

1-1 By: Schofield (Senate Sponsor - Huffman) H.B. No. 4321  
 1-2 (In the Senate - Received from the House May 19, 2017;  
 1-3 May 19, 2017, read first time and referred to Committee on  
 1-4 Administration; May 23, 2017, reported favorably by the following  
 1-5 vote: Yeas 7, Nays 0; May 23, 2017, sent to printer.)

1-6 COMMITTEE VOTE

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

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

1-17 relating to the creation of Harris County Improvement District No.  
 1-18 25; providing authority to levy an assessment, impose a tax, and  
 1-19 issue bonds.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-21 SECTION 1. Subtitle C, Title 4, Special District Local Laws  
 1-22 Code, is amended by adding Chapter 3958 to read as follows:

1-23 CHAPTER 3958. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 25

1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 3958.001. DEFINITIONS. In this chapter:

- 1-26 (1) "Board" means the district's board of directors.
- 1-27 (2) "County" means Harris County.
- 1-28 (3) "Director" means a board member.
- 1-29 (4) "District" means the Harris County Improvement  
 1-30 District No. 25.

1-31 Sec. 3958.002. CREATION AND NATURE OF DISTRICT. The  
 1-32 district is a special district created under Section 59, Article  
 1-33 XVI, Texas Constitution.

1-34 Sec. 3958.003. PURPOSE; DECLARATION OF INTENT. (a) The  
 1-35 creation of the district is essential to accomplish the purposes of  
 1-36 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
 1-37 Texas Constitution, and other public purposes stated in this  
 1-38 chapter. By creating the district and in authorizing the county and  
 1-39 other political subdivisions to contract with the district, the  
 1-40 legislature has established a program to accomplish the public  
 1-41 purposes set out in Section 52-a, Article III, Texas Constitution.

1-42 (b) The creation of the district is necessary to promote,  
 1-43 develop, encourage, and maintain employment, commerce,  
 1-44 transportation, housing, tourism, recreation, the arts,  
 1-45 entertainment, economic development, safety, and the public  
 1-46 welfare in the district.

1-47 (c) This chapter and the creation of the district may not be  
 1-48 interpreted to relieve the county from providing the level of  
 1-49 services provided as of the effective date of the Act enacting this  
 1-50 chapter to the area in the district. The district is created to  
 1-51 supplement and not to supplant county services provided in the  
 1-52 district.

1-53 Sec. 3958.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
 1-54 The district is created to serve a public use and benefit.

1-55 (b) All land and other property included in the district  
 1-56 will benefit from the improvements and services to be provided by  
 1-57 the district under powers conferred by Sections 52 and 52-a,  
 1-58 Article III, and Section 59, Article XVI, Texas Constitution, and  
 1-59 other powers granted under this chapter.

1-60 (c) The creation of the district is in the public interest  
 1-61 and is essential to further the public purposes of:

2-1                   (1) developing and diversifying the economy of the  
 2-2 state;  
 2-3                   (2) eliminating unemployment and underemployment; and  
 2-4                   (3) developing or expanding transportation and  
 2-5 commerce.  
 2-6                   (d) The district will:  
 2-7                   (1) promote the health, safety, and general welfare of  
 2-8 residents, employers, potential employees, employees, visitors,  
 2-9 and consumers in the district, and of the public;  
 2-10                   (2) provide needed funding for the district to  
 2-11 preserve, maintain, and enhance the economic health and vitality of  
 2-12 the district territory as a community and business center;  
 2-13                   (3) promote the health, safety, welfare, and enjoyment  
 2-14 of the public by providing pedestrian ways and by landscaping and  
 2-15 developing certain areas in the district, which are necessary for  
 2-16 the restoration, preservation, and enhancement of scenic beauty;  
 2-17 and  
 2-18                   (4) provide for water, wastewater, drainage, road, and  
 2-19 recreational facilities for the district.  
 2-20                   (e) Pedestrian ways along or across a street, whether at  
 2-21 grade or above or below the surface, and street lighting, street  
 2-22 landscaping, parking, and street art objects are parts of and  
 2-23 necessary components of a street and are considered to be a street  
 2-24 or road improvement.  
 2-25                   (f) The district will not act as the agent or  
 2-26 instrumentality of any private interest even though the district  
 2-27 will benefit many private interests as well as the public.  
 2-28                   Sec. 3958.005. INITIAL DISTRICT TERRITORY. (a) The  
 2-29 district is initially composed of the territory described by  
 2-30 Section 2 of the Act enacting this chapter.  
 2-31                   (b) The boundaries and field notes contained in Section 2 of  
 2-32 the Act enacting this chapter form a closure. A mistake in the  
 2-33 field notes or in copying the field notes in the legislative process  
 2-34 does not affect the district's:  
 2-35                   (1) organization, existence, or validity;  
 2-36                   (2) right to issue any type of bonds for the purposes  
 2-37 for which the district is created or to pay the principal of and  
 2-38 interest on the bonds;  
 2-39                   (3) right to impose or collect an assessment or tax; or  
 2-40                   (4) legality or operation.  
 2-41                   Sec. 3958.006. APPLICABILITY OF MUNICIPAL MANAGEMENT  
 2-42 DISTRICTS LAW. Except as otherwise provided by this chapter,  
 2-43 Chapter 375, Local Government Code, applies to the district.  
 2-44                   Sec. 3958.007. CONSTRUCTION OF CHAPTER. This chapter shall  
 2-45 be liberally construed in conformity with the findings and purposes  
 2-46 stated in this chapter.  
 2-47                   SUBCHAPTER B. BOARD OF DIRECTORS  
 2-48                   Sec. 3958.051. GOVERNING BODY; TERMS. (a) The district is  
 2-49 governed by a board of five voting directors who serve staggered  
 2-50 terms of four years, with two or three directors' terms expiring  
 2-51 June 1 of each odd-numbered year.  
 2-52                   (b) The board by resolution may change the number of voting  
 2-53 directors on the board only if the board determines that the change  
 2-54 is in the best interest of the district. The board may not consist  
 2-55 of fewer than five or more than nine voting directors.  
 2-56                   Sec. 3958.052. APPOINTMENT OF VOTING DIRECTORS. The Texas  
 2-57 Commission on Environmental Quality shall appoint voting directors  
 2-58 from persons recommended by the board.  
 2-59                   Sec. 3958.053. NONVOTING DIRECTORS. The board may appoint  
 2-60 nonvoting directors to serve at the pleasure of the voting  
 2-61 directors.  
 2-62                   Sec. 3958.054. QUORUM. For purposes of determining the  
 2-63 requirements for a quorum of the board, the following are not  
 2-64 counted:  
 2-65                   (1) a board position vacant for any reason, including  
 2-66 death, resignation, or disqualification;  
 2-67                   (2) a director who is abstaining from participation in  
 2-68 a vote because of a conflict of interest; or  
 2-69                   (3) a nonvoting director.

3-1 Sec. 3958.055. COMPENSATION. A director is entitled to  
 3-2 receive fees of office and reimbursement for actual expenses as  
 3-3 provided by Section 49.060, Water Code. Sections 375.069 and  
 3-4 375.070, Local Government Code, do not apply to the board.

3-5 Sec. 3958.056. INITIAL VOTING DIRECTORS. (a) On or after  
 3-6 the effective date of the Act enacting this chapter, the owner or  
 3-7 owners of a majority of the assessed value of the real property in  
 3-8 the district according to the most recent certified tax appraisal  
 3-9 roll for the county may submit a petition to the Texas Commission on  
 3-10 Environmental Quality requesting that the commission appoint as  
 3-11 initial voting directors the five persons named in the petition.  
 3-12 The commission shall appoint the five persons named in the petition  
 3-13 as initial directors by position.

3-14 (b) Of the initial directors, the terms of directors  
 3-15 appointed for positions one through three expire June 1, 2019, and  
 3-16 the terms of directors appointed for positions four and five expire  
 3-17 June 1, 2021.

3-18 (c) Section 3958.052 does not apply to this section.

3-19 (d) This section expires September 1, 2021.

#### 3-20 SUBCHAPTER C. POWERS AND DUTIES

3-21 Sec. 3958.101. GENERAL POWERS AND DUTIES. The district has  
 3-22 the powers and duties necessary to accomplish the purposes for  
 3-23 which the district is created.

3-24 Sec. 3958.102. IMPROVEMENT PROJECTS AND SERVICES. The  
 3-25 district may provide, design, construct, acquire, improve,  
 3-26 relocate, operate, maintain, or finance an improvement project or  
 3-27 service using any money available to the district, or contract with  
 3-28 a governmental or private entity to provide, design, construct,  
 3-29 acquire, improve, relocate, operate, maintain, or finance an  
 3-30 improvement project or service authorized under this chapter or  
 3-31 Chapter 375, Local Government Code.

3-32 Sec. 3958.103. DEVELOPMENT CORPORATION POWERS. The  
 3-33 district, using money available to the district, may exercise the  
 3-34 powers given to a development corporation under Chapter 505, Local  
 3-35 Government Code, including the power to own, operate, acquire,  
 3-36 construct, lease, improve, or maintain a project under that  
 3-37 chapter.

3-38 Sec. 3958.104. NONPROFIT CORPORATION. (a) The board by  
 3-39 resolution may authorize the creation of a nonprofit corporation to  
 3-40 assist and act for the district in implementing a project or  
 3-41 providing a service authorized by this chapter.

3-42 (b) The nonprofit corporation:

3-43 (1) has each power of and is considered to be a local  
 3-44 government corporation created under Subchapter D, Chapter 431,  
 3-45 Transportation Code; and

3-46 (2) may implement any project and provide any service  
 3-47 authorized by this chapter.

3-48 (c) The board shall appoint the board of directors of the  
 3-49 nonprofit corporation. The board of directors of the nonprofit  
 3-50 corporation shall serve in the same manner as the board of directors  
 3-51 of a local government corporation created under Subchapter D,  
 3-52 Chapter 431, Transportation Code, except that a board member is not  
 3-53 required to reside in the district.

3-54 Sec. 3958.105. AGREEMENTS; GRANTS. (a) As provided by  
 3-55 Chapter 375, Local Government Code, the district may make an  
 3-56 agreement with or accept a gift, grant, or loan from any person.

3-57 (b) The implementation of a project is a governmental  
 3-58 function or service for the purposes of Chapter 791, Government  
 3-59 Code.

3-60 Sec. 3958.106. LAW ENFORCEMENT SERVICES. To protect the  
 3-61 public interest, the district may contract with a qualified party,  
 3-62 including the county, to provide law enforcement services in the  
 3-63 district for a fee.

3-64 Sec. 3958.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
 3-65 district may join and pay dues to a charitable or nonprofit  
 3-66 organization that performs a service or provides an activity  
 3-67 consistent with the furtherance of a district purpose.

3-68 Sec. 3958.108. ECONOMIC DEVELOPMENT. (a) The district may  
 3-69 engage in activities that accomplish the economic development

4-1 purposes of the district.

4-2 (b) The district may establish and provide for the  
 4-3 administration of one or more programs to promote state or local  
 4-4 economic development and to stimulate business and commercial  
 4-5 activity in the district, including programs to:

4-6 (1) make loans and grants of public money; and

4-7 (2) provide district personnel and services.

4-8 (c) The district may create economic development programs  
 4-9 and exercise the economic development powers provided to  
 4-10 municipalities by:

4-11 (1) Chapter 380, Local Government Code; and

4-12 (2) Subchapter A, Chapter 1509, Government Code.

4-13 Sec. 3958.109. PARKING FACILITIES. (a) The district may  
 4-14 acquire, lease as lessor or lessee, construct, develop, own,  
 4-15 operate, and maintain parking facilities or a system of parking  
 4-16 facilities, including lots, garages, parking terminals, or other  
 4-17 structures or accommodations for parking motor vehicles off the  
 4-18 streets and related appurtenances.

4-19 (b) The district's parking facilities serve the public  
 4-20 purposes of the district and are owned, used, and held for a public  
 4-21 purpose even if leased or operated by a private entity for a term of  
 4-22 years.

4-23 (c) The district's parking facilities are part of and  
 4-24 necessary components of a street and are considered to be a street  
 4-25 or road improvement.

4-26 (d) The development and operation of the district's parking  
 4-27 facilities may be considered an economic development program.

4-28 Sec. 3958.110. ANNEXATION OF LAND. The district may annex  
 4-29 land as provided by Subchapter J, Chapter 49, Water Code.

4-30 Sec. 3958.111. NO EMINENT DOMAIN POWER. The district may  
 4-31 not exercise the power of eminent domain.

4-32 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

4-33 Sec. 3958.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
 4-34 board by resolution shall establish the number of directors'  
 4-35 signatures and the procedure required for a disbursement or  
 4-36 transfer of district money.

4-37 Sec. 3958.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
 4-38 The district may acquire, construct, finance, operate, or maintain  
 4-39 any improvement or service authorized under this chapter or Chapter  
 4-40 375, Local Government Code, using any money available to the  
 4-41 district.

4-42 Sec. 3958.153. PETITION REQUIRED FOR FINANCING SERVICES AND  
 4-43 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
 4-44 service or improvement project with assessments under this chapter  
 4-45 unless a written petition requesting that service or improvement  
 4-46 has been filed with the board.

4-47 (b) A petition filed under Subsection (a) must be signed by  
 4-48 the owners of a majority of the assessed value of real property in  
 4-49 the district subject to assessment according to the most recent  
 4-50 certified tax appraisal roll for the county.

4-51 Sec. 3958.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
 4-52 The board by resolution may impose and collect an assessment for any  
 4-53 purpose authorized by this chapter in all or part of the district.

4-54 (b) An assessment, a reassessment, or an assessment  
 4-55 resulting from an addition to or correction of the assessment roll  
 4-56 by the district, penalties and interest on an assessment or  
 4-57 reassessment, an expense of collection, and reasonable attorney's  
 4-58 fees incurred by the district:

4-59 (1) are a first and prior lien against the property  
 4-60 assessed;

4-61 (2) are superior to any other lien or claim other than  
 4-62 a lien or claim for county, school district, or municipal ad valorem  
 4-63 taxes; and

4-64 (3) are the personal liability of and a charge against  
 4-65 the owners of the property even if the owners are not named in the  
 4-66 assessment proceedings.

4-67 (c) The lien is effective from the date of the board's  
 4-68 resolution imposing the assessment until the date the assessment is  
 4-69 paid. The board may enforce the lien in the same manner that the

5-1 board may enforce an ad valorem tax lien against real property.

5-2 (d) The board may make a correction to or deletion from the  
 5-3 assessment roll that does not increase the amount of assessment of  
 5-4 any parcel of land without providing notice and holding a hearing in  
 5-5 the manner required for additional assessments.

5-6 Sec. 3958.155. TAX AND ASSESSMENT ABATEMENTS. The district  
 5-7 may designate reinvestment zones and may grant abatements of a tax  
 5-8 or assessment on property in the zones.

5-9 SUBCHAPTER E. TAXES AND BONDS

5-10 Sec. 3958.201. ELECTIONS REGARDING TAXES AND BONDS. (a)  
 5-11 The district may issue, without an election, bonds, notes, and  
 5-12 other obligations secured by:

5-13 (1) revenue other than ad valorem taxes; or  
 5-14 (2) contract payments described by Section 3958.203.

5-15 (b) The district must hold an election in the manner  
 5-16 provided by Subchapter L, Chapter 375, Local Government Code, to  
 5-17 obtain voter approval before the district may impose an ad valorem  
 5-18 tax or issue bonds payable from ad valorem taxes.

5-19 (c) Section 375.243, Local Government Code, does not apply  
 5-20 to the district.

5-21 (d) All or any part of any facilities or improvements that  
 5-22 may be acquired by a district by the issuance of its bonds may be  
 5-23 submitted as a single proposition or as several propositions to be  
 5-24 voted on at the election.

5-25 Sec. 3958.202. OPERATION AND MAINTENANCE TAX. (a) If  
 5-26 authorized by a majority of the district voters voting at an  
 5-27 election held in accordance with Section 3958.201, the district may  
 5-28 impose an operation and maintenance tax on taxable property in the  
 5-29 district in accordance with Section 49.107, Water Code, for any  
 5-30 district purpose, including to:

5-31 (1) maintain and operate the district;  
 5-32 (2) construct or acquire improvements; or  
 5-33 (3) provide a service.

5-34 (b) The board shall determine the tax rate. The rate may not  
 5-35 exceed the rate approved at the election.

5-36 (c) Section 49.107(h), Water Code, does not apply to the  
 5-37 district.

5-38 Sec. 3958.203. CONTRACT TAXES. (a) In accordance with  
 5-39 Section 49.108, Water Code, the district may impose a tax other than  
 5-40 an operation and maintenance tax and use the revenue derived from  
 5-41 the tax to make payments under a contract after the provisions of  
 5-42 the contract have been approved by a majority of the district voters  
 5-43 voting at an election held for that purpose.

5-44 (b) A contract approved by the district voters may contain a  
 5-45 provision stating that the contract may be modified or amended by  
 5-46 the board without further voter approval.

5-47 Sec. 3958.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS  
 5-48 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms  
 5-49 determined by the board. Section 375.205, Local Government Code,  
 5-50 does not apply to a loan, line of credit, or other borrowing from a  
 5-51 bank or financial institution secured by revenue other than ad  
 5-52 valorem taxes.

5-53 (b) The district may issue bonds, notes, or other  
 5-54 obligations payable wholly or partly from ad valorem taxes,  
 5-55 assessments, impact fees, revenue, contract payments, grants, or  
 5-56 other district money, or any combination of those sources of money,  
 5-57 to pay for any authorized district purpose.

5-58 (c) The limitation on the outstanding principal amount of  
 5-59 bonds, notes, and other obligations provided by Section 49.4645,  
 5-60 Water Code, does not apply to the district.

5-61 Sec. 3958.205. TAXES FOR BONDS. At the time the district  
 5-62 issues bonds payable wholly or partly from ad valorem taxes, the  
 5-63 board shall provide for the annual imposition of a continuing  
 5-64 direct annual ad valorem tax, without limit as to rate or amount,  
 5-65 for each year that all or part of the bonds are outstanding as  
 5-66 required and in the manner provided by Sections 54.601 and 54.602,  
 5-67 Water Code.

5-68 SUBCHAPTER F. MUNICIPAL ANNEXATION AND DISSOLUTION

5-69 Sec. 3958.251. MUNICIPAL ANNEXATION; DISSOLUTION. (a) The

6-1 district is a "water or sewer district" under Section 43.071, Local  
6-2 Government Code.

6-3 (b) Section 43.075, Local Government Code, applies to the  
6-4 district.

6-5 (c) Section 375.264, Local Government Code, does not apply  
6-6 to the dissolution of the district by a municipality.

6-7 SECTION 2. Harris County Improvement District No. 25  
6-8 initially includes all territory contained in the following area:

6-9 TRACT 1 - 88.03 ACRES

6-10 FIELD NOTES of a 88.03 of an acre tract of land situated in  
6-11 the H.T. & B. R.R. Survey, Block 3, Sec. 9, Abstract No. 421, the  
6-12 H.T. & B. R.R. Survey, Block 3, Sec. 7, Abstract No. 903 the C.  
6-13 Collis Survey, Abstract No. 1330, and the G. Lolley Survey,  
6-14 Abstract No. 1410 Harris County, Texas; said 88.03 of an acre tract  
6-15 of land being out of and a part of Restricted Reserve "A" of the  
6-16 Westside Mall, Sec. 2 and recorded at Film Code No. (F.C. No.)  
6-17 602144 of the Harris County Map Records (H.C.M.R.); said 88.03 of an  
6-18 acre tract of land being more particularly described by metes and  
6-19 bounds as follows:

6-20 NOTE: All bearings are Lambert Grid bearings and all  
6-21 coordinates refer to the Texas State Plane Coordinate System, South  
6-22 Central Zone (#4204), as defined by article 21.071 of the Natural  
6-23 Resources Code of the State of Texas, 1983 Datum (2001 adjustment).  
6-24 All distances are actual distances. Scale factor = 0.99989325287.

6-25 BEGINNING at a found 5/8" iron rod with cap stamped "E.H.R.A.  
6-26 713-784-4500" for the Southeast intersection of Partnership Way  
6-27 (80' right-of-way) and Grand Circle Boulevard (80' right-of-way) as  
6-28 recorded at F.C. No. 446143 of the H.C.M.R.

6-29 THENCE N 30°52'03" W with the common West line of said  
6-30 Restricted Reserve "A" and across said Grand Circle Boulevard a  
6-31 distance of 80.00 feet to a set 5/8" iron rod with cap stamped  
6-32 "E.H.R.A. 713-784-4500" for the Northwest corner of this tract of  
6-33 land and being in the North right-of-way line of the proposed Grand  
6-34 Circle Boulevard (80' right-of-way).

6-35 THENCE N 59°07'57" E with the common North right-of-way line  
6-36 of said Grand Circle Boulevard and the North line of this tract of  
6-37 land a distance of 22.95 feet to a set 5/8" iron rod with cap stamped  
6-38 "E.H.R.A. 713-784-4500" for the beginning of a curve to the right.

6-39 THENCE in a Northeasterly direction with the common North  
6-40 right-of-way line of said Grand Circle Boulevard, the North line of  
6-41 this tract of land and said curve to the right having a central  
6-42 angle of 42°04'54", a radius of 340.00 feet, a length of 249.72 feet,  
6-43 and a chord bearing and distance of N 80°10'24" E, 244.14 feet to a  
6-44 set 5/8" iron rod with cap stamped "E.H.R.A. 713-784-4500" for the  
6-45 end of this curve.

6-46 THENCE S 78°47'08" E with the common North right-of-way line  
6-47 of said Grand Circle Boulevard and the North line of this tract of  
6-48 land a distance of 183.98 feet to a set 5/8" iron rod with cap  
6-49 stamped "E.H.R.A. 713-784-4500" for the beginning of a curve to the  
6-50 left.

6-51 THENCE in a Southeasterly direction with the common North  
6-52 right-of-way line of said Grand Circle Boulevard, the North line of  
6-53 this tract of land and said curve to the left having a central angle  
6-54 of 12°30'52", a radius of 260.00 feet, a length of 56.79 feet, and a  
6-55 chord bearing and distance of S 85°02'35" E, 56.68 feet to a set 5/8"  
6-56 iron rod with cap stamped "E.H.R.A. 713-784-4500" for the end of  
6-57 this curve.

6-58 THENCE N 88°42'07" E with the common North right-of-way line  
6-59 of said Grand Circle Boulevard and the North line of this tract of  
6-60 land a distance of 522.00 feet to a set 5/8" iron rod with cap  
6-61 stamped "E.H.R.A. 713-784-4500" for the beginning of a curve to the  
6-62 right.

6-63 THENCE in a Southeasterly direction with the common North  
6-64 right-of-way line of said Grand Circle Boulevard, the North line of  
6-65 this tract of land and said curve to the right having a central  
6-66 angle of 24°56'38", a radius of 340.00 feet, a length of 147.82 feet  
6-67 and a chord bearing and distance of S 78°50'34" E, 146.66 feet to a  
6-68 set 5/8" iron rod with cap stamped "E.H.R.A. 713-784-4500" for the  
6-69 beginning of a reverse curve to the left.

7-1 THENCE in a Northeasterly direction with the common North  
 7-2 right-of-way line of said Grand Circle Boulevard, the North line of  
 7-3 this tract of land and said reverse curve to the left having a  
 7-4 central angle of 92°17'27", a radius of 25.00 feet, a length of 40.27  
 7-5 feet and a chord bearing and distance of N 67°28'02" E, 36.05 feet to  
 7-6 a set 5/8" iron rod with cap stamped "E.H.R.A. 713-784-4500" for the  
 7-7 Northeast corner of this tract of land and the end of said reverse  
 7-8 curve to the left; said point being the Southwest intersection of  
 7-9 Westside Way (80' right-of-way) as recorded at F.C. No. 602144 of  
 7-10 the H.C.M.R. and said Grand Circle Boulevard.

7-11 THENCE S 21°19'19" W with the Northeast line of this tract of  
 7-12 land a distance of 5.27 feet to a set 5/8" iron rod with cap stamped  
 7-13 "E.H.R.A. 713-784-4500" for the beginning of a curve to the left.

7-14 THENCE in a Southeasterly direction with the common  
 7-15 Southwesterly right-of-way line of said Grand Circle Boulevard, the  
 7-16 Easterly line of this tract of land and said curve to the left  
 7-17 having a central angle of 87°40'44", a radius of 105.00 feet, a  
 7-18 length of 160.68 feet and a chord bearing and distance of S 22°31'03"  
 7-19 E, 145.45 feet to a found 5/8" iron rod with cap stamped "E.H.R.A.  
 7-20 713-784-4500" for the beginning of a reverse curve to the right.

7-21 THENCE in a Southeasterly direction with the Southwesterly  
 7-22 right-of-way line of said Grand Circle Boulevard, the Easterly line  
 7-23 of this tract of land and said reverse curve to the right having a  
 7-24 central angle of 09°46'53", a radius of 1500.00 feet, a length of  
 7-25 256.08 feet and a chord bearing and distance of S 61°27'59" E, 255.77  
 7-26 feet to a found 5/8" iron rod with cap stamped "E.H.R.A.  
 7-27 713-784-4500" for the end of this reverse curve.

7-28 THENCE S 56°34'32" E with the Southwesterly right-of-way line  
 7-29 of said Grand Circle Boulevard and the Easterly line of this tract  
 7-30 of land a distance of 187.17 feet to a found 5/8" iron rod with cap  
 7-31 stamped "E.H.R.A. 713-784-4500" for the beginning of a curve to the  
 7-32 right.

7-33 THENCE in a Southeasterly direction with the Southwesterly  
 7-34 right-of-way line of said Grand Circle Boulevard, the Easterly line  
 7-35 of this tract of land and said curve to the right having a central  
 7-36 angle of 13°05'36", a radius of 570.00 feet, a length of 130.26 feet  
 7-37 and a chord bearing and distance of S 50°01'44" E, 129.98 feet to a  
 7-38 found 5/8" iron rod with cap stamped "E.H.R.A. 713-784-4500" for  
 7-39 the beginning of a compound curve to the right.

7-40 THENCE in a Southeasterly direction with the Westerly  
 7-41 right-of-way line of said Grand Circle Boulevard, the Easterly line  
 7-42 of this tract of land and said compound curve to the right having a  
 7-43 central angle of 42°11'03", a radius of 470.00 feet, a length of  
 7-44 346.04 feet and a chord bearing and distance of S 22°23'24" E, 338.28  
 7-45 feet to a found 5/8" iron rod with cap stamped "E.H.R.A.  
 7-46 713-784-4500" for the end of this compound curve.

7-47 THENCE S 01°17'53" E with the Westerly right-of-way line of  
 7-48 said Grand Circle Boulevard and the Easterly line of this tract of  
 7-49 land a distance of 468.93 feet to a set 5/8" iron rod with cap  
 7-50 stamped "E.H.R.A. 713-784-4500" for the beginning of a curve to the  
 7-51 right.

7-52 THENCE in a Southerly direction with the common West  
 7-53 right-of-way line of said Grand Circle Boulevard, the East line of  
 7-54 this tract of land and said curve to the right having a central  
 7-55 angle of 06°21'59", a radius of 220.00 feet, a length of 24.45 feet  
 7-56 and a chord bearing and distance of S 01°53'07" W, 24.43 feet to a  
 7-57 found 5/8" iron rod with cap stamped "E.H.R.A. 713-784-4500" for  
 7-58 the beginning of a compound curve to the right.

7-59 THENCE in a Southwesterly direction with the common  
 7-60 Northwesterly right-of-way line of said Grand Circle Boulevard, the  
 7-61 Southeast line of this tract of land and said compound curve to the  
 7-62 right having a central angle of 34°12'51", a radius of 520.00 feet, a  
 7-63 length of 310.52 feet and a chord bearing and distance of S 22°10'32"  
 7-64 W, 305.92 feet to a 5/8" iron rod with cap stamped "E.H.R.A.  
 7-65 713-784-4500" for the beginning of a compound curve to the right.

7-66 THENCE in a Southwesterly direction with the common  
 7-67 Northwesterly right-of-way line of said Grand Circle Boulevard, the  
 7-68 Southeast line of this tract of land and said compound curve to the  
 7-69 right having a central angle of 11°59'44", a radius of 620.00 feet, a

8-1 length of 129.81 feet and a chord bearing and distance of S 45°16'49"  
 8-2 W, 129.57 feet to a found 5/8" iron rod with cap stamped "E.H.R.A.  
 8-3 713-784-4500" for the end of this curve.

8-4 THENCE S 51°16'41" W with the Northwesterly right-of-way line  
 8-5 of said Grand Circle Boulevard and the Southwest line of this tract  
 8-6 of land a distance of 165.06 feet to a found 5/8" iron rod with cap  
 8-7 stamped "E.H.R.A. 713-784-4500" for the beginning of a curve to the  
 8-8 right.

8-9 THENCE in a Southwesterly direction with the common Northwest  
 8-10 right-of-way line of said Grand Circle Boulevard, the Southeast  
 8-11 line of this tract of land and said curve to the right having a  
 8-12 central angle of 11°31'39", a radius of 525.00 feet, a length of  
 8-13 105.63 feet and a chord bearing and distance of S 57°02'31" W, 105.45  
 8-14 feet to a found 5/8" iron rod with cap stamped "E.H.R.A.  
 8-15 713-784-4500" for the end of this curve.

8-16 THENCE S 62°48'20" W with the common Northwesterly  
 8-17 right-of-way line of said Grand Circle Boulevard and the Southeast  
 8-18 line of this tract of land a distance of 122.10 feet to a found 5/8"  
 8-19 iron rod with cap stamped "E.H.R.A. 713-784-4500" for the beginning  
 8-20 of a curve to the right.

8-21 THENCE in a Southwesterly direction with the common  
 8-22 Northwesterly right-of-way line of said Grand Circle Boulevard, the  
 8-23 Southeast line of this tract of land and said curve to the right  
 8-24 having a central angle of 21°56'19", a radius of 720.00 feet, a  
 8-25 length of 275.69 feet and a chord bearing and distance of S 73°46'30"  
 8-26 W, 274.01 feet to a found 5/8" iron rod with cap stamped "E.H.R.A.  
 8-27 713-784-4500" for the beginning of a compound curve to the right.

8-28 THENCE in a Southwesterly direction with the common  
 8-29 Northwesterly right-of-way line of said Grand Circle Boulevard, the  
 8-30 Southeast line of this tract of land and said compound curve to the  
 8-31 right having a central angle of 04°27'02", a radius of 3949.99 feet,  
 8-32 a length of 306.83 feet and a chord bearing and distance of S  
 8-33 86°58'11" W, 306.75 feet to a 5/8" iron rod with cap stamped  
 8-34 "E.H.R.A. 713-784-4500" found for the beginning of a compound curve  
 8-35 to the right.

8-36 THENCE in a Southwesterly direction with the common  
 8-37 Northeasterly right-of-way line of said Grand Circle Boulevard, the  
 8-38 Southwest line of this tract of land and said compound curve to the  
 8-39 right having a central angle of 11°38'51", a radius of 2937.00 feet,  
 8-40 a length of 597.06 feet and a chord bearing and distance of N  
 8-41 84°58'53" W, 596.03 feet to a found 5/8" iron rod with cap stamped  
 8-42 "E.H.R.A. 713-784-4500" for the beginning of a compound curve to  
 8-43 the right.

8-44 THENCE in a Northwesterly direction with the common  
 8-45 Northeasterly right-of-way line of said Grand Circle Boulevard, the  
 8-46 Southwest line of this tract of land and said compound curve to the  
 8-47 right having a central angle of 33°55'34", a radius of 800.00 feet, a  
 8-48 length of 473.70 feet and a chord bearing and distance of N 62°11'40"  
 8-49 W, 466.81 feet to a found 5/8" iron rod with cap stamped "E.H.R.A.  
 8-50 713-784-4500" for the end of this compound curve.

8-51 THENCE N 45°13'53" W with the Northeasterly right-of-way line  
 8-52 of said Grand Circle Boulevard and the Southwest line of this tract  
 8-53 of land a distance of 1.49 feet to a found 5/8" iron rod with cap  
 8-54 stamped "E.H.R.A. 713-784-4500" for the beginning of a curve to the  
 8-55 right.

8-56 THENCE in a Northwesterly direction with the Westerly line of  
 8-57 this tract of land, the Easterly right-of-way of said Grand Circle  
 8-58 Boulevard and said curve to the right having a central angle of  
 8-59 42°18'57", a radius of 790.00 feet, a length of 583.46 feet and a  
 8-60 chord bearing and distance of N 24°04'24" W, 570.29 feet to a found  
 8-61 5/8" iron rod with cap stamped "E.H.R.A. 713-784-4500" for the end  
 8-62 of this curve.

8-63 THENCE N 02°54'56" W with the Westerly line of this tract of  
 8-64 land and the Easterly right-of-way of said Grand Circle Boulevard a  
 8-65 distance of 65.71 feet to a found 5/8" iron rod with cap stamped  
 8-66 "E.H.R.A. 713-784-4500" for the beginning of a curve to the right.

8-67 THENCE in a Northeasterly direction with the Westerly line of  
 8-68 this tract of land, the Easterly right-of-way of said Grand Circle  
 8-69 Boulevard and said curve to the right having a central angle of



9-1 19°44'56", a radius of 1260.00 feet, a length of 434.30 feet and a  
 9-2 chord bearing and distance of N 06°57'32" E, 432.15 feet to a found  
 9-3 5/8" iron rod with cap stamped "E.H.R.A. 713-784-4500" for the  
 9-4 beginning of a compound curve to the right.

9-5 THENCE in a Northeasterly direction with the Northwesterly  
 9-6 line of this tract of land, the Southeasterly right-of-way of said  
 9-7 Grand Circle Boulevard and said compound curve to the right having a  
 9-8 central angle of 30°41'24", a radius of 940.00 feet, a length of  
 9-9 503.50 feet and a chord bearing and distance of N 32°10'42" E, 497.51  
 9-10 feet to a found 5/8" iron rod with cap stamped "E.H.R.A.  
 9-11 713-784-4500" for the end of this compound curve.

9-12 THENCE N 47°31'24" E with the Northwesterly line of this tract  
 9-13 of land and the Southeasterly right-of-way of said Grand Circle  
 9-14 Boulevard a distance of 16.25 feet to a found 5/8" iron rod with cap  
 9-15 stamped "E.H.R.A. 713-784-4500" for the beginning of a curve to the  
 9-16 right.

9-17 THENCE in a Northeasterly direction with the Northwesterly  
 9-18 line of this tract of land, the Southeasterly right-of-way of said  
 9-19 Grand Circle Boulevard and said curve to the right having a central  
 9-20 angle of 11°36'33", a radius of 1165.00 feet, a length of 236.05 feet  
 9-21 and a chord bearing and distance of N 53°19'41" E, 235.65 feet to the  
 9-22 PLACE OF BEGINNING; containing within said boundaries a calculated  
 9-23 area of 88.03 (3,834,413 sq.ft.) of an acre of land.

9-24 TRACT 2 - 15.59 ACRES

9-25 Being all of Restricted Reserve A of Westside Mall, Section  
 9-26 1, Partial Replat No. 1 according to the map or plat thereof as  
 9-27 recorded at Film Code No. 675479 of the Map Records of Harris  
 9-28 County, Texas.

9-29 TRACT 3 - 4.09 ACRES

9-30 FIELD NOTES of a 4.09 acre tract of land situated in the H.T.  
 9-31 & B. RR Co. Survey, Abstract No. 421, Harris County, Texas; said  
 9-32 4.09 acre tract of land being out of and a part of Restricted  
 9-33 Reserve A according to the map or plat thereof as recorded at Film  
 9-34 Code No. 462117 of the Map Records of Harris County, Texas; said  
 9-35 4.09 acre tract of land being more particularly described by metes  
 9-36 and bounds as follows:

9-37 NOTE: All bearings are Lambert grid bearings and all  
 9-38 coordinates refer to the Texas State Plane Coordinate System, South  
 9-39 Central Zone (#4202), as defined by article 21.071 of the Natural  
 9-40 Resources Code of the State of Texas, 1983 Datum (2001 adjustment).  
 9-41 All distance are actual distances. Scale factor = 0.99989325287.

9-42 BEGINNING at a found 1/2 inch iron rod with cap stamped "Bury  
 9-43 & Partners" for the Northwest corner of this tract of land, the same  
 9-44 being the Southwest corner of a called 7.0279 acre tract of land  
 9-45 conveyed to J.C. Penney Properties, Inc. as recorded at County  
 9-46 Clerk's File No. Y870027 of the Official Public Records of Real  
 9-47 Property of Harris County, Texas; said point being in the East  
 9-48 right-of-way line of State Highway 99 (aka Grand Parkway, R.O.W.  
 9-49 varies) as recorded at County Clerk's File No. M125086 of the  
 9-50 Official Public Records of Real Property of Harris County, Texas.

9-51 THENCE N 88°19'00" E with the North line of this tract of land  
 9-52 and the South line of J.C. Penney tract of land a distance of 271.10  
 9-53 feet to a found 5/8 inch iron rod with cap stamped "E.H.R.A.  
 9-54 713-784-4500", an angle point of said J.C. Penney tract of land.

9-55 THENCE S 01°40'57" E with the North line of this tract of land  
 9-56 and the South line of said J.C. Penney tract of land a distance of  
 9-57 8.00 feet to a found 5/8 inch iron rod with cap stamped "E.H.R.A.  
 9-58 713-784-4500", an angle point of said J.C. Penney tract of land.

9-59 THENCE N 88°19'03" E with the North line of this tract of land  
 9-60 and the South line of said J.C. Penney tract of land a distance of  
 9-61 76.25 feet to a found mag nail with shiner stamped "Bury & Partners"  
 9-62 for an angle point of this tract of land and an angle point of a  
 9-63 tract of land called 4.996 acres as conveyed to Parkside NEC Grand  
 9-64 Parkway as recorded at County Clerk's File No. 20140006523 of the  
 9-65 Official Public Records of Real Property of Harris County, Texas.

9-66 THENCE N 02°40'57" W with the North line of this tract of land  
 9-67 and an interior line of said Parkside NEC tract of land a distance  
 9-68 of 8.00 feet to a found 5/8 inch iron rod with cap stamped "E.H.R.A.  
 9-69 713-784-4500", an angle point of said Parkside NEC tract of land;

10-1 said point being in the South line of said J.C. Penney tract of  
10-2 land.

10-3 THENCE N 88°19'03" E with the North line of this tract of land  
10-4 and the South line of said J.C. Penney tract of land a distance of  
10-5 73.89 feet to a found 5/8 inch iron rod with cap stamped "E.H.R.A.  
10-6 713-784-4500", an angle point of said J.C. Penney tract of land.

10-7 THENCE S 01°40'57" E with an interior line of this tract of  
10-8 land and the most Westerly East line of said J.C. Penney tract of  
10-9 land a distance of 115.00 feet to a found mag nail with shiner  
10-10 stamped "Bury & Partners" for an interior corner of this tract of  
10-11 land and an angle point of said J.C. Penney tract of land.

10-12 THENCE N 88°19'03" E with the North line of this tract of land  
10-13 and the South line of said J.C. Penney tract of land a distance of  
10-14 305.86 feet to a found mag nail with shiner stamped "Bury &  
10-15 Partners" for the most Easterly Northeast corner of this tract of  
10-16 land and the Southeast corner of said J.C. Penney tract of land;  
10-17 said point being in the West right-of-way line of Grand Circle  
10-18 Boulevard (80' R.O.W.) as recorded at Film Code No. 446143 of the  
10-19 Map Records of Harris County, Texas, and the beginning of a  
10-20 non-tangent curve to the left, concave Easterly.

10-21 THENCE in a Southerly direction with the East line of this  
10-22 tract of land, the West right-of-way line of said Grand Circle  
10-23 Boulevard and said non-tangent curve to the left having a central  
10-24 angle of 00°41'26", a radius of 1340.00 feet, a length of 16.15 feet  
10-25 and a chord bearing and distance of S 06°05'18" W, 16.15 feet to a  
10-26 found 3/4 inch iron rod with cap stamped "E.H.R.A. 713-784-4500"  
10-27 for the most Easterly Southeast corner of this tract of land and  
10-28 also being the Northeast corner of a called 1.5000 acre tract of  
10-29 land conveyed to Cowboy Red-Katy, Ltd. as recorded at County  
10-30 Clerk's File No. 20090003573 of the Official Public Records of Real  
10-31 Property of Harris County, Texas.

10-32 THENCE S 88°19'03" W with the most Easterly South line of this  
10-33 tract of land and the North line of said Cowboy Red-Katy tract of  
10-34 land a distance of 226.15 feet to a found 'X' for an angle point of  
10-35 this tract of land and also being the Northwest corner of said  
10-36 Cowboy Red-Katy tract of land.

10-37 THENCE S 01°40'57" E with the East line of this tract of land  
10-38 and the West line of said Cowboy Red-Katy tract of land a distance  
10-39 of 197.16 feet to a found 5/8 inch iron rod with cap stamped  
10-40 "E.H.R.A. 713-784-4500" for the Easterly Southeast corner of this  
10-41 tract of land.

10-42 THENCE S 88°20'27" W, a distance of 243.49 feet to a found 5/8  
10-43 inch iron rod with cap stamped "E.H.R.A. 713-784-4500" for an  
10-44 internal corner of the herein described tract.

10-45 THENCE S 01°41'03" E, a distance of 135.45 feet to a found 5/8  
10-46 inch iron rod with cap stamped "E.H.R.A. 713-784-4500" for the  
10-47 point of curvature to the left.

10-48 THENCE in a southerly direction with said curve to the left  
10-49 having a central angle of 21°52'28", a radius of 212.00 feet, a  
10-50 length of 80.94 feet and a chord bearing and distance of S 12°37'17"  
10-51 E, 80.45 feet to a found 5/8 inch iron rod with cap stamped  
10-52 "E.H.R.A. 713-784-4500", being the beginning of a non-tangent curve  
10-53 to the left, concave Southeasterly; said point being in the South  
10-54 line of said Reserve A and also being in the North right-of-way line  
10-55 of Mercantile Parkway (R.O.W. varies) as recorded at Film Code  
10-56 No. 446143 of the Map Records of Harris County, Texas.

10-57 THENCE in a Southwesterly with the South line of this tract of  
10-58 land, the South line of said Reserve A, the North right-of-way line  
10-59 of said Mercantile Parkway and said curve to the right having a  
10-60 central angle of 09°15'11", a radius of 500.00 feet, a length of  
10-61 80.75 feet and a chord bearing and distance of S 67°14'17" W, 80.66  
10-62 feet to the most Southerly Southwest corner of this tract of land  
10-63 and also being the Southeast corner of a called 1.459 acre tract of  
10-64 land conveyed to Levine Investments Limited Partnership as recorded  
10-65 at County Clerk's File No. 20080241652 of the Official Public  
10-66 Records of Real Property of Harris County, Texas; from this point a  
10-67 found 3/4 inch iron rod with cap stamped "Pate Surveyors" bears S  
10-68 58°23'35" W a distance of 0.21 feet.

10-69 THENCE N 01°41'03" W with an interior line of this tract of

11-1 land and the East line of said Levine Investments tract of land a  
11-2 distance of 243.47 feet to a found "X" for an angle point of this  
11-3 tract of land and also being the Northeast corner of said Levine  
11-4 Investments tract of land.

11-5 THENCE S 88°20'27" W with the South line of this tract of and  
11-6 the North line of said Levine Investments tract of land a distance  
11-7 of 232.73 feet to a found 3/4 inch iron rod with cap stamped "Pate  
11-8 Surveyors" for the most Westerly Southwest corner of this tract of  
11-9 land, the Northwest corner of said Levine Investments tract of land  
11-10 and also being in the East right-of-way line of said State Highway  
11-11 99.

11-12 THENCE N 04°51'27" E with the West line of this tract of land  
11-13 and the East right-of-way line of said State Highway 99 a distance  
11-14 of 330.09 feet to the PLACE OF BEGINNING; containing within said  
11-15 boundaries a calculated area of 4.09 acres (178,296 sq.ft.) of  
11-16 land.

11-17 TRACT 4 - 1.78 ACRES

11-18 Being all of Unrestricted Reserve D in Block 3 of Westside  
11-19 Mall, Section One according to the map or plat thereof as recorded  
11-20 at Film Code No. 462117 of the Map Records of Harris County, Texas.

11-21 SECTION 3. (a) The legal notice of the intention to  
11-22 introduce this Act, setting forth the general substance of this  
11-23 Act, has been published as provided by law, and the notice and a  
11-24 copy of this Act have been furnished to all persons, agencies,  
11-25 officials, or entities to which they are required to be furnished  
11-26 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
11-27 Government Code.

11-28 (b) The governor, one of the required recipients, has  
11-29 submitted the notice and Act to the Texas Commission on  
11-30 Environmental Quality.

11-31 (c) The Texas Commission on Environmental Quality has filed  
11-32 its recommendations relating to this Act with the governor,  
11-33 lieutenant governor, and speaker of the house of representatives  
11-34 within the required time.

11-35 (d) The general law relating to consent by political  
11-36 subdivisions to the creation of districts with conservation,  
11-37 reclamation, and road powers and the inclusion of land in those  
11-38 districts has been complied with.

11-39 (e) All requirements of the constitution and laws of this  
11-40 state and the rules and procedures of the legislature with respect  
11-41 to the notice, introduction, and passage of this Act have been  
11-42 fulfilled and accomplished.

11-43 SECTION 4. This Act takes effect immediately if it receives  
11-44 a vote of two-thirds of all the members elected to each house, as  
11-45 provided by Section 39, Article III, Texas Constitution. If this  
11-46 Act does not receive the vote necessary for immediate effect, this  
11-47 Act takes effect September 1, 2017.

11-48 \* \* \* \* \*