

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 1, 2019

The Honorable Dan Patrick  
Lieutenant Governor of Texas  
Capitol Station  
PO Box 12068  
Austin, Texas 78711

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

Senate Bill (SB) 1038, as Filed by Senator Larry Taylor - Relating to the creation of the Brazoria-Fort Bend Counties Municipal Utility District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Dear Governor Patrick:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

Sincerely,

A handwritten signature in cursive script that reads "Cari-Michel La Caille".

Cari-Michel La Caille, Director  
Water Supply Division

cc: Honorable Eddie Lucio, Jr., Chairman, Senate Intergovernmental Relations Committee  
Senator Larry Taylor, Texas Senate

Enclosure

**SB 1038, as Filed by Senator Larry Taylor**  
**Texas Commission on Environmental Quality's Comments**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

This bill creates Brazoria-Fort Bend Counties Municipal Utility District No. 3 (District) with the powers and duties of a standard municipal utility district under Water Code Chapters 49 and 54.

**Comments on Powers/Duties Different from Similar Types of Districts:**

The District must receive consent to the creation of the District from each municipality in whose corporate limits or extraterritorial jurisdiction the District is located prior to holding a confirmation election; the bill requires the TCEQ to appoint the five initial temporary directors upon receipt of a petition from the owners of a majority of the assessed value of the real property in the district; the bill grants the District authority for road projects; the bill specifies that at the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of real property in the District; if the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

**Overlapping Services:** TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

**TCEQ's Supervision:** As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

LETTER OF TRANSMITTAL  
TEXAS SENATE  
STATE OF TEXAS

SB 1038

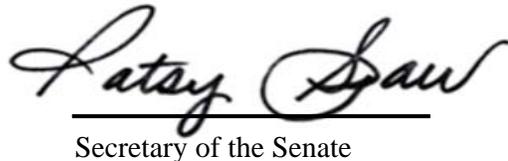
Bill Number

TO: The Honorable Governor of Texas  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

2/25/2019

Date transmitted to  
Governor's Office



Secretary of the Senate

TO: Texas Commission on Environmental Quality  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

March 6, 2019

Date transmitted to  
Texas Commission on Environmental Quality



Governor

TO: The Honorable President of the Senate  
The Honorable Speaker of the House of Representatives  
The Honorable Governor of Texas  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.

Texas Commission on Environmental Quality

By: Taylor

S.B. No. 1038

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of the Brazoria-Fort Bend Counties  
3 Municipal Utility District No. 3; granting a limited power of  
4 eminent domain; providing authority to issue bonds; providing  
5 authority to impose assessments, fees, and taxes.

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

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
8 Code, is amended by adding Chapter 8075 to read as follows:

9 CHAPTER 8075. BRAZORIA-FORT BEND COUNTIES MUNICIPAL UTILITY

10 DISTRICT NO. 3

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 8075.0101. DEFINITIONS. In this chapter:

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

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

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

17 (4) "District" means the Brazoria-Fort Bend Counties  
18 Municipal Utility District No. 3.

19 Sec. 8075.0102. NATURE OF DISTRICT. The district is a  
20 municipal utility district created under Section 59, Article XVI,  
21 Texas Constitution.

22 Sec. 8075.0103. CONFIRMATION AND DIRECTOR ELECTION  
23 REQUIRED. The temporary directors shall hold an election to  
24 confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 8075.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
3 temporary directors may not hold an election under Section  
4 8075.0103 until each municipality in whose corporate limits or  
5 extraterritorial jurisdiction the district is located has  
6 consented by ordinance or resolution to the creation of the  
7 district and to the inclusion of land in the district.

8 Sec. 8075.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

9 (a) The district is created to serve a public purpose and benefit.

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

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

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

17 Sec. 8075.0106. INITIAL DISTRICT TERRITORY. (a) The  
18 district is initially composed of the territory described by  
19 Section 2 of the Act enacting this chapter.

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

24 (1) organization, existence, or validity;

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

1           (3) right to impose a tax; or

2           (4) legality or operation.

3                   SUBCHAPTER B. BOARD OF DIRECTORS

4           Sec. 8075.0201. GOVERNING BODY; TERMS. (a) The district is  
5 governed by a board of five elected directors.

6           (b) Except as provided by Section 8075.0202, directors  
7 serve staggered four-year terms.

8           Sec. 8075.0202. TEMPORARY DIRECTORS. (a) On or after  
9 September 1, 2019, the owner or owners of a majority of the assessed  
10 value of the real property in the district may submit a petition to  
11 the commission requesting that the commission appoint as temporary  
12 directors the five persons named in the petition. The commission  
13 shall appoint as temporary directors the five persons named in the  
14 petition.

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

16                   (1) the date permanent directors are elected under  
17 Section 8075.0103; or

18                   (2) September 1, 2023.

19           (c) If permanent directors have not been elected under  
20 Section 8075.0103 and the terms of the temporary directors have  
21 expired, successor temporary directors shall be appointed or  
22 reappointed as provided by Subsection (d) to serve terms that  
23 expire on the earlier of:

24                   (1) the date permanent directors are elected under  
25 Section 8075.0103; or

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

1       (d) If Subsection (c) applies, the owner or owners of a  
2 majority of the assessed value of the real property in the district  
3 may submit a petition to the commission requesting that the  
4 commission appoint as successor temporary directors the five  
5 persons named in the petition. The commission shall appoint as  
6 successor temporary directors the five persons named in the  
7 petition.

8                   SUBCHAPTER C. POWERS AND DUTIES

9       Sec. 8075.0301. GENERAL POWERS AND DUTIES. The district  
10 has the powers and duties necessary to accomplish the purposes for  
11 which the district is created.

12       Sec. 8075.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
13 DUTIES. The district has the powers and duties provided by the  
14 general law of this state, including Chapters 49 and 54, Water Code,  
15 applicable to municipal utility districts created under Section 59,  
16 Article XVI, Texas Constitution.

17       Sec. 8075.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
18 52, Article III, Texas Constitution, the district may design,  
19 acquire, construct, finance, issue bonds for, improve, operate,  
20 maintain, and convey to this state, a county, or a municipality for  
21 operation and maintenance macadamized, graveled, or paved roads, or  
22 improvements, including storm drainage, in aid of those roads.

23       Sec. 8075.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
24 road project must meet all applicable construction standards,  
25 zoning and subdivision requirements, and regulations of each  
26 municipality in whose corporate limits or extraterritorial  
27 jurisdiction the road project is located.

1       (b) If a road project is not located in the corporate limits  
2 or extraterritorial jurisdiction of a municipality, the road  
3 project must meet all applicable construction standards,  
4 subdivision requirements, and regulations of each county in which  
5 the road project is located.

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

9       Sec. 8075.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
10 ORDINANCE OR RESOLUTION. The district shall comply with all  
11 applicable requirements of any ordinance or resolution that is  
12 adopted under Section 54.016 or 54.0165, Water Code, and that  
13 consents to the creation of the district or to the inclusion of land  
14 in the district.

15               SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16       Sec. 8075.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
17 The district may issue, without an election, bonds and other  
18 obligations secured by:

- 19               (1) revenue other than ad valorem taxes; or  
20               (2) contract payments described by Section 8075.0403.

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

25       (c) The district may not issue bonds payable from ad valorem  
26 taxes to finance a road project unless the issuance is approved by a  
27 vote of a two-thirds majority of the district voters voting at an

1 election held for that purpose.

2 Sec. 8075.0402. OPERATION AND MAINTENANCE TAX. (a) If  
3 authorized at an election held under Section 8075.0401, the  
4 district may impose an operation and maintenance tax on taxable  
5 property in the district in accordance with Section 49.107, Water  
6 Code.

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

9 Sec. 8075.0403. CONTRACT TAXES. (a) In accordance with  
10 Section 49.108, Water Code, the district may impose a tax other than  
11 an operation and maintenance tax and use the revenue derived from  
12 the tax to make payments under a contract after the provisions of  
13 the contract have been approved by a majority of the district voters  
14 voting at an election held for that purpose.

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

18 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

19 Sec. 8075.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
20 OBLIGATIONS. The district may issue bonds or other obligations  
21 payable wholly or partly from ad valorem taxes, impact fees,  
22 revenue, contract payments, grants, or other district money, or any  
23 combination of those sources, to pay for any authorized district  
24 purpose.

25 Sec. 8075.0502. TAXES FOR BONDS. At the time the district  
26 issues bonds payable wholly or partly from ad valorem taxes, the  
27 board shall provide for the annual imposition of a continuing

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

4 Sec. 8075.0503. BONDS FOR ROAD PROJECTS. At the time of  
5 issuance, the total principal amount of bonds or other obligations  
6 issued or incurred to finance road projects and payable from ad  
7 valorem taxes may not exceed one-fourth of the assessed value of the  
8 real property in the district.

9 SECTION 2. The Brazoria-Fort Bend Counties Municipal  
10 Utility District No. 3 initially includes all the territory  
11 contained in the following area:

12 Being a tract containing 362.666 acres of land,  
13 located in the William Hall Survey, Abstract 31, in  
14 Fort Bend County, Texas and Abstract 713 in Brazoria  
15 County, Texas; Said 362.666 acre tract being a call  
16 363.942 acre tract recorded in the name of  
17 J.H.Caldwell, et al in Volume 796, Page 565 of the  
18 Official Records of Fort Bend County (O.R.F.B.C.) and  
19 being Lots 1, 2, 3, 4, 7, 11, 12 and a portion of Lot 6,  
20 T.W. & J.H.B. House Subdivision, a subdivision  
21 recorded in Volume 7, Page 301 of the Fort Bend County  
22 Deed Records (F.B.C.D.R.); Said 362.666 acre tract  
23 being more particularly described by metes and bounds  
24 as follows (bearings being based on the Texas  
25 Coordinate System, South Central Zone, NAD 83, as  
26 derived from GPS Observations):

27 Beginning at a 2-inch iron pipe found at the

1 northeasterly corner of a call 1.284 acre tract  
2 recorded in the name of Fort Bend County Municipal  
3 Utility District Number 141 in File Number 2018043550  
4 of the O.R.F.B.C., the southeasterly corner of a call  
5 48.6 acre tract recorded in the name of Emma Ruth Bly  
6 in File Number 2004149678 of the O.R.F.B.C., the  
7 southerly southwest corner of a call 484.4229 acre  
8 tract recorded in the name of Hannover Estates, LTD. in  
9 File Number 2002140473 of the O.R.F.B.C. and being the  
10 southeasterly corner of the David Fitzgerald League,  
11 Abstract 25, the southwesterly corner of the I.&G.N.  
12 R.R. Co. Survey, Abstract 352 and being on the  
13 northerly line of the William Hall Survey, Abstract  
14 31, from which a 3/4-inch iron rod found at the  
15 northeasterly corner of Reserve "A", Fort Bend ISD  
16 Ferndell Henry Center for Learning, a subdivision  
17 recorded in Plat Number 20110173 of the Fort Bend  
18 County Plat Records (F.B.C.P.R.), bears South 86  
19 degrees 55 minutes 29 seconds West, a distance of  
20 175.06 feet;

21 Thence, with the northerly line of said William Hall  
22 Survey and with the southerly line of aforesaid  
23 484.4229 acre tract and a call 17.478 acre tract  
24 recorded in the name of JNC Development, Inc. in File  
25 Number 2017115756 of the O.R.F.B.C., North 86 degrees  
26 55 minutes 29 seconds East, at a distance of  
27 1755.20 pass a found 5/8-inch iron rod with "Miller"

1 cap, at a distance of 2340.21 feet pass a found  
2 5/8-inch iron rod with "Miller" cap, at a distance of  
3 3151.64 feet pass a found 5/8-inch iron rod with  
4 "Miller" cap, at a distance of 3753.58 feet pass a  
5 found 5/8-inch iron rod with "Miller" cap, at a  
6 distance of 4801.72 feet pass the Fort Bend/Brazoria  
7 County line, in all, a distance of 5137.14 feet to a  
8 5/8-inch iron rod set at the northeast corner of  
9 aforesaid William Hall Survey, the southeasterly  
10 corner of aforesaid 484.4229 acre tract and being the  
11 northeasterly corner of aforesaid Lot 1;

12 Thence, with the easterly line of said William Hall  
13 Survey, South 03 degrees 04 minutes 56 seconds East, a  
14 distance of 1591.83 feet to a 2-inch PVC stand pipe  
15 found at the southeasterly corner of aforesaid Lot 1  
16 and the northeasterly corner of Lot 9, aforesaid T.W. &  
17 J.H.B. House Subdivision;

18 Thence, with the southerly line of aforesaid Lots 1 and  
19 2, South 86 degrees 55 minutes 29 seconds West, at a  
20 distance of 775.90 feet pass the aforesaid Fort  
21 Bend/Brazoria County line, in all, a distance of  
22 2735.60 feet to a 2-inch PVC stand pipe found at the  
23 common corner of aforesaid Lots 2, 3, 7 and Lot 8,  
24 aforesaid T.W. & J.H.B. House Subdivision;

25 Thence, with the easterly line of said Lot 7, South 03  
26 degrees 04 minutes 56 seconds East, a distance of  
27 1591.23 feet to a 2-inch PVC stand pipe found at the

1 common corner of aforesaid Lots 7, 8, 11 and 12;  
2 Thence, with the common line between Lots 8 and 11,  
3 North 86 degrees 55 minutes 29 seconds East, a distance  
4 of 1367.28 feet to a 2-inch PVC stand pipe found at the  
5 common corner of aforesaid Lots 8, 9, 11 and Lot 10,  
6 aforesaid T.W. & J.H.B. House Subdivision;  
7 Thence, with the common line between aforesaid Lots 10  
8 and 11, South 03 degrees 04 minutes 56 seconds East, a  
9 distance of 1592.64 feet to a 3/4-inch iron pipe found  
10 at the common corner of aforesaid Lots 10 and 11 and  
11 Lots 20 and 21, aforesaid T.W. & J.H.B. House  
12 Subdivision;  
13 Thence, with the southerly line of aforesaid Lot 11,  
14 South 86 degrees 55 minutes 29 seconds West, a distance  
15 of 1367.22 feet to a 5/8-inch iron rod set at the  
16 common corner of aforesaid Lots 11, 12, 20 and Lot 19,  
17 aforesaid T.W. & J.H.B. House Subdivision and being  
18 the easterly northeast corner of a call 91.100 acre  
19 tract recorded in the name of Forestar (USA) Real  
20 Estate Group, Inc. in File Number 2017121652 of the  
21 O.R.F.B.C.;  
22 Thence, with the northerly and easterly lines of said  
23 91.100 acre tract, the following four (4) courses:  
24 1) South 86 degrees 42 minutes 23 seconds West, at a  
25 distance of 29.30 feet pass a found 1/2-inch iron rod,  
26 in all, a distance of 1368.62 feet to a found 5/8-inch  
27 iron rod;

1           2) North 03 degrees 03 minutes 31 seconds West, a  
2 distance of 1594.92 feet to a found 5/8-inch iron rod;

3           3) South 86 degrees 57 minutes 25 seconds West, a  
4 distance of 675.85 feet to a 5/8-inch iron rod set;

5           4) South 86 degrees 48 minutes 40 seconds West, a  
6 distance of 3.88 feet to a 5/8-inch iron rod found at  
7 the southeasterly corner of a call 162.2524 acre tract  
8 recorded in the name of Hannover Estates, LTD. in File  
9 Number 2004018462 of the O.R.F.B.C.;

10          Thence, with the easterly lines of said 162.2524 acre  
11 tract, the following three (3) courses:

12          1) North 03 degrees 04 minutes 56 seconds West, a  
13 distance of 1593.59 feet to a 5/8-inch iron rod set;

14          2) South 86 degrees 57 minutes 10 seconds West, a  
15 distance of 353.80 feet to a 5/8-inch iron with cap  
16 found;

17          3) North 03 degrees 05 minutes 12 seconds West, at a  
18 distance of 1272.29 feet pass the southeasterly corner  
19 of aforesaid 1.284 acre tract, in all, a distance of  
20 1591.86 feet to the POINT OF BEGINNING and containing  
21 362.666 acres of land.

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

1 Government Code.

2 (b) The governor, one of the required recipients, has  
3 submitted the notice and Act to the Texas Commission on  
4 Environmental Quality.

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

9 (d) All requirements of the constitution and laws of this  
10 state and the rules and procedures of the legislature with respect  
11 to the notice, introduction, and passage of this Act are fulfilled  
12 and accomplished.

13 SECTION 4. (a) If this Act does not receive a two-thirds  
14 vote of all the members elected to each house, Subchapter C, Chapter  
15 8075, Special District Local Laws Code, as added by Section 1 of  
16 this Act, is amended by adding Section 8075.0306 to read as follows:

17 Sec. 8075.0306. NO EMINENT DOMAIN POWER. The district may  
18 not exercise the power of eminent domain.

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

22 SECTION 5. This Act takes effect September 1, 2019.

12/20

Coats Rose  
Brazoria - FBE mud 3

### PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS §  
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of *Fort Bend Herald* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published; and
4. it has been published regularly and continuously since 1959.
5. it is generally circulated within Fort Bend County.

(CLIPPING) (S)

**NOTICE OF INTENT TO INTRODUCE A BILL**

Pursuant to the Constitution and laws of the State of Texas, notice is hereby given of the intention to apply to the 86th Legislature of the State of Texas at its regular session in Austin, Texas for the introduction of a bill, the substance of the contemplated law being as follows: An act relating to the creation of the Brazoria-Fort Bend Counties Municipal Utility District No. 3, providing authority to impose a tax and issue bonds, granting a limited power of eminent domain.

The Act proposes to create a conservation and reclamation district to be known as Brazoria-Fort Bend Counties Municipal Utility District No. 3, being approximately 362 acres in Brazoria and Fort Bend Counties, Texas, more particularly described as follows: Located as one contiguous tract straddling the Brazoria-Fort Bend County line, adjacent to and east of FM 521, North of Brazoria County Road 57, South of Texas Highway 8, and West of Alley Road.

The District's creation is subject to approval at a confirmation election.

All interested persons will, therefore, take notice of the matters and facts set out in the foregoing statement of the substance of the contemplated laws as required by the Constitution and laws of the State of Texas.

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:  
12/20

\_\_\_\_\_, A.D. 2018



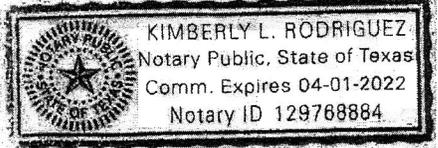
Lee Hartman  
Publisher

SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

- a) is personally known to me, or
- b) provided the following evidence to establish his/her identity, \_\_\_\_\_

on this the 21 day of December, A.D. 2018 to certify which witness my hand and seal of office.

  
Notary Public, State of Texas



AFFP  
NOTICE OF INTENT TO INTRODUCE A

**Affidavit of Publication**

STATE OF TEXAS }  
COUNTY OF BRAZORIA } SS

NOTICE OF INTENT TO  
INTRODUCE A BILL

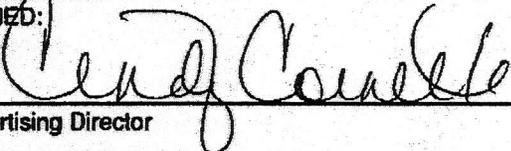
Cindy Comette, being duly sworn, says:

That she is Advertising Director of the The Facts, a daily newspaper of general circulation, printed and published in Clute, Brazoria County, Texas; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

December 24, 2018

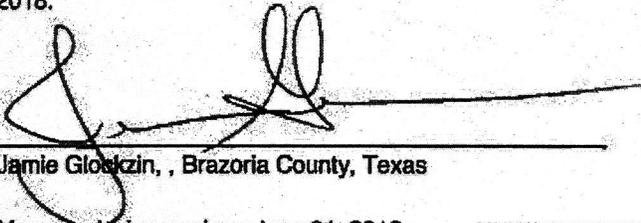
That said newspaper was regularly issued and circulated on those dates.

SIGNED:



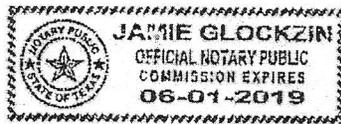
Advertising Director

Subscribed to and sworn to me this 24th day of December 2018.



Jamie Glockzin, , Brazoria County, Texas

My commission expires: June 01, 2019



00008226 00089268

Coats I Rose  
Barton Oaks Plaza 901 S. MoPac Expy Bldg1, Ste 500  
AUSTIN, TX 78746

Pursuant to the Constitution and laws of the State of Texas, notice is hereby given of the intention to apply to the 86th Legislature of the State of Texas at its regular session in Austin, Texas for the Introduction of a bill, the substance of the contemplated law being as follows:

An act relating to the creation of the Brazoria-Fort Bend Counties Municipal Utility District No. 3; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

The Act proposes to create a conservation and reclamation district to be known as Brazoria-Fort Bend Counties Municipal Utility District No. 3, being approximately 362 acres in Brazoria and Fort Bend Counties, Texas, more particularly described as follows:

Located as one contiguous tract straddling the Brazoria/Fort Bend County line; adjacent to and east of FM 521; North of Brazoria County Road 57; South of Texas Highway 6; and West of Alloy Road.

The District's creation is subject to approval at a confirmation election.

All interested persons will, therefore, take notice of the matters and facts set out in the foregoing statement of the substance of the contemplated laws as required by the Constitution and laws of the State of Texas.

**Parks**

CONTINUED FROM COVER

On the way, if we had to cross a grass-bur patch, we just ran fast because the bottoms of our feet were so tough from going barefoot all the time, they squashed the stickers.

Now the adults of that day and time had a few things they provided to keep their little boys healthy and happy. Close by was an acre vegetable garden filled with vine-ripened tomatoes, red new potatoes, watermelons and just about any other edible plant that would please your taste buds, including two rows of sweet blackberries.

Out back, just behind the smokehouse, was a chicken- and turkey-raising house, and further down the hill were pens for hogs and milking cows. In those rare times, when fresh meat wasn't available, Pa would gather us boys up for a day of hooking giant creek perch out of his dugout stock pond, or a trip to Boggy Creek, where huge yellow catfish lived.

All of these necessities had to be washed with a clean water supply. Rain that fell on the house's large tin roof was diverted with a gutter system into a monster cistern next to the house.

Pesticides and commercial fertilizer were not used on the crops, nor any preservatives in the meat supply. Also, there

was not a drop of chlorine in the water. Everything was either consumed, canned or cured with salt, leaving very little waste or garbage as it's known today.

Waste water was dumped around Ma Gittie's flowers, scraps from the table fed the dogs and cats, soured milk and old produce and meats were used to slop the hogs. Also, every page out of the outdated Sears Roebuck Catalog was put to good use. When you needed to talk to someone on the telephone, it was just a matter of picking up the receiver off the phone on the wall and giving the crank a few turns.

The operator would answer quickly and connect you directly to a human being without going through a long menu.

The point to all this back in the days of good time living, is that it was a self-sustaining simple way of life, which I would argue would be hard to duplicate in today's world.

Let's move on a little further in time to junior high years. When I lived in old town Velasco, on the Brazos River bank, I could walk two blocks to school and not be afraid of some nut coming in and shooting up the place.

We also could take our fishing poles across the river levee all by ourselves for a skillet full of fresh fish. Sometimes our parents would let us walk two miles to a midnight movie at the Showboat Theatre in

Freeport without being afraid that some dude in a mask and hoodie would abduct us.

These were all simple, safe good times for young folks back in the day.

Teenage years were filled with things to remember, but gone forever like pickups with cabs large enough to seat four across and still have room for a three-shotgun rack behind the seat.

Furthermore, all the cars of that time could be gotten in and out of without touching your chin to your knees. Best of all was the fishing. I could drop a hook in any of our canals, cuts and bays and get ready for a line-stretching experience. However, the New Brazos River was the big dog in the hunt.

Tarpon by the thousands rolling slowly along, just waiting to gobble up my bait and jumping 10 feet in the air absolutely made my day. A sight that some expert on a computer might re-create, but is gone in the wild forever.

So there you have it, life in the '40s and '50s, which I think any later generation would be hard-pressed to duplicate. There is no question in my mind that I was truly blessed to have lived in the good old days.

Larry Parks of Lake Jackson is author of "Dancing with the Waves," a collection of stories and people gathered from a lifetime of fishing, which is available for purchase at The Facts office.

**Andrews**

CONTINUED FROM COVER

and that is why he has adapted to position as well as he has.

"It takes a lot of patience and determination as far as playing that position because you go through a lot of adversity as far as how the game goes," Andrews said. "You basically control the game. The better you control the game, it gives your team a better chance to win."

Andrews will always be a shooter, but learning and transitioning to point guard has allowed him to improve other areas of his game.

"Early on, I had a natural thing for shooting," Andrews said. "Over time I developed my dribbling skills and being more of a ball handler. Just took a lot of practice and a lot of actual playing and doing all that to develop those skills."

As one of only two returners from last year's team, Andrews has also had to step into a leadership role this season.

"We've only got two returners from last year," Olivier said. "They have to be our leading scorers and they have to be our leaders every night. That is what we tell them all the time. Tyler does a good job leading most of the time. It is a different role for him from last year. It is a lot on a kid's shoulders who hasn't been in that position before."

The Bucs are 9-8 overall and off to an 0-2 start in district play, but Andrews remains optimistic about the remainder of the season.

"I feel like the season is going OK," Andrews said. "I feel like we can do a lot better than we have been doing. We have gone through a couple of bumps in the road but I think it is going to turn out to be a good season for us."

"I definitely do feel good about it. We have a good chance make the playoffs and I think we will finish out the season strong."

If the Bucs are going to have success after the holiday break this week, Andrews is going to have to be a big part of it.

"Obviously we are in one of the toughest districts in the state of Texas," Olivier said. "It's rough on him. He doesn't get a lot of calls and I think it is because people see him and he is very strong. I know he is small, but he is strong and he goes in there and gets beat up. But he still pushes it."

"He still continues to try and do what he can, even when he's not getting calls. It has been rough on him. I know he has been pretty frustrated about it, but he continues to do what we ask him to do, which is to be our guy. I think he is average 13 or 14 points a game right now."

With Andrews' heart, determination and leadership, the Bucs could be a team to beat once district play heats back up.

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**NOTICE TO CREDITORS**

Notice is hereby given that original Letters of Testamentary for the Estate of Earlene Loe Burge, Deceased, were issued on December 3, 2018, in Cause No. PR-39016, pending in the Probate Court No. Two (2), Brazoria County, Texas, to: Michael Olson.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: HAMMOCK LAW FIRM, PLLC  
1002 Gemini, Suite 100  
HOUSTON, TX 77068

DATED the 20th day of December, 2018.

*In/R. Talmadge Hammock*  
State Bar No. 00793889  
Kristin F. Munkitick  
State Bar No. 24090740  
HAMMOCK LAW FIRM, PLLC  
1002 Gemini, Suite 100  
HOUSTON, TX 77068  
Telephone: (281) 987-4128  
Facsimile: (281) 978-3773  
Attorneys for Michael Olson

**NOTICE TO ALL PERSONS HAVING CLAIMS AGAINST THE ESTATE OF WILLIAM A. ROLLWAGE, DECEASED**

Notice is hereby given that original Letters Testamentary for the Estate of William A. Rollwage, Deceased, were issued on December 4, 2018, under Cause No. PR39078, pending in the County Court at Law No. 2 and Probate Court of Brazoria County, Texas, to Laura M. Rollwage. Claims may be presented in care of the attorney for the estate, addressed as follows:

Laura M. Rollwage,  
Independent Executor,  
Estate of William A. Rollwage,  
Deceased  
c/o: Jason M. Cordoba, Attorney  
Cordoba Law Firm, P.L.L.C.  
85 Oak Drive, Suite 102  
Lake Jackson, Texas 77566

All persons having claims against this estate, which is currently being administered, are required to present them within the time and in the manner prescribed by law.

DATED the 17th day of December, 2018.

**CORDOBA LAW FIRM, P.L.L.C.**

By: *Jason M. Cordoba*  
JASON M. CORDOBA  
Texas Bar No. 24057811  
Email: jason@cordobalaw.com  
R. P. MATTHEW ALLEN  
Texas Bar No. 24092027  
Email: matt@cordobalaw.com  
CALEB D. VILLARREAL  
Texas Bar No. 24103977  
Email: caleb@cordobalaw.com  
85 Oak Drive, Suite 102  
Lake Jackson, Texas 77566  
Telephone: (979) 297-2854  
Facsimile: (979) 299-6440  
Attorneys for Independent Executor,  
Laura M. Rollwage

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**NOTICE TO CREDITORS**

Notice is hereby given that original Letters Testamentary for the Estate of Dann Wheelock, Deceased, were issued on December 19, 2018, in Cause No. PR39106, pending in the County Court at Law No. 4, Brazoria County, Texas, to: Karan S. Wheelock.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: Karan S. Wheelock  
2228 N. Grand Blvd.  
Pearland, Texas 77581

DATED the 19th day of December, 2018.

*In/Christine M. Rodriguez*  
Christine M. Rodriguez  
Attorney for Karan S. Wheelock  
State Bar No.: 24025803  
7924 Broadway, Suite 108  
Pearland, Texas 77581  
Telephone: (281) 741-3690  
Facsimile: (281) 741-3473  
E-mail: cm@cmrodzlaw.com

**CITATION BY PUBLICATION**

THE STATE OF TEXAS  
TO THE HEIRS AND UNKNOWN HEIRS  
OF ROBERT S. FRITCHARD, JR.  
PROBATE NO. PR39120, COUNTY  
COURT, BRAZORIA COUNTY, TEXAS

**APPLICATION TO DECLARE HEIRSHIP**

Said application will be heard and acted on by said court at 10:00 o'clock A.M. on the first Monday next after the expiration of ten days from date of publication of this citation in County Court at Law #2 and Probate Court in the County Courthouse in Angleton, Texas.

All persons Interested in said estate are hereby cited to appear before Honorable Court at said above mentioned time and place by filing a written answer contesting such application should they desire to do so.

The officer executing this writ shall promptly serve the same according to requirements of the law, and the mandate hereof, and make due return as the law directs.

GIVEN UNDER MY HAND AND SEAL OF SAID COURT at office in Angleton, Texas this 12th day of December, 2018.

JOYCE HUDMAN, CLERK COUNTY COURT, BRAZORIA COUNTY, TEXAS  
BY: J.Lindley DEPUTY

**ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER**  
ROBERT W BLAIR  
1156 DAIRY ASHFORD SUITE 103  
HOUSTON TX 77079  
281-970-9861

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**NOTICE TO CREDITORS**

Notice is hereby given that original Letters Testamentary for the Estate of DELMA JO PLAISANCE, Deceased, were issued on December 11, 2018, in Cause No. PR39040, pending in the County Court at Law No. 4 and Probate Court, Brazoria County, Texas, to: Maria White.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: George H. Rau, Jr.  
Attorney at Law  
2513 N. Velasco  
Angleton, TX 77515

DATED the 14th day of December, 2018.

*In/George H. Rau, Jr.*  
George H. Rau, Jr.  
Attorney for Maria White  
State Bar No.: 16592500  
2513 N. Velasco  
Angleton, TX 77515  
Telephone (979) 849-6484  
Facsimile: (979) 849-7282

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