

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 8, 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) 2516, as Filed by Senator Robert Nichols - Relating to the creation of the Montgomery County Municipal Utility District No. 179; 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 Robert Nichols, Texas Senate

Enclosure

**SB 2516, as Filed by Senator Robert Nichols  
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 Montgomery County Municipal Utility District No. 179 (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 the District has the power to purchase, construct, acquire, own, operate, maintain, improve, or extend, inside or outside the District, a canal or other waterway, bulkhead, dock, or improvement in aid of such canals, waterways, bulkheads, or docks; 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; and 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 2516

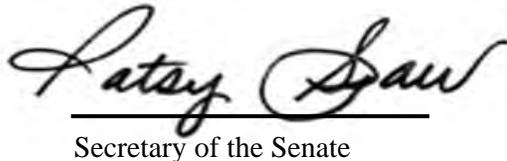
Bill Number

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.

4/3/2019

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.

April 11, 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: Nichols

S.B. No. 2516

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 179; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8082 to read as follows:

CHAPTER 8082. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 179

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8082.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Montgomery County Municipal Utility District No. 179.

Sec. 8082.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8082.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

1       Sec. 8082.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
2 temporary directors may not hold an election under Section  
3 8082.0103 until each municipality in whose corporate limits or  
4 extraterritorial jurisdiction the district is located has  
5 consented by ordinance or resolution to the creation of the  
6 district and to the inclusion of land in the district.

7       Sec. 8082.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

16       Sec. 8082.0106. INITIAL DISTRICT TERRITORY. (a) The  
17 district is initially composed of the territory described by  
18 Section 2 of the Act enacting this chapter.

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

23           (1) organization, existence, or validity;

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

27           (3) right to impose a tax; or

1           (4) legality or operation.

2                   SUBCHAPTER B. BOARD OF DIRECTORS

3           Sec. 8082.0201. GOVERNING BODY; TERMS. (a) The district is  
4 governed by a board of five elected directors.

5           (b) Except as provided by Section 8082.0202, directors  
6 serve staggered four-year terms.

7           Sec. 8082.0202. TEMPORARY DIRECTORS. (a) On or after the  
8 effective date of the Act enacting this chapter, the owner or owners  
9 of a majority of the assessed value of the real property in the  
10 district may submit a petition to the commission requesting that  
11 the commission appoint as temporary directors the five persons  
12 named in the petition. The commission shall appoint as temporary  
13 directors the five persons named in the petition.

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

15                   (1) the date permanent directors are elected under  
16 Section 8082.0103; or

17                   (2) the fourth anniversary of the effective date of  
18 the Act enacting this chapter.

19           (c) If permanent directors have not been elected under  
20 Section 8082.0103 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 8082.0103; 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. 8082.0301. 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. 8082.0302. 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. 8082.0303. 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. 8082.0304. 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. 8082.0305. 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       Sec. 8082.0306. CERTAIN NAVIGATION IMPROVEMENTS. (a) The  
16 district is created for the following purposes and has the power to  
17 purchase, construct, acquire, own, operate, maintain, improve, or  
18 extend, inside or outside the district, a canal or other waterway,  
19 bulkhead, dock, or improvement in aid of such canals, waterways,  
20 bulkheads, or docks.

21       (b) Notwithstanding any other law, the powers provided by  
22 Subsection (a) are subject to the applicable rules, regulations,  
23 and approval of the San Jacinto River Authority.

24       (c) In the event the district adopts a rule or regulation  
25 relating to boating or navigation, the rule or regulation must be  
26 consistent with the applicable rules or regulations of the San  
27 Jacinto River Authority.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8082.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)

The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 8082.0403.

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

(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

Sec. 8082.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8082.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 8082.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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

4               SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

5       Sec. 8082.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
6 OBLIGATIONS. The district may issue bonds or other obligations  
7 payable wholly or partly from ad valorem taxes, impact fees,  
8 revenue, contract payments, grants, or other district money, or any  
9 combination of those sources, to pay for any authorized district  
10 purpose.

11       Sec. 8082.0502. TAXES FOR BONDS. At the time the district  
12 issues bonds payable wholly or partly from ad valorem taxes, the  
13 board shall provide for the annual imposition of a continuing  
14 direct ad valorem tax, without limit as to rate or amount, while all  
15 or part of the bonds are outstanding as required and in the manner  
16 provided by Sections 54.601 and 54.602, Water Code.

17       Sec. 8082.0503. BONDS FOR ROAD PROJECTS. At the time of  
18 issuance, the total principal amount of bonds or other obligations  
19 issued or incurred to finance road projects and payable from ad  
20 valorem taxes may not exceed one-fourth of the assessed value of the  
21 real property in the district.

22       SECTION 2. The Montgomery County Municipal Utility District  
23 No. 179 initially includes all the territory contained in the  
24 following area:

25       BEING 56.7111 NET ACRES of land, situated in the John Corner  
26 Survey, Abstract Number 8 in Montgomery County, Texas, consisting  
27 of a 50.61 acre tract and 7.16 acre tract, described in Deed to

1 General Monitors Transnational, LLC., recorded under Clerk's File  
2 Number 2007-020435 and a 2.4988 acre tract described in Deed to  
3 General Monitors Transnational, LLC., recorded under Clerk's File  
4 Number 2007-121045, together with a called 0.83 acre tract and a  
5 called 0.04 acre tract, described in that certain Boundary Line  
6 Agreement between Philip LeFevre and wife, Holly LeFevre and  
7 Grandview Development, Inc., recorded under Clerk's File Number  
8 2006-093056, all in the Real Property Records of Montgomery County,  
9 Texas; said 56.7111 acres being more particularly described by  
10 metes and bounds as follows with all bearings referenced to the  
11 North line of Lonestar Parkway, a variable width right-of-way  
12 recorded under Clerk's File Number 2004-134115 Real Property  
13 Records as found monumented on the ground:

14 BEGINNING at an iron rod with a survey cap marked "C&R", found  
15 for the Southeast corner of the herein described tract and the  
16 Southwest corner of the Replat of Grandview, Section 4, the plat  
17 thereof recorded in Cabinet Z, Sheet 2594 of the Map Records of  
18 Montgomery County, Texas, and being located in the North line of  
19 Lonestar Parkway;

20 THENCE with the following courses and distances along the  
21 North line of Lonestar Parkway:

22 North 74°14'01" West, a chord distance of 345.27 feet along a  
23 curve to the left, having as its elements: a central angle of  
24 09°15'16", a radius of 2140.00 feet and an arc length of 345.65 feet  
25 to an iron rod with a survey cap marked "C&R", found for an angle  
26 point;

27 North 74°57'21" West, a distance of 105.35 feet to a 5/8 inch

1 iron rod with a survey cap marked "Glezman, RPLS 4627", set for the  
2 beginning of a curve to the left;

3 North 87°15'30" West, a chord distance of 418.73 feet along a  
4 curve to the left, having as its elements: a central angle of  
5 11°10'36", a radius of 2150.00 feet and an arc length of 419.39 feet  
6 to an iron rod with a survey cap marked "Carter Burgess", found for  
7 an angle point;

8 South 80°31'57" West, a distance of 104.82 feet, to an iron  
9 rod with a survey cap marked "Carter Burgess", found for the  
10 beginning of a curve to the left;

11 South 80°06'43" West, a chord distance of 309.95 feet along a  
12 curve to the left, having as its elements: a central angle of  
13 08°18'21", a radius of 2140.00 feet and an arc length of 310.22 feet  
14 to an iron rod with a survey cap marked "Carter Burgess", found for  
15 an angle point;

16 South 76°06'31" West, a distance of 43.83 feet to a 5/8 inch  
17 iron rod with survey cap, set for the Southwest corner of the herein  
18 described tract and the Southeast corner of the LeFevre  
19 Development, Inc., called 33.527 acre tract as described in Deed  
20 recorded under Clerk's File Number 2008-096315 Real Property  
21 Records;

22 THENCE North 13°56'40" West, a distance of 631.37 feet,  
23 leaving the North line of Lonestar Parkway, along the East line of  
24 the called 33.527 acre tract, to a 5/8 inch iron rod with survey  
25 cap, set for an angle point;

26 THENCE North 03°32'31" West, a distance of 568.53 feet to a  
27 5/8 inch iron rod, found for an angle point at the Northeast corner

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1 of the called 33.527 acre tract at the Southeast corner of Buffalo  
2 Crossing, a subdivision with the plat thereof recorded in Cabinet  
3 Z, Sheet 1462 of the Montgomery County Map Records;

4       THENCE North 27°56'22" East, a distance of 659.88 feet along  
5 the Southeast line of Buffalo Crossing and the Northwesterly line  
6 of the called 50.61 acre tract and the called 7.16 acre tract, to an  
7 iron rod with a survey cap marked "Town & Country", found for an  
8 angle point at the Northwest corner of the called 7.16 acre tract  
9 and the Southwest corner of the called 2.4988 acre tract;

10       THENCE North 00°12'04" West, a distance of 100.04 feet along  
11 the East line of Buffalo Crossing, passing at 70.92 feet, a "PK"  
12 nail in a wood bulkhead; in all, a distance of 100.04 feet to the  
13 Northwest corner of the herein described tract, in the South line of  
14 Reserve "F" of the Amending Plat Of Waterstone On Lake Conroe,  
15 Section 1, the plat thereof recorded in Cabinet Z, Sheet 1356 of the  
16 Map Records;

17       THENCE South 89°47'03" East, a distance of 372.87 feet along  
18 the South line of Reserve "F" of the Amending Plat Of Waterstone On  
19 Lake Conroe, Section 1 and the North line of the called 2.4988 acre  
20 tract, to an angle point;

21       THENCE North 75°17'26" East, a distance of 457.41 feet along  
22 the South line of Reserve "F" of the Amending Plat Of Waterstone On  
23 Lake Conroe, Section 1 and the North line of the called 2.4988 acre  
24 tract, to an angle point;

25       THENCE North 83°09'49" East, a distance of 294.06 feet along  
26 the South line of Reserve "F" of the Amending Plat Of Waterstone On  
27 Lake Conroe, Section 1 and the North line of the called 2.4988 acre

1 tract, to an angle point;

2           THENCE South 54°29'34" East, a distance of 181.92 feet along  
3 the South line of Reserve "F" of the Amending Plat Of Waterstone On  
4 Lake Conroe, Section 1 and passing the East corner the called 2.4988  
5 acre tract, along the North line of the called 0.83 acre tract  
6 Boundary Line Agreement and the Southwesterly line of the  
7 Waterstone On Lake Conroe, Inc. called 155.2494 acre tract as  
8 recorded under Clerk's File Number 2007-109227 Real Property  
9 Records, to an angle point;

10           THENCE North 69°37'08" East, a distance of 50.61 feet along  
11 the North line of the called 0.83 acre tract Boundary Line Agreement  
12 to an angle point;

13           THENCE South 38°05'40" East, a distance of 110.95 feet along  
14 the North line of the called 0.83 acre tract Boundary Line Agreement  
15 to the Northeast corner of the herein described tract at the  
16 Northwest corner of Grandview Section 2, the plat thereof recorded  
17 in Cabinet Z, Sheet 280 of the Map Records;

18           THENCE along the West line of Grandview Section 2 and the  
19 aforesaid Boundary Line Agreement, with the following bearings and  
20 distance:

21           South 87°14'15" West, passing at a distance of 17.12 feet, a  
22 "PK" nail with washer marker "Glezman Surveying", set for reference  
23 in a wood bulkhead; a total distance of 114.00 feet to an angle  
24 point;

25           South 23°44'52" West, a distance of 294.00 feet to an  
26 angle point;

27           South 05°20'19" West, a distance of 91.97 feet to an

1 angle point;  
2                   South 05°20'56" West, a distance of 84.97 feet to an  
3 angle point;  
4                   South 14°28'08" West, a distance of 171.11 feet to an  
5 angle point;  
6                   South 26°24'26" East, a distance of 90.34 feet to an  
7 angle point;  
8                   South 05°57'54" East, a distance of 127.78 feet to an  
9 angle point;  
10                  South 11°05'43" West, a distance of 147.63 feet to an  
11 angle point;  
12                  South 40°13'26" East, a distance of 64.64 feet to an  
13 angle point;  
14                  South 40°13'26" East, a distance of 49.21 feet to an  
15 angle point;  
16                  South 25°23'41" East, a distance of 207.16 feet to an  
17 angle point;  
18                  South 03°53'33" East, a distance of 376.46 feet to a 5/8 inch  
19 iron rod with survey cap, set at the Northwest corner of the Replat  
20 of Grandview Section 4, the plat thereof recorded in Cabinet Z,  
21 Sheet 2594 of the Map Records;  
22                  THENCE South 21°39'21" West, a distance of 300.00 feet along  
23 the West line of the Replat of Grandview Section 4, back to the  
24 Point of Beginning and containing 60.293 gross acres of land, based  
25 on the survey and plat prepared by Glezman Surveying Inc., dated  
26 July 3, 2014.  
27                  SAVE AND EXCEPT the following described tract or parcel of

1 land:

2 Being 3.5819 acres (156,029 square feet) of land, situated in  
3 the John Corner Survey, Abstract Number 8 in Montgomery County,  
4 Texas and being out of the Consolidated Ventures, Inc. 60.293 acre  
5 tract as recorded under Clerk's File Number 2015056092 Real  
6 Property Records of Montgomery County, Texas; said 3.5819 acres  
7 being more particularly described by metes and bounds as follows  
8 with all bearings referenced to the North line of Lonestar Parkway,  
9 a variable width right-of-way recorded under Clerk's File Number  
10 2004-134115 Real Property Records, as found monumented on the  
11 ground:

12 BEGINNING at an iron rod with a survey cap marked "C&R", found  
13 at the Southeast corner of the herein described tract and Southeast  
14 corner of the 60.293 acre tract, at the Southwest corner of the  
15 Replat of Grandview, Section 4, the plat thereof recorded in  
16 Cabinet Z, Sheet 2594 of the Map Records of Montgomery County, Texas  
17 and being the North line of Lonestar Parkway;

18 THENCE with the following courses and distances along the  
19 North line of Lonestar Parkway:

20 North 74°14'01" West, a chord distance of 345.27 feet along a  
21 curve to the left, having as its elements: a central angle of  
22 09°15'15", a radius of 2140.00 feet and an arc length of 345.65 feet  
23 to an iron rod with a survey cap marked "C&R", found for an angle  
24 point;

25 North 74°57'21" West, a distance of 105.35 feet to a 5/8 inch  
26 iron rod with a survey cap marked "Glezman, RPLS 4627", set for the  
27 beginning of a curve to the left;

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1 North 81°55'50" West, a chord distance of 19.54 feet along a  
2 curve to the left, having as its elements: a central angle of  
3 00°31'15", a radius of 2150.00 feet and an arc length of 19.54 feet  
4 to an iron rod with a survey cap marked "Glezman RPLS 4627", set for  
5 the Southwest corner of the herein described tract;

6 THENCE North 15°17'07" East, a distance of 325.00 feet,  
7 severing the 60.293 acre tract to a 5/8 inch iron rod with survey  
8 cap, set for the Northwest corner of the herein described tract;

9 THENCE South 74°42'53" East, a distance of 493.95 feet,  
10 severing the 60.293 acre tract, to an iron rod with survey cap, set  
11 for the Northeast corner of the herein described tract and being in  
12 the East line of the 60.293 acre tract and the West line of  
13 Grandview Section 2, the plat thereof recorded in Cabinet Z, Sheet  
14 280 of the Map Records of Montgomery County, Texas;

15 THENCE South 03°53'33" East, a distance of 28.43 feet along  
16 the East line of the 60.293 acre tract and West line of Grandview  
17 Section 2, to a 5/8 inch iron rod with survey cap, set for an angle  
18 point and being the Northwest corner of the aforementioned Replat  
19 of Grandview, Section 4;

20 THENCE South 21°39'21" West, a distance of 300.00 feet along  
21 the West line of the Replat of Grandview, Section 4, back to the  
22 Point of beginning and containing 3.5819 acres of land based on the  
23 survey and plat prepared by Glezman Surveying, Inc., dated March 7,  
24 2017.

25 Resulting in 56.7111 net acres of land.

26 SECTION 3. (a) The legal notice of the intention to  
27 introduce this Act, setting forth the general substance of this

1 Act, has been published as provided by law, and the notice and a  
2 copy of this Act have been furnished to all persons, agencies,  
3 officials, or entities to which they are required to be furnished  
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
5 Government Code.

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

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

13 (d) All requirements of the constitution and laws of this  
14 state and the rules and procedures of the legislature with respect  
15 to the notice, introduction, and passage of this Act are fulfilled  
16 and accomplished.

17 SECTION 4. (a) If this Act does not receive a two-thirds  
18 vote of all the members elected to each house, Subchapter C, Chapter  
19 8082, Special District Local Laws Code, as added by Section 1 of  
20 this Act, is amended by adding Section 8082.0307 to read as follows:

21 Sec. 8082.0307. NO EMINENT DOMAIN POWER. The district may  
22 not exercise the power of eminent domain.

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

26 SECTION 5. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2019.



AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, the Newspaper Representative at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and generally circulated in the Counties of: HARRIS, TRINITY, WALKER, GRIMES, POLK, SAN JACINTO, WASHINGTON, MONTGOMERY, LIBERTY, AUSTIN, WALLER, CHAMBERS, COLORADO, BRAZORIA, FORT BEND, GALVESTON, WHARTON, JACKSON, and MATAGORDA and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

ALLEN BOONE HUMPHRIES ROBINS      0000189824      HC009970321  
RAN A LEGAL NOTICE  
SIZE BEING: 2 x180 L

Product	Date	Class	Page
CNCC-The Courier	Feb 27 2019	Legal Notices	

Victoria Bond A R E P U S  
NEWSPAPER REPRESENTATIVE

Sworn and subscribed to before me, this 27th Day of February A.D. 2019



Charles E. Walichowski  
Notary Public in and for the State of Texas

**LEGALIS**  
**LEGAL NOTICES**

**NOTICE OF PUBLIC HEARING:** The Montgomery County Housing Authority will hold a Public Hearing April 30, 2019 at 9:00 am, at 1500 North Frazier Suite 101, Conroe, Texas 77301, to receive comments on the 2019 Annual Plan. All documents are available for public review from March 1, 2019 - April 09, 2019 between the hours of 8:30 am-12:00 Noon and 1:00-4:30 pm, Monday - Thursday at 1500 North Frazier, suite 101, Conroe, Texas 77301. All Comments are welcome.

**Notice is hereby given in accordance with the terms and provisions of the Texas Alcoholic Beverage Code that True Wei Corporation dba Mel Wei has filed application for Wine and Beer Retailer's Off-Premise Permit. Said business to be conducted at 30340 FM 2978 #200, Montgomery County, The Woodlands TX 77354; Yunli Gao, Pres./Sec.**

Notice is hereby given that on the 14th day of February, 2019, Letters Testamentary upon the estate of Franklin Dewitt Lawyer, a/k/a Franklin D. Lawyer, Deceased, were issued to Leslie Louch Independent Executor by the County Court at Law No. 2 of Montgomery County, Texas in cause number 19-37525-P pending upon the docket of said Court. All persons having claims against said Estate are hereby required to present them within the time prescribed by law to the address of Sally S. Andrews, attorney for the Estate of Franklin Dewitt Lawyer, a/k/a Franklin D. Lawyer, Deceased, whose address is 800 Bering Drive, Suite 200, Houston, Texas 77057.

**NOTICE OF INTENTION TO INTRODUCE A BILL IN THE LEGISLATURE OF TEXAS**

Notice is hereby given of the intention to introduce in the Regular Session of the 86th Legislature of Texas a bill creating and establishing a special district in the corporate limits of the City of Montgomery, Montgomery County, under the provisions of Article XVI, Section 56 of the Constitution of Texas and pursuant to the inherent power of the Legislature to create special governmental agencies and districts, with powers including those given to municipal utility districts operating pursuant to Chapters 49 and 54, Texas Water Code, with road powers pursuant to Article III, Section 52 of the Constitution of Texas. The bill will provide for the district's administration, powers, name, duties, operation, and financing. The proposed boundaries of the district will include all or part of the following land situated in Montgomery County, Texas:

**BEING** 56.7111 NET ACRES of land situated in the John Corner Survey, Abstract Number 8 in Montgomery County, Texas, consisting of a 50.01 acre tract and 7.36 acre tract, described in Deed to General Motors Transnational, LLC, recorded under Clerk's File Number 2007-020435 and a 2.4986-acre tract described in Deed to General Motors Transnational, LLC, recorded under Clerk's File Number 2007-121045, together with a called 0.83-acre tract and a called 0.04-acre tract, described in that certain Boundary Line Agreement between Phillip LeFevre and wife, Holly LeFevre and Grandview Development, Inc, recorded under Clerk's File Number 2006-093056, all in the Real Property Records of Montgomery County, Texas, said 56.7111 acres being more particularly described by metes and bounds as follows with all bearings referenced to the North line of Lonestar Parkway, a variable width right-of-way recorded under Clerk's File Number 2004-134115. Real Property Records as found monumented on the ground. **BEGINNING** at an iron rod with a survey cap marked "C&R", found for the Southeast corner of the herein described tract and the Southwest corner of the Replat of Grandview, Section 4, the plat thereof recorded in Cabinet 2, Sheet 2894 of the Map Records of Montgomery County, Texas, and being located in the North line of Lonestar Parkway; **THENCE** with the following courses and distances along the North line of Lonestar Parkway: North 74°14'01" West, a chord distance of 345.27 feet along a curve to the left, having as its elements: a central angle of 09°15'16", a radius of 2140.00 feet and an arc length of 345.65 feet to an iron rod with a survey cap marked "C&R", found for an angle point; North 74°57'21" West, a distance of 105.35 feet to a 5/8 inch iron rod with a survey cap marked "Glezman, RPLS 4627", set for the beginning of a curve to the left; North 87°15'30" West, a chord distance of 418.73 feet along a curve to the left, having as its elements: a central angle of 11°10'36", a radius of 2190.00 feet and an arc length of 419.39 feet to an iron rod with a survey cap marked "Carter Burgess", found for an angle point; South 80°31'57" West, a distance of 104.92 feet to an iron rod with a survey cap marked "Carter Burgess", found for the beginning of a curve to the left; South 80°06'43" West, a chord distance of 309.95 feet along a curve to the left, having as its elements: a central angle of 08°18'21", a radius of 2140.00 feet and an arc length of 310.22 feet to an iron rod with a survey cap marked "Carter Burgess", found for an angle point; South 76°06'34" West, a distance of 43.83 feet to a 5/8 inch iron rod with survey cap, set for the Southwest corner of the herein described tract and the Southeast corner of the LeFevre Development, Inc, called 33,527 acre tract as described in Deed recorded under Clerk's File Number 2008-056315 Real Property Records; **THENCE**, North 13°56'40" West, a distance of 631.37 feet, leaving the North line of Lonestar Parkway, along the East line of the called 33,527 acre tract, to a 5/8 inch iron rod with survey cap, set for an angle point; **THENCE**, North 09°32'31" West, a distance of 569.53 feet to a 5/8 inch

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**BIDS & PROPOSALS**

**NOTICE OF REQUEST FOR PROPOSALS**

Sealed proposals (one (1) original and drive will be received in the Office of Purchasing Agent, Attn: Gilbert D. Jr, Suite 405, Conroe, Texas 77301 until 2:35 p.m. for the following **PROJEC REAL PROPERTY AP EMERGENCY**

Prospective bidders may obtain the County Purchasing Department, 501 Texas 77301, any time after 8:00 am. Specifications are also available via website: [www.mcox.org](http://www.mcox.org).

The project will be funded with Federal Community Development Block Grant funded with Federal dollars and/or a Program; the vendor must be in compliance with requirements.

Historically Underutilized Businesses - The required Disadvantaged Business are approximately 4% DBE firms in HUD Section 5.

Policy - It is the policy of MCO that Enterprises (DBE) has the maximum performance of contracts financed by the contractor agree to ensure the opportunity to participate in the subcontracts financed in whole or in part contractor shall not discriminate on origin, sex, creed, religion, ancestry, marital/family status with regard to performance of contracts funded in

Comply with all provisions in 2 CFR Montgomery County is required to 24-Housing and Urban Development (Code of Federal Regulations), Cert facilities - 47 CFR Part 50.1-9 Comply with Title VI of the Civil Rights Act (42 USC 2000e-2a) and the Equal Housing Act (P.L. 90-284), Section 1973, the Americans with Disabilities Discrimination Act of 1973; Executive Order 12255; and with Executive Orders 11275, 11478, 12111 Comply with any Federal Regulation with Section 504 of Rehabilitation Act prohibits discrimination against the contract. Comply with Affirmative Action and September 24, 1965. Compliance regulations set forth in 24 CFR 135, issued there under. Comply with Hatch Act. Conflict of interest - comply with the Definitions - Disadvantaged Business business concern (1) which is at least socially and economically disadvantaged any publicly owned business, at least owned by one or more socially and Individuals; and (2) whose manager disadvantaged Individuals who own The right is reserved, as the Interest Commissioners' Court may require and to waive any informality in procedure after the above designated unopened. Evaluation/Selection Criteria and consideration as set forth in the re Montgomery County is an Affirmative Employer. Vendors are responsible for monitoring website at [www.mcox.org](http://www.mcox.org) for any A For any questions relating to the proposal, contact Susan Lamendola, Administrator via email: [Susan.Lamendola@co.montgomery.tx.us](mailto:Susan.Lamendola@co.montgomery.tx.us) 936.788.8824 - 2/27 & 3/06/19

**NOTICE OF SALE**

The storage facilities below wish to sell the provisions of Texas Property Code, Chapter 59, hereby notice that the property generally described below is being sold as a landlord's lien. The following units will be held as an auction through [www.storageauction.com](http://www.storageauction.com), by computer ending after March 13th, 2019. All sales are considered final, way Storage reserves the right to reject any bids, withdraw any property from the sale, and cancel any sale without prior notice. Clean-pick may be required.

- 1.) LONESTAR STORAGE (Wills) L21D1-Shop Items, Old car parts (AS IS NO DMV PAPERWORK)
- 2.) LONESTAR STORAGE (Wills) D3110Y-Household/furniture
- 3.) LONESTAR STORAGE (Wills) D4DDGRASS-Household/furniture
- 4.) BENTWATER STORAGE (Wills) QVASPERE-Household/furniture
- 5.) BENTWATER STORAGE (Wills) JAMICK-Tools/Shop Items
- 6.) BENTWATER STORAGE (Wills) ADAMICK-Household/Furniture/Shop Items
- 7.) BENTWATER STORAGE (Wills) KOUNT-Household/Furniture/Shop Items
- 8.) ECONOMY STORAGE (Wills) 4 ST-Shop Items, Tools/Mower
- 9.) FISH CREEK STORAGE (Cooper) 15 MCANDREWS-Household/Furniture
- 10.) LOCHNESS LTD/PARADISE (Wills) CARRIGAN-Shop Items/Furniture
- 11.) LOCHNESS LTD/SHEPARD (Wills) 38 CHEATHAM-Household/Furniture/Boxes
- 12.) LOCHNESS LTD/SHEPARD (Wills) 28 JOHNSTON-Household/Furniture/Tool Boxes
- 13.) LOCHNESS / SHEPARD (Wills) COOPER-Household/Furniture/Tools
- 14.) LOCHNESS VALET (Wills) C19 KALAIN-Refrigerator/Boxes

**Application has been made with the Texas Alcoholic Beverage Commission for a Wine and Beer Retailer's Off-premise Permit by DHC Beverages Company, LLC dba Drury Inn & Suites - Houston/The Woodlands, 28099 I-45 North, The Woodlands, Montgomery County, Texas 77380. E-Strand, Manager/President: Joia Foster, Manager/VP/Secretary: Lambert Trevillion, Treasurer**

**CITATION BY PUBLICATION THE STATE OF TEXAS**

**TD: The Unknown Heirs of Mary Cathine Peterson, and The Unknown Heirs of Dewey L. Peterson**

**GREETING:** You have been sued. You may employ attorney. You are commanded to appear, and answer the plaintiff's Motion at or before 10 o'clock A.M. of the first Monday after the expiration of forty-two days after the date of issuance of this citation by 10:00 A.M. before the County Court at Law #2 of Montgomery County, Texas at 210 West Davis, Conroe, Texas 77301.

Said Plaintiff's Petition was filed on July 17, 2019. The file number of said suit being Number 19-31186.

The Names of the parties in said suit are: **Habit Bank USA, NA, As Trustee For the Securities Corp. Home Equity Loan Trust, Series 2006-op1** Vs. **Daniel Peterson et al**

The nature of said suit being substantially as follows, to wit: This is an in rem proceeding seeking court approval to foreclose on the real property located at 2008 Willowood St., Conroe, TX 77301-1141 and more particularly described as: Pt. 7, of Holly Hills, Section 4, a subdivision located in Montgomery County, Texas, according to the map or plat recorded in Volume 7, Page 411 of the Map Records of Montgomery County, Texas.

Approved and submitted, By: **Dr. Daniel G. Van Slyke** **MARK D. CRONENWETT** Texas Bar No. 00787303 [maronewett@wzmlaw.com](mailto:maronewett@wzmlaw.com)

**DANIEL G. VAN SLYKE** Texas Bar No. 24097230 [dvanlyske@wzmlaw.com](mailto:dvanlyske@wzmlaw.com)

**MACKIE WOLF ZIENTZ & MANN, P.C.** 14160 N. Dallas Parkway, Suite 900 Dallas, Texas 75254 214-635-2660 (Phone) 214-635-2628 (Fax)

**BIDS & PROPOSALS**

**NOTICE**

THENCE North 03°32'31" West, a distance of 668.53 feet to a 5/8 inch iron rod, found for an angle point at the Northeast corner of the called 33.827 acre tract at the Southeast corner of Buffalo Crossing, a subdivision with the plat thereof recorded in Cabinet Z, Sheet 1462 of the Montgomery County Map Records.

THENCE North 27°56'22" East, a distance of 559.88 feet along the Southeast line of Buffalo Crossing and the Northwesterly line of the called 50.61 acre tract and the called 7.16 acre tract to an iron rod with a survey cap marked "OWN & COUNTRY", found for an angle point at the Northwest corner of the called 7.16 acre tract and the Southwest corner of the called 2.4988 acre tract.

THENCE North 20°12'04" West, a distance of 100.04 feet along the East line of Buffalo Crossing, passing at 70.92 feet a "PK" nail in a wood bulkhead, in all a distance of 100.04 feet to the Northwesterly corner of the herein described tract in the South line of Reserve "F" of the Amending Plat Of Waterstone On Lake Conroe, Section 1, the plat thereof recorded in Cabinet Z, Sheet 2356 of the Map Records.

THENCE South 89°47'03" East, a distance of 372.87 feet along the South line of Reserve "F" of the Amending Plat Of Waterstone On Lake Conroe, Section 1 and the North line of the called 2.4988 acre tract, to an angle point.

THENCE North 75°17'26" East, a distance of 457.41 feet along the South line of Reserve "F" of the Amending Plat Of Waterstone On Lake Conroe, Section 1 and the North line of the called 2.4988 acre tract, to an angle point.

THENCE North 83°09'49" East, a distance of 294.06 feet along the South line of Reserve "F" of the Amending Plat Of Waterstone On Lake Conroe, Section 1 and the North line of the called 2.4988 acre tract, to an angle point.

THENCE South 54°29'34" East, a distance of 181.92 feet along the South line of Reserve "F" of the Amending Plat Of Waterstone On Lake Conroe, Section 1 and passing the East corner of the called 2.4988 acre tract, along the North line of the called 0.83 acre tract Boundary Line Agreement and the Southwesterly line of the Waterstone On Lake Conroe, Inc. called 185.2494 acre tract as recorded under Clerk's File Number 2007-109227 Real Property Records, to an angle point.

THENCE North 69°37'08" East, a distance of 50.61 feet along the North line of the called 0.83 acre tract Boundary Line Agreement to an angle point.

THENCE South 38°05'40" East, a distance of 110.95 feet along the North line of the called 0.83 acre tract Boundary Line Agreement to the Northeast corner of the herein described tract at the Northwest corner of Grandview Section 2, the plat thereof recorded in Cabinet Z, Sheet 230 of the Map Records.

THENCE along the West line of Grandview Section 2 and the aforesaid Boundary Line Agreement, with the following bearings and distances: South 67°14'15" West, passing at a distance of 17.12 feet, a "PK" nail with washer marker "Glezman Surveying", set for reference in a wood bulkhead, a total distance of 114.00 feet to an angle point; South 23°44'52" West, a distance of 294.00 feet to an angle point; South 05°20'19" West, a distance of 91.97 feet to an angle point; South 05°20'56" West, a distance of 34.97 feet to an angle point; South 14°28'08" West, a distance of 171.11 feet to an angle point; South 26°24'26" East, a distance of 90.34 feet to an angle point; South 05°57'54" East, a distance of 127.75 feet to an angle point; South 11°05'43" West, a distance of 147.63 feet to an angle point; South 40°13'26" East, a distance of 64.64 feet to an angle point; South 40°13'26" East, a distance of 49.21 feet to an angle point; South 25°23'41" East, a distance of 207.16 feet to an angle point; South 03°53'33" East, a distance of 376.46 feet to a 5/8 inch iron rod with survey cap, set at the Northwest corner of the Replat of Grandview Section 4, the plat thereof recorded in Cabinet Z, Sheet 2394 of the Map Records.

THENCE South 21°39'21" West, a distance of 300.00 feet along the West line of the Replat of Grandview Section 4, back to the Point of Beginning and containing 90.29 acres of land, based on the survey and plat prepared by Glezman Surveying, Inc., dated July 3, 2014.

**SAVE AND EXCEPT** the following described tract or parcel of land being 3.5819 acres (156,029 square feet) of land, situated in the John Corner Survey, Abstract Number 3 in Montgomery County, Texas and being out of the Consolidated Ventures, Inc. 80.293 acre tract as recorded under Clerk's File Number 2015026092 Real Property Records of Montgomery County, Texas, said 3.5819 acres being more particularly described by metes and bounds as follows with all bearings referenced to the North line of Lonestar Parkway, a variable width right-of-way recorded under Clerk's File Number 2004-134115 Real Property Records, as found monumented on the ground:

**BEGINNING** at an iron rod with a survey cap marked "C&R", found at the Southeast corner of the herein described tract and Southeast corner of the 80.293 acre tract, at the Southwest corner of the Replat of Grandview, Section 4, the plat thereof recorded in Cabinet Z, Sheet 2394 of the Map Records of Montgomery County, Texas and being the North line of Lonestar Parkway;

THENCE with the following courses and distances along the North line of Lonestar Parkway:

North 74°14'01" West, a chord distance of 345.27 feet along a curve to the left having as its elements, a central angle of 09°15'25", a radius of 2340.00 feet and an arc length of 345.65 feet to an iron rod with a survey cap marked "C&R", found for an angle point;

North 74°57'21" West, a distance of 108.35 feet to a 5/8 inch iron rod with a survey cap marked "Glezman RPLS 4627", set for the beginning of a curve to the left;

North 31°55'50" West, a chord distance of 19.54 feet along a curve to the left having as its elements, a central angle of 00°31'15", a radius of 2150.00 feet and an arc length of 19.54 feet to an iron rod with a survey cap marked "Glezman RPLS 4627", set for the Southwest corner of the herein described tract;

THENCE North 15°17'07" East, a distance of 325.00 feet, severing the 80.293 acre tract to a 5/8 inch iron rod with survey cap, set for the Northwest corner of the herein described tract;

THENCE South 74°42'53" East, a distance of 493.95 feet, severing the 80.293 acre tract, to an iron rod with survey cap, set for the Northeast corner of the herein described tract and being in the East line of the 80.293 acre tract and the West line of Grandview Section 2, the plat thereof recorded in Cabinet Z, Sheet 280 of the Map Records of Montgomery County, Texas;

THENCE South 03°53'33" East, a distance of 28.43 feet along the East line of the 80.293 acre tract and West line of Grandview Section 2, to a 5/8 inch iron rod with survey cap, set for an angle point and being the Northwest corner of the aforementioned Replat of Grandview, Section 4;

THENCE South 21°39'21" West, a distance of 300.00 feet along the West line of the Replat of Grandview, Section 4, back to the Point of Beginning and containing 3.5819 acres of land based on the survey and plat prepared by Glezman Surveying, Inc., dated March 7, 2017. Resulting in 98,711 net acres of land.

214-635-2696 (Phone)  
214-635-2696 (Fax)  
Attorneys for Plaintiff

As more fully shown by Plaintiff's petition on file in this suit.

GIVEN under my hand and seal of said Court, at office in CONROE, Texas, this 8th day of February, 2019.

(SEAL)

MARK TURNBULL, COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS  
By: /s/ Sandy Faught  
Sandy Faught, Deputy

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
NOTICE OF RECEIPT OF APPLICATION AND  
INTENT TO OBTAIN WATER QUALITY PERMIT AMENDMENT  
PERMIT NO. W0001396000**

APPLICATION: U.S. Land Corp., P.O. Box 219, Conroe, Texas 77385, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend Texas Pollutant Discharge Elimination System (TPDES) Permit No. W0001396000 (EPA I.D. No. TX0118851) to authorize an increase in the discharge of treated wastewater to a volume not to exceed a daily average flow of 7,000 gallons per day. The domestic wastewater treatment facility is located at 12601 Lazy Cove Drive, Willis, in Montgomery County, Texas 77318. The discharge route is from the plant site via pipe directly to Lake Conroe. TCEQ received this application on December 4, 2018. The permit application is available for viewing and copying at S. F. Meador Branch Library, 701 West Montgomery Street, Willis, Texas. This link to an electronic copy of the application is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application: <http://www.tceq.texas.gov/assets/public/00010/index.html?file=3044772&area=3044882&open=3044882>.

**ADDITIONAL NOTICE:** TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.

**PUBLIC COMMENT/PUBLIC MEETING:** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING:** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments and the Executive Director's decision on the application will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name, address, phone number, applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and the statement: "(I/We) request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.

**MAILING LIST:** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**INFORMATION AVAILABLE ONLINE:** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/ocio/cid](http://www.tceq.texas.gov/ocio/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION:** Public comments and requests must be submitted either electronically at <http://www.tceq.texas.gov/ocio/submit>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC 105, P.O. Box 13067, Austin, Texas 78711-3067. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-667-4040 or visit their website at [www.tceq.texas.gov/ocio/pep](http://www.tceq.texas.gov/ocio/pep). Si desea información en Español, puede llamar al 1-800-667-4040.

Further information may also be obtained from U.S. Land Corp. at the address stated above or by calling Mr. L. P. Carlson at 936-835-1541. Issuance Date: February 8, 2019.

Sealed bids (1) original, (1) copy will be received in Purchasing Agent, Adams R. Thompson, Suite 400, 201 N. Loop West, Conroe, Texas 77385, on or before the following:

MONTGOMERY COUNTY

There will be a public hearing on the proposed project at 10:00 a.m. at the Public Hearing Department, 301 N. Loop West, Conroe, Texas 77385.

Prospective bidders should contact the County Purchasing Agent, Adams R. Thompson, Suite 400, 201 N. Loop West, Conroe, Texas 77385, for more information. Specifications are also available at [www.tceq.texas.gov](http://www.tceq.texas.gov).

All bids shall be submitted in sealed envelopes, to be received in the bid room at 10:00 a.m. on the date of the public hearing. Bids shall be opened at the public hearing, whenever is required.

A Bid Bond from an approved surety company in the State of Texas will be required. The successful bidder shall provide a Bid and Payment Bond (100%) of the project.

A prevailing wage rate has been established for Montgomery County is an Employer.

The project will be funded by Community Development funds from the Community Development Program; the vendor must meet all requirements.

Historically Underutilized

The required Disadvantaged Business Enterprise (DBE) are approximately 4% DBE appropriate certification.

HUD Section 3

Policy - It is the policy of the Enterprise (DBE) has the performance of contracts. The contractor agrees to an opportunity to participate in subcontracts financed in whole or in part by HUD. The contractor shall not discriminate on the basis of race, color, religion, marital/family status with respect to the performance of contracts.

Montgomery County is reg 24-Housing and Urban Dev (Code of Federal Regulation - 41 CFR Part 60.1-8).

Comply with Title VI of the Civil Rights Act of 1964, amended; Title VIII of the Civil Rights Act of 1968; the Americans with Disabilities Act of 1990; Executive Order 12259; and Executive Orders 11375, 11491.

Comply with any Federal Rehabilitation Act of 1973, which prohibits discrimination against individuals with disabilities.

Comply with Affirmative Action Regulations set forth in 24 CFR Part 101.11.

Comply with Hatch Act

Conflict of interest - comply

Definitions - Disadvantaged business concern (1) which is socially and economically disadvantaged; (2) whose ownership is owned by one or more socially disadvantaged individuals; and (3) whose ownership is owned by one or more disadvantaged individuals.

The right is reserved, as the Commissioners' Court may, and to waive any Informativity received after the above has been unopened.

Evaluation/Selection Criteria consideration as set forth in the Request for Proposal.

Montgomery County is an Affirmative Action Employer.

Vendors are responsible for providing their own liability insurance. Website at [www.montco.org](http://www.montco.org) for more information.

For questions relating to this project, contact Andrea Kovacs, Contract Administrator, at [Andrea.Kovacs@montco.org](mailto:Andrea.Kovacs@montco.org).

NOTICE OF INTENTION TO INTRODUCE A BILL  
IN THE LEGISLATURE OF TEXAS

Notice is hereby given of the intention to introduce in the Regular Session of the 86th Legislature of Texas a bill creating and establishing a special district in the corporate limits of the City of Montgomery, Montgomery County, under the provisions of Article XVI, Section 59 of the Constitution of Texas and pursuant to the inherent power of the Legislature to create special governmental agencies and districts, with powers including those given to municipal utility districts operating pursuant to Chapters 49 and 54, Texas Water Code, with road powers pursuant to Article III, Section 52 of the Constitution of Texas. The bill will provide for the district's administration, powers, name, duties, operation, and financing. The proposed boundaries of the district will include all or part of the following land situated in Montgomery County, Texas:

**BEING** 56.7111 NET ACRES of land, situated in the John Corner Survey, Abstract Number 8 in Montgomery County, Texas, consisting of a 50.61 acre tract and 7.16 acre tract, described in Deed to General Monitors Transnational, LLC., recorded under Clerk's File Number 2007-020435 and a 2.4988 acre tract described in Deed to General Monitors Transnational, LLC., recorded under Clerk's File Number 2007-121045, together with a called 0.83 acre tract and a called 0.04 acre tract, described in that certain Boundary Line Agreement between Philip LeFevre and wife, Holly LeFevre and Grandview Development, Inc., recorded under Clerk's File Number 2006-093056, all in the Real Property Records of Montgomery County, Texas; said 56.7111 acres being more particularly described by metes and bounds as follows with all bearings referenced to the North line of Lonestar Parkway, a variable width right-of-way recorded under Clerk's File Number 2004-134115

Real Property Records as found monumented on the ground: **BEGINNING** at an iron rod with a survey cap marked "C&R", found for the Southeast corner of the herein described tract and the Southwest corner of the Replat of Grandview, Section 4, the plat thereof recorded in Cabinet Z, Sheet 2594 of the Map Records of Montgomery County, Texas, and being located in the North line of Lonestar Parkway;

**THENCE** with the following courses and distances along the North line of Lonestar Parkway:

North 74°14'01" West, a chord distance of 345.27 feet along a curve to the left, having as its elements: a central angle of 09°15'16", a radius of 2140.00 feet and an arc length of 345.65 feet to an iron rod with a survey cap marked "C&R", found for an angle point;

North 74°57'21" West, a distance of 105.35 feet to a 5/8 inch iron rod with a survey cap marked "Glezman, RPLS 4627", set for the beginning of a curve to the left;

North 87°15'30" West, a chord distance of 418.73 feet along a curve to the left, having as its elements: a central angle of 11°10'36", a radius of 2150.00 feet and an arc length of 419.39 feet to an iron rod with a survey cap marked "Carter Burgess", found for an angle point;

South 80°31'57" West, a distance of 104.82 feet, to an iron rod with a survey cap marked "Carter Burgess", found for the beginning of a curve to the left;

South 80°06'43" West, a chord distance of 309.95 feet along a curve to the left, having as its elements: a central angle of 08°18'21", a radius of 2140.00 feet and an arc length of 310.22 feet to an iron rod with a survey cap marked "Carter Burgess", found for an angle point;

South 76°06'31" West, a distance of 43.83 feet to a 5/8 inch iron rod with survey cap, set for the Southwest corner of the herein described tract and the Southeast corner of the LeFevre Development, Inc., called 33.527 acre tract as described in Deed recorded under Clerk's File Number 2008-096315 Real Property Records;

**THENCE** North 13°56'40" West, a distance of 631.37 feet, leaving the North line of Lonestar Parkway, along the East line of the called 33.527 acre tract, to a 5/8 inch iron rod with survey cap, set for an angle point;

**THENCE** North 03°32'31" West, a distance of 568.53 feet to a 5/8 inch iron rod, found for an angle point at the Northeast corner of the called 33.527 acre tract at the Southeast corner of Buffalo Crossing, a subdivision with the plat thereof recorded in Cabinet Z, Sheet 1462 of the Montgomery County Map Records;

**THENCE** North 27°56'22" East, a distance of 659.88 feet along the Southeast line of Buffalo Crossing and the Northwesterly line of the called 50.61 acre tract and the called 7.16 acre tract, to an iron rod with a survey cap marked "Town & Country", found for an angle point at the Northwest corner of the called 7.16 acre tract and the Southwest corner of the called 2.4988 acre tract;

**THENCE** North 00°12'04" West, a distance of 100.04 feet along the East line of Buffalo Crossing, passing at 70.92 feet, a "PK" nail in a wood bulkhead; in all, a distance of 100.04 feet to the Northwest corner of the herein described tract, in the South line of Reserve "F" of the Amending Plat Of Waterstone On Lake Conroe, Section 1, the plat thereof recorded in Cabinet Z, Sheet 1356 of the Map Records;

**THENCE** South 89°47'03" East, a distance of 372.87 feet along the South line of Reserve "F" of the Amending Plat Of Waterstone On Lake Conroe, Section 1 and the North line of the called 2.4988 acre tract, to an angle point;

**THENCE** North 75°17'26" East, a distance of 457.41 feet along the South line of Reserve "F" of the Amending Plat Of Waterstone On Lake Conroe, Section 1 and the North line of the called 2.4988 acre tract, to an angle point;

**THENCE** North 83°09'49" East, a distance of 294.06 feet along the South line of Reserve "F" of the Amending Plat Of Waterstone On Lake Conroe, Section 1 and the North line of the called 2.4988 acre tract, to an angle point;

**THENCE** South 54°29'34" East, a distance of 181.92 feet along the South line of Reserve "F" of the Amending Plat Of Waterstone On Lake Conroe, Section 1 and passing the East corner the called 2.4988 acre tract, along the North line of the called 0.83 acre tract Boundary Line Agreement and the Southwesterly line of the Waterstone On Lake Conroe, Inc. called 155.2494 acre tract as recorded under Clerk's File Number 2007-109227 Real Property Records, to an angle point;

**THENCE** North 69°37'08" East, a distance of 50.61 feet along the North line of the called 0.83 acre tract Boundary Line Agreement to an angle point;

**THENCE** South 38°05'40" East, a distance of 110.95 feet along the North line of the called 0.83 acre tract Boundary Line Agreement to the Northeast corner of the herein described tract at the Northwest corner of Grandview Section 2, the plat thereof recorded in Cabinet Z, Sheet 280 of the Map Records;

**THENCE** along the West line of Grandview Section 2 and the aforesaid Boundary Line Agreement, with the following bearings and distance: South 87°14'15" West, passing at a distance of 17.12 feet, a "PK" nail with washer marker "Glezman Surveying", set for reference in a wood bulkhead, a total distance of 114.00 feet to an angle point;

beginning, a total distance of 124.00 feet to an angle point;  
 South 23°44'52" West, a distance of 294.00 feet to an angle point;  
 South 05°20'19" West, a distance of 91.97 feet to an angle point;  
 South 05°20'56" West, a distance of 84.97 feet to an angle point;  
 South 14°28'08" West, a distance of 171.11 feet to an angle point;  
 South 26°24'26" East, a distance of 90.34 feet to an angle point;  
 South 05°57'54" East, a distance of 127.78 feet to an angle point;  
 South 11°05'43" West, a distance of 147.63 feet to an angle point;  
 South 40°13'26" East, a distance of 64.64 feet to an angle point;  
 South 40°13'26" East, a distance of 49.21 feet to an angle point;  
 South 25°23'41" East, a distance of 207.16 feet to an angle point;  
 South 03°53'33" East, a distance of 376.46 feet to a 5/8 inch iron rod  
 with survey cap, set at the Northwest corner of the Replat of Grandview  
 Section 4, the plat thereof recorded in Cabinet Z, Sheet 2594 of the  
 Map Records;

**THENCE** South 21°39'21" West, a distance of 300.00 feet along the  
 West line of the Replat of Grandview Section 4, back to the Point of  
 Beginning and containing 60.293 gross acres of land, based on the  
 survey and plat prepared by Glezman Surveying Inc., dated July 3,  
 2014.

**SAVE AND EXCEPT the following described tract or parcel of land:**

Being 3.5819 acres (156,029 square feet) of land, situated in the John  
 Corner Survey, Abstract Number 8 in Montgomery County, Texas and  
 being out of the Consolidated Ventures, Inc. 60.293 acre tract as  
 recorded under Clerk's File Number 2015056092 Real Property Records  
 of Montgomery County, Texas; said 3.5819 acres being more  
 particularly described by metes and bounds as follows with all bearings  
 referenced to the North line of Lonestar Parkway, a variable width  
 right-of-way recorded under Clerk's File Number 2004-134115 Real  
 Property Records, as found monumented on the ground:

**BEGINNING** at an iron rod with a survey cap marked "C&R", found at  
 the Southeast corner of the herein described tract and Southeast  
 corner of the 60.293 acre tract, at the Southwest corner of the Replat of  
 Grandview, Section 4, the plat thereof recorded in Cabinet Z, Sheet  
 2594 of the Map Records of Montgomery County, Texas and being the  
 North line of Lonestar Parkway;

**THENCE** with the following courses and distances along the North line  
 of Lonestar Parkway:

North 74°14'01" West, a chord distance of 345.27 feet along a curve to  
 the left, having as its elements: a central angle of 09°15'15", a radius of  
 2140.00 feet and an arc length of 345.65 feet to an iron rod with a  
 survey cap marked "C&R", found for an angle point;

North 74°57'21" West, a distance of 105.35 feet to a 5/8 inch iron rod  
 with a survey cap marked "Glezman, RPLS 4627", set for the beginning  
 of a curve to the left;

North 81°55'50" West, a chord distance of 19.54 feet along a curve to  
 the left, having as its elements: a central angle of 00°31'15", a radius of  
 2150.00 feet and an arc length of 19.54 feet to an iron rod with a  
 survey cap marked "Glezman RPLS 4627", set for the Southwest corner  
 of the herein described tract;

**THENCE** North 15°17'07" East, a distance of 325.00 feet, severing the  
 60.293 acre tract to a 5/8 inch iron rod with survey cap, set for the  
 Northwest corner of the herein described tract;

**THENCE** South 74°42'53" East, a distance of 493.95 feet, severing the  
 60.293 acre tract, to an iron rod with survey cap, set for the Northeast  
 corner of the herein described tract and being in the East line of the  
 60.293 acre tract and the West line of Grandview Section 2, the plat  
 thereof recorded in Cabinet Z, Sheet 280 of the Map Records of  
 Montgomery County, Texas;

**THENCE** South 03°53'33" East, a distance of 28.43 feet along the East  
 line of the 60.293 acre tract and West line of Grandview Section 2, to a  
 5/8 inch iron rod with survey cap, set for an angle point and being the  
 Northwest corner of the aforementioned Replat of Grandview, Section 4;

**THENCE** South 21°39'21" West, a distance of 300.00 feet along the  
 West line of the Replat of Grandview, Section 4, back to the Point of  
 beginning and containing 3.5819 acres of land based on the survey and  
 plat prepared by Glezman Surveying, Inc., dated March 7, 2017.

**Resulting in 56.7111 net acres of land.**