

By: Oliverson

H.B. No. 3442

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of the Harris County Municipal Utility
3 District No. 566; granting a limited power of eminent domain;
4 providing authority to issue bonds; providing authority to impose
5 assessments, fees, and taxes.

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

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws
8 Code, is amended by adding Chapter 8037 to read as follows:

9 CHAPTER 8037. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 566

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 8037.0101. DEFINITIONS. In this chapter:

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

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

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

16 (4) "District" means the Harris County Municipal
17 Utility District No. 566.

18 Sec. 8037.0102. NATURE OF DISTRICT. The district is a
19 municipal utility district created under Section 59, Article XVI,
20 Texas Constitution.

21 Sec. 8037.0103. CONFIRMATION AND DIRECTOR ELECTION
22 REQUIRED. The temporary directors shall hold an election to
23 confirm the creation of the district and to elect five permanent
24 directors as provided by Section 49.102, Water Code.

1 Sec. 8037.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 8037.0103 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. 8037.0105. 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. 8037.0106. 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. 8037.0201. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five elected directors.

5 (b) Except as provided by Section 8037.0202, directors
6 serve staggered four-year terms.

7 Sec. 8037.0202. TEMPORARY DIRECTORS. (a) The temporary
8 board consists of:

9 (1) Philip Ghutzman;

10 (2) Todd Dillingham;

11 (3) Caitlin Doonan;

12 (4) Nolan Mainguy; and

13 (5) Robert Frost.

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

15 (1) the date permanent directors are elected under
16 Section 8037.0103; 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 8037.0103 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 8037.0103; 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. 8037.0301. 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. 8037.0302. 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. 8037.0303. 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. 8037.0304. 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. 8037.0305. 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. 8037.0306. DIVISION OF DISTRICT. (a) The district may
16 be divided into two or more new districts only if:

17 (1) the district has no outstanding bonded debt; and

18 (2) the district is not imposing ad valorem taxes.

19 (b) This chapter applies to any new district created by the
20 division of the district, and a new district has all the powers and
21 duties of the district.

22 (c) Any new district created by the division of the district
23 may not, at the time the new district is created, contain any land
24 outside the area described by Section 2 of the Act creating this
25 chapter.

26 (d) The board, on its own motion or on receipt of a petition
27 signed by the owner or owners of a majority of the assessed value of

1 the real property in the district, may adopt an order dividing the
2 district.

3 (e) The board may adopt an order dividing the district
4 before or after the date the board holds an election under Section
5 8037.0103 to confirm the creation of the district.

6 (f) An order dividing the district shall:

7 (1) name each new district;

8 (2) include the metes and bounds description of the
9 territory of each new district;

10 (3) appoint temporary directors for each new district;

11 and

12 (4) provide for the division of assets and liabilities
13 between or among the new districts.

14 (g) On or before the 30th day after the date of adoption of
15 an order dividing the district, the district shall file the order
16 with the commission and record the order in the real property
17 records of each county in which the district is located.

18 (h) Any new district created by the division of the district
19 shall hold a confirmation and directors' election as required by
20 Section 8037.0103.

21 (i) If the creation of the new district is confirmed, the
22 new district shall provide the election date and results to the
23 commission.

24 (j) Any new district created by the division of the district
25 must hold an election as required by this chapter to obtain voter
26 approval before the district may impose a maintenance tax or issue
27 bonds payable wholly or partly from ad valorem taxes.

1 (k) Municipal consent to the creation of the district and to
2 the inclusion of land in the district granted under Section
3 8037.0104 acts as municipal consent to the creation of any new
4 district created by the division of the district and to the
5 inclusion of land in the new district.

6 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

7 Sec. 8037.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
8 The district may issue, without an election, bonds and other
9 obligations secured by:

10 (1) revenue other than ad valorem taxes; or

11 (2) contract payments described by Section 8037.0403.

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

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

20 Sec. 8037.0402. OPERATION AND MAINTENANCE TAX. (a) If
21 authorized at an election held under Section 8037.0401, the
22 district may impose an operation and maintenance tax on taxable
23 property in the district in accordance with Section 49.107, Water
24 Code.

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

27 Sec. 8037.0403. CONTRACT TAXES. (a) In accordance with

1 Section 49.108, Water Code, the district may impose a tax other than
2 an operation and maintenance tax and use the revenue derived from
3 the tax to make payments under a contract after the provisions of
4 the contract have been approved by a majority of the district voters
5 voting at an election held for that purpose.

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

9 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

10 Sec. 8037.0501. AUTHORITY TO ISSUE BONDS AND OTHER
11 OBLIGATIONS. The district may issue bonds or other obligations
12 payable wholly or partly from ad valorem taxes, impact fees,
13 revenue, contract payments, grants, or other district money, or any
14 combination of those sources, to pay for any authorized district
15 purpose.

16 Sec. 8037.0502. TAXES FOR BONDS. At the time the district
17 issues bonds payable wholly or partly from ad valorem taxes, the
18 board shall provide for the annual imposition of a continuing
19 direct ad valorem tax, without limit as to rate or amount, while all
20 or part of the bonds are outstanding as required and in the manner
21 provided by Sections 54.601 and 54.602, Water Code.

22 Sec. 8037.0503. BONDS FOR ROAD PROJECTS. At the time of
23 issuance, the total principal amount of bonds or other obligations
24 issued or incurred to finance road projects and payable from ad
25 valorem taxes may not exceed one-fourth of the assessed value of the
26 real property in the district.

27 SECTION 2. The Harris County Municipal Utility District No.

1 566 initially includes all the territory contained in the following
2 area:

3 TRACT 1 - 538.890 ACRES

4 A FIELD NOTE DESCRIPTION of a 553.208 acre tract of land in
5 the R. Walton Survey, Abstract No. 845 and in the H. Ehrenberg
6 Survey, Abstract No. 247, Harris County, Texas; said 553.208 acre
7 tract being Tracts 1-11 conveyed to Golden Shamrock Realty, Inc.,
8 as recorded in Harris County Clerk's File No. P061803; said tract
9 being more particularly described by metes-and-bounds as follows
10 with the bearings being based on Texas State Plane Coordinate
11 System, South Central Zone (NAD83) per GPS Observations using
12 National Geodetic Survey Continuously Operating Reference
13 Stations:

14 BEGINNING at a 3/8-inch iron rod found at the intersection of
15 the west right-of-way line of Becker Road (width varies) with the
16 north right-of-way line of Becker Road (called 60 feet wide) for the
17 southeast corner of said Tract 9;

18 THENCE, South 87° 45' 45" West - 4,884.83 feet with the north
19 line of said Becker Road and with the south line of said Tracts 7, 8,
20 9, and 11 to a 5/8-inch iron rod found at the southeast end of a
21 cutback corner at the intersection of the north line of said Becker
22 Road with the east right-of-way line Katy-Hockley Road (called 60
23 feet wide) for a southwest corner of this tract;

24 THENCE, North 58° 07' 58" West - 46.02 feet with said cutback
25 and with a southwest line of said Tract 7 to a 5/8-inch iron rod
26 found for an angle point of this tract;

27 THENCE, North 61° 37' 08" West - 85.49 feet with said cutback

1 and with a southwest line of said Tract 7 to a 5/8-inch iron rod
2 found for an angle point of this tract;

3 THENCE, North 34° 22' 11" West - 42.85 feet with said cutback
4 and with a southwest line of said Tract 7 to a 5/8-inch iron rod
5 found for an angle point of this tract;

6 THENCE, North 15° 13' 59" West - 53.74 feet with said cutback
7 and with a southwest line of said Tract 7 to a 5/8-inch iron rod
8 found for the north end of said cutback and for a southwest corner
9 of this tract;

10 THENCE, North 01° 44' 20" West - 1,621.49 feet with the east
11 right-of-way line of said Katy-Hockley Road and with a west line of
12 said Tracts 7 and 11 to a 1/2-inch iron rod found for a northwest
13 corner of this tract;

14 THENCE, North 88° 16' 31" East - 20.06 feet with a south line
15 of a 17.4152 acre tract of land conveyed to G. Robert Friedman,
16 Trustee, as recorded in Harris County Clerk's File No. 20070505569
17 and with a north line of said Tract 11 to a 5/8-inch iron rod found
18 for an angle point of this tract;

19 THENCE, South 48° 17' 22" East - 14.54 feet with a southwest
20 line of said 17.4152 acre tract and with a northeast line of said
21 Tract 11 to a 5/8-inch iron rod found for an angle point of this
22 tract;

23 THENCE, North 88° 16' 31" East - 1,711.59 feet with a south
24 line of said 17.4152 acre tract, with the south line of a 11.6869
25 acre tract of land conveyed to Michael A. Nassie, as recorded in
26 Harris County Clerk's File No. N345641 and with a north line of said
27 Tract 11 to a 1/2-inch iron rod found for an angle point of this

1 tract;

2 THENCE, North 43° 01' 23" East - 14.08 feet with a southeast
3 line of said 11.6869 acre tract and with a northwest line of said
4 Tract 11 to a 1/2-inch iron rod found for an angle point of this
5 tract;

6 THENCE, North 02° 13' 45" West - 778.58 feet with the east
7 line of said 11.6869 acre tract and with a west line of said Tract 11
8 to a 1/2-inch iron pipe found for an interior corner of this tract;

9 THENCE, South 80° 40' 21" West - 634.30 feet with a south line
10 of said Tract 4 and with a north line of said 11.6869 acre tract to a
11 5/8-inch iron rod found for an angle point of this tract;

12 THENCE, South 88° 17' 42" West - 415.20 feet with a south line
13 of said Tract 4, with a north line of said 11.6869 acre tract and
14 with the north line of said 17.4152 acre tract to a 3/4-inch iron
15 pipe found for a southwest corner of this tract;

16 THENCE, North 01° 41' 02" West - 781.71 feet with the west
17 line of said Tract 4 and with the east line of a 11.65 acre tract of
18 land conveyed to Mueshke Land Holdings, L.P., as recorded in Harris
19 County Clerk's File No. RP-2017-467581 to a 5/8-inch iron rod with
20 cap set to replace a disturbed 5/8-inch iron rod found for an
21 interior corner of this tract;

22 THENCE, South 75° 49' 10" West - 240.49 feet with a south line
23 of said Tract 11 and with the north line of said 11.65 acre tract to
24 a 5/8-inch iron rod found for a point-of-curvature;

25 THENCE, in a westerly direction with a south line of said
26 Tract 11 and with the north line of said 11.65 acre tract and with a
27 curve to the right having a radius of 1,040.00 feet, a central angle

1 of 12° 27' 19", a length of 226.08 feet, and a chord bearing
2 South 82° 00' 12" West - 225.64 feet to a 5/8-inch iron rod found for
3 a point-of-tangency;

4 THENCE, South 88° 15' 52" West - 213.28 feet with a south line
5 of said Tract 11 and with the north line of said 11.65 acre tract to
6 a 1/2-inch iron rod found for an angle point of this tract;

7 THENCE, South 42° 50' 16" West - 14.04 feet with a south line
8 of said Tract 11 and with the north line of said 11.65 acre tract to
9 a 1/2-inch iron rod found for an angle point of this tract;

10 THENCE, South 88° 15' 52" West - 20.00 feet with a south line
11 of said Tract 11 and with the north line of said 11.65 acre tract to
12 a 1/2-inch iron rod found in the east right-of-way line of said
13 Katy-Hockley Road for an southwest corner of this tract;

14 THENCE, North 01° 44' 20" West - 1,726.45 feet with the east
15 right-of-way line of said Katy-Hockley Road and with a west line of
16 said Tracts 1 and 11 to a 5/8-inch iron rod found for a northwest
17 corner of this tract;

18 THENCE, North 87° 12' 47" East - 20.03 feet with a north line
19 of said Tract 11 and with a south line of a called 86.9702 acre tract
20 of land conveyed to Hanson Aggregates, Inc., as recorded in Harris
21 County Clerk's File No. 20070002906 to a 5/8-inch iron rod found
22 for an angle point of this tract;

23 THENCE, South 45° 45' 24" East - 14.40 feet with a north line
24 of said Tract 11 and with a south line of said 86.9702 acre tract to
25 a 1/2-inch iron rod found for an angle point of this tract and for
26 the beginning of a non-tangent curve to the right;

27 THENCE, in an easterly direction with a north line of said

1 Tract 11, with a south line of said 86.9702 acre tract and with said
2 curve to the right having a radius of 905.00 feet, a central angle
3 of 06° 01' 18", a length of 95.11 feet, and a chord bearing South 88°
4 44' 25" East - 95.07 feet to a 1/2-inch iron rod found for the
5 beginning of a curve to the left;

6 THENCE, in an easterly direction with a north line of said
7 Tract 11, with a south line of said 86.9702 acre tract and with said
8 curve to the left having a radius of 905.00 feet, a central angle of
9 06° 01' 04", a length of 95.05 feet, and a chord bearing South 88° 51'
10 58" East - 95.01 feet to a 1/2-inch iron rod found for the end of
11 said curve;

12 THENCE, North 88° 15' 22" East - 970.65 feet with a north line
13 of said Tract 11 and with a south line of said 86.9702 acre tract to
14 a 1/2-inch iron rod found for the beginning of a curve to the left;

15 THENCE, in a northeasterly direction with a northwest line of
16 said Tract 11, with a southeast line of said 86.9702 acre tract and
17 with said curve to the left having a radius of 1,950.00 feet, a
18 central angle of 47° 52' 44", a length of 1,629.50 feet, and a chord
19 bearing North 64° 20' 50" East - 1,582.50 feet to a 5/8-inch iron
20 rod found for a the end of said curve;

21 THENCE, North 40° 22' 55" East - 512.17 feet with a northwest
22 line of said Tract 11 and with a southeast line of said 86.9702 acre
23 tract to a 1/2-inch iron rod found in the southwest line of the
24 Southern Pacific Railroad Company right-of-way for a north corner
25 of this tract;

26 THENCE, South 68° 07' 51" East - 2,152.18 feet with the
27 southwest line of said Southern Pacific Railroad Company

1 right-of-way and with the northeast line of said Tracts 11 and 3 to
2 a 5/8-inch iron rod with cap that could not be read found in the west
3 right-of-way line of said Becker Road for a northeast corner of this
4 tract;

5 THENCE, South 02° 00' 38" East - 50.88 feet with the west
6 right-of-way line of said Becker Road, as recorded in Harris County
7 Clerk's File No. 20100142826 and with the east line of said Tract 3
8 to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for the
9 beginning of a curve to the left;

10 THENCE, in a southerly direction with the west right-of-way
11 line of said Becker Road and with said curve to the left having a
12 radius of 2,015.00 feet, a central angle of 05° 43' 55", a length of
13 201.58 feet and a chord bearing South 04° 52' 36" East - 201.50 feet
14 to a 5/8-inch iron rod with cap stamped "Amani Eng" found for the
15 beginning of a curve to the right;

16 THENCE, in a southerly direction with the west right-of-way
17 line of said Becker Road and with said curve to the right having a
18 radius of 1,985.00 feet, a central angle of 05° 43' 55", a length of
19 198.58 feet and a chord bearing South 04° 52' 36" East - 198.50 feet
20 to a 5/8-inch iron rod with cap that could not be read found for the
21 end of said curve;

22 THENCE, South 02° 01' 06" East - 1,609.77 feet with the west
23 right-of-way line of said Becker Road to a 5/8-inch iron rod with
24 cap stamped "T.E.A.M." set for a southeast corner of this tract;

25 THENCE, South 87° 56' 49" West - 509.75 feet with a south line
26 of said Tract 6 and with the north line of a 3.6295 acre tract of
27 land conveyed to Harris County, as recorded in Harris County

1 Clerk's File No. 20100142826 to a 5/8-inch iron rod with cap
2 stamped "Amani Eng" found for an interior corner of this tract;

3 THENCE, South 02° 01' 53" East - 310.02 feet with an east line
4 of said Tract 6 and with the west line of said 3.6295 acre tract to a
5 5/8-inch iron rod with cap that could not be read found for an
6 interior corner of this tract;

7 THENCE, North 87° 56' 49" East - 546.24 feet with a north line
8 of said Tract 6 and with the south line of said 3.6295 acre tract to
9 a 5/8-inch iron rod with cap that could not be read for a northeast
10 corner of this tract;

11 THENCE, South 01° 59' 46" East - 2,622.08 feet with an east
12 line of said Tracts 6, 9, and 11 and with the west right-of-way line
13 of said Becker Road to the POINT OF BEGINNING and containing 553.208
14 acres of land.

15 SAVE AND EXCEPT 14.318 ACRES:

16 A FIELD NOTE DESCRIPTION of a 14.318 acre tract of land in the
17 R. Walton Survey, Abstract No. 845 and in the H. Ehrenberg Survey,
18 Abstract No. 247, Harris County, Texas; said 14.318 acre tract
19 being all of a tract of land conveyed to Dennis N. Johnston,
20 Trustee, as recorded in Harris County Clerk's File No. 20070541784;
21 said tract being more particularly described by metes-and-bounds as
22 follows with the bearings being based on Texas State Plane
23 Coordinate System, South Central Zone (NAD83) per GPS Observations
24 using National Geodetic Survey Continuously Operating Reference
25 Stations:

26 COMMENCING FOR REFERENCE at a 3/8-inch iron rod found at the
27 intersection of the west right-of-way line of Becker Road (width

1 varies) with the north right-of-way line of Becker Road (called 60
2 feet wide) for the southeast corner of Tract 9 conveyed to Golden
3 Shamrock Realty, Inc., as recorded in Harris County Clerk's File
4 No. P061803;

5 THENCE, South 87° 45' 45" West - 3,175.48 feet with the north
6 line of said Becker Road and with the south line of Tracts 8, 9, and
7 11 conveyed to Golden Shamrock Realty, Inc., as recorded in Harris
8 County Clerk's File No. P061803 to a 1/2-inch iron rod found for a
9 southwest corner of said Lot 8 and for a southeast corner of said
10 Lot 11;

11 THENCE, North 02° 13' 45" West - 20.00 feet with the west line
12 of said Lot 8 and with an east line of said Lot 11 to an angle point;

13 THENCE, North 47° 13' 45" West - 14.14 feet with the southwest
14 line of said Lot 8 and with a northeast line of said Lot 11 to an
15 angle point;

16 THENCE, North 02° 13' 45" West - 2,522.28 feet to a 1/2-inch
17 iron rod found for a northwest corner of a 44.659 acre tract of
18 land, described as Tract 5, conveyed to Golden Shamrock Realty,
19 Inc., as recorded in Harris County Clerk's File No. P061803 and for
20 the southwest corner and POINT OF BEGINNING of this tract;

21 THENCE, North 02° 13' 45" West - 277.84 feet with an east line
22 of said Tract 11 to a 1/2-inch iron rod found for the beginning of a
23 curve to the left;

24 THENCE, in a northerly direction with an east line of said
25 Tract 11 and with said curve to the left having a radius of 1,040.00
26 feet, a central angle of 11° 57' 32", a length of 217.07 feet, and a
27 chord bearing North 08° 12' 09" West - 216.68 feet to a 1/2-inch

1 iron rod found for the end of said curve;

2 THENCE, North 14° 14' 28" West - 416.05 feet with an east line
3 of said Tract 11 to a 5/8-inch iron rod with cap that could not be
4 read found for a northwest corner of this tract;

5 THENCE, North 30° 47' 21" East - 14.13 feet with a southeast
6 line of said Tract 11 to a 1/2-inch iron rod found for a northwest
7 corner of this tract;

8 THENCE, North 75° 49' 10" East - 635.42 feet with a south line
9 of said Tract 11 to a 1/2-inch iron rod found for the northeast
10 corner of this tract;

11 THENCE, South 14° 10' 18" East - 951.30 feet with a west line
12 of said Tract 5 to a 1/2-inch iron rod found for the southeast
13 corner of this tract;

14 THENCE, South 75° 49' 02" West - 278.02 feet with a north line
15 of said Tract 5 to a 1/2-inch iron rod found for an angle point of
16 this tract;

17 THENCE, South 80° 40' 21" West - 448.51 feet with a north line
18 of said Tract 5 to the POINT OF BEGINNING and containing 14.318
19 acres of land, leaving a surveyed area of 538.890 acres.

20 TRACT 2 - 557.308 ACRES

21 A FIELD NOTE DESCRIPTION of a 557.308 acre tract of land in
22 the H. Ehrenberg Survey, Abstract No. 247, Harris County, Texas;
23 said 557.308 acre tract being the remainder of a 850 acre tract of
24 land conveyed to Gold Star Realty, Inc., as recorded in Harris
25 County Clerk's File No. P114056; said tract being more particularly
26 described by metes-and-bounds as follows with the bearings being
27 based on Texas State Plane Coordinate System, South Central Zone

1 (NAD83) per GPS Observations using National Geodetic Survey
2 Continuously Operating Reference Stations:

3 BEGINNING at a 3/8-inch iron rod found in the south
4 right-of-way line of Becker Road (called 60 feet wide) for the
5 northwest corner of said 850 acre tract and for the northwest corner
6 of this tract;

7 THENCE, North 87° 29' 54" East - 1,605.31 feet with the south
8 right-of-way line of said Becker Road to a 5/8-inch iron rod with
9 cap stamped "T.E.A.M." set for the northwest end of a radial cutback
10 at the intersection of the south right-of-way line of said Becker
11 Road with the west right-of-way line of Katy-Hockley Cut-Off Road
12 (called 60 feet wide) for a point-of-curvature;

13 THENCE, in a southeasterly direction with said cutback and
14 with a curve to the right having a radius of 173.75 feet, a central
15 angle of 89° 51' 04", a length of 272.47 feet, and a chord bearing
16 South 47° 34' 29" East - 245.40 feet to a 5/8-inch iron rod with cap
17 stamped "T.E.A.M." set for a point-of-tangency;

18 THENCE, South 02° 38' 58" East - 4,770.88 feet with the west
19 line of said Katy-Hockley Cut-Off Road to a point in a headwall for
20 the southeast corner of said 850 acre tract and for the southeast
21 corner of this tract;

22 THENCE, South 87° 42' 31" West - 5,577.00 feet with the north
23 line of a 74.109 acre tract of land conveyed to Gold Star Realty,
24 Inc., as recorded in Harris County Clerk's File No. U987281, with
25 the north line of a 72.8256 acre tract conveyed to Minero Holdings,
26 LLC, as recorded in Harris County Clerk's File No. RP-2016-333873
27 and with the north line of a 94.107 acre tract conveyed to Cypress

1 Prairie Mitigation, Inc., as recorded in Harris County Clerk's File
2 No. RP-2017-220630 to a 1/2-inch iron rod found for the southwest
3 corner of this tract; from which a 1-inch iron rod found for an
4 interior corner of said 850 acres bears North 87° 42' 31" East -
5 194.97 feet;

6 THENCE, North 02° 39' 04" West - 4,095.43 feet to a 1/2-inch
7 iron rod found for a northwest corner of said 850 acre tract and for
8 the northwest corner of this tract;

9 THENCE, North 88° 14' 06" East - 3,786.97 feet with a south
10 line of a tract of land conveyed to 290 WR Holdings LP, as recorded
11 in Harris County Clerk's File No. RP-2017-245403 to a 5/8-inch iron
12 rod with cap stamped "T.E.A.M." set to replace a disturbed 3/8-inch
13 iron rod for an interior corner of this tract;

14 THENCE, North 01° 52' 21" West - 877.02 feet with a west line
15 of said 850 acre tract to the POINT OF BEGINNING and containing
16 557.308 acres of land.

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

24 (b) The governor, one of the required recipients, has
25 submitted the notice and Act to the Texas Commission on
26 Environmental Quality.

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor, the
2 lieutenant governor, and the speaker of the house of
3 representatives within the required time.

4 (d) All requirements of the constitution and laws of this
5 state and the rules and procedures of the legislature with respect
6 to the notice, introduction, and passage of this Act are fulfilled
7 and accomplished.

8 SECTION 4. (a) If this Act does not receive a two-thirds
9 vote of all the members elected to each house, Subchapter C, Chapter
10 8037, Special District Local Laws Code, as added by Section 1 of
11 this Act, is amended by adding Section 8037.0307 to read as follows:

12 Sec. 8037.0307. NO EMINENT DOMAIN POWER. The district may
13 not exercise the power of eminent domain.

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

17 SECTION 5. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2019.