

By: Nichols

S.B. No. 2043

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Valley Ranch Medical Center Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3940 to read as follows:

CHAPTER 3940. VALLEY RANCH MEDICAL CENTER MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3940.001. DEFINITIONS. In this chapter:

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

(2) "County" means Montgomery County.

(3) "Director" means a board member.

(4) "District" means the Valley Ranch Medical Center Management District.

Sec. 3940.002. NATURE OF DISTRICT. The Valley Ranch Medical Center Management District is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3940.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the county and other political subdivisions to contract with the district, the

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

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

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

14 Sec. 3940.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

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

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

23 (1) developing and diversifying the economy of the
24 state;

25 (2) eliminating unemployment and underemployment; and

26 (3) developing or expanding transportation and
27 commerce.

1 (d) The district will:

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

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

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

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

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

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

23 Sec. 3940.005. INITIAL DISTRICT TERRITORY. (a) The
24 district is initially composed of the territory described by
25 Section 2 of the Act enacting this chapter.

26 (b) The boundaries and field notes contained in Section 2 of
27 the Act enacting this chapter form a closure. A mistake in the

1 field notes or in copying the field notes in the legislative process
2 does not affect the district's:

3 (1) organization, existence, or validity;

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

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

8 (4) legality or operation.

9 Sec. 3940.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

10 All or any part of the area of the district is eligible to be
11 included in:

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

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

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

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

20 Sec. 3940.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
21 DISTRICTS LAW. Except as otherwise provided by this chapter,
22 Chapter 375, Local Government Code, applies to the district.

23 Sec. 3940.008. CONSTRUCTION OF CHAPTER. This chapter shall
24 be liberally construed in conformity with the findings and purposes
25 stated in this chapter.

26 SUBCHAPTER B. BOARD OF DIRECTORS

27 Sec. 3940.051. GOVERNING BODY; TERMS. (a) The district is

1 governed by a board of five voting directors who serve staggered
2 terms of four years, with two or three directors' terms expiring
3 June 1 of each odd-numbered year.

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

8 Sec. 3940.052. APPOINTMENT OF VOTING DIRECTORS. The Texas
9 Commission on Environmental Quality shall appoint voting directors
10 from persons recommended by the board.

11 Sec. 3940.053. NONVOTING DIRECTORS. The board may appoint
12 nonvoting directors to serve at the pleasure of the voting
13 directors.

14 Sec. 3940.054. QUORUM. For purposes of determining the
15 requirements for a quorum of the board, the following are not
16 counted:

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

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

21 (3) a nonvoting director.

22 Sec. 3940.055. COMPENSATION. A director is entitled to
23 receive fees of office and reimbursement for actual expenses as
24 provided by Section 49.060, Water Code. Sections 375.069 and
25 375.070, Local Government Code, do not apply to the board.

26 Sec. 3940.056. INITIAL VOTING DIRECTORS. (a) On or after
27 the effective date of the Act enacting this chapter, the owner or

1 owners of a majority of the assessed value of the real property in
2 the district according to the most recent certified tax appraisal
3 roll for the county may submit a petition to the Texas Commission on
4 Environmental Quality requesting that the commission appoint as
5 initial voting directors the five persons named in the petition.
6 The commission shall appoint the five persons named in the petition
7 as initial directors by position.

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

12 (c) Section 3940.052 does not apply to this section.

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

14 SUBCHAPTER C. POWERS AND DUTIES

15 Sec. 3940.101. GENERAL POWERS AND DUTIES. The district has
16 the powers and duties necessary to accomplish the purposes for
17 which the district is created.

18 Sec. 3940.102. IMPROVEMENT PROJECTS AND SERVICES. The
19 district may provide, design, construct, acquire, improve,
20 relocate, operate, maintain, or finance an improvement project or
21 service using any money available to the district, or contract with
22 a governmental or private entity to provide, design, construct,
23 acquire, improve, relocate, operate, maintain, or finance an
24 improvement project or service authorized under this chapter or
25 Chapter 375, Local Government Code.

26 Sec. 3940.103. DEVELOPMENT CORPORATION POWERS. The
27 district, using money available to the district, may exercise the

1 powers given to a development corporation under Chapter 505, Local
2 Government Code, including the power to own, operate, acquire,
3 construct, lease, improve, or maintain a project under that
4 chapter.

5 Sec. 3940.104. NONPROFIT CORPORATION. (a) The board by
6 resolution may authorize the creation of a nonprofit corporation to
7 assist and act for the district in implementing a project or
8 providing a service authorized by this chapter.

9 (b) The nonprofit corporation:

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

13 (2) may implement any project and provide any service
14 authorized by this chapter.

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

21 Sec. 3940.105. AGREEMENTS; GRANTS. (a) As provided by
22 Chapter 375, Local Government Code, the district may make an
23 agreement with or accept a gift, grant, or loan from any person.

24 (b) The implementation of a project is a governmental
25 function or service for the purposes of Chapter 791, Government
26 Code.

27 Sec. 3940.106. LAW ENFORCEMENT SERVICES. To protect the

1 public interest, the district may contract with a qualified party,
2 including the county, to provide law enforcement services in the
3 district for a fee.

4 Sec. 3940.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
5 district may join and pay dues to a charitable or nonprofit
6 organization that performs a service or provides an activity
7 consistent with the furtherance of a district purpose.

8 Sec. 3940.108. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
9 district may engage in activities that accomplish the economic
10 development purposes of the district.

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

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

16 (2) provide district personnel and services.

17 (c) The district may create economic development programs
18 and exercise the economic development powers provided to
19 municipalities by:

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

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

22 Sec. 3940.109. PARKING FACILITIES. (a) The district may
23 acquire, lease as lessor or lessee, construct, develop, own,
24 operate, and maintain parking facilities or a system of parking
25 facilities, including lots, garages, parking terminals, or other
26 structures or accommodations for parking motor vehicles off the
27 streets and related appurtenances.

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

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

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

10 Sec. 3940.110. ANNEXATION OF LAND. The district may annex
11 land as provided by Subchapter J, Chapter 49, Water Code.

12 Sec. 3940.111. NO EMINENT DOMAIN POWER. The district may
13 not exercise the power of eminent domain.

14 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

15 Sec. 3940.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
16 board by resolution shall establish the number of directors'
17 signatures and the procedure required for a disbursement or
18 transfer of district money.

19 Sec. 3940.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
20 The district may acquire, construct, finance, operate, or maintain
21 any improvement or service authorized under this chapter or Chapter
22 375, Local Government Code, using any money available to the
23 district.

24 Sec. 3940.153. PETITION REQUIRED FOR FINANCING SERVICES AND
25 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
26 service or improvement project with assessments under this chapter
27 unless a written petition requesting that service or improvement

1 has been filed with the board.

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

6 Sec. 3940.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

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

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

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

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

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

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

27 (d) The board may make a correction to or deletion from the

1 assessment roll that does not increase the amount of assessment of
2 any parcel of land without providing notice and holding a hearing in
3 the manner required for additional assessments.

4 Sec. 3940.155. TAX AND ASSESSMENT ABATEMENTS. The district
5 may designate reinvestment zones and may grant abatements of
6 district taxes or assessments on property in the zones.

7 SUBCHAPTER E. TAXES AND BONDS

8 Sec. 3940.201. ELECTIONS REGARDING TAXES AND BONDS.

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

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

12 (2) contract payments described by Section 3940.203.

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

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

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

23 Sec. 3940.202. OPERATION AND MAINTENANCE TAX. (a) If
24 authorized by a majority of the district voters voting at an
25 election held in accordance with Section 3940.201, the district may
26 impose an operation and maintenance tax on taxable property in the
27 district in accordance with Section 49.107, Water Code, for any

1 district purpose, including to:

2 (1) maintain and operate the district;

3 (2) construct or acquire improvements; or

4 (3) provide a service.

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

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

9 Sec. 3940.203. 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 Sec. 3940.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
19 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
20 determined by the board. Section 375.205, Local Government Code,
21 does not apply to a loan, line of credit, or other borrowing from a
22 bank or financial institution secured by revenue other than ad
23 valorem taxes.

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

1 to pay for any authorized district purpose.

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

5 Sec. 3940.205. TAXES FOR BONDS. At the time the district
6 issues bonds payable wholly or partly from ad valorem taxes, the
7 board shall provide for the annual imposition of a continuing
8 direct annual ad valorem tax, without limit as to rate or amount,
9 for each year that all or part of the bonds are outstanding as
10 required and in the manner provided by Sections 54.601 and 54.602,
11 Water Code.

12 SUBCHAPTER F. DISSOLUTION AND MUNICIPAL ANNEXATION

13 Sec. 3940.251. MUNICIPAL ANNEXATION; DISSOLUTION.

14 (a) The district is a "water or sewer district" under Section
15 43.071, Local Government Code.

16 (b) Section 43.075, Local Government Code, applies to the
17 district.

18 (c) Section 375.264, Local Government Code, does not apply
19 to the dissolution of the district by a municipality.

20 SECTION 2. The Valley Ranch Medical Center Management
21 District initially includes all territory contained in the
22 following area:

23 TRACT 1

24 Being a 46.80 acre tract of land out of the E. S. Perkins
25 Survey, Abstract 425, Montgomery County, Texas; out of and a
26 portion of that certain called 286.388 acre tract of land conveyed
27 to Sig-Valley Ranch, Ltd., a Texas limited partnership, by Special

1 Warranty Deed with Vendor's Lien dated August 9, 2005, as recorded
2 in File No. 2005-094964 in the Montgomery County Official Public
3 Records of Real Property; said 46.80 acre tract of land being more
4 particularly described by metes and bounds as follows, with all
5 bearings being referenced to Texas State Plane Coordinate System,
6 Central Zone (NAD 83) CORS96, EPOCH 2002.00;

7 COMMENCING at a set 3/4-inch iron rod with cap stamped
8 "DANNENBAUM ENGINEERING" for the Northeast corner of said 286.388
9 acre tract, and the Southeast corner of Forest Colony, Section One,
10 as recorded in Cabinet "P", Sheet 51 in the Map files of Montgomery
11 County, Texas, and being in the West Right-of-Way of U.S. Highway 59
12 (320-foot right-of-way) as recorded in Volume 516, Page 341 in the
13 Deed Records of Montgomery County, Texas; from which a found TxDOT
14 Brass Disk bears South 12°02'13" West, 0.85 feet, and a found
15 1/2-inch iron rod bears South 86°07'24" East, 0.64 feet;

16 THENCE South 86° 07' 24" West, with the South line of said
17 Forest Colony, Section One, and the North line of said 286.388 acre
18 tract of land, 747.57 feet to a found 5/8-inch iron rod, for an
19 angle point;

20 THENCE South 86° 27' 55" West, with the South line of said
21 Forest Colony, Section One, and the North line of said 286.388 acre
22 tract of land, 3.07 feet to a set 3/4-inch iron rod with cap stamped
23 "DANNENBAUM ENGINEERING" for the POINT OF BEGINNING of the herein
24 described tract;

25 THENCE South 03° 51' 18" East, 462.36 feet to a set 3/4-inch
26 iron rod with cap stamped "DANNENBAUM ENGINEERING" for corner;

27 THENCE South 77° 59' 36" East, 345.00 feet to a set 3/4-inch

1 iron rod with cap stamped "DANNENBAUM ENGINEERING" for corner;

2 THENCE South $12^{\circ} 00' 24''$ West, 724.42 to a point for corner in
3 the Proposed North right-of-way line of Azalea Boulevard (width
4 varies); also being the beginning of a tangent curve to the right;

5 THENCE with the South lines of the herein described tract and
6 the Proposed North right-of-way lines of said Azalea Boulevard, the
7 following courses and distances:

8 - Along the arc of said curve to the left, having a radius of
9 300.00 feet, an arc length of 9.01 feet, a central angle of $01^{\circ} 43'$
10 $15''$, and a chord bearing North $80^{\circ} 03' 00''$ West, 9.01 feet to a set
11 $3/4$ -inch iron rod with cap stamped "DANNENBAUM ENGINEERING" for
12 corner at a point of tangency;

13 - North $80^{\circ} 54' 37''$ West, 150.71 feet to a set $3/4$ -inch iron
14 rod with cap stamped "DANNENBUM ENGINEERING" for corner and the
15 beginning of a tangent curve to the right;

16 - Along the arc of said curve to the right, having a radius
17 of 300.00 feet, an arc length of 22.25, a central angle of $04^{\circ} 15'$
18 $01''$, and a chord bearing North $78^{\circ} 47' 06''$ West, 22.25 feet to a set
19 $3/4$ -inch iron rod with cap stamped "DANNENBUM ENGINEERING" for
20 corner at a point of tangency;

21 - North $76^{\circ} 39' 36''$ West, 216.28 feet to a set $3/4$ -inch iron
22 rod with cap stamped "DANNENBUM ENGINEERING" for corner and the
23 beginning of a tangent curve to the left;

24 - Along the arc of said curve to the left, having a radius of
25 2050.00 feet, an arc length of 1076.61, a central angle of $30^{\circ} 05'$
26 $25''$, and a chord bearing South $88^{\circ} 17' 42''$ West, 1064.28 feet to a
27 set $3/4$ -inch iron rod with cap stamped "DANNENBUM ENGINEERING" for

1 corner at a point of tangency;

2 - South 73° 14' 59" West, 282.86 feet to a set 3/4-inch iron
3 rod with cap stamped "DANNENBAUM ENGINEERING" for corner at the
4 Southwest corner of the herein described tract; also being the
5 Southeast corner of that certain called 3.998 acre tract of land,
6 being a Revised Drill Site, as recorded in File Number 2013112660 in
7 the Official Public Records of Real Property, Montgomery County,
8 Texas;

9 THENCE North 16° 44' 39" West with the East line of said 3.998
10 acres tract and the West line of the herein described tract, 300.03
11 feet to a set 3/4-inch iron rod with cap stamped "DANNENBUM
12 ENGINEERING" for corner;

13 THENCE North 13° 13' 02" West with the East line of said 3.998
14 acres tract and the West line of the herein described tract, 225.07
15 feet to a set 3/4-inch iron rod with cap stamped "DANNENBUM
16 ENGINEERING" for corner;

17 THENCE North 06° 50' 25" West with the West line of the herein
18 described tract, 225.70 feet to a set 3/4-inch iron rod with cap
19 stamped "DANNENBUM ENGINEERING" for corner;

20 THENCE North 03° 39' 14" West with the West line of the herein
21 described tract, 436.16 feet to a set 3/4-inch iron rod with cap
22 stamped "DANNENBUM ENGINEERING" for corner at the Northwest corner
23 of the herein described tract; being in the North line of said
24 286.388 acres tract, and being in the South line of Forest Colony,
25 Section One, a subdivision plat recorded in Cabinet P, Sheet 51 in
26 the Map Records of Montgomery County, Texas;

27 THENCE North 86° 27' 55" East with the South line of said

1 Forest Colony, Section 1 and the North line of said 286.388 acres
2 tract, at a distance of 115.78 feet passing a found 1/2-inch iron
3 rod, continuing for a total distance of 1701.92 feet to the POINT OF
4 BEGINNING; containing 46.80 acres of land, more or less.

5 TRACT 2

6 Being a 48.34 acre tract of land out of the E. S. Perkins
7 Survey, Abstract 425, Montgomery County, Texas; out of and a
8 portion of that certain called 286.388 acre tract of land conveyed
9 to Sig-Valley Ranch, Ltd., a Texas limited partnership, by Special
10 Warranty Deed with Vendor's Lien dated August 9, 2005, as recorded
11 in File No. 2005-094964 in the Montgomery County Official Public
12 Records of Real Property; said 48.34 acre tract of land being more
13 particularly described by metes and bounds as follows, with all
14 bearings being referenced to Texas State Plane Coordinate System,
15 Central Zone (NAD 83) CORS96, EPOCH 2002.00;

16 BEGINNING at a found TxDOT aluminum disc for the southeast
17 corner of the herein described tract, being in the West
18 right-of-way of U.S. Highway 59 (330-foot right-of-way) as recorded
19 in Volume 516, Page 341 in the Deed Records of Montgomery County,
20 Texas and File Number 2006-061206 in the Official Public Records of
21 Real Property, Montgomery County, Texas; also being in the North
22 line of that certain called 6.5425 acre tract of land conveyed to
23 Billie Gene Cornelius and Virginia R. Cornelius, by deed executed
24 August 26, 1991, as recorded in File Number 9138986 in the Deed
25 Records of Montgomery County, Texas;

26 THENCE South 87° 11' 38" West, with the South line of said
27 286.388 acre tract, at a distance of 594.67 feet passing a point for

1 the Northwest corner of said 6.5425 acre tract, and the Northeast
2 corner of that certain called 1.00 acre tract of land conveyed to
3 Bill G. Cornelius and Virginia Cornelius by deed dated March 3,
4 1997, as recorded in File Number 9714406 in the Deed Records of
5 Montgomery County, Texas from which a found 1/2-inch iron rod bears
6 North 02°48'22" West, 4.07 feet; continuing for a total distance of
7 814.70 feet to a found 1/2-inch iron rod for Northwest corner of
8 said 1.00 acre tract, and being on the East line of that certain
9 called 20 acre tract of land conveyed to Thurman J. Dunn, by deed
10 dated December 1, 1965, as recorded in Volume 609, Page 258 in the
11 Deed Records of Montgomery County, Texas;

12 THENCE South 88° 27' 45" West, with the South line of said
13 286.388 acre tract, 684.28 feet (Record North 88° 25' 29" West) to a
14 point for the Southeast corner of the herein described tract;

15 THENCE with the East lines of the herein described tract, the
16 following courses and distances:

17 - North 01° 43' 00" West, 808.26 feet to a set 3/4-inch iron
18 rod with cap stamped "DANNENBAUM ENGINEERING" for corner;

19 - North 06° 58' 08" West, 280.91 feet to a set 3/4-inch iron
20 rod with cap stamped "DANNENBAUM ENGINEERING" for corner;

21 - North 09° 40' 20" West, 217.92 feet to a set 3/4-inch iron
22 rod with cap stamped "DANNENBAUM ENGINEERING" for corner;

23 - North 16° 45' 01" West, 30.00 feet to a set 3/4-inch iron
24 rod with cap stamped "DANNENBAUM ENGINEERING" for corner at the
25 Northwest corner of the herein described tract; also being in the
26 Proposed South right-of-way line of Azalea Boulevard (100-foot
27 right-of-way);

1 THENCE with the North lines of the herein described tract and
2 said Proposed South right-of-way lines of Azalea Boulevard, the
3 following courses and distances:

4 - North 73° 14' 55" East, 225.75 feet to a set 3/4-inch iron
5 rod with cap stamped "DANNENBAUM ENGINEERING" for corner and the
6 beginning of a tangent curve to the right;

7 - Along the arc of said curve to the right, having a radius
8 of 1950.00 feet, an arc length of 1024.09 feet, a central angle of
9 30° 05' 25", and a chord bearing North 88° 17' 42" East, 1012.36 feet
10 to a set 3/4-inch iron rod with cap stamped "DANNENBAUM
11 ENGINEERING" for corner at a point of tangency;

12 - South 76° 39' 36" East, 203.44 feet to a set 3/4-inch iron
13 rod with cap stamped "DANNENBAUM ENGINEERING" for corner and the
14 beginning of a tangent curve to the right;

15 - Along the arc of said curve to the right, having a radius
16 of 300.00 feet, an arc length of 6.94 feet, a central angle of 01°
17 19' 29", and a chord bearing South 75° 59' 51" East, 6.94 feet to a
18 point for corner;

19 THENCE South 12° 00' 24" West, 355.36 feet to set 3/4-inch
20 iron rod with cap stamped "DANNENBAUM ENGINEERING" for corner;

21 THENCE South 40° 25' 54" East, 264.54 feet to a set 3/4-inch
22 iron rod with cap stamped "DANNEENBAUM ENGINEERING" for corner;

23 THENCE South 77° 59' 36" East, 229.85 feet to a set 3/4-inch
24 iron rod with cap stamped "DANNENBAUM ENGINEERING" for corner in
25 the West right-of-way line of said U. S. Highway 59 and the East
26 line of said 286.388 acre tract;

27 THENCE South 12° 02' 13" West, with the West right-of-way line

1 of said U. S. Highway 59 and the East line of said 286.388 acre
2 tract, 738.07 feet to the POINT OF BEGINNING; containing 48.34
3 acres of land, more or less.

4 TRACT 3

5 Being a 18.437 acres tract of land out of the E. S. Perkins
6 Survey, Abstract Number 425; out of and a portion of that certain
7 called 286.388 acre tract of land conveyed to Sig-Valley Ranch,
8 Ltd., a Texas limited partnership, by Special Warranty Deed with
9 Vendor's Lien dated August 9, 2005, as recorded in File
10 No. 2005-094964 in the Montgomery County Official Public Records of
11 Real Property; said 18.437 acres tract of land being more
12 particularly described by metes and bounds as follows, with all
13 bearings being referenced to the Texas Coordinate System, Central
14 Zone (NAD 83);

15 BEGINNING at a set 3/4-inch iron rod with cap stamped
16 "DANNENBAUM ENGINEERING" for the Northeast corner of said 286.388
17 acre tract, being the Southeast corner of Forest Colony, Section
18 One, as recorded in Cabinet "P", Sheet 51 in the Map files of
19 Montgomery County, Texas, and being on the West Right-of-Way line
20 of U.S. Highway 59 (320-foot Right-of-Way) as recorded in Volume
21 519, Page 341 in the Deed Records of Montgomery County, Texas, from
22 which a found 4-inch TxDOT aluminum disk bears South 12°02'33" West,
23 0.85 feet, and a found 1/2-inch iron rod bears South 86°07'24" East,
24 0.64 feet;

25 THENCE South 12° 02" 13" West, with the West Right-of-Way of
26 said U.S. Highway 59 and the east line of said 286.388 acre tract,
27 50.84 feet to a found 1/2-inch iron rod with cap for the Northeast

1 corner of a called 100 square feet tract of land conveyed to
2 Signorelli Media, Ltd., as recorded in File Number 2006-031563 of
3 the Official Public Records of Real Property, Montgomery County,
4 Texas;

5 THENCE South 86° 21' 29" West, with the North line of said 100
6 square feet tract, 10.00 feet to a found 1/2-inch iron rod with cap
7 for the Northwest corner of said 100 square feet tract;

8 THENCE South 12° 02' 13" West, with the West line of said 100
9 square feet tract, 10.00 feet to a found 1/2-inch iron rod with cap
10 for the Southwest corner of said 100 square feet tract;

11 THENCE North 86° 21' 29" East, with the South line of said 100
12 square feet tract, 10.00 feet to a found 1/2-inch iron rod with cap
13 for the Southeast corner of said 100 square feet tract, being on the
14 West Right-of-Way of said U.S. Highway 59 and the East line of said
15 286.388 acre tract;

16 THENCE South 12° 02" 13" West, with the West Right-of-Way of
17 said U.S. Highway 59 and the East line of said 286.388 acre tract,
18 1934.61 feet to set 3/4-inch iron rod with cap stamped "DANNENBUM
19 ENGINEERING" for the Southeast corner of the herein described
20 tract;

21 THENCE North 77° 59' 36" West, 229.85 feet to a set 3/4-inch
22 iron rod with cap stamped "DANNENBUM ENGINEERING" for the Southwest
23 corner of the herein described tract;

24 THENCE North 40° 25' 54" West, 264.54 feet to a set 3/4-inch
25 iron rod with cap stamped "DANNENBUM ENGINEERING" for corner;

26 THENCE North 12° 00' 24" East, 454.00 feet to a set 3/4-inch
27 iron rod with cap stamped "DANNENBUM ENGINEERING" for corner;

1 THENCE South 77° 59' 36" West, 190.00 feet to a set 3/4-inch
2 iron rod with cap stamped "DANNENBUM ENGINEERING" for corner;

3 THENCE North 12° 00' 24" East, 730.00 feet to a set 3/4-inch
4 iron rod with cap stamped "DANNENBUM ENGINEERING" for corner;

5 THENCE North 77° 59' 36" West, 345.00 feet to a set 3/4-inch
6 iron rod with cap stamped "DANNENBUM ENGINEERING" for corner;

7 THENCE North 03° 51' 18" West, 462.36 feet to a set 3/4-inch
8 iron rod with cap stamped "DANNENBAUM ENGINEERING" on the South
9 line of said Forest Colony, Section One, and the North line of said
10 286.388 acre tract, for the Northwest corner of the herein
11 described tract;

12 THENCE North 86° 27' 45" East, 3.07 feet to a found 5/8-inch
13 iron rod for an angle point in the South line of said Forest Colony,
14 Section One, and the North line of said 286.388 acre tract;

15 THENCE North 86° 07' 24" East, with the South line of said
16 Forest Colony, Section One, and the North line of said 286.388 acre
17 tract, 747.57 feet to the POINT OF BEGINNING containing 18.437
18 acres of land, more or less.

19 TRACT 4

20 BEING 9.895 ACRES OF LAND IN THE E.S. PERKINS SURVEY, A-425,
21 MONTGOMERY COUNTY, TEXAS, SAID 9.895 ACRES BEING A PART OF THE
22 SIG-VALLEY RANCH LTD. 286.388 ACRE TRACT OF LAND DEED OF WHICH IS
23 RECORDED UNDER COUNTY CLERK'S FILE NUMBER 2005-094964, MONTGOMERY
24 COUNTY REAL PROPERTY RECORDS, SAID 9.895 ACRES BEING DESCRIBED MORE
25 PARTICULARLY AS FOLLOWS:

26 COMMENCING at a 5/8" iron rod found in the West Right of Way
27 line of U.S. Highway 59, (Right of Way varies, C.C.F.N.

1 2006-061206, M.C.R.P.R.) for the Northeast corner of said 286.388
2 acre tract and the Southeast corner of the Forest Colony, Section 1
3 tract of land, deed of which is recorded under County Clerk's File
4 Number 2001-002781, Montgomery County Real Property Records;

5 THENCE, S. 12° 05' 28" W., along the East line of said 286.388
6 acre tract and the above mentioned West line for a distance of
7 944.85 feet to a point;

8 THENCE, S. 12° 00' 38" W., continuing along said East and West
9 line for a distance of 392.53 feet to a 5/8" iron rod set with a cap
10 stamped "Jeff Moon RPLS 4639" for a Northeast corner and the POINT
11 OF BEGINNING of the herein described tract of land;

12 THENCE, S. 12° 00' 38" W., continuing along said East and West
13 line for a distance of 190.00 feet to a 5/8" iron rod set with a cap
14 stamped "Jeff Moon RPLS 4639" for the Southeast corner of the herein
15 described tract of land;

16 THENCE, leaving said East and West line and across said
17 Sig-Valley Ranch LTD. tract the following calls;

18 In a Northwesterly direction, along a curve to the left
19 having a radius of 35.00 feet, a central angle of 89° 28' 40",
20 for an arc length of 54.66 feet, chord bears N. 32° 43' 42" W.,
21 49.27 feet to a 5/8" iron rod set with a cap stamped "Jeff
22 Moon RPLS 4639" at the end of curve;

23 THENCE, N. 77° 28' 02" W., for a distance of 207.74 feet to a
24 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
25 beginning of a curve to the right;

26 THENCE, in a Northwesterly direction, along said curve to the
27 right having a radius of 300.00 feet, a central angle of 03° 00' 42",

1 for an arc length of 15.77 feet, chord bears N. 75° 57' 41" W., 15.77
2 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
3 at the end of curve;

4 THENCE, N. 74° 27' 20" W., for a distance of 176.77 feet to a
5 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
6 beginning of a curve to the left;

7 THENCE, in a Northwesterly direction, along said curve to the
8 left having a radius of 300.00 feet, a central angle of 02° 12' 16",
9 for an arc length of 11.54 feet, chord bears N. 75° 33' 28" W., 11.54
10 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
11 at the end of curve;

12 THENCE, N. 76° 39' 36" W., for a distance of 203.44 feet to a
13 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
14 beginning of a curve to the left;

15 THENCE, in a Southwesterly direction, along said curve to the
16 left having a radius of 1,950.00 feet, a central angle of 30° 05'
17 25", for an arc length of 1024.09 feet, chord bears S. 88° 17' 42"
18 W., 1,012.36 feet to a 5/8" iron rod set with a cap stamped "Jeff
19 Moon RPLS 4639" at the end of curve;

20 THENCE, S. 73° 14' 59" W., for a distance of 461.39 feet to a
21 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
22 beginning of a curve to the right;

23 THENCE, in a Southwesterly direction, along said curve to the
24 right having a radius of 300.00 feet, a central angle of 08° 02' 37",
25 for an arc length of 42.12 feet, chord bears S. 77° 16' 18" W., 42.08
26 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
27 at the end of curve;

1 THENCE, S. 81° 17' 36" W., for a distance of 29.28 feet to a
2 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
3 beginning of a curve to the left;

4 THENCE, in a Southwesterly direction, along said curve to the
5 left having a radius of 300.00 feet, a central angle of 08° 02' 37",
6 for an arc length of 42.12 feet, chord bears S. 77° 16' 18" W., 42.08
7 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
8 at the end of curve;

9 THENCE, S. 73° 14' 59" W., for a distance of 373.17 feet to a
10 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
11 beginning of a curve to the right;

12 THENCE, in a Southwesterly direction, along said curve to the
13 right having a radius of 2,040.00 feet, a central angle of 15° 26'
14 03", for an arc length of 549.53 feet, chord bears S. 80° 58' 01" W.,
15 547.87 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS
16 4639" at the beginning of a curve to the left;

17 THENCE, in a Southwesterly direction, along said curve to the
18 left having a radius of 25.00 feet, a central angle of 88° 27' 59",
19 for an arc length of 38.60 feet, chord bears S. 44° 27' 03" W., 34.88
20 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
21 at the end of curve;

22 THENCE, N. 89° 47' 06" W., for a distance of 60.03 feet to a
23 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
24 beginning of a curve to the left;

25 THENCE, in a Northwesterly direction, along said curve to the
26 left having a radius of 25.00 feet, a central angle of 88° 27' 20",
27 for an arc length of 38.60 feet, chord bears N. 44° 02' 06" W., 34.88

1 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
2 at the beginning of a curve to the right;

3 THENCE, in a Northwesterly direction, along said curve to the
4 right having a radius of 2,040.00 feet, a central angle of 06° 50'
5 13", for an arc length of 243.43 feet, chord bears N. 84° 50' 40" W.,
6 243.28 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS
7 4639" at the end of curve;

8 THENCE, N. 81° 25' 33" W., for a distance of 669.22 feet to a
9 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
10 beginning of a curve to the left;

11 THENCE, in a Northwesterly direction, along said curve to the
12 left having a radius of 300.00 feet, a central angle of 11° 08' 25",
13 for an arc length of 58.33 feet, chord bears N. 86° 59' 46" W., 58.24
14 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
15 at the end of curve;

16 THENCE, S. 87° 26' 02" W., for a distance of 290.39 feet to a
17 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
18 beginning of a curve to the left;

19 THENCE, in a Southwesterly direction, along said curve to the
20 left having a radius of 30.00 feet, a central angle of 91° 00' 24",
21 for an arc length of 47.65 feet, chord bears S. 41° 55' 50" W., 42.80
22 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
23 at the end of curve on the East line of Valley Ranch Crossing Drive
24 (120 foot Right of Way, C.C.F.N. 2006-112640, M.C.R.P.R.) and the
25 West line of above mentioned Sig-Valley Ranch LTD. tract of land for
26 the Southwest corner of the herein described tract of land;

27 THENCE, N. 03° 34' 00" W., along above mentioned West and East

1 line for a distance of 160.03 feet to a 5/8" iron rod set with a cap
2 stamped "Jeff Moon RPLS 4639" for a Northwest corner of the herein
3 described tract of land at the beginning of a curve to the left;

4 THENCE, leaving said West and East line and through said
5 Sig-Valley Ranch LTD. tract the following calls;

6 In a Southeasterly direction, along said curve to the
7 left having a radius of 30.00 feet, a central angle of 88° 59'
8 58", for an arc length of 46.60 feet, chord bears S. 48° 03'
9 59" E., 42.05 feet to a 5/8" iron rod set with a cap stamped
10 "Jeff Moon RPLS 4639" at the end of curve;

11 THENCE, N. 87° 26' 02" E., for a distance of 199.43 feet to a
12 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
13 beginning of a curve to the right;

14 THENCE, in a Southeasterly direction, along said curve to the
15 right having a radius of 300.00 feet, a central angle of 11° 08' 25",
16 for an arc length of 58.33 feet, chord bears S. 86° 59' 46" E., 58.24
17 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
18 at the end of curve;

19 THENCE, S. 81° 25' 33" E., for a distance of 360.71 feet to a
20 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
21 beginning of a curve to the left;

22 THENCE, in a Northeasterly direction, along said curve to the
23 left having a radius of 25.00 feet, a central angle of 90° 04' 09",
24 for an arc length of 39.30 feet, chord bears N. 53° 32' 20" E., 35.38
25 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
26 at the end of curve;

27 THENCE S. 81° 22' 56" E., for a distance of 80.00 feet to a

1 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
2 beginning of a curve to the left;

3 THENCE, in a Southeasterly direction, along said curve to the
4 left having a radius of 25.00 feet, a central angle of 89° 55' 50",
5 for an arc length of 39.24 feet, chord bears S. 36° 27' 40" E., 35.33
6 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
7 at the end of curve;

8 THENCE, S. 81° 25' 33" E., for a distance of 289.83 feet to a
9 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
10 beginning of a curve to the left;

11 THENCE, in a Southeasterly direction, along said curve to the
12 left having a radius of 1960.00 feet, a central angle of 06° 48' 02",
13 for an arc length of 232.64 feet, chord bears S. 84° 49' 34" E.,
14 232.50 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS
15 4639" at the beginning of a curve to the left;

16 THENCE, in a Northeasterly direction, along said curve to the
17 left having a radius of 25.00 feet, a central angle of 89° 01' 24",
18 for an arc length of 38.84 feet, chord bears N. 47° 15' 43" E., 35.05
19 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
20 at the end of curve;

21 THENCE N. 88° 05' 40" E., for a distance of 60.22 feet to a
22 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
23 beginning of a curve to the left;

24 THENCE, in a Southeasterly direction, along said curve to the
25 left having a radius of 25.00 feet, a central angle of 93° 57' 27",
26 for an arc length of 41.00 feet, chord bears S. 44° 30' 33" E., 36.56
27 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"

1 at the beginning of a curve to the left;

2 THENCE, in a Northeasterly direction, along said curve to the
3 left having a radius of 1960.00 feet, a central angle of 15° 15' 44",
4 for an arc length of 522.10 feet, chord bears N. 80° 52' 51" E.,
5 520.56 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS
6 4639" at the end of curve;

7 THENCE N. 73° 14' 59" E., for a distance of 373.02 feet to a
8 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
9 beginning of a curve to the left;

10 THENCE, in a Northeasterly direction, along said curve to the
11 left having a radius of 300.00 feet, a central angle of 08° 02' 48",
12 for an arc length of 42.13 feet, chord bears N. 69° 13' 35" E., 42.10
13 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
14 at the end of curve;

15 THENCE, N. 65° 12' 11" E., for a distance of 29.24 feet to a
16 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
17 beginning of a curve to the right;

18 THENCE, in a Northeasterly direction, along said curve to the
19 right having a radius of 300.00 feet, a central angle of 08° 02' 48",
20 for an arc length of 42.13 feet, chord bears N. 69° 13' 35" E., 42.10
21 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
22 at the end of curve;

23 THENCE, N. 73° 14' 59" E., for a distance of 461.55 feet to a
24 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
25 beginning of a curve to the right;

26 THENCE, in a Northeasterly direction, along said curve to the
27 right having a radius of 2,050.00 feet, a central angle of 30° 05'

1 25", for an arc length of 1,076.61 feet, chord bears N. 88° 17' 42"
2 E., 1,064.28 feet to a 5/8" iron rod set with a cap stamped "Jeff
3 Moon RPLS 4639" at the end of curve;

4 THENCE, S. 76° 39' 36" E., for a distance of 216.28 feet to a
5 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
6 beginning of a curve to the left;

7 THENCE, in a Southeasterly direction, along said curve to the
8 left having a radius of 300.00 feet, a central angle of 04° 15' 01",
9 for an arc length of 22.25 feet, chord bears S. 78° 47' 06" E., 22.25
10 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
11 at the end of curve;

12 THENCE, S. 80° 54' 37" E., for a distance of 150.71 feet to a
13 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
14 beginning of a curve to the right;

15 THENCE, in a Southeasterly direction, along said curve to the
16 right having a radius of 300.00 feet, a central angle of 03° 26' 35",
17 for an arc length of 18.03 feet, chord bears S. 79° 11' 20" E., 18.03
18 feet to a 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639"
19 at the end of curve;

20 THENCE, S. 77° 28' 02" E., for a distance of 204.88 feet to a
21 5/8" iron rod set with a cap stamped "Jeff Moon RPLS 4639" at the
22 beginning of a curve to the left;

23 THENCE, in a Northeasterly direction, along said curve to the
24 left having a radius of 35.00 feet, a central angle of 90° 31' 20",
25 for an arc length of 55.30 feet, chord bears N. 57° 16' 18" E., 49.72
26 feet to the POINT OF BEGINNING and containing in all 9.895 acres of
27 land.

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

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

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

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

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

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