

1-1 By: Metcalf (Senate Sponsor - Creighton) H.B. No. 2077
 1-2 (In the Senate - Received from the House May 8, 2019;
 1-3 May 10, 2019, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 17, 2019, reported favorably by
 1-5 the following vote: Yeas 7, Nays 0; May 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

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

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

1-17 relating to the creation of the City of Conroe Municipal Management
 1-18 District No. 3; providing authority to issue bonds and impose
 1-19 assessments, fees, and taxes.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-21 SECTION 1. Subtitle C, Title 4, Special District Local Laws
 1-22 Code, is amended by adding Chapter 3964 to read as follows:

1-23 CHAPTER 3964. CITY OF CONROE MUNICIPAL MANAGEMENT DISTRICT NO. 3
 1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 3964.0101. DEFINITIONS. In this chapter:

- 1-26 (1) "Board" means the district's board of directors.
- 1-27 (2) "City" means the City of Conroe, Texas.
- 1-28 (3) "Commission" means the Texas Commission on
 1-29 Environmental Quality.
- 1-30 (4) "Director" means a board member.
- 1-31 (5) "District" means the City of Conroe Municipal
 1-32 Management District No. 3.

1-33 Sec. 3964.0102. CREATION AND NATURE OF DISTRICT. The
 1-34 district is a special district created under Sections 52 and 52-a,
 1-35 Article III, and Section 59, Article XVI, Texas Constitution.

1-36 Sec. 3964.0103. PURPOSE; LEGISLATIVE FINDINGS. (a) The
 1-37 creation of the district is essential to accomplish the purposes of
 1-38 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
 1-39 Texas Constitution, and other public purposes stated in this
 1-40 chapter. By creating the district and in authorizing the city and
 1-41 other political subdivisions to contract with the district, the
 1-42 legislature has established a program to accomplish the public
 1-43 purposes set out in Section 52-a, Article III, Texas Constitution.

1-44 (b) The creation of the district is necessary to promote,
 1-45 develop, encourage, and maintain employment, commerce,
 1-46 transportation, housing, tourism, recreation, the arts,
 1-47 entertainment, economic development, safety, and the public
 1-48 welfare in the district.

1-49 (c) This chapter and the creation of the district may not be
 1-50 interpreted to relieve the city from providing the level of
 1-51 services provided to the area in the district as of the effective
 1-52 date of the Act enacting this chapter. The district is created to
 1-53 supplement and not to supplant the city services provided in the
 1-54 district.

1-55 Sec. 3964.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-56 (a) The district is created to serve a public use and benefit.

1-57 (b) All land and other property included in the district
 1-58 will benefit from the improvements and services to be provided by
 1-59 the district under powers conferred by Sections 52 and 52-a,
 1-60 Article III, and Section 59, Article XVI, Texas Constitution, and
 1-61 other powers granted under this chapter.

2-1 (c) The district is created to accomplish the purposes of a
 2-2 municipal management district as provided by general law and
 2-3 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
 2-4 Texas Constitution.

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

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

2-9 (2) eliminate unemployment and underemployment;

2-10 (3) develop or expand transportation and commerce; and

2-11 (4) provide quality residential housing.

2-12 (e) The district will:

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

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

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

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

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

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

2-34 Sec. 3964.0105. DISTRICT TERRITORY. (a) The district is
 2-35 composed of the territory described by Section 2 of the Act enacting
 2-36 this chapter, as that territory may have been modified under other
 2-37 law.

2-38 (b) The boundaries and field notes contained in Section 2 of
 2-39 the Act enacting this chapter form a closure. A mistake in the
 2-40 field notes or in copying the field notes in the legislative process
 2-41 does not affect the district's:

2-42 (1) organization, existence, or validity;

2-43 (2) right to contract;

2-44 (3) authority to borrow money or issue bonds or other
 2-45 obligations or to pay the principal and interest of the bonds or
 2-46 other obligations;

2-47 (4) right to impose or collect an assessment, or
 2-48 collect other revenue; or

2-49 (5) legality or operation.

2-50 Sec. 3964.0106. APPLICABILITY OF MUNICIPAL MANAGEMENT
 2-51 DISTRICTS LAW. Except as otherwise provided by this chapter,
 2-52 Chapter 375, Local Government Code, applies to the district.

2-53 Sec. 3964.0107. CONSTRUCTION OF CHAPTER. This chapter
 2-54 shall be liberally construed in conformity with the findings and
 2-55 purposes stated in this chapter.

2-56 Sec. 3964.0108. CONFLICTS OF LAW. This chapter prevails
 2-57 over any provision of Chapter 375, Local Government Code, that is in
 2-58 conflict or inconsistent with this chapter.

2-59 Sec. 3964.0109. CONSENT OF MUNICIPALITY REQUIRED. The
 2-60 board may not hold an election to authorize the issuance of bonds
 2-61 until the governing body of the city by ordinance or resolution
 2-62 consents to the creation of the district and to the inclusion of
 2-63 land in the district. The city's consent must be granted in the
 2-64 manner provided by Section 54.016, Water Code, for including land
 2-65 within the corporate limits or extraterritorial jurisdiction of a
 2-66 city.

2-67 SUBCHAPTER B. BOARD OF DIRECTORS

2-68 Sec. 3964.0201. GOVERNING BODY; TERMS. The district is
 2-69 governed by a board of five directors appointed by the commission

3-1 who serve staggered terms of four years, with two or three
3-2 directors' terms expiring June 1 of each even-numbered year.

3-3 Sec. 3964.0202. APPOINTMENT BY COMMISSION. (a) Before the
3-4 term of a director expires, the board shall recommend to the
3-5 commission a person to serve as a successor director. The
3-6 commission shall appoint as director the person recommended by the
3-7 board.

3-8 (b) A person recommended by the board under Subsection (a)
3-9 must be:

3-10 (1) at least 18 years of age;

3-11 (2) an owner of property in the district;

3-12 (3) an owner of stock, whether beneficial or
3-13 otherwise, of a corporate owner of property in the district;

3-14 (4) an owner of a beneficial interest in a trust that
3-15 owns property in the district; or

3-16 (5) an agent, employee, or tenant of a person
3-17 described by Subdivision (2), (3), or (4).

3-18 Sec. 3964.0203. VACANCY. If a vacancy occurs on the board,
3-19 the remaining directors shall appoint a director for the remainder
3-20 of the unexpired term.

3-21 Sec. 3964.0204. COMPENSATION; EXPENSES. (a) The district
3-22 may compensate each director in an amount not to exceed \$150 for
3-23 each board meeting. The total amount of compensation a director may
3-24 receive each year may not exceed \$7,200.

3-25 (b) A director is entitled to reimbursement for necessary
3-26 and reasonable expenses incurred in carrying out the duties and
3-27 responsibilities of the board.

3-28 Sec. 3964.0205. INITIAL DIRECTORS. (a) On or after the
3-29 effective date of the Act enacting this chapter, the owner or owners
3-30 of a majority of the assessed value of the real property in the
3-31 district according to the most recent certified tax appraisal rolls
3-32 for the county may submit a petition to the commission requesting
3-33 that the commission appoint as initial directors five persons named
3-34 in the petition. The commission shall appoint as initial directors
3-35 the persons named in the petition.

3-36 (b) The initial directors shall determine by lot which three
3-37 positions expire June 1, 2022, and which two positions expire June
3-38 1, 2020.

3-39 (c) This section expires September 1, 2023.

3-40 SUBCHAPTER C. POWERS AND DUTIES

3-41 Sec. 3964.0301. GENERAL POWERS AND DUTIES. The district
3-42 has the powers and duties necessary to accomplish the purposes for
3-43 which the district is created.

3-44 Sec. 3964.0302. IMPROVEMENT PROJECTS AND SERVICES. The
3-45 district may provide, design, construct, acquire, improve,
3-46 relocate, operate, maintain, or finance an improvement project or
3-47 service using money available to the district for the purpose, or
3-48 contract with a governmental or private entity to provide, design,
3-49 construct, acquire, improve, relocate, operate, maintain, or
3-50 finance an improvement project or service authorized under this
3-51 chapter or Chapter 375, Local Government Code.

3-52 Sec. 3964.0303. LOCATION OF IMPROVEMENT PROJECT. A
3-53 district improvement project may be located inside or outside of
3-54 the district.

3-55 Sec. 3964.0304. NO EMINENT DOMAIN. The district may not
3-56 exercise the power of eminent domain.

3-57 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-58 Sec. 3964.0401. DISBURSEMENTS AND TRANSFERS OF MONEY. The
3-59 board by resolution shall establish the number of directors'
3-60 signatures and the procedure required for a disbursement or
3-61 transfer of the district's money.

3-62 Sec. 3964.0402. MONEY USED FOR IMPROVEMENTS OR SERVICES.
3-63 The district may acquire, construct, or finance an improvement
3-64 project or service authorized by this chapter or Chapter 375, Local
3-65 Government Code, using any money available to the district for that
3-66 purpose.

3-67 SUBCHAPTER E. TAXES AND BONDS

3-68 Sec. 3964.0501. OPERATION AND MAINTENANCE TAX. The
3-69 district may impose an operation and maintenance tax on taxable

4-1 property in the district for any district purpose in the manner
 4-2 provided by Section 49.107, Water Code, if authorized by a majority
 4-3 of the district voters voting at an election under that section,
 4-4 including for:

- 4-5 (1) maintaining and operating the district;
- 4-6 (2) constructing or acquiring improvements; or
- 4-7 (3) providing a service.

4-8 Sec. 3964.0502. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
 4-9 the time bonds or other obligations payable wholly or partly from ad
 4-10 valorem taxes are issued:

4-11 (1) the board shall impose a continuing direct annual
 4-12 ad valorem tax for each year that all or part of the bonds are
 4-13 outstanding; and

4-14 (2) the board annually shall impose an ad valorem tax
 4-15 on all taxable property in the district in an amount sufficient to:

4-16 (A) pay the interest on the bonds or other
 4-17 obligations as the interest becomes due; and

4-18 (B) create a sinking fund for the payment of the
 4-19 principal of the bonds or other obligations when due or the
 4-20 redemption price at any earlier required redemption date.

4-21 SUBCHAPTER F. SPECIAL BOND PROVISIONS

4-22 Sec. 3964.0601. APPLICABILITY. This subchapter applies
 4-23 only to bonds payable wholly or partly from revenue derived from
 4-24 assessments on real property in the district.

4-25 Sec. 3964.0602. CONFLICT OF LAWS. In the event of a
 4-26 conflict between this subchapter and any other law, this subchapter
 4-27 prevails.

4-28 Sec. 3964.0603. WRITTEN AGREEMENT REGARDING SPECIAL
 4-29 APPRAISALS. Before the district may issue bonds, the district and
 4-30 any person to whom the board intends that proceeds of the bonds be
 4-31 distributed, including the developer, another owner of land in the
 4-32 district, and any entity acting as a lender to the developer or
 4-33 other landowner for the purpose of a project relating to the
 4-34 district, must enter into a written agreement that:

4-35 (1) waives for the term of the agreement the right to a
 4-36 special appraisal with respect to taxation by the district under
 4-37 Subchapters B, C, D, E, F, and H, Chapter 23, Tax Code; and

4-38 (2) remains in effect for 30 years and is binding on
 4-39 the parties, on entities related to or affiliated with the parties,
 4-40 and on their successors and assignees.

4-41 Sec. 3964.0604. REQUIREMENTS FOR ADVERTISING BOND ISSUE.
 4-42 The district may not advertise for an issuance of bonds until the
 4-43 completion of at least 25 percent of the projected value of the
 4-44 improvements, including houses and other buildings, that are liable
 4-45 for district assessments and necessary to support the district
 4-46 bonds.

4-47 Sec. 3964.0605. REQUIREMENTS FOR BOND ISSUE. The district
 4-48 may not issue bonds until:

4-49 (1) the district submits to the commission:

4-50 (A) an engineer's report describing the project
 4-51 for which the bonds will provide funding, including data, profiles,
 4-52 maps, plans, and specifications related to the project; and

4-53 (B) a cash flow analysis to determine the
 4-54 projected rate of assessment, which includes the following
 4-55 assumptions:

4-56 (i) each ending balance for debt service in
 4-57 the analysis is not less than 25 percent of the following year's
 4-58 debt service requirement;

4-59 (ii) interest income is only shown on the
 4-60 ending balance for debt service for the first two years; and

4-61 (iii) the projected rate of assessment is
 4-62 level or decreasing for the life of the bonds issued by the
 4-63 district;

4-64 (2) the completion of at least 75 percent of the
 4-65 projected value of the improvements, including houses and other
 4-66 buildings, that are liable for district assessments and necessary
 4-67 to support the district bonds; and

4-68 (3) the district has obtained an independent market
 4-69 study from a firm recognized in the area of real estate market

5-1 analysis supporting the development projects for the real property
 5-2 that is liable for district assessments and necessary to support
 5-3 the district bonds.

5-4 Sec. 3964.0606. REQUIREMENTS FOR COLLECTION OF REVENUE TO
 5-5 PAY BONDS. The district may not collect an assessment to be used
 5-6 for the payment of bonds until:

5-7 (1) the completion of at least 95 percent of the
 5-8 underground water, wastewater, and drainage facilities financed
 5-9 from bond proceeds that are necessary to serve the projected
 5-10 build-out, as certified by the district's engineer;

5-11 (2) the district or other appropriate party has
 5-12 secured the groundwater, surface water, and water discharge permits
 5-13 that are necessary to secure capacity to support the projected
 5-14 build-out;

5-15 (3) the completion of at least 95 percent of lift
 5-16 station, water plant, and sewage treatment plant capacity
 5-17 sufficient to serve the connections constructed in the project for
 5-18 a period of not less than 18 months, as certified by the district's
 5-19 engineer; and

5-20 (4) the completion of at least 95 percent of the
 5-21 streets and roads that are necessary to provide access to the areas
 5-22 served by utilities and financed by the proceeds of bonds issued by
 5-23 the district, as certified by the district's engineer and
 5-24 constructed in accordance with municipal or county standards.

5-25 SECTION 2. The City of Conroe Municipal Management District
 5-26 No. 3 initially includes all the territory contained in the
 5-27 following area:

5-28 A METES & BOUNDS description of a certain 191.97 acre
 5-29 (8,362,413 square feet) tract of land situated in the Mary Corner
 5-30 Survey, Abstract No. 9, James Smith Survey, Abstract No. 37, and
 5-31 the James W. Singleton Survey, Abstract No. 496 in Montgomery
 5-32 County, Texas, being all of a called 49.840 acre tract conveyed to
 5-33 Muse 128, L.P. by General Warranty Deed recorded in Clerk's File
 5-34 No. 2018026027, Montgomery County Official Public Records of Real
 5-35 Property, being all of a called 14.6529 acre tract conveyed to Muse
 5-36 128, L.P. by General Warranty Deed recorded in Clerk's File
 5-37 No. 2018040787, Montgomery County Official Public Records of Real
 5-38 Property, and being all of a called 127.440 acre tract conveyed to
 5-39 Muse 128, L.P. by General Warranty Deed recorded in Clerk's File
 5-40 No. 2018011371, Montgomery County Official Public Records of Real
 5-41 Property; said 191.97 acre (8,362,413 square feet) tract of land
 5-42 being more particularly described as follows with all bearings
 5-43 being based on the Texas Coordinate System, Central Zone, NAD 83:

5-44 BEGINNING at a point being the northwest corner of a called
 5-45 26.732 acre tract conveyed to McClanahan Storage 105, Inc. by
 5-46 General Warranty Deed recorded in Clerk's File No. 2014050308,
 5-47 Montgomery County Official Public Records of Real Property, being
 5-48 the northeast corner of said called 127.440 acre tract, being in the
 5-49 south right-of-way of State Highway 105 (width varies), and being
 5-50 the most northerly northeast corner of the herein described tract,
 5-51 from which a 5/8-inch iron rod found bears South 81°46'43" East,
 5-52 3.05 feet;

5-53 THENCE, South 04°06'28" East, 2,445.72 feet to a 5/8-inch iron
 5-54 rod (with cap stamped "Manhard") set being the southwest corner of a
 5-55 called 1.433 acre tract conveyed to McClanahan Development, LLC by
 5-56 Warranty Deed recorded in Clerk's File No. 2017069964, Montgomery
 5-57 County Official Public Records of Real Property, being in the east
 5-58 line of said called 127.440 acre tract, and being an interior corner
 5-59 of the herein described tract;

5-60 THENCE, North 86°29'21" East, 1,353.75 feet to a 5/8-inch iron
 5-61 rod (with cap stamped "Manhard") set being the southeast corner of a
 5-62 called Unrestricted Reserve "H" of Poplar Business Park Section 1
 5-63 recorded in Cabinet Z, Sheet 2679, Montgomery County Map Records,
 5-64 being the northeast corner of said called 14.6529 acre tract, being
 5-65 in the west right-of-way of Old Highway 105 (based on a width of 60
 5-66 feet), and being the most easterly northeast corner of the herein
 5-67 described tract;

5-68 THENCE, South 04°00'56" East, 388.46 feet to a 3/8-inch iron
 5-69 rod found being in the east line of said called 14.6529 acre tract,

6-1 being in the west right-of-way of said Old Highway 105, and being
6-2 the most easterly corner of the herein described tract;
6-3 THENCE, North 79°51'51" West, 16.98 feet to a 1-inch iron pipe
6-4 found being in the east line of said called 14.6529 acre tract,
6-5 being in the west right-of-way of said Old Highway 105, and being an
6-6 interior angle point of the herein described tract;
6-7 THENCE, South 03°57'24" East, 88.24 feet to a 1-inch iron pipe
6-8 found being the northeast corner of a called 4.9474 acre tract
6-9 conveyed to Susan Rose Korthauer by Warranty Deed recorded in
6-10 Clerk's File No. 2008056538, Montgomery County Official Public
6-11 Records of Real Property, being the southeast corner of said called
6-12 14.6529 acre tract, being in the west right-of-way of Northshore
6-13 Drive (based on a width of 60 feet), and being the most northerly
6-14 southeast corner of the herein described tract;
6-15 THENCE, South 86°29'21" West, 1,336.43 feet to a 1-inch iron
6-16 pipe found being in the north line of a called 1.500 acre tract
6-17 conveyed to Brittany Lee Brandt by General Warranty Deed with
6-18 Vendor's Lien in Favor of Third Party recorded in Clerk's File
6-19 No. 2011024870, Montgomery County Official Public Records of Real
6-20 Property, being the southwest corner of said called 14.6529 acre
6-21 tract, being the southeast corner of said called 127.440 acre
6-22 tract, and being an angle point of the herein described tract;
6-23 THENCE, South 86°27'31" West, 381.94 feet to a 5/8-inch iron
6-24 rod (with cap stamped "Manhard") set being the northwest corner of
6-25 said called 1.500 acre tract, being in the south line of said called
6-26 127.440 acre tract, being the northeast corner of said called
6-27 49.840 acre tract, and being an interior angle point of the herein
6-28 described tract;
6-29 THENCE, South 03°30'30" East, 1,667.47 feet to a 5/8-inch iron
6-30 rod (with cap stamped "Manhard") set being the southeast corner of
6-31 said called 49.840 acre tract, being in the northwest right-of-way
6-32 of said Northshore Drive, and being the most southerly southeast
6-33 corner of the herein described tract;
6-34 THENCE, South 86°29'30" West, 1,301.26 feet to a 5/8-inch iron
6-35 rod (with cap stamped "Manhard") set being in the north line of the
6-36 remainder of a called 47.596 acre tract conveyed to Jan Stuart
6-37 Oostermeyer and Dale Grove Oostermeyer by General Warranty Deed
6-38 with Vendor's Lien recorded in Volume 925, Page 587, Montgomery
6-39 County Deed Records, being the southwest corner of said called
6-40 49.840 acre tract, and being the most southerly southwest corner of
6-41 the herein described tract;
6-42 THENCE, North 03°41'39" West, 1,664.90 feet to a 5/8-inch iron
6-43 rod (with cap stamped "Manhard") set being the northeast corner of a
6-44 called 4.97 acre tract conveyed to Mark Speight and Blanca Speight
6-45 by Warranty Deed with Vendor's Lien recorded in Clerk's File
6-46 No. 2015112241, Montgomery County Official Public Records of Real
6-47 Property, being the northwest corner of said called 49.840 acre
6-48 tract, being in the south line of said called 127.440 acre tract,
6-49 and being an interior angle point of the herein described tract;
6-50 THENCE, South 86°15'04" West, 1,095.59 feet to a 5/8-inch iron
6-51 rod (with cap) found being the northwest corner of a called 2.474
6-52 acre tract conveyed to Richard H. Hansen and Kristine M. Hansen by
6-53 Texas General Warranty Deed with Vendor's Lien recorded in Clerk's
6-54 File No. 2017046810, Montgomery County Official Public Records of
6-55 Real Property, being the southwest corner of said called 127.440
6-56 acre tract, being in the east right-of-way of McCaleb Road (width
6-57 varies), being the most northerly southwest corner of the herein
6-58 described tract, and being the beginning of a non-tangent curve to
6-59 the left;
6-60 THENCE, along said non-tangent curve to the left having a
6-61 radius of 4,431.68 feet, an arc length of 116.13 feet, and a long
6-62 chord bearing North 02°15'40" West, 116.13 feet to a 5/8-inch iron
6-63 rod (with cap) found being in the west line of said called 127.440
6-64 acre tract and being in the east right-of-way of said McCaleb Road;
6-65 THENCE, North 03°00'42" West, 1,081.87 feet to a 5/8-inch iron
6-66 rod (with cap stamped "Manhard") set being in the south line of a
6-67 called 2.066 acre tract conveyed to Lake South Water Supply
6-68 Corporation by Warranty Deed recorded in Clerk's File
6-69 No. 2005-104064, Montgomery County Official Public Records of Real

7-1 Property, being the most westerly corner of said called 127.440
7-2 acre tract, being in the east right-of-way of said McCaleb Road, and
7-3 being the most westerly corner of the herein described tract;

7-4 THENCE, North 87°04'28" East, 1,599.20 feet to a 5/8-inch iron
7-5 rod found being the southeast corner of a called 60.63 acre tract
7-6 conveyed to GAM Enterprises, Inc. by Warranty Deed recorded in
7-7 Clerk's File No. 2011029722, Montgomery County Official Public
7-8 Records of Real Property, being an interior corner of said called
7-9 127.440 acre tract, and being an interior corner of the herein
7-10 described tract;

7-11 THENCE, North 02°58'33" West, 2,248.07 feet to a 5/8-inch iron
7-12 rod found being the northeast corner of a called Restricted Reserve
7-13 "A" of Lake Conroe Business Park Section 4 recorded in Cabinet M,
7-14 Sheet 163, Montgomery County Map Records, being the most northerly
7-15 corner of said 127.440 acre tract, being in the south right-of-way
7-16 of said State Highway 105, and being the most northerly corner of
7-17 the herein described tract;

7-18 THENCE, South 70°13'10" East, 493.12 feet to a Texas
7-19 Department of Transportation brass disk in concrete found being in
7-20 the north line of said 127.440 acre tract, being in the south
7-21 right-of-way of said State Highway 105, and being an angle point of
7-22 the herein described tract;

7-23 THENCE, South 55°13'24" East, 77.29 feet to a 5/8-inch iron
7-24 rod (with cap stamped "Manhard") set being in the north line of said
7-25 127.440 acre tract, being in the south right-of-way of said State
7-26 Highway 105, and being an angle point of the herein described tract;

7-27 THENCE South 70°16'14" East, 661.82 feet to the POINT OF
7-28 BEGINNING, CONTAINING 191.97 acres (8,362,413 square feet) of land
7-29 in Montgomery County, Texas filed in the office of Manhard
7-30 Consulting, Ltd. in The Woodlands, Texas.

7-31 SECTION 3. (a) The legal notice of the intention to
7-32 introduce this Act, setting forth the general substance of this
7-33 Act, has been published as provided by law, and the notice and a
7-34 copy of this Act have been furnished to all persons, agencies,
7-35 officials, or entities to which they are required to be furnished
7-36 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-37 Government Code.

7-38 (b) The governor, one of the required recipients, has
7-39 submitted the notice and Act to the Texas Commission on
7-40 Environmental Quality.

7-41 (c) The Texas Commission on Environmental Quality has filed
7-42 its recommendations relating to this Act with the governor,
7-43 lieutenant governor, and speaker of the house of representatives
7-44 within the required time.

7-45 (d) All requirements of the constitution and laws of this
7-46 state and the rules and procedures of the legislature with respect
7-47 to the notice, introduction, and passage of this Act have been
7-48 fulfilled and accomplished.

7-49 SECTION 4. This Act takes effect immediately if it receives
7-50 a vote of two-thirds of all the members elected to each house, as
7-51 provided by Section 39, Article III, Texas Constitution. If this
7-52 Act does not receive the vote necessary for immediate effect, this
7-53 Act takes effect September 1, 2019.

7-54 * * * * *