

1-1 By: Nichols S.B. No. 320  
 1-2 (In the Senate - Filed April 21, 2017; April 24, 2017, read  
 1-3 first time and referred to Committee on Intergovernmental  
 1-4 Relations; May 3, 2017, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;  
 1-6 May 3, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 320 By: Garcia

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the creation of River Ranch Improvement District of  
 1-20 Liberty County; providing authority to issue bonds; providing  
 1-21 authority to impose assessments, fees, or taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subtitle C, Title 4, Special District Local Laws  
 1-24 Code, is amended by adding Chapter 3948 to read as follows:

1-25 CHAPTER 3948. RIVER RANCH IMPROVEMENT DISTRICT OF LIBERTY COUNTY  
 1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 3948.001. DEFINITIONS. In this chapter:

1-28 (1) "Board" means the district's board of directors.

1-29 (2) "City" means the City of Dayton.

1-30 (3) "County" means Liberty County.

1-31 (4) "Director" means a board member.

1-32 (5) "District" means the River Ranch Improvement  
 1-33 District of Liberty County.

1-34 Sec. 3948.002. NATURE OF DISTRICT. The district is a  
 1-35 special district created under Section 59, Article XVI, Texas  
 1-36 Constitution.

1-37 Sec. 3948.003. PURPOSE; DECLARATION OF INTENT. (a) The  
 1-38 creation of the district is essential to accomplish the purposes of  
 1-39 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
 1-40 Texas Constitution, and other public purposes stated in this  
 1-41 chapter. By creating the district and in authorizing the city, the  
 1-42 county, and other political subdivisions to contract with the  
 1-43 district, the legislature has established a program to accomplish  
 1-44 the public purposes set out in Section 52-a, Article III, Texas  
 1-45 Constitution.

1-46 (b) The creation of the district is necessary to promote,  
 1-47 develop, encourage, and maintain employment, commerce,  
 1-48 transportation, housing, tourism, recreation, the arts,  
 1-49 entertainment, economic development, safety, and the public  
 1-50 welfare in the district, and to accomplish the redevelopment of  
 1-51 land in the district.

1-52 (c) This chapter and the creation of the district may not be  
 1-53 interpreted to relieve the city or the county from providing the  
 1-54 level of services provided as of the effective date of the Act  
 1-55 enacting this chapter to the area in the district. The district is  
 1-56 created to supplement and not to supplant city or county services  
 1-57 provided in the district.

1-58 Sec. 3948.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
 1-59 The district is created to serve a public use and benefit.

1-60 (b) All land and other property included in the district

2-1 will benefit from the improvements and services to be provided by  
2-2 the district under powers conferred by Sections 52 and 52-a,  
2-3 Article III, and Section 59, Article XVI, Texas Constitution, and  
2-4 other powers granted under this chapter.

2-5 (c) The creation of the district is in the public interest  
2-6 and is essential to further the public purposes of:

2-7 (1) developing and diversifying the economy of the  
2-8 state;

2-9 (2) eliminating unemployment and underemployment; and

2-10 (3) developing or expanding transportation and  
2-11 commerce.

2-12 (d) The district will:

2-13 (1) promote the health, safety, and general welfare of  
2-14 residents, employers, potential employees, employees, visitors,  
2-15 and consumers in the district, and of the public;

2-16 (2) provide needed funding for the district to  
2-17 preserve, maintain, and enhance the economic health and vitality of  
2-18 the district territory as a community and business center;

2-19 (3) promote the health, safety, welfare, and enjoyment  
2-20 of the public by providing pedestrian ways and by landscaping and  
2-21 developing certain areas in the district, which are necessary for  
2-22 the restoration, preservation, and enhancement of scenic beauty;  
2-23 and

2-24 (4) provide for road, transportation, and  
2-25 recreational facilities for the district.

2-26 (e) Pedestrian ways along or across a street, whether at  
2-27 grade or above or below the surface, and street lighting, street  
2-28 landscaping, parking, and street art objects are parts of and  
2-29 necessary components of a street and are considered to be a street  
2-30 or road improvement.

2-31 (f) The district will not act as the agent or  
2-32 instrumentality of any private interest even though the district  
2-33 will benefit many private interests as well as the public.

2-34 Sec. 3948.005. INITIAL DISTRICT TERRITORY. (a) The  
2-35 district is initially composed of the territory described by  
2-36 Section 2 of the Act enacting this chapter.

2-37 (b) The boundaries and field notes contained in Section 2 of  
2-38 the Act enacting this chapter form a closure. A mistake in the  
2-39 field notes or in copying the field notes in the legislative process  
2-40 does not affect the district's:

2-41 (1) organization, existence, or validity;

2-42 (2) right to issue any type of bonds for the purposes  
2-43 for which the district is created or to pay the principal of and  
2-44 interest on the bonds;

2-45 (3) right to impose or collect an assessment or tax; or

2-46 (4) legality or operation.

2-47 Sec. 3948.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.  
2-48 All or any part of the area of the district is eligible to be  
2-49 included in:

2-50 (1) a tax increment reinvestment zone created under  
2-51 Chapter 311, Tax Code;

2-52 (2) a tax abatement reinvestment zone created under  
2-53 Chapter 312, Tax Code;

2-54 (3) an enterprise zone created under Chapter 2303,  
2-55 Government Code; or

2-56 (4) an industrial district created under Chapter 42,  
2-57 Local Government Code.

2-58 Sec. 3948.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
2-59 DISTRICTS LAW. Except as otherwise provided by this chapter,  
2-60 Chapter 375, Local Government Code, applies to the district.

2-61 Sec. 3948.008. CONSTRUCTION OF CHAPTER. This chapter shall  
2-62 be liberally construed in conformity with the findings and purposes  
2-63 stated in this chapter.

2-64 SUBCHAPTER B. BOARD OF DIRECTORS

2-65 Sec. 3948.051. GOVERNING BODY; TERMS. (a) The district is  
2-66 governed by a board of five voting directors who serve staggered  
2-67 terms of four years, with two or three directors' terms expiring  
2-68 June 1 of each odd-numbered year.

2-69 (b) The board by resolution may change the number of voting

3-1 directors on the board if the board determines that the change is in  
3-2 the best interest of the district. The board may not consist of  
3-3 fewer than 5 or more than 15 directors.

3-4 Sec. 3948.052. APPOINTMENT OF VOTING DIRECTORS. The Texas  
3-5 Commission on Environmental Quality shall appoint voting directors  
3-6 from persons recommended by the board.

3-7 Sec. 3948.053. NONVOTING DIRECTORS. The board may appoint  
3-8 nonvoting directors to serve at the pleasure of the voting  
3-9 directors.

3-10 Sec. 3948.054. QUORUM. For purposes of determining the  
3-11 requirements for a quorum of the board, the following are not  
3-12 counted:

3-13 (1) a board position vacant for any reason, including  
3-14 death, resignation, or disqualification;

3-15 (2) a director who is abstaining from participation in  
3-16 a vote because of a conflict of interest; or

3-17 (3) a nonvoting director.

3-18 Sec. 3948.055. COMPENSATION. A director is entitled to  
3-19 receive fees of office and reimbursement for actual expenses as  
3-20 provided by Section 49.060, Water Code. Sections 375.069 and  
3-21 375.070, Local Government Code, do not apply to the board.

3-22 Sec. 3948.056. INITIAL VOTING DIRECTORS. (a)  
3-23 Notwithstanding Section 3948.051(a), the initial board consists of  
3-24 the following five directors:

	<u>Pos. No.</u>	<u>Name of Director</u>
3-25	1.	Wayne Knox
3-26	2.	Mary H. Cody
3-27	3.	Gene Campbell
3-28	4.	Bill Gammel
3-29	5.	Christopher Brant Elliott

3-30 (b) Of the initial directors, the terms of directors  
3-31 appointed for positions one through three expire June 1, 2019, and  
3-32 the terms of directors appointed for positions four and five expire  
3-33 June 1, 2021.

3-34 (c) Section 3948.052 does not apply to this section.

3-35 (d) This section expires September 1, 2021.

3-36 SUBCHAPTER C. POWERS AND DUTIES

3-37 Sec. 3948.101. GENERAL POWERS AND DUTIES. The district has  
3-38 the powers and duties necessary to accomplish the purposes for  
3-39 which the district is created.

3-40 Sec. 3948.102. IMPROVEMENT PROJECTS AND SERVICES. The  
3-41 district may provide, design, construct, acquire, improve,  
3-42 relocate, operate, maintain, or finance an improvement project or  
3-43 service using any money available to the district, or contract with  
3-44 a governmental or private entity to provide, design, construct,  
3-45 acquire, improve, relocate, operate, maintain, or finance an  
3-46 improvement project or service authorized under this chapter or  
3-47 Chapter 375, Local Government Code.

3-48 Sec. 3948.103. DEVELOPMENT CORPORATION POWERS. The  
3-49 district, using money available to the district, may exercise the  
3-50 powers given to a development corporation under Chapter 505, Local  
3-51 Government Code, including the power to own, operate, acquire,  
3-52 construct, lease, improve, or maintain a project under that  
3-53 chapter.

3-54 Sec. 3948.104. NONPROFIT CORPORATION. (a) The board by  
3-55 resolution may authorize the creation of a nonprofit corporation to  
3-56 assist and act for the district in implementing a project or  
3-57 providing a service authorized by this chapter.

3-58 (b) The nonprofit corporation:

3-59 (1) has each power of and is considered to be a local  
3-60 government corporation created under Subchapter D, Chapter 431,  
3-61 Transportation Code; and

3-62 (2) may implement any project and provide any service  
3-63 authorized by this chapter.

3-64 (c) The board shall appoint the board of directors of the  
3-65 nonprofit corporation. The board of directors of the nonprofit  
3-66 corporation shall serve in the same manner as the board of directors  
3-67 of a local government corporation created under Subchapter D,  
3-68 Chapter 431, Transportation Code, except that a board member is not  
3-69

4-1 required to reside in the district.

4-2 Sec. 3948.105. AGREEMENTS; GRANTS. (a) As provided by  
 4-3 Chapter 375, Local Government Code, the district may make an  
 4-4 agreement with or accept a gift, grant, or loan from any person.

4-5 (b) The implementation of a project is a governmental  
 4-6 function or service for the purposes of Chapter 791, Government  
 4-7 Code.

4-8 Sec. 3948.106. LAW ENFORCEMENT SERVICES. To protect the  
 4-9 public interest, the district may contract with a qualified party,  
 4-10 including the county or the city, to provide law enforcement  
 4-11 services in the district for a fee.

4-12 Sec. 3948.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
 4-13 district may join and pay dues to a charitable or nonprofit  
 4-14 organization that performs a service or provides an activity  
 4-15 consistent with the furtherance of a district purpose.

4-16 Sec. 3948.108. ECONOMIC DEVELOPMENT. (a) The district may  
 4-17 engage in activities that accomplish the economic development  
 4-18 purposes of the district.

4-19 (b) The district may establish and provide for the  
 4-20 administration of one or more programs to promote state or local  
 4-21 economic development and to stimulate business and commercial  
 4-22 activity in the district, including programs to:

4-23 (1) make loans and grants of public money; and

4-24 (2) provide district personnel and services.

4-25 (c) The district may create economic development programs  
 4-26 and exercise the economic development powers provided to  
 4-27 municipalities by:

4-28 (1) Chapter 380, Local Government Code; and

4-29 (2) Subchapter A, Chapter 1509, Government Code.

4-30 Sec. 3948.109. PARKING FACILITIES. (a) The district may  
 4-31 acquire, lease as lessor or lessee, construct, develop, own,  
 4-32 operate, and maintain parking facilities or a system of parking  
 4-33 facilities, including lots, garages, parking terminals, or other  
 4-34 structures or accommodations for parking motor vehicles off the  
 4-35 streets and related appurtenances.

4-36 (b) The district's parking facilities serve the public  
 4-37 purposes of the district and are owned, used, and held for a public  
 4-38 purpose even if leased or operated by a private entity for a term of  
 4-39 years.

4-40 (c) The district's parking facilities are parts of and  
 4-41 necessary components of a street and are considered to be a street  
 4-42 or road improvement.

4-43 (d) The development and operation of the district's parking  
 4-44 facilities may be considered an economic development program.

4-45 Sec. 3948.110. ROAD DISTRICT POWERS. The district has the  
 4-46 powers provided by the general laws relating to road districts and  
 4-47 road utility districts created under Section 52(b), Article III,  
 4-48 Texas Constitution, including Chapters 257 and 441, Transportation  
 4-49 Code.

4-50 Sec. 3948.111. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
 4-51 project must meet all applicable construction standards, zoning and  
 4-52 subdivision requirements, and regulations of each municipality in  
 4-53 whose corporate limits or extraterritorial jurisdiction the road  
 4-54 project is located.

4-55 (b) If a road project is not located in the corporate limits  
 4-56 or extraterritorial jurisdiction of a municipality, the road  
 4-57 project must meet all applicable construction standards,  
 4-58 subdivision requirements, and regulations of each county in which  
 4-59 the road project is located.

4-60 (c) If the state will maintain and operate the road, the  
 4-61 Texas Transportation Commission must approve the plans and  
 4-62 specifications of the road project.

4-63 Sec. 3948.112. NO TOLL ROADS. The district may not  
 4-64 construct, acquire, maintain, or operate a toll road.

4-65 Sec. 3948.113. NAVIGATION DISTRICT POWERS. (a) The  
 4-66 district has the powers provided by the general law of this state  
 4-67 applicable to navigation districts created under Section 59,  
 4-68 Article XVI, Texas Constitution, including Chapters 60 and 62,  
 4-69 Water Code.

5-1 (b) The district may purchase, construct, acquire, own,  
 5-2 operate, maintain, improve, or extend, inside and outside the  
 5-3 district, a canal, waterway, bulkhead, dock, or other improvement  
 5-4 or facility necessary or convenient to accomplish the navigation  
 5-5 purposes of the district.

5-6 Sec. 3948.114. RAIL FACILITIES. The district may  
 5-7 construct, acquire, improve, maintain, and operate rail facilities  
 5-8 and improvements in aid of those facilities.

5-9 Sec. 3948.115. RURAL PUBLIC TRANSPORTATION POWERS. (a)  
 5-10 The district may provide and coordinate rural public transportation  
 5-11 in its territory in the manner provided by Sections 458.010 and  
 5-12 458.011, Transportation Code, for a rural transit district.

5-13 (b) Section 458.012(a), Transportation Code, does not apply  
 5-14 to the operations of the district under Subsection (a).

5-15 Sec. 3948.116. ANNEXATION OR EXCLUSION OF LAND. (a) The  
 5-16 district may annex land as provided by Subchapter J, Chapter 49,  
 5-17 Water Code.

5-18 (b) The district may exclude land as provided by Subchapter  
 5-19 J, Chapter 49, Water Code. Section 375.044(b), Local Government  
 5-20 Code, does not apply to the district.

5-21 Sec. 3948.117. NO EMINENT DOMAIN POWER. The district may  
 5-22 not exercise the power of eminent domain.

5-23 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

5-24 Sec. 3948.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
 5-25 board by resolution shall establish the number of directors'  
 5-26 signatures and the procedure required for a disbursement or  
 5-27 transfer of district money.

5-28 Sec. 3948.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
 5-29 The district may acquire, construct, finance, operate, or maintain  
 5-30 any improvement or service authorized under this chapter or Chapter  
 5-31 375, Local Government Code, using any money available to the  
 5-32 district.

5-33 Sec. 3948.153. PETITION REQUIRED FOR FINANCING SERVICES AND  
 5-34 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
 5-35 service or improvement project with assessments under this chapter  
 5-36 unless a written petition requesting that service or improvement  
 5-37 has been filed with the board.

5-38 (b) A petition filed under Subsection (a) must be signed by  
 5-39 the owners of a majority of the assessed value of real property in  
 5-40 the district subject to assessment according to the most recent  
 5-41 certified tax appraisal roll for the county.

5-42 Sec. 3948.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
 5-43 The board by resolution may impose and collect an assessment for any  
 5-44 purpose authorized by this chapter in all or any part of the  
 5-45 district.

5-46 (b) An assessment, a reassessment, or an assessment  
 5-47 resulting from an addition to or correction of the assessment roll  
 5-48 by the district, penalties and interest on an assessment or  
 5-49 reassessment, an expense of collection, and reasonable attorney's  
 5-50 fees incurred by the district:

5-51 (1) are a first and prior lien against the property  
 5-52 assessed;

5-53 (2) are superior to any other lien or claim other than  
 5-54 a lien or claim for county, school district, or municipal ad valorem  
 5-55 taxes; and

5-56 (3) are the personal liability of and a charge against  
 5-57 the owners of the property even if the owners are not named in the  
 5-58 assessment proceedings.

5-59 (c) The lien is effective from the date of the board's  
 5-60 resolution imposing the assessment until the date the assessment is  
 5-61 paid. The board may enforce the lien in the same manner that the  
 5-62 board may enforce an ad valorem tax lien against real property.

5-63 (d) The board may make a correction to or deletion from the  
 5-64 assessment roll that does not increase the amount of assessment of  
 5-65 any parcel of land without providing notice and holding a hearing in  
 5-66 the manner required for additional assessments.

5-67 Sec. 3948.155. RESIDENTIAL PROPERTY NOT EXEMPT. Section  
 5-68 375.161, Local Government Code, does not apply to a tax authorized  
 5-69 or approved by the voters of the district or a required payment for

6-1 a service provided by the district, including water and sewer  
6-2 services.

6-3 Sec. 3948.156. COMPETITIVE BIDDING. Subchapter I, Chapter  
6-4 49, Water Code, applies to the district. Sections 375.221 and  
6-5 375.223, Local Government Code, do not apply to the district.

6-6 Sec. 3948.157. TAX AND ASSESSMENT ABATEMENTS. The district  
6-7 may designate reinvestment zones and may grant abatements of  
6-8 district taxes or assessments on property in the zones.

6-9 SUBCHAPTER E. TAXES AND BONDS

6-10 Sec. 3948.201. ELECTIONS REGARDING TAXES AND BONDS. (a)  
6-11 The district may issue, without an election, bonds, notes, and  
6-12 other obligations secured by:

6-13 (1) revenue other than ad valorem taxes; or

6-14 (2) contract payments described by Section 3948.203.

6-15 (b) The district must hold an election in the manner  
6-16 provided by Subchapter L, Chapter 375, Local Government Code, to  
6-17 obtain voter approval before the district may impose an ad valorem  
6-18 tax or issue bonds payable from ad valorem taxes.

6-19 (c) Section 375.243, Local Government Code, does not apply  
6-20 to the district.

6-21 (d) All or any part of any facilities or improvements that  
6-22 may be acquired by a district by the issuance of its bonds may be  
6-23 submitted as a single proposition or as several propositions to be  
6-24 voted on at the election.

6-25 Sec. 3948.202. OPERATION AND MAINTENANCE TAX. (a) If  
6-26 authorized by a majority of the district voters voting at an  
6-27 election held in accordance with Section 3948.201, the district may  
6-28 impose an operation and maintenance tax on taxable property in the  
6-29 district in accordance with Section 49.107, Water Code, for any  
6-30 district purpose, including to:

6-31 (1) maintain and operate the district;

6-32 (2) construct or acquire improvements; or

6-33 (3) provide a service.

6-34 (b) The board shall determine the tax rate. The rate may not  
6-35 exceed the rate approved at the election.

6-36 (c) Section 49.107(h), Water Code, does not apply to the  
6-37 district.

6-38 Sec. 3948.203. CONTRACT TAXES. (a) In accordance with  
6-39 Section 49.108, Water Code, the district may impose a tax other than  
6-40 an operation and maintenance tax and use the revenue derived from  
6-41 the tax to make payments under a contract after the provisions of  
6-42 the contract have been approved by a majority of the district voters  
6-43 voting at an election held for that purpose.

6-44 (b) A contract approved by the district voters may contain a  
6-45 provision stating that the contract may be modified or amended by  
6-46 the board without further voter approval.

6-47 Sec. 3948.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS  
6-48 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms  
6-49 determined by the board. Section 375.205, Local Government Code,  
6-50 does not apply to a loan, line of credit, or other borrowing from a  
6-51 bank or financial institution secured by revenue other than ad  
6-52 valorem taxes.

6-53 (b) The district may issue bonds, notes, or other  
6-54 obligations payable wholly or partly from ad valorem taxes,  
6-55 assessments, impact fees, revenue, contract payments, grants, or  
6-56 other district money, or any combination of those sources of money,  
6-57 to pay for any authorized district purpose.

6-58 Sec. 3948.205. TAXES FOR BONDS. At the time the district  
6-59 issues bonds payable wholly or partly from ad valorem taxes, the  
6-60 board shall provide for the annual imposition of a continuing  
6-61 direct annual ad valorem tax, without limit as to rate or amount,  
6-62 for each year that all or part of the bonds are outstanding as  
6-63 required and in the manner provided by Sections 54.601 and 54.602,  
6-64 Water Code.

6-65 Sec. 3948.206. BONDS FOR ROAD PROJECTS. At the time of  
6-66 issuance, the total principal amount of bonds or other obligations  
6-67 issued or incurred to finance road projects and payable from ad  
6-68 valorem taxes may not exceed one-fourth of the assessed value of the  
6-69 real property in the district.

## SUBCHAPTER F. DEFINED AREAS

Sec. 3948.251. AUTHORITY TO ESTABLISH DEFINED AREAS OR DESIGNATED PROPERTY. The district may define areas or designate certain property of the district to pay for improvements, facilities, or services that primarily benefit that area or property and do not generally and directly benefit the district as a whole.

Sec. 3948.252. PROCEDURE FOR ELECTION. (a) Before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes of the defined area or designated property, the board shall hold an election in the defined area or in the designated property only.

(b) The board may submit the issues to the voters on the same ballot to be used in another election.

Sec. 3948.253. DECLARING RESULT AND ISSUING ORDER. (a) If a majority of the voters voting at the election approve the proposition or propositions, the board shall declare the results and, by order, shall establish the defined area and describe it by metes and bounds or designate the specific property.

(b) A court may not review the board's order except on the ground of fraud, palpable error, or arbitrary and confiscatory abuse of discretion.

Sec. 3948.254. TAXES FOR SERVICES, IMPROVEMENTS, AND FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter approval and adoption of the order described by Section 3948.253, the district may apply separately, differently, equitably, and specifically its taxing power and lien authority to the defined area or designated property to provide money to construct, administer, maintain, and operate services, improvements, and facilities that primarily benefit the defined area or designated property.

Sec. 3948.255. ISSUANCE OF BONDS FOR DEFINED AREA OR DESIGNATED PROPERTY. After the order under Section 3948.253 is adopted, the district may issue bonds to provide for any land, improvements, facilities, plants, equipment, and appliances for the defined area or designated property.

SECTION 2. The River Ranch Improvement District of Liberty County initially includes all territory contained in the following area:

## TRACT ONE

Being 6980.02 acres of land situated in the William Bloodgood Survey, Abstract 3, the William D. Smith Survey, Abstract 106, the H. E. & W. RR. Number 1131 Survey, Abstract 515, the William E. Kierstead Survey, Abstract 693, the George Pace Survey, Abstract 805, the Louis Davis Survey, Abstract 18, the A. P. Blackwell Survey, Abstract 782, the Robert Wiseman Survey, Abstract 392, and the T. & N. O. RR. Survey, Abstract 383, in Liberty County, Texas, and being the residue of that called 7449.781 acres of land as recorded in Liberty County Clerk's File Number 2009008952 and being more particularly described by metes and bounds as follows;

BEGINNING, at a found five eighths inch iron rod, marking the most northwesterly corner of said called 7450.588 acre tract, the southwesterly corner of a called 17.56 acre tract as recorded in Liberty County Clerk's File Number 2006012623 and in the east line of State Highway 146 (width varies). Said BEGINNING point having a Texas State Plane Coordinate System, Central Zone (4203) Value of Y= 9,997,553.25 and X= 4,013,812.92 (GRID);

1. THENCE, North 58 degrees 04 minutes 55 seconds East, along the most northerly line of said called 7450.588 acre tract and the south line of said called 17.56 acre tract, for a distance of 2,611.49 feet (called 2,601.00 feet), to a found one half inch iron rod (disturbed) for an angle point;

2. THENCE, North 87 degrees 23 minutes 42 seconds East, continuing along the northerly line of said called 7450.588 acre tract and the south line of said called 17.56 acre tract, for a distance of 74.68 feet (called 74.54 feet) to a found one half inch iron rod (disturbed) for an interior corner;

3. THENCE, North 02 degrees 41 minutes 57 seconds West, along an interior corner of said called 7450.588 acre tract, for a distance

8-1 of 139.09 feet (called 138.89 feet), to a found one half inch iron  
8-2 rod, marking an exterior corner of said called 7450.58 acre tract;  
8-3 4. THENCE, North 87 degrees 27 minutes 21 seconds East, along an  
8-4 exterior line of said called 7450.588 acre tract, a distance of  
8-5 1038.04 feet to a found two inch iron pipe (disturbed);  
8-6 5. THENCE, North 87 degrees 20 minutes 53 seconds East continuing  
8-7 along an exterior line of said called 7450.588 acre tract a distance  
8-8 of 6578.98 feet to a found two inch iron pipe;  
8-9 6. THENCE, South 02 degrees 39 minutes 21 seconds East continuing  
8-10 along an exterior line of said called 7450.588 acre tract a distance  
8-11 of 139.61 feet to a found two inch iron pipe;  
8-12 7. THENCE, North 87 degrees 16 minutes 21 seconds East continuing  
8-13 along an exterior line of said called 7450.588 acre tract a distance  
8-14 of 7238.81 feet to a found two inch iron pipe in the westerly  
8-15 right-of-way line of Liberty County Road Number 455;  
8-16 8. THENCE, South 15 degrees 26 minutes 45 seconds East along said  
8-17 westerly right-of-way line of Liberty County Road Number 455, a  
8-18 distance of 1458.52 feet to a found two inch iron pipe;  
8-19 9. THENCE, North 86 degrees 22 minutes 33 seconds East a distance  
8-20 of 61.66 feet to a found one half inch iron rod with cap 'BHA'  
8-21 marking the north west corner of a called 2.67 acres as recorded in  
8-22 Liberty County Clerks (LCCFN) 2012007988;  
8-23 10. THENCE, South 15 degrees 08 minutes 32 seconds East along the  
8-24 west line of said called 2.67 acres, a distance of 770.50 feet to an  
8-25 angle point;  
8-26 11. THENCE, South 00 degrees 46 minutes 36 seconds West a distance  
8-27 of 349.09 feet to a found one and one half inch iron pipe marking the  
8-28 northeast corner of a called 4.113 acres LCCFN 20108323;  
8-29 12. THENCE, North 89 degrees 38 minutes 50 seconds West along the  
8-30 northerly line of said a called 4.113 acres, a distance of 631.10  
8-31 feet to a found one half inch iron rod with cap '5068';  
8-32 13. THENCE, South 03 degrees 14 minutes 43 seconds East along the  
8-33 westerly line of said a called 4.113 acres, a distance of 238.21  
8-34 feet to a found one and one half inch iron pipe;  
8-35 14. THENCE, South 77 degrees 57 minutes 13 seconds East along the  
8-36 southerly line of said a called 4.113 acres a distance of 100.90  
8-37 feet to the northerly line of called Possible Conflict Area in LCCFN  
8-38 20078486;  
8-39 15. THENCE, South 87 degrees 10 minutes 33 seconds West along the  
8-40 northerly line of called Possible Conflict Area, a distance of  
8-41 1866.59 feet to a found one and one half inch iron pipe (destroyed);  
8-42 16. THENCE, South 03 degrees 22 minutes 15 seconds East along the  
8-43 westerly line of called Possible Conflict Area, a distance of  
8-44 103.25 feet to a 'Boat Spike in Concrete' marking the fenced  
8-45 northerly of Hilton tract as recorded at LCCFN 20078486;  
8-46 17. THENCE, South 02 degrees 53 minutes 32 seconds East along the  
8-47 said Hilton tract, a distance of 3361.75 feet to a found one and one  
8-48 half inch rod being in the north line of 1454.19 acre tract  
8-49 described in Volume 1307, Page 88 of the Deed Records of Liberty  
8-50 County (DRLC);  
8-51 18. THENCE, South 87 degrees 17 minutes 29 seconds West along the  
8-52 north line of said 1454.19 acre tract a distance of 463.43 feet to a  
8-53 found one and one half inch rod;  
8-54 19. THENCE, South 03 degrees 53 minutes 48 seconds East along the  
8-55 west line of said 1454.19 acre tract, and the west line of that  
8-56 certain called 473.221 acre tract described in Volume 1933, Page  
8-57 384 DRLC, a distance of 11,157.52 feet to found two inch iron pipe  
8-58 marking the southwest corner of said 473.221 acre tract;  
8-59 20. THENCE, North 85 degrees 18 minutes 55 seconds East along the  
8-60 south line of said 473.221 acre tract, a distance of 1570.06 feet to  
8-61 found two and one half inch iron pipe;  
8-62 21. THENCE, North 85 degrees 03 minutes 56 seconds East continuing  
8-63 along said south line of said 473.221 acre tract, a distance of  
8-64 1730.86 feet to a found five eighths inch iron rod in northwesterly  
8-65 right-of-way line of the Coastal Industrial Water Authority Canal;  
8-66 THENCE along and with said Coastal Industrial Water Authority Canal  
8-67 right-of-way, the following six (6) courses:  
8-68 1) THENCE, along a curve to the right 232.37 feet along, said curve  
8-69 having a radius of 727.99 feet said curve having a chord direction



9-1 of South 33 degrees 18 minutes 41 seconds West and a chord length of  
 9-2 231.39 feet;  
 9-3 2) THENCE, South 43 degrees 33 minutes 12 seconds West a distance  
 9-4 of 879.97 feet to a found five eighths inch iron rod;  
 9-5 3) THENCE, South 43 degrees 21 minutes 29 seconds West a distance  
 9-6 of 717.51 feet to a found five eighths inch iron rod;  
 9-7 4) THENCE, South 42 degrees 46 minutes 40 seconds West a distance  
 9-8 of 6748.15 feet to a found five eighths inch iron rod;  
 9-9 5) THENCE, South 68 degrees 32 minutes 55 seconds West a distance  
 9-10 of 388.20 feet to a found five eighths inch iron rod;  
 9-11 6) THENCE, South 01 degrees 29 minutes 02 seconds East a distance  
 9-12 of 117.76 feet to the centerline of Old River;  
 9-13 THENCE along and with said centerline of Old River, same being said  
 9-14 Wiseman Survey westerly line and said Welch Survey easterly line,  
 9-15 the following sixty-five (65) courses:  
 9-16 1) THENCE, South 58 degrees 09 minutes 08 seconds West a distance  
 9-17 of 15.75 feet to an angle point;  
 9-18 2) THENCE, North 64 degrees 44 minutes 18 seconds West a distance  
 9-19 of 91.26 feet to an angle point;  
 9-20 3) THENCE, North 32 degrees 00 minutes 26 seconds West a distance  
 9-21 of 136.24 feet to an angle point;  
 9-22 4) THENCE, South 66 degrees 19 minutes 52 seconds West a distance  
 9-23 of 64.65 feet to an angle point;  
 9-24 5) THENCE, North 43 degrees 26 minutes 23 seconds West a distance  
 9-25 of 46.30 feet to an angle point;  
 9-26 6) THENCE, North 29 degrees 49 minutes 53 seconds West a distance  
 9-27 of 59.08 feet to an angle point;  
 9-28 7) THENCE, North 06 degrees 18 minutes 15 seconds East a distance  
 9-29 of 37.01 feet to an angle point;  
 9-30 8) THENCE, North 23 degrees 39 minutes 11 seconds East a distance  
 9-31 of 52.62 feet to an angle point;  
 9-32 9) THENCE, North 31 degrees 33 minutes 27 seconds East a distance  
 9-33 of 77.59 feet to an angle point;  
 9-34 10) THENCE, North 13 degrees 09 minutes 50 seconds East a distance  
 9-35 of 87.73 feet to an angle point;  
 9-36 11) THENCE, North 20 degrees 07 minutes 22 seconds West a distance  
 9-37 of 11.17 feet to an angle point;  
 9-38 12) THENCE, North 59 degrees 01 minutes 35 seconds West a distance  
 9-39 of 62.45 feet to an angle point;  
 9-40 13) THENCE, North 46 degrees 03 minutes 11 seconds West a distance  
 9-41 of 30.31 feet to an angle point;  
 9-42 14) THENCE, North 14 degrees 26 minutes 18 seconds East a distance  
 9-43 of 104.09 feet to an angle point;  
 9-44 15) THENCE, North 27 degrees 55 minutes 38 seconds West a distance  
 9-45 of 38.19 feet to an angle point;  
 9-46 16) THENCE, North 36 degrees 17 minutes 37 seconds West a distance  
 9-47 of 60.70 feet to an angle point;  
 9-48 17) THENCE, North 35 degrees 26 minutes 18 seconds East a distance  
 9-49 of 23.80 feet to an angle point;  
 9-50 18) THENCE, North 69 degrees 01 minutes 02 seconds East a distance  
 9-51 of 165.04 feet to an angle point;  
 9-52 19) THENCE, North 43 degrees 19 minutes 31 seconds East a distance  
 9-53 of 21.99 feet to an angle point;  
 9-54 20) THENCE, North 16 degrees 10 minutes 24 seconds East a distance  
 9-55 of 46.70 feet to an angle point;  
 9-56 21) THENCE, North 17 degrees 01 minutes 36 seconds West a distance  
 9-57 of 86.60 feet to an angle point;  
 9-58 22) THENCE, North 08 degrees 32 minutes 02 seconds West a distance  
 9-59 of 87.59 feet to an angle point;  
 9-60 23) THENCE, North 10 degrees 49 minutes 06 seconds East a distance  
 9-61 of 19.61 feet to an angle point;  
 9-62 24) THENCE, North 69 degrees 03 minutes 33 seconds East a distance  
 9-63 of 16.49 feet to an angle point;  
 9-64 25) THENCE, South 63 degrees 21 minutes 41 seconds East a distance  
 9-65 of 123.98 feet to an angle point;  
 9-66 26) THENCE, North 84 degrees 00 minutes 08 seconds East a distance  
 9-67 of 46.55 feet to an angle point;  
 9-68 27) THENCE, North 25 degrees 09 minutes 01 seconds East a distance  
 9-69 of 20.14 feet to an angle point;

10-1 28) THENCE, North 15 degrees 23 minutes 39 seconds East a distance  
10-2 of 22.11 feet to an angle point;  
10-3 29) THENCE, North 66 degrees 13 minutes 45 seconds East a distance  
10-4 of 41.01 feet to an angle point;  
10-5 30) THENCE, North 84 degrees 10 minutes 10 seconds East a distance  
10-6 of 43.69 feet to an angle point;  
10-7 31) THENCE, South 68 degrees 10 minutes 57 seconds East a distance  
10-8 of 121.53 feet to an angle point;  
10-9 32) THENCE, North 84 degrees 58 minutes 51 seconds East a distance  
10-10 of 22.29 feet to an angle point;  
10-11 33) THENCE, North 63 degrees 25 minutes 30 seconds East a distance  
10-12 of 23.15 feet to an angle point;  
10-13 34) THENCE, North 07 degrees 58 minutes 23 seconds East a distance  
10-14 of 38.31 feet to an angle point;  
10-15 35) THENCE, North 02 degrees 03 minutes 41 seconds East a distance  
10-16 of 53.18 feet to an angle point;  
10-17 36) THENCE, North 32 degrees 30 minutes 05 seconds East a distance  
10-18 of 130.71 feet to an angle point;  
10-19 37) THENCE, North 47 degrees 36 minutes 35 seconds East a distance  
10-20 of 110.53 feet to an angle point;  
10-21 38) THENCE, North 04 degrees 43 minutes 59 seconds West a distance  
10-22 of 30.78 feet to an angle point;  
10-23 39) THENCE, North 33 degrees 31 minutes 55 seconds West a distance  
10-24 of 26.08 feet to an angle point;  
10-25 40) THENCE, North 39 degrees 08 minutes 01 seconds West a distance  
10-26 of 66.79 feet to an angle point;  
10-27 41) THENCE, North 22 degrees 19 minutes 44 seconds East a distance  
10-28 of 38.56 feet to an angle point;  
10-29 42) THENCE, North 54 degrees 43 minutes 58 seconds East a distance  
10-30 of 38.32 feet to an angle point;  
10-31 43) THENCE, South 65 degrees 09 minutes 17 seconds East a distance  
10-32 of 103.31 feet to an angle point;  
10-33 44) THENCE, North 28 degrees 04 minutes 20 seconds East a distance  
10-34 of 37.48 feet to an angle point;  
10-35 45) THENCE, North 08 degrees 48 minutes 54 seconds East a distance  
10-36 of 114.60 feet to an angle point;  
10-37 46) THENCE, North 21 degrees 43 minutes 04 seconds East a distance  
10-38 of 107.20 feet to an angle point;  
10-39 47) THENCE, North 55 degrees 52 minutes 47 seconds West a distance  
10-40 of 19.09 feet to an angle point;  
10-41 48) THENCE, North 80 degrees 47 minutes 51 seconds West a distance  
10-42 of 84.42 feet to an angle point;  
10-43 49) THENCE, South 70 degrees 45 minutes 49 seconds West a distance  
10-44 of 98.65 feet to an angle point;  
10-45 50) THENCE, North 08 degrees 27 minutes 34 seconds West a distance  
10-46 of 74.91 feet to an angle point;  
10-47 51) THENCE, North 42 degrees 34 minutes 37 seconds West a distance  
10-48 of 55.08 feet to an angle point;  
10-49 52) THENCE, North 03 degrees 20 minutes 32 seconds West a distance  
10-50 of 134.32 feet to an angle point;  
10-51 53) THENCE, North 10 degrees 41 minutes 17 seconds West a distance  
10-52 of 227.57 feet to an angle point;  
10-53 54) THENCE, North 60 degrees 20 minutes 56 seconds East a distance  
10-54 of 77.08 feet to an angle point;  
10-55 55) THENCE, North 44 degrees 11 minutes 48 seconds East a distance  
10-56 of 40.40 feet to an angle point;  
10-57 56) THENCE, North 26 degrees 03 minutes 04 seconds West a distance  
10-58 of 73.67 feet to an angle point;  
10-59 57) THENCE, North 24 degrees 08 minutes 47 seconds East a distance  
10-60 of 73.80 feet to an angle point;  
10-61 58) THENCE, North 36 degrees 57 minutes 07 seconds East a distance  
10-62 of 178.12 feet to an angle point;  
10-63 59) THENCE, North 16 degrees 05 minutes 57 seconds West a distance  
10-64 of 84.97 feet to an angle point;  
10-65 60) THENCE, North 01 degrees 11 minutes 32 seconds East a distance  
10-66 of 125.69 feet to an angle point;  
10-67 61) THENCE, North 83 degrees 06 minutes 00 seconds East a distance  
10-68 of 28.45 feet to an angle point;  
10-69 62) THENCE, North 04 degrees 15 minutes 12 seconds West a distance

11-1 of 338.20 feet to an angle point;  
 11-2 63) THENCE, North 16 degrees 11 minutes 51 seconds West a distance  
 11-3 of 34.92 feet to an angle point;  
 11-4 64) THENCE, North 73 degrees 51 minutes 47 seconds West a distance  
 11-5 of 50.61 feet to an angle point;  
 11-6 65) THENCE, South 87 degrees 32 minutes 41 seconds West a distance  
 11-7 of 68.54 feet to the most southerly corner of that certain called  
 11-8 22.50 acre tract described in Volume 1619, page 569 of the DRLC;  
 11-9 22. THENCE, North 57 degrees 02 minutes 30 seconds East along and  
 11-10 with the southeast line of said 22.50 acre tract, same being the  
 11-11 northwest line of said 77.50 acre tract, a distance of 2451.67 feet  
 11-12 to east corner of said 22.50 acre tract;  
 11-13 23. THENCE, North 32 degrees 57 minutes 30 seconds West along and  
 11-14 with said 22.50 acre tract, a distance of 419.64 feet to a found  
 11-15 five eighths inch iron rod marking the north corner of said 22.50  
 11-16 tract;  
 11-17 24. THENCE, South 57 degrees 03 minutes 57 seconds West a distance  
 11-18 of 5846.98 feet to a found five eighths inch iron rod with cap 'BHA  
 11-19 INC' the southeast corner of a called 68.1917 acre tract recorded at  
 11-20 LCCFN 2012016189;  
 11-21 25. THENCE, North 07 degrees 59 minutes 42 seconds West along the  
 11-22 east line of said called 68.1917 acre tract, a distance of 2943.33  
 11-23 feet to the most northerly corner of said called 68.1917 acre tract;  
 11-24 26. THENCE, South 19 degrees 28 minutes 28 seconds West along the  
 11-25 westerly line of said called 68.1917 acre tract, 4375.56 feet to a  
 11-26 found five eighths inch iron rod with cap 'BHA INC' the original  
 11-27 southerly line of said called 7449.781 acre tract;  
 11-28 27. THENCE, South 57 degrees 03 minutes 46 seconds West along said  
 11-29 original southerly line of said called 7449.781 acre tract a  
 11-30 distance of 751.74 feet to a found five eighths inch iron rod with  
 11-31 cap 'BHA INC' the southeast corner of a called 326.1099 acre tract  
 11-32 recorded at LCCFN 2012016189;  
 11-33 28. THENCE, North 19 degrees 32 minutes 27 seconds East along the  
 11-34 easterly line of said called 326.1099 acre tract, a distance of  
 11-35 5769.72 feet to a found five eighths inch iron rod with cap 'BHA INC'  
 11-36 the most northeasterly corner of said called 326.1099 acre tract;  
 11-37 29. THENCE, South 56 degrees 18 minutes 04 seconds West along the  
 11-38 northerly line of said called 326.1099 acre tract, a distance of  
 11-39 620.59 feet to a found five eighths inch iron rod with cap 'BHA INC';  
 11-40 30. THENCE, South 57 degrees 47 minutes 30 seconds West continuing  
 11-41 along the northerly line of said called 326.1099 acre tract, a  
 11-42 distance of 877.17 feet to a found five eighths inch iron rod with  
 11-43 cap 'BHA INC';  
 11-44 31. THENCE, South 58 degrees 39 minutes 47 seconds West continuing  
 11-45 along the northerly line of said called 326.1099 acre tract, a  
 11-46 distance of 161.98 feet to a found five eighths inch iron rod with  
 11-47 cap 'BHA INC';  
 11-48 32. THENCE, South 68 degrees 31 minutes 35 seconds West continuing  
 11-49 along the northerly line of said called 326.1099 acre tract, a  
 11-50 distance of 151.08 feet to a found five eighths inch iron rod with  
 11-51 cap 'BHA INC';  
 11-52 33. THENCE, South 59 degrees 23 minutes 14 seconds West continuing  
 11-53 along the northerly line of said called 326.1099 acre tract, a  
 11-54 distance of 156.34 feet to a found five eighths inch iron rod with  
 11-55 cap 'BHA INC';  
 11-56 34. THENCE, South 56 degrees 31 minutes 46 seconds West continuing  
 11-57 along the northerly line of said called 326.1099 acre tract, a  
 11-58 distance of 661.76 feet to a found five eighths inch iron rod with  
 11-59 cap 'BHA INC';  
 11-60 35. THENCE, South 57 degrees 20 minutes 26 seconds West continuing  
 11-61 along the northerly line of said called 326.1099 acre tract, a  
 11-62 distance of 811.33 feet to a found five eighths inch iron rod with  
 11-63 cap 'BHA INC';  
 11-64 36. THENCE, South 57 degrees 06 minutes 17 seconds West continuing  
 11-65 along the northerly line of said called 326.1099 acre tract, a  
 11-66 distance of 1865.29 feet to a found five eighths inch iron rod with  
 11-67 cap 'BHA INC' the most westerly northwest corner of said called  
 11-68 326.1099 acre tract;  
 11-69 37. THENCE, South 56 degrees 57 minutes 24 seconds West a distance

12-1 of 1137.99 feet a found one half inch iron rod for the most westerly  
12-2 northwest corner of said called 326.1099 acre tract;  
12-3 38. THENCE, South 33 degrees 26 minutes 26 seconds East a distance  
12-4 of 448.39 feet to a found five eighths inch iron rod with cap 'BHA  
12-5 INC';  
12-6 39. THENCE, South 56 degrees 53 minutes 12 seconds West a distance  
12-7 of 1150.30 feet to a found five eighths inch iron rod with cap 'BHA  
12-8 INC' in east right-of-way line of State Highway Number 146;  
12-9 THENCE, along and with said east right-of-way line of State Highway  
12-10 Number 146, the following nine (9) courses:  
12-11 1) THENCE, North 11 degrees 11 minutes 04 seconds West a distance  
12-12 of 10062.63 feet to a TXDoT type 11 monument for the point of  
12-13 curvature of a curve to the right;  
12-14 2) THENCE, an arc distance of 1298.55 feet along a curve to the  
12-15 right, said curve having a radius of 22803.27 feet and a chord  
12-16 direction and distance of North 09 degrees 32 minutes 08 seconds  
12-17 West 1298.37 feet to a TXDoT type 11 monument (disturbed);  
12-18 3) THENCE, North 07 degrees 55 minutes 26 seconds West a distance  
12-19 of 2291.62 feet to a TXDoT type 11 monument for the point of  
12-20 curvature of a curve to the left;  
12-21 4) THENCE, an arc distance of along a curve to the left 537.71 feet  
12-22 along a curve to the left, said curve having a radius of 10845.00  
12-23 feet said and a chord direction and distance of North 09 degrees 30  
12-24 minutes 54 seconds West 537.66 feet;  
12-25 5) THENCE, North 08 degrees 17 minutes 04 seconds West a distance  
12-26 of 284.82 feet to a TXDoT type 11 monument for the point of  
12-27 curvature of a curve to the left;  
12-28 6) THENCE, an arc distance of along a curve to the left 119.30 feet  
12-29 along a curve to the left, said curve having a radius of 4399.00  
12-30 feet said and a chord direction and distance of North 09 degrees 56  
12-31 minutes 28 seconds West and a chord length of 119.29 feet to a TXDoT  
12-32 type 11 monument;  
12-33 7) THENCE, North 10 degrees 04 minutes 16 seconds West a distance  
12-34 of 376.86 feet to an angle point to a TXDoT type 11 monument;  
12-35 8) THENCE, South 82 degrees 05 minutes 03 seconds West a distance  
12-36 of 18.68 feet to an angle point;  
12-37 9) THENCE, North 07 degrees 54 minutes 46 seconds West, a distance  
12-38 of 5746.34 feet to a set five eighths inch iron rod with cap stamped  
12-39 "CCI", being the beginning of a curve to the right;  
12-40 10) THENCE, an arc distance of 361.93 feet along said curve to the  
12-41 right, said curve having a radius of 7630.00 feet and a chord  
12-42 direction and distance of North 06 degrees 33 minutes 13 seconds  
12-43 West 361.90 feet, to the POINT OF BEGINNING;  
12-44 Bearings shown hereon are based on the Texas State Plane Coordinate  
12-45 System, South Central Zone 4204, NAD 83.  
12-46 SECTION 3. (a) The legal notice of the intention to  
12-47 introduce this Act, setting forth the general substance of this  
12-48 Act, has been published as provided by law, and the notice and a  
12-49 copy of this Act have been furnished to all persons, agencies,  
12-50 officials, or entities to which they are required to be furnished  
12-51 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
12-52 Government Code.  
12-53 (b) The governor, one of the required recipients, has  
12-54 submitted the notice and Act to the Texas Commission on  
12-55 Environmental Quality.  
12-56 (c) The Texas Commission on Environmental Quality has filed  
12-57 its recommendations relating to this Act with the governor,  
12-58 lieutenant governor, and speaker of the house of representatives  
12-59 within the required time.  
12-60 (d) The general law relating to consent by political  
12-61 subdivisions to the creation of districts with conservation,  
12-62 reclamation, and road powers and the inclusion of land in those  
12-63 districts has been complied with.  
12-64 (e) All requirements of the constitution and laws of this  
12-65 state and the rules and procedures of the legislature with respect  
12-66 to the notice, introduction, and passage of this Act have been  
12-67 fulfilled and accomplished.  
12-68 SECTION 4. This Act takes effect immediately if it receives  
12-69 a vote of two-thirds of all the members elected to each house, as

13-1 provided by Section 39, Article III, Texas Constitution. If this  
13-2 Act does not receive the vote necessary for immediate effect, this  
13-3 Act takes effect September 1, 2017.

13-4

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