, or taxes.

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

6 SECTION 1. Subtitle C, Title 4, Special District Local Laws  
7 Code, is amended by adding Chapter 3934 to read as follows:

8 CHAPTER 3934. SIMONTON MANAGEMENT DISTRICT NO. 1

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 3934.001. DEFINITIONS. In this chapter:

- 11 (1) "Board" means the district's board of directors.  
12 (2) "City" means the City of Simonton.  
13 (3) "County" means Fort Bend County.  
14 (4) "Director" means a board member.  
15 (5) "District" means the Simonton Management District  
16 No. 1.

17 Sec. 3934.002. NATURE OF DISTRICT. The Simonton Management  
18 District No. 1 is a special district created under Section 59,  
19 Article XVI, Texas Constitution.

20 Sec. 3934.003. PURPOSE; DECLARATION OF INTENT. (a) The  
21 creation of the district is essential to accomplish the purposes of  
22 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
23 Texas Constitution, and other public purposes stated in this  
24 chapter. By creating the district and in authorizing the city, the

1 county, and other political subdivisions to contract with the  
2 district, the legislature has established a program to accomplish  
3 the public purposes set out in Section 52-a, Article III, Texas  
4 Constitution.

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

10 (c) This chapter and the creation of the district may not be  
11 interpreted to relieve the city or the county from providing the  
12 level of services provided as of the effective date of the Act  
13 enacting this chapter to the area in the district. The district is  
14 created to supplement and not to supplant city or county services  
15 provided in the district.

16 Sec. 3934.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

17 (a) The district is created to serve a public use and benefit.

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

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

25 (1) developing and diversifying the economy of the  
26 state;

27 (2) eliminating unemployment and underemployment; and

1           (3) developing or expanding transportation and  
2 commerce.

3           (d) The district will:

4           (1) promote the health, safety, and general welfare of  
5 residents, employers, potential employees, employees, visitors,  
6 and consumers in the district, and of the public;

7           (2) provide needed funding for the district to  
8 preserve, maintain, and enhance the economic health and vitality of  
9 the district territory as a community and business center;

10           (3) promote the health, safety, welfare, and enjoyment  
11 of the public by providing pedestrian ways and by landscaping and  
12 developing certain areas in the district, which are necessary for  
13 the restoration, preservation, and enhancement of scenic beauty;  
14 and

15           (4) provide for water, wastewater, drainage, road, and  
16 recreational facilities for the district.

17           (e) Pedestrian ways along or across a street, whether at  
18 grade or above or below the surface, and street lighting, street  
19 landscaping, parking, and street art objects are parts of and  
20 necessary components of a street and are considered to be a street  
21 or road improvement.

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

25           Sec. 3934.005. INITIAL DISTRICT TERRITORY. (a) The  
26 district is initially composed of the territory described by  
27 Section 2 of the Act enacting this chapter.

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

5           (1) organization, existence, or validity;

6           (2) right to issue any type of bonds for the purposes  
7 for which the district is created or to pay the principal of and  
8 interest on the bonds;

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

10          (4) legality or operation.

11       Sec. 3934.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

12 All or any part of the area of the district is eligible to be  
13 included in:

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

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

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

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

22       Sec. 3934.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
23 DISTRICTS LAW. Except as otherwise provided by this chapter,  
24 Chapter 375, Local Government Code, applies to the district.

25       Sec. 3934.008. CONSTRUCTION OF CHAPTER. This chapter shall  
26 be liberally construed in conformity with the findings and purposes  
27 stated in this chapter.

1                   SUBCHAPTER B. BOARD OF DIRECTORS

2           Sec. 3934.051. GOVERNING BODY; TERMS. (a) The district is  
3 governed by a board of five voting directors who serve staggered  
4 terms of four years, with two or three directors' terms expiring  
5 June 1 of each odd-numbered year.

6           (b) The board by resolution may change the number of voting  
7 directors on the board if the board determines that the change is in  
8 the best interest of the district. The board may not consist of  
9 fewer than five or more than nine voting directors.

10          Sec. 3934.052. APPOINTMENT OF VOTING DIRECTORS. The mayor  
11 and members of the governing body of the city shall appoint voting  
12 directors from persons recommended by the board. A person is  
13 appointed if a majority of the members of the governing body,  
14 including the mayor, vote to appoint that person.

15          Sec. 3934.053. NONVOTING DIRECTORS. The board may appoint  
16 nonvoting directors to serve at the pleasure of the voting  
17 directors.

18          Sec. 3934.054. QUORUM. For purposes of determining the  
19 requirements for a quorum of the board, the following are not  
20 counted:

21                 (1) a board position vacant for any reason, including  
22 death, resignation, or disqualification;

23                 (2) a director who is abstaining from participation in  
24 a vote because of a conflict of interest; or

25                 (3) a nonvoting director.

26          Sec. 3934.055. COMPENSATION. A director is entitled to  
27 receive fees of office and reimbursement for actual expenses as

1 provided by Section 49.060, Water Code. Sections 375.069 and  
2 375.070, Local Government Code, do not apply to the board.

3 Sec. 3934.056. INITIAL VOTING DIRECTORS. (a) The initial  
4 board consists of the following voting directors:

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

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

15 (c) Section 3934.052 does not apply to this section.

16 (d) This section expires September 1, 2019.

17 SUBCHAPTER C. POWERS AND DUTIES

18 Sec. 3934.101. GENERAL POWERS AND DUTIES. The district has  
19 the powers and duties necessary to accomplish the purposes for  
20 which the district is created.

21 Sec. 3934.102. IMPROVEMENT PROJECTS AND SERVICES. The  
22 district may provide, design, construct, acquire, improve,  
23 relocate, operate, maintain, or finance an improvement project or  
24 service using any money available to the district, or contract with  
25 a governmental or private entity to provide, design, construct,  
26 acquire, improve, relocate, operate, maintain, or finance an  
27 improvement project or service authorized under this chapter or

1 Chapter 375, Local Government Code.

2 Sec. 3934.103. DEVELOPMENT CORPORATION POWERS. The  
3 district, using money available to the district, may exercise the  
4 powers given to a development corporation under Chapter 505, Local  
5 Government Code, including the power to own, operate, acquire,  
6 construct, lease, improve, or maintain a project under that  
7 chapter.

8 Sec. 3934.104. NONPROFIT CORPORATION. (a) The board by  
9 resolution may authorize the creation of a nonprofit corporation to  
10 assist and act for the district in implementing a project or  
11 providing a service authorized by this chapter.

12 (b) The nonprofit corporation:

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

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

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

24 Sec. 3934.105. AGREEMENTS; GRANTS. (a) As provided by  
25 Chapter 375, Local Government Code, the district may make an  
26 agreement with or accept a gift, grant, or loan from any person.

27 (b) The implementation of a project is a governmental

1 function or service for the purposes of Chapter 791, Government  
2 Code.

3 Sec. 3934.106. LAW ENFORCEMENT SERVICES. To protect the  
4 public interest, the district may contract with a qualified party,  
5 including the county or the city, to provide law enforcement  
6 services in the district for a fee.

7 Sec. 3934.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
8 district may join and pay dues to a charitable or nonprofit  
9 organization that performs a service or provides an activity  
10 consistent with the furtherance of a district purpose.

11 Sec. 3934.108. ECONOMIC DEVELOPMENT. (a) The district may  
12 engage in activities that accomplish the economic development  
13 purposes of the district.

14 (b) The district may establish and provide for the  
15 administration of one or more programs to promote state or local  
16 economic development and to stimulate business and commercial  
17 activity in the district, including programs to:

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

19 (2) provide district personnel and services.

20 (c) The district may create economic development programs  
21 and exercise the economic development powers provided to  
22 municipalities by:

23 (1) Chapter 380, Local Government Code; and

24 (2) Subchapter A, Chapter 1509, Government Code.

25 Sec. 3934.109. PARKING FACILITIES. (a) The district may  
26 acquire, lease as lessor or lessee, construct, develop, own,  
27 operate, and maintain parking facilities or a system of parking



1 facilities, including lots, garages, parking terminals, or other  
2 structures or accommodations for parking motor vehicles off the  
3 streets and related appurtenances.

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

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

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

13 Sec. 3934.110. ANNEXATION OF LAND. The district may annex  
14 land as provided by Subchapter J, Chapter 49, Water Code.

15 Sec. 3934.111. APPROVAL BY CITY. (a) Except as provided  
16 by Subsection (c), the district must obtain the approval of the city  
17 for:

18 (1) the issuance of bonds;

19 (2) the plans and specifications of an improvement  
20 project financed by bonds; and

21 (3) the plans and specifications of an improvement  
22 project related to the use of land owned by the city, an easement  
23 granted by the city, or a right-of-way of a street, road, or  
24 highway.

25 (b) The district may not issue bonds until the governing  
26 body of the city adopts a resolution or ordinance authorizing the  
27 issuance of the bonds.

1       (c) If the district obtains the approval of the city's  
2 governing body of a capital improvements budget for a period not to  
3 exceed 10 years, the district may finance the capital improvements  
4 and issue bonds specified in the budget without further approval  
5 from the city.

6       (d) The governing body of the city:

7           (1) is not required to adopt a resolution or ordinance  
8 to approve plans and specifications described by Subsection (a);  
9 and

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

13       Sec. 3934.112. NO EMINENT DOMAIN POWER. The district may  
14 not exercise the power of eminent domain.

15       SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

16       Sec. 3934.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
17 board by resolution shall establish the number of directors'  
18 signatures and the procedure required for a disbursement or  
19 transfer of district money.

20       Sec. 3934.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
21 The district may acquire, construct, finance, operate, or maintain  
22 any improvement or service authorized under this chapter or Chapter  
23 375, Local Government Code, using any money available to the  
24 district.

25       Sec. 3934.153. PETITION REQUIRED FOR FINANCING SERVICES AND  
26 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
27 service or improvement project with assessments under this chapter

1 unless a written petition requesting that service or improvement  
2 has been filed with the board.

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

7 Sec. 3934.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

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

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

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

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

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

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

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

5       Sec. 3934.155. TAX AND ASSESSMENT ABATEMENTS. The district  
6 may designate reinvestment zones and may grant abatements of  
7 district taxes or assessments on property in the zones.

8                   SUBCHAPTER E. TAXES AND BONDS

9       Sec. 3934.201. ELECTIONS REGARDING TAXES AND BONDS.

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

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

13                   (2) contract payments described by Section 3934.203.

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

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

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

24 Sec. 3934.202. OPERATION AND MAINTENANCE TAX. (a) If  
25 authorized by a majority of the district voters voting at an  
26 election held in accordance with Section 3934.201, the district may  
27 impose an operation and maintenance tax on taxable property in the

1 district in accordance with Section 49.107, Water Code, for any  
2 district purpose, including to:

3 (1) maintain and operate the district;

4 (2) construct or acquire improvements; or

5 (3) provide a service.

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

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

10 Sec. 3934.203. CONTRACT TAXES. (a) In accordance with  
11 Section 49.108, Water Code, the district may impose a tax other than  
12 an operation and maintenance tax and use the revenue derived from  
13 the tax to make payments under a contract after the provisions of  
14 the contract have been approved by a majority of the district voters  
15 voting at an election held for that purpose.

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

19 Sec. 3934.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS  
20 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms  
21 determined by the board. Section 375.205, Local Government Code,  
22 does not apply to a loan, line of credit, or other borrowing from a  
23 bank or financial institution secured by revenue other than ad  
24 valorem taxes.

25 (b) The district may issue bonds, notes, or other  
26 obligations payable wholly or partly from ad valorem taxes,  
27 assessments, impact fees, revenue, contract payments, grants, or

1 other district money, or any combination of those sources of money,  
2 to pay for any authorized district purpose.

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

6 Sec. 3934.205. TAXES FOR BONDS. At the time the district  
7 issues bonds payable wholly or partly from ad valorem taxes, the  
8 board shall provide for the annual imposition of a continuing  
9 direct annual ad valorem tax, without limit as to rate or amount,  
10 for each year that all or part of the bonds are outstanding as  
11 required and in the manner provided by Sections 54.601 and 54.602,  
12 Water Code.

13 Sec. 3934.206. CITY NOT REQUIRED TO PAY DISTRICT  
14 OBLIGATIONS. Except as provided by Section 375.263, Local  
15 Government Code, the city is not required to pay a bond, note, or  
16 other obligation of the district.

17 SECTION 2. The Simonton Management District No. 1 initially  
18 includes all territory contained in the following area:

19 TRACT 1

20 Being 33.2 acres, more or less, of land situated in the Thomas  
21 Westall League, Abstract 92, Fort Bend County, Texas, more  
22 particularly being that certain called 0.681 acre tract (described  
23 as Tract No. 1), that certain 1.630 acre tract (described as Tract  
24 No. 2), and that certain 1.019 acre tract (described as Tract No. 3  
25 & 4), all conveyed to CBDS Investments, Inc. by instrument of record  
26 in File No. 2006104265 of the Official Public Records of said Fort  
27 Bend County, Texas (F.B.C.O.P.R.), that certain called 1.012 acre

1 tract of land conveyed to CBDS Investments, Inc., by instrument of  
2 record in File No. 2006110957, F.B.C.O.P.R., that certain called  
3 1.19 acre tract of land conveyed to FM 1489 Farms, Inc., by  
4 instrument of record in File No. 2006076342, F.B.C.O.P.R., now  
5 owned by Twinwood (U.S.), Inc. as conveyed in File No. 2012121483,  
6 F.B.C.O.P.R., and a portion of that certain called 42.35 acre tract  
7 conveyed to FM 1489 Farms, Inc., by instrument of record in File  
8 No. 2006076344, F.B.C.O.P.R., now owned by Twinwood (U.S.), Inc. as  
9 conveyed in File No. 2012121483, F.B.C.O.P.R., said 33.2 acre tract  
10 being more particularly described by metes and bounds as follows:

11 BEGINNING at the southwesterly corner of the aforementioned  
12 42.35 acre tract, said point being on the northerly line of F.M.  
13 1093;

14 Thence, Northerly, along the westerly line of said 42.35 acre  
15 tract, 871 feet, more or less, to a point for corner, said point  
16 being at the approximate City Limits Line of Simonton;

17 Thence, Easterly, along the approximate City Limits Line of  
18 Simonton, 1,704 feet, more or less, to a point for corner, said  
19 point being on the easterly line of said 42.35 acre tract and the  
20 westerly right-of-way line of said F.M. 1489, the beginning of a  
21 curve;

22 Thence, Southerly along the westerly line of said 42.35 acre  
23 tract, the westerly line of the aforementioned 1.19 acre tract and  
24 the easterly right-of-way line of said F.M. 1489, 336 feet, more or  
25 less, along the arc of a non-tangent curve to the right, having a  
26 radius of 5,679.65 feet, to a westerly corner of said 42.35 acre  
27 tract;

1           Thence, Southerly, along the easterly lines of said 42.35  
2 acre tract and the aforementioned 0.681 acre tract and the westerly  
3 right-of-way line of said F.M. 1489, 580 feet, more or less, to a  
4 point for corner, said point being on the southerly line of the  
5 aforementioned 1.630 acre;

6           Thence, Westerly, along the southerly line of said 1.630 acre  
7 tract, 162 feet, more or less, to the southwesterly corner of said  
8 1.630 acre tract;

9           Thence, Northerly, along a westerly line of said 1.630 acre  
10 tract, 95 feet, more or less, to the southeasterly corner of the  
11 aforementioned 1.012 acre tract, said point being in the northerly  
12 right-of-way line of said F.M. 1093;

13           Thence, Westerly, along the northerly right-of-way line of  
14 said F.M. 1093 and the southerly line of said 1.012 acre tract, 198  
15 feet, more or less, to the southwesterly corner of said 1.012 acre  
16 tract, said point being on the easterly line of the aforementioned  
17 1.019 acre tract;

18           Thence, Southerly, along the easterly line of said 1.019 acre  
19 tract, 5 feet, more or less, to the southeasterly corner of said  
20 1.019 acre tract, said point being on the northerly right-of-way  
21 line of said F.M. 1093;

22           Thence, Westerly, along a southerly line of said 1.019 acre  
23 tract and the northerly right-of-way line of said F.M. 1093, 118  
24 feet, more or less, to a southerly corner of said 1.019 acre tract;

25           Thence, Southerly, along a southerly line of said 1.019 acre  
26 tract and a northerly right-of-way line of said F.M. 1093, 5 feet,  
27 more or less, to a southerly corner of said 1.019 acre tract;



1           Thence, Westerly, along a southerly line of said 1.019 acre  
2 tract and the northerly right-of-way line of said F.M. 1093, 51  
3 feet, more or less, to the southwesterly corner of said 1.019 acre  
4 tract;

5           Thence, Northerly, departing the northerly right-of-way line  
6 of said F.M. 1093, along the westerly line of said 1.019 acre tract,  
7 159 feet, more or less, to a southerly corner of the aforementioned  
8 42.35 acre tract;

9           Thence, Westerly, along a southerly line of said 42.35 acre  
10 tract, 168 feet, more or less, to a southerly interior corner of  
11 said 42.35 acre tract;

12           Thence, Southerly, along a southerly interior line of said  
13 42.35 acre tract, 156 feet, more or less, to a southerly corner of  
14 said 42.35 acre tract, said point being on the northerly  
15 right-of-way line of said F.M. 1093;

16           Thence, Westerly, along a southerly line of said 42.35 acre  
17 tract and the northerly right-of-way line of said F.M. 1093, 1,070  
18 feet, more or less, to the POINT OF BEGINNING and containing 33.2  
19 acres of land, more or less.

20           TRACT 2

21           Being 102 acres, more or less, of land situated in the Thomas  
22 Westall League, Abstract 92, Fort Bend County, Texas, more  
23 particularly being a portion of that certain called 42.35 acre  
24 tract of land conveyed to FM 1489 Farms, Inc., by instrument of  
25 record in File No. 2006076344, in the Official Public Records of  
26 said Fort Bend County, Texas (F.B.C.O.P.R.), now owned by Twinwood  
27 (U.S.), Inc. as conveyed in File No. 2012121483, F.B.C.O.P.R., a

1 portion of that certain called 69.1455 acre tract conveyed to FM  
2 1489 Farms, Inc. by instrument of record in File No. 2008055874,  
3 now owned by Twinwood (U.S.), Inc. as conveyed in File  
4 No. 2012121483, F.B.C.O.P.R., and that certain called 63.46 acre  
5 tract conveyed to FM 1489 Farms, Inc. by instrument of record in  
6 File No. 2006076347, F.B.C.O.P.R., now owned by Twinwood (U.S.),  
7 Inc. as conveyed in File No. 2012121483, F.B.C.O.P.R., said 102  
8 acre tract being more particularly described by metes and bounds as  
9 follows:

10 BEGINNING at the most westerly southwest corner of said  
11 69.1455 acre tract;

12 Thence, Northerly, along an easterly line of said 69.1455  
13 acre tract, 190 feet, more or less, to a point for corner, said  
14 point being at the approximate ETJ Line of Simonton;

15 Thence, Easterly, along the approximate ETJ Line of Simonton,  
16 2,169 feet, more or less, to a point for corner, said point being on  
17 a northeasterly line of said 69.1455 acre tract;

18 Thence, Southeasterly, along the northeasterly line of said  
19 69.1455 acre tract, 402 feet to an easterly corner of said 69.1455  
20 acre tract, said point being on the westerly right-of-way line of  
21 F.M. 1489;

22 Thence, Southerly, along the easterly line of said 69.1455  
23 acre tract, the easterly line of the aforementioned 63.46 acre  
24 tract, and the westerly right-of-way line of said F.M. 1489, 1,507  
25 feet, more or less, to an easterly corner of said 63.46 acre tract,  
26 the beginning of a curve;

27 Thence, Southerly, along the westerly line of said 63.46 acre

1 tract and the westerly right-of-way line of said F.M. 1489, 437  
2 feet, more or less, along the arc of a tangent curve to the left,  
3 having a radius of 5,779.65 feet to an easterly corner of said 63.46  
4 acre tract;

5 Thence, Southerly along the easterly line of said 63.46 acre  
6 tract, an easterly line of the aforementioned 42.35 acre tract, and  
7 the westerly right-of-way line of said F.M. 1489, 365 feet, more or  
8 less, to an easterly corner of said 42.35 acre tract, the beginning  
9 of a curve;

10 Thence, Southerly, along the an easterly line of said 42.35  
11 acre tract and the westerly right-of-way line of said F.M. 1489, 94  
12 feet, more or less, along the arc of a tangent curve to the right,  
13 having a radius of 5,679.65 feet, to a point for corner, said point  
14 being at the approximate City Limits Line of Simonton;

15 Thence, Westerly, along the approximate City Limits Line of  
16 Simonton, 1,704 feet, more or less, to a point for corner, said  
17 point being on the westerly line of said 42.35 acre tract;

18 Thence, Northerly, along the westerly lines of said 42.35  
19 acre tract, said 63.46 acre tract, and said 69.1455 acre tract,  
20 2,443 feet, more or less, to a southwesterly interior corner of said  
21 69.1455 acre tract;

22 Thence Westerly, along a southerly line of said 69.1455 acre  
23 tract, 943 feet, more or less, to the POINT OF BEGINNING and  
24 containing 102 acres of land, more or less.

25 TRACT 3

26 Being 138 acres, more or less, of land situated in the Thomas  
27 Westall League, Abstract 92, Fort Bend County, Texas, more

1 particularly being a portion of that certain called 200.15 acre  
2 tract of land conveyed to Hady Creek Ranch, Inc. by instrument of  
3 record in File No. 2006084768 of the Official Public Records of  
4 said Fort Bend County, Texas (F.B.C.O.P.R.), now owned by Twinwood  
5 (U.S.), Inc. as conveyed in File No. 2012121483, F.B.C.O.P.R., and  
6 that certain 1.6858 acre tract of land conveyed to Hady Creek Ranch,  
7 Inc. by instrument of record in File No. 2006084767, F.B.C.O.P.R.,  
8 now owned by Twinwood (U.S.), Inc. as conveyed in File  
9 No. 2012121483, F.B.C.O.P.R., said 138 acre tract being more  
10 particularly described by metes and bounds as follows:

11 BEGINNING at the southeasterly corner of said 200.15 acre  
12 tract;

13 Thence, Westerly, along a southerly line of said 200.15 acre  
14 tract, 1,414 feet, more or less, to a southwesterly corner of said  
15 200.15 acre tract;

16 Thence, Northerly, along a southerly line of said 200.15 acre  
17 tract, 50 feet, more or less, to a southwesterly corner of said  
18 200.15 acre tract;

19 Thence, Westerly, along a southerly line of said 200.15 acre  
20 tract, 258 feet, more or less, to a southwesterly corner of said  
21 200.15 acre tract, said point being on the easterly right-of-way  
22 line of F.M. 1489;

23 Thence, Northerly, along a westerly line of said 200.15 acre  
24 tract and the easterly line of said F.M. 1489, 570 feet, more or  
25 less, to a westerly corner of said 200.15 acre tract, the beginning  
26 of a curve;

27 Thence, Northerly, along a westerly line of said 200.15 acre

1 tract and the easterly line of said F.M. 1489, 437 feet, more or  
2 less, along the arc of a tangent curve to the left, having a radius  
3 of 5,779.65 feet, to a westerly corner of said 200.15 acre tract;

4 Thence, Northerly, along a westerly line of said 200.15 acre  
5 tract and the easterly line of said F.M. 1489, 365 feet, more or  
6 less to a westerly corner of said 200.15 acre tract, the beginning  
7 of a curve;

8 Thence, Northerly, along a westerly line of said 200.15 acre  
9 tract and the easterly line of said F.M. 1489, 430 feet, more or  
10 less, along the arc of a tangent curve to the right, having a radius  
11 of 5,679.65 feet, to a westerly corner of said 200.15 acre tract;

12 Thence, Northerly, along a westerly line of said 200.15 acre  
13 tract and the easterly right-of-way line of said F.M. 1489, 1,801  
14 feet, more or less, to a point for corner, said point being at the  
15 approximate ETJ Line of Simonton, the beginning of a curve;

16 Thence, Southeasterly, along the approximate ETJ Line of  
17 Simonton, 2,115 feet, more or less, along the arc of a non-tangent  
18 curve to the right, having a radius of 2,640.00 feet, to a point for  
19 corner, said point being on an easterly line of said 200.15 acre  
20 tract;

21 Thence, Southerly, along an easterly line of said 200.15 acre  
22 tract and the easterly line of the aforementioned 1.6858 acre  
23 tract, 2,741 feet, more or less, to the POINT OF BEGINNING and  
24 containing 138 acres of land, more or less.

25 SECTION 3. (a) The legal notice of the intention to  
26 introduce this Act, setting forth the general substance of this  
27 Act, has been published as provided by law, and the notice and a

1 copy of this Act have been furnished to all persons, agencies,  
2 officials, or entities to which they are required to be furnished  
3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
4 Government Code.

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

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

12 (d) The general law relating to consent by political  
13 subdivisions to the creation of districts with conservation,  
14 reclamation, and road powers and the inclusion of land in those  
15 districts has been complied with.

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

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