

1-1 By: Oliverson (Senate Sponsor - Kolkhorst) H.B. No. 3442
 1-2 (In the Senate - Received from the House April 29, 2019;
 1-3 April 29, 2019, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 9, 2019, reported favorably by
 1-5 the following vote: Yeas 7, Nays 0; May 9, 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 Harris County Municipal Utility
 1-18 District No. 566; granting a limited power of eminent domain;
 1-19 providing authority to issue bonds; providing authority to impose
 1-20 assessments, fees, and taxes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-22 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-23 Code, is amended by adding Chapter 8037 to read as follows:

1-24 CHAPTER 8037. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 566
 1-25 SUBCHAPTER A. GENERAL PROVISIONS

1-26 Sec. 8037.0101. DEFINITIONS. In this chapter:

1-27 (1) "Board" means the district's board of directors.
 1-28 (2) "Commission" means the Texas Commission on
 1-29 Environmental Quality.

1-30 (3) "Director" means a board member.

1-31 (4) "District" means the Harris County Municipal
 1-32 Utility District No. 566.

1-33 Sec. 8037.0102. NATURE OF DISTRICT. The district is a
 1-34 municipal utility district created under Section 59, Article XVI,
 1-35 Texas Constitution.

1-36 Sec. 8037.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-37 REQUIRED. The temporary directors shall hold an election to
 1-38 confirm the creation of the district and to elect five permanent
 1-39 directors as provided by Section 49.102, Water Code.

1-40 Sec. 8037.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-41 temporary directors may not hold an election under Section
 1-42 8037.0103 until each municipality in whose corporate limits or
 1-43 extraterritorial jurisdiction the district is located has
 1-44 consented by ordinance or resolution to the creation of the
 1-45 district and to the inclusion of land in the district.

1-46 Sec. 8037.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-47 (a) The district is created to serve a public purpose and benefit.

1-48 (b) The district is created to accomplish the purposes of:

1-49 (1) a municipal utility district as provided by
 1-50 general law and Section 59, Article XVI, Texas Constitution; and

1-51 (2) Section 52, Article III, Texas Constitution, that
 1-52 relate to the construction, acquisition, improvement, operation,
 1-53 or maintenance of macadamized, graveled, or paved roads, or
 1-54 improvements, including storm drainage, in aid of those roads.

1-55 Sec. 8037.0106. INITIAL DISTRICT TERRITORY. (a) The
 1-56 district is initially composed of the territory described by
 1-57 Section 2 of the Act enacting this chapter.

1-58 (b) The boundaries and field notes contained in Section 2 of
 1-59 the Act enacting this chapter form a closure. A mistake made in the
 1-60 field notes or in copying the field notes in the legislative process
 1-61 does not affect the district's:

- 2-1 (1) organization, existence, or validity;
- 2-2 (2) right to issue any type of bond for the purposes
- 2-3 for which the district is created or to pay the principal of and
- 2-4 interest on a bond;
- 2-5 (3) right to impose a tax; or
- 2-6 (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

2-8 Sec. 8037.0201. GOVERNING BODY; TERMS. (a) The district
 2-9 is governed by a board of five elected directors.
 2-10 (b) Except as provided by Section 8037.0202, directors
 2-11 serve staggered four-year terms.

2-12 Sec. 8037.0202. TEMPORARY DIRECTORS. (a) The temporary
 2-13 board consists of:

- 2-14 (1) Philip Ghutzman;
- 2-15 (2) Todd Dillingham;
- 2-16 (3) Caitlin Doonan;
- 2-17 (4) Nolan Mainguy; and
- 2-18 (5) Robert Frost.

2-19 (b) Temporary directors serve until the earlier of:
 2-20 (1) the date permanent directors are elected under
 2-21 Section 8037.0103; or
 2-22 (2) the fourth anniversary of the effective date of
 2-23 the Act enacting this chapter.

2-24 (c) If permanent directors have not been elected under
 2-25 Section 8037.0103 and the terms of the temporary directors have
 2-26 expired, successor temporary directors shall be appointed or
 2-27 reappointed as provided by Subsection (d) to serve terms that
 2-28 expire on the earlier of:

- 2-29 (1) the date permanent directors are elected under
 2-30 Section 8037.0103; or
- 2-31 (2) the fourth anniversary of the date of the
 2-32 appointment or reappointment.

2-33 (d) If Subsection (c) applies, the owner or owners of a
 2-34 majority of the assessed value of the real property in the district
 2-35 may submit a petition to the commission requesting that the
 2-36 commission appoint as successor temporary directors the five
 2-37 persons named in the petition. The commission shall appoint as
 2-38 successor temporary directors the five persons named in the
 2-39 petition.

SUBCHAPTER C. POWERS AND DUTIES

2-41 Sec. 8037.0301. GENERAL POWERS AND DUTIES. The district
 2-42 has the powers and duties necessary to accomplish the purposes for
 2-43 which the district is created.

2-44 Sec. 8037.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-45 DUTIES. The district has the powers and duties provided by the
 2-46 general law of this state, including Chapters 49 and 54, Water Code,
 2-47 applicable to municipal utility districts created under Section 59,
 2-48 Article XVI, Texas Constitution.

2-49 Sec. 8037.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-50 52, Article III, Texas Constitution, the district may design,
 2-51 acquire, construct, finance, issue bonds for, improve, operate,
 2-52 maintain, and convey to this state, a county, or a municipality for
 2-53 operation and maintenance macadamized, graveled, or paved roads, or
 2-54 improvements, including storm drainage, in aid of those roads.

2-55 Sec. 8037.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-56 road project must meet all applicable construction standards,
 2-57 zoning and subdivision requirements, and regulations of each
 2-58 municipality in whose corporate limits or extraterritorial
 2-59 jurisdiction the road project is located.

2-60 (b) If a road project is not located in the corporate limits
 2-61 or extraterritorial jurisdiction of a municipality, the road
 2-62 project must meet all applicable construction standards,
 2-63 subdivision requirements, and regulations of each county in which
 2-64 the road project is located.

2-65 (c) If the state will maintain and operate the road, the
 2-66 Texas Transportation Commission must approve the plans and
 2-67 specifications of the road project.

2-68 Sec. 8037.0305. COMPLIANCE WITH MUNICIPAL CONSENT
 2-69 ORDINANCE OR RESOLUTION. The district shall comply with all

3-1 applicable requirements of any ordinance or resolution that is
 3-2 adopted under Section 54.016 or 54.0165, Water Code, and that
 3-3 consents to the creation of the district or to the inclusion of land
 3-4 in the district.

3-5 Sec. 8037.0306. DIVISION OF DISTRICT. (a) The district
 3-6 may be divided into two or more new districts only if:

3-7 (1) the district has no outstanding bonded debt; and

3-8 (2) the district is not imposing ad valorem taxes.

3-9 (b) This chapter applies to any new district created by the
 3-10 division of the district, and a new district has all the powers and
 3-11 duties of the district.

3-12 (c) Any new district created by the division of the district
 3-13 may not, at the time the new district is created, contain any land
 3-14 outside the area described by Section 2 of the Act creating this
 3-15 chapter.

3-16 (d) The board, on its own motion or on receipt of a petition
 3-17 signed by the owner or owners of a majority of the assessed value of
 3-18 the real property in the district, may adopt an order dividing the
 3-19 district.

3-20 (e) The board may adopt an order dividing the district
 3-21 before or after the date the board holds an election under Section
 3-22 8037.0103 to confirm the creation of the district.

3-23 (f) An order dividing the district shall:

3-24 (1) name each new district;

3-25 (2) include the metes and bounds description of the
 3-26 territory of each new district;

3-27 (3) appoint temporary directors for each new district;

3-28 and

3-29 (4) provide for the division of assets and liabilities
 3-30 between or among the new districts.

3-31 (g) On or before the 30th day after the date of adoption of
 3-32 an order dividing the district, the district shall file the order
 3-33 with the commission and record the order in the real property
 3-34 records of each county in which the district is located.

3-35 (h) Any new district created by the division of the district
 3-36 shall hold a confirmation and directors' election as required by
 3-37 Section 8037.0103.

3-38 (i) If the creation of the new district is confirmed, the
 3-39 new district shall provide the election date and results to the
 3-40 commission.

3-41 (j) Any new district created by the division of the district
 3-42 must hold an election as required by this chapter to obtain voter
 3-43 approval before the district may impose a maintenance tax or issue
 3-44 bonds payable wholly or partly from ad valorem taxes.

3-45 (k) Municipal consent to the creation of the district and to
 3-46 the inclusion of land in the district granted under Section
 3-47 8037.0104 acts as municipal consent to the creation of any new
 3-48 district created by the division of the district and to the
 3-49 inclusion of land in the new district.

3-50 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-51 Sec. 8037.0401. ELECTIONS REGARDING TAXES OR BONDS.

3-52 (a) The district may issue, without an election, bonds and other
 3-53 obligations secured by:

3-54 (1) revenue other than ad valorem taxes; or

3-55 (2) contract payments described by Section 8037.0403.

3-56 (b) The district must hold an election in the manner
 3-57 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 3-58 before the district may impose an ad valorem tax or issue bonds
 3-59 payable from ad valorem taxes.

3-60 (c) The district may not issue bonds payable from ad valorem
 3-61 taxes to finance a road project unless the issuance is approved by a
 3-62 vote of a two-thirds majority of the district voters voting at an
 3-63 election held for that purpose.

3-64 Sec. 8037.0402. OPERATION AND MAINTENANCE TAX. (a) If
 3-65 authorized at an election held under Section 8037.0401, the
 3-66 district may impose an operation and maintenance tax on taxable
 3-67 property in the district in accordance with Section 49.107, Water
 3-68 Code.

3-69 (b) The board shall determine the tax rate. The rate may not

4-1 exceed the rate approved at the election.

4-2 Sec. 8037.0403. CONTRACT TAXES. (a) In accordance with
 4-3 Section 49.108, Water Code, the district may impose a tax other than
 4-4 an operation and maintenance tax and use the revenue derived from
 4-5 the tax to make payments under a contract after the provisions of
 4-6 the contract have been approved by a majority of the district voters
 4-7 voting at an election held for that purpose.

4-8 (b) A contract approved by the district voters may contain a
 4-9 provision stating that the contract may be modified or amended by
 4-10 the board without further voter approval.

4-11 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-12 Sec. 8037.0501. AUTHORITY TO ISSUE BONDS AND OTHER
 4-13 OBLIGATIONS. The district may issue bonds or other obligations
 4-14 payable wholly or partly from ad valorem taxes, impact fees,
 4-15 revenue, contract payments, grants, or other district money, or any
 4-16 combination of those sources, to pay for any authorized district
 4-17 purpose.

4-18 Sec. 8037.0502. TAXES FOR BONDS. At the time the district
 4-19 issues bonds payable wholly or partly from ad valorem taxes, the
 4-20 board shall provide for the annual imposition of a continuing
 4-21 direct ad valorem tax, without limit as to rate or amount, while all
 4-22 or part of the bonds are outstanding as required and in the manner
 4-23 provided by Sections 54.601 and 54.602, Water Code.

4-24 Sec. 8037.0503. BONDS FOR ROAD PROJECTS. At the time of
 4-25 issuance, the total principal amount of bonds or other obligations
 4-26 issued or incurred to finance road projects and payable from ad
 4-27 valorem taxes may not exceed one-fourth of the assessed value of the
 4-28 real property in the district.

4-29 SECTION 2. The Harris County Municipal Utility District No.
 4-30 566 initially includes all the territory contained in the following
 4-31 area:

4-32 TRACT 1 - 538.890 ACRES

4-33 A FIELD NOTE DESCRIPTION of a 553.208 acre tract of land in
 4-34 the R. Walton Survey, Abstract No. 845 and in the H. Ehrenberg
 4-35 Survey, Abstract No. 247, Harris County, Texas; said 553.208 acre
 4-36 tract being Tracts 1-11 conveyed to Golden Shamrock Realty, Inc.,
 4-37 as recorded in Harris County Clerk's File No. P061803; said tract
 4-38 being more particularly described by metes-and-bounds as follows
 4-39 with the bearings being based on Texas State Plane Coordinate
 4-40 System, South Central Zone (NAD83) per GPS Observations using
 4-41 National Geodetic Survey Continuously Operating Reference
 4-42 Stations:

4-43 BEGINNING at a 3/8-inch iron rod found at the intersection of
 4-44 the west right-of-way line of Becker Road (width varies) with the
 4-45 north right-of-way line of Becker Road (called 60 feet wide) for the
 4-46 southeast corner of said Tract 9;

4-47 THENCE, South 87° 45' 45" West - 4,884.83 feet with the north
 4-48 line of said Becker Road and with the south line of said Tracts 7, 8,
 4-49 9, and 11 to a 5/8-inch iron rod found at the southeast end of a
 4-50 cutback corner at the intersection of the north line of said Becker
 4-51 Road with the east right-of-way line Katy-Hockley Road (called 60
 4-52 feet wide) for a southwest corner of this tract;

4-53 THENCE, North 58° 07' 58" West - 46.02 feet with said cutback
 4-54 and with a southwest line of said Tract 7 to a 5/8-inch iron rod
 4-55 found for an angle point of this tract;

4-56 THENCE, North 61° 37' 08" West - 85.49 feet with said cutback
 4-57 and with a southwest line of said Tract 7 to a 5/8-inch iron rod
 4-58 found for an angle point of this tract;

4-59 THENCE, North 34° 22' 11" West - 42.85 feet with said cutback
 4-60 and with a southwest line of said Tract 7 to a 5/8-inch iron rod
 4-61 found for an angle point of this tract;

4-62 THENCE, North 15° 13' 59" West - 53.74 feet with said cutback
 4-63 and with a southwest line of said Tract 7 to a 5/8-inch iron rod
 4-64 found for the north end of said cutback and for a southwest corner
 4-65 of this tract;

4-66 THENCE, North 01° 44' 20" West - 1,621.49 feet with the east
 4-67 right-of-way line of said Katy-Hockley Road and with a west line of
 4-68 said Tracts 7 and 11 to a 1/2-inch iron rod found for a northwest
 4-69 corner of this tract;

5-1 THENCE, North 88° 16' 31" East - 20.06 feet with a south line
5-2 of a 17.4152 acre tract of land conveyed to G. Robert Friedman,
5-3 Trustee, as recorded in Harris County Clerk's File No. 20070505569
5-4 and with a north line of said Tract 11 to a 5/8-inch iron rod found
5-5 for an angle point of this tract;
5-6 THENCE, South 48° 17' 22" East - 14.54 feet with a southwest
5-7 line of said 17.4152 acre tract and with a northeast line of said
5-8 Tract 11 to a 5/8-inch iron rod found for an angle point of this
5-9 tract;
5-10 THENCE, North 88° 16' 31" East - 1,711.59 feet with a south
5-11 line of said 17.4152 acre tract, with the south line of a 11.6869
5-12 acre tract of land conveyed to Michael A. Nassie, as recorded in
5-13 Harris County Clerk's File No. N345641 and with a north line of said
5-14 Tract 11 to a 1/2-inch iron rod found for an angle point of this
5-15 tract;
5-16 THENCE, North 43° 01' 23" East - 14.08 feet with a southeast
5-17 line of said 11.6869 acre tract and with a northwest line of said
5-18 Tract 11 to a 1/2-inch iron rod found for an angle point of this
5-19 tract;
5-20 THENCE, North 02° 13' 45" West - 778.58 feet with the east
5-21 line of said 11.6869 acre tract and with a west line of said Tract 11
5-22 to a 1/2-inch iron pipe found for an interior corner of this tract;
5-23 THENCE, South 80° 40' 21" West - 634.30 feet with a south line
5-24 of said Tract 4 and with a north line of said 11.6869 acre tract to a
5-25 5/8-inch iron rod found for an angle point of this tract;
5-26 THENCE, South 88° 17' 42" West - 415.20 feet with a south line
5-27 of said Tract 4, with a north line of said 11.6869 acre tract and
5-28 with the north line of said 17.4152 acre tract to a 3/4-inch iron
5-29 pipe found for a southwest corner of this tract;
5-30 THENCE, North 01° 41' 02" West - 781.71 feet with the west
5-31 line of said Tract 4 and with the east line of a 11.65 acre tract of
5-32 land conveyed to Mueshke Land Holdings, L.P., as recorded in Harris
5-33 County Clerk's File No. RP-2017-467581 to a 5/8-inch iron rod with
5-34 cap set to replace a disturbed 5/8-inch iron rod found for an
5-35 interior corner of this tract;
5-36 THENCE, South 75° 49' 10" West - 240.49 feet with a south line
5-37 of said Tract 11 and with the north line of said 11.65 acre tract to
5-38 a 5/8-inch iron rod found for a point-of-curvature;
5-39 THENCE, in a westerly direction with a south line of said
5-40 Tract 11 and with the north line of said 11.65 acre tract and with a
5-41 curve to the right having a radius of 1,040.00 feet, a central angle
5-42 of 12° 27' 19", a length of 226.08 feet, and a chord bearing
5-43 South 82° 00' 12" West - 225.64 feet to a 5/8-inch iron rod found for
5-44 a point-of-tangency;
5-45 THENCE, South 88° 15' 52" West - 213.28 feet with a south line
5-46 of said Tract 11 and with the north line of said 11.65 acre tract to
5-47 a 1/2-inch iron rod found for an angle point of this tract;
5-48 THENCE, South 42° 50' 16" West - 14.04 feet with a south line
5-49 of said Tract 11 and with the north line of said 11.65 acre tract to
5-50 a 1/2-inch iron rod found for an angle point of this tract;
5-51 THENCE, South 88° 15' 52" West - 20.00 feet with a south line
5-52 of said Tract 11 and with the north line of said 11.65 acre tract to
5-53 a 1/2-inch iron rod found in the east right-of-way line of said
5-54 Katy-Hockley Road for an southwest corner of this tract;
5-55 THENCE, North 01° 44' 20" West - 1,726.45 feet with the east
5-56 right-of-way line of said Katy-Hockley Road and with a west line of
5-57 said Tracts 1 and 11 to a 5/8-inch iron rod found for a northwest
5-58 corner of this tract;
5-59 THENCE, North 87° 12' 47" East - 20.03 feet with a north line
5-60 of said Tract 11 and with a south line of a called 86.9702 acre tract
5-61 of land conveyed to Hanson Aggregates, Inc., as recorded in Harris
5-62 County Clerk's File No. 20070002906 to a 5/8-inch iron rod found
5-63 for an angle point of this tract;
5-64 THENCE, South 45° 45' 24" East - 14.40 feet with a north line
5-65 of said Tract 11 and with a south line of said 86.9702 acre tract to
5-66 a 1/2-inch iron rod found for an angle point of this tract and for
5-67 the beginning of a non-tangent curve to the right;
5-68 THENCE, in an easterly direction with a north line of said
5-69 Tract 11, with a south line of said 86.9702 acre tract and with said

6-1 curve to the right having a radius of 905.00 feet, a central angle
6-2 of 06° 01' 18", a length of 95.11 feet, and a chord bearing South 88°
6-3 44' 25" East - 95.07 feet to a 1/2-inch iron rod found for the
6-4 beginning of a curve to the left;

6-5 THENCE, in an easterly direction with a north line of said
6-6 Tract 11, with a south line of said 86.9702 acre tract and with said
6-7 curve to the left having a radius of 905.00 feet, a central angle of
6-8 06° 01' 04", a length of 95.05 feet, and a chord bearing South 88° 51'
6-9 58" East - 95.01 feet to a 1/2-inch iron rod found for the end of
6-10 said curve;

6-11 THENCE, North 88° 15' 22" East - 970.65 feet with a north line
6-12 of said Tract 11 and with a south line of said 86.9702 acre tract to
6-13 a 1/2-inch iron rod found for the beginning of a curve to the left;

6-14 THENCE, in a northeasterly direction with a northwest line of
6-15 said Tract 11, with a southeast line of said 86.9702 acre tract and
6-16 with said curve to the left having a radius of 1,950.00 feet, a
6-17 central angle of 47° 52' 44", a length of 1,629.50 feet, and a chord
6-18 bearing North 64° 20' 50" East - 1,582.50 feet to a 5/8-inch iron
6-19 rod found for a the end of said curve;

6-20 THENCE, North 40° 22' 55" East - 512.17 feet with a northwest
6-21 line of said Tract 11 and with a southeast line of said 86.9702 acre
6-22 tract to a 1/2-inch iron rod found in the southwest line of the
6-23 Southern Pacific Railroad Company right-of-way for a north corner
6-24 of this tract;

6-25 THENCE, South 68° 07' 51" East - 2,152.18 feet with the
6-26 southwest line of said Southern Pacific Railroad Company
6-27 right-of-way and with the northeast line of said Tracts 11 and 3 to
6-28 a 5/8-inch iron rod with cap that could not be read found in the west
6-29 right-of-way line of said Becker Road for a northeast corner of this
6-30 tract;

6-31 THENCE, South 02° 00' 38" East - 50.88 feet with the west
6-32 right-of-way line of said Becker Road, as recorded in Harris County
6-33 Clerk's File No. 20100142826 and with the east line of said Tract 3
6-34 to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for the
6-35 beginning of a curve to the left;

6-36 THENCE, in a southerly direction with the west right-of-way
6-37 line of said Becker Road and with said curve to the left having a
6-38 radius of 2,015.00 feet, a central angle of 05° 43' 55", a length of
6-39 201.58 feet and a chord bearing South 04° 52' 36" East - 201.50 feet
6-40 to a 5/8-inch iron rod with cap stamped "Amani Eng" found for the
6-41 beginning of a curve to the right;

6-42 THENCE, in a southerly direction with the west right-of-way
6-43 line of said Becker Road and with said curve to the right having a
6-44 radius of 1,985.00 feet, a central angle of 05° 43' 55", a length of
6-45 198.58 feet and a chord bearing South 04° 52' 36" East - 198.50 feet
6-46 to a 5/8-inch iron rod with cap that could not be read found for the
6-47 end of said curve;

6-48 THENCE, South 02° 01' 06" East - 1,609.77 feet with the west
6-49 right-of-way line of said Becker Road to a 5/8-inch iron rod with
6-50 cap stamped "T.E.A.M." set for a southeast corner of this tract;

6-51 THENCE, South 87° 56' 49" West - 509.75 feet with a south line
6-52 of said Tract 6 and with the north line of a 3.6295 acre tract of
6-53 land conveyed to Harris County, as recorded in Harris County
6-54 Clerk's File No. 20100142826 to a 5/8-inch iron rod with cap
6-55 stamped "Amani Eng" found for an interior corner of this tract;

6-56 THENCE, South 02° 01' 53" East - 310.02 feet with an east line
6-57 of said Tract 6 and with the west line of said 3.6295 acre tract to a
6-58 5/8-inch iron rod with cap that could not be read found for an
6-59 interior corner of this tract;

6-60 THENCE, North 87° 56' 49" East - 546.24 feet with a north line
6-61 of said Tract 6 and with the south line of said 3.6295 acre tract to
6-62 a 5/8-inch iron rod with cap that could not be read for a northeast
6-63 corner of this tract;

6-64 THENCE, South 01° 59' 46" East - 2,622.08 feet with an east
6-65 line of said Tracts 6, 9, and 11 and with the west right-of-way line
6-66 of said Becker Road to the POINT OF BEGINNING and containing 553.208
6-67 acres of land.

6-68 SAVE AND EXCEPT 14.318 ACRES:
6-69 A FIELD NOTE DESCRIPTION of a 14.318 acre tract of land in the

7-1 R. Walton Survey, Abstract No. 845 and in the H. Ehrenberg Survey,
 7-2 Abstract No. 247, Harris County, Texas; said 14.318 acre tract
 7-3 being all of a tract of land conveyed to Dennis N. Johnston,
 7-4 Trustee, as recorded in Harris County Clerk's File No. 20070541784;
 7-5 said tract being more particularly described by metes-and-bounds as
 7-6 follows with the bearings being based on Texas State Plane
 7-7 Coordinate System, South Central Zone (NAD83) per GPS Observations
 7-8 using National Geodetic Survey Continuously Operating Reference
 7-9 Stations:

7-10 COMMENCING FOR REFERENCE at a 3/8-inch iron rod found at the
 7-11 intersection of the west right-of-way line of Becker Road (width
 7-12 varies) with the north right-of-way line of Becker Road (called 60
 7-13 feet wide) for the southeast corner of Tract 9 conveyed to Golden
 7-14 Shamrock Realty, Inc., as recorded in Harris County Clerk's File
 7-15 No. P061803;

7-16 THENCE, South 87° 45' 45" West - 3,175.48 feet with the north
 7-17 line of said Becker Road and with the south line of Tracts 8, 9, and
 7-18 11 conveyed to Golden Shamrock Realty, Inc., as recorded in Harris
 7-19 County Clerk's File No. P061803 to a 1/2-inch iron rod found for a
 7-20 southwest corner of said Lot 8 and for a southeast corner of said
 7-21 Lot 11;

7-22 THENCE, North 02° 13' 45" West - 20.00 feet with the west line
 7-23 of said Lot 8 and with an east line of said Lot 11 to an angle point;

7-24 THENCE, North 47° 13' 45" West - 14.14 feet with the southwest
 7-25 line of said Lot 8 and with a northeast line of said Lot 11 to an
 7-26 angle point;

7-27 THENCE, North 02° 13' 45" West - 2,522.28 feet to a 1/2-inch
 7-28 iron rod found for a northwest corner of a 44.659 acre tract of
 7-29 land, described as Tract 5, conveyed to Golden Shamrock Realty,
 7-30 Inc., as recorded in Harris County Clerk's File No. P061803 and for
 7-31 the southwest corner and POINT OF BEGINNING of this tract;

7-32 THENCE, North 02° 13' 45" West - 277.84 feet with an east line
 7-33 of said Tract 11 to a 1/2-inch iron rod found for the beginning of a
 7-34 curve to the left;

7-35 THENCE, in a northerly direction with an east line of said
 7-36 Tract 11 and with said curve to the left having a radius of 1,040.00
 7-37 feet, a central angle of 11° 57' 32", a length of 217.07 feet, and a
 7-38 chord bearing North 08° 12' 09" West - 216.68 feet to a 1/2-inch
 7-39 iron rod found for the end of said curve;

7-40 THENCE, North 14° 14' 28" West - 416.05 feet with an east line
 7-41 of said Tract 11 to a 5/8-inch iron rod with cap that could not be
 7-42 read found for a northwest corner of this tract;

7-43 THENCE, North 30° 47' 21" East - 14.13 feet with a southeast
 7-44 line of said Tract 11 to a 1/2-inch iron rod found for a northwest
 7-45 corner of this tract;

7-46 THENCE, North 75° 49' 10" East - 635.42 feet with a south line
 7-47 of said Tract 11 to a 1/2-inch iron rod found for the northeast
 7-48 corner of this tract;

7-49 THENCE, South 14° 10' 18" East - 951.30 feet with a west line
 7-50 of said Tract 5 to a 1/2-inch iron rod found for the southeast
 7-51 corner of this tract;

7-52 THENCE, South 75° 49' 02" West - 278.02 feet with a north line
 7-53 of said Tract 5 to a 1/2-inch iron rod found for an angle point of
 7-54 this tract;

7-55 THENCE, South 80° 40' 21" West - 448.51 feet with a north line
 7-56 of said Tract 5 to the POINT OF BEGINNING and containing 14.318
 7-57 acres of land, leaving a surveyed area of 538.890 acres.

7-58 TRACT 2 - 557.308 ACRES

7-59 A FIELD NOTE DESCRIPTION of a 557.308 acre tract of land in
 7-60 the H. Ehrenberg Survey, Abstract No. 247, Harris County, Texas;
 7-61 said 557.308 acre tract being the remainder of a 850 acre tract of
 7-62 land conveyed to Gold Star Realty, Inc., as recorded in Harris
 7-63 County Clerk's File No. P114056; said tract being more particularly
 7-64 described by metes-and-bounds as follows with the bearings being
 7-65 based on Texas State Plane Coordinate System, South Central Zone
 7-66 (NAD83) per GPS Observations using National Geodetic Survey
 7-67 Continuously Operating Reference Stations:

7-68 BEGINNING at a 3/8-inch iron rod found in the south
 7-69 right-of-way line of Becker Road (called 60 feet wide) for the

8-1 northwest corner of said 850 acre tract and for the northwest corner
8-2 of this tract;

8-3 THENCE, North 87° 29' 54" East - 1,605.31 feet with the south
8-4 right-of-way line of said Becker Road to a 5/8-inch iron rod with
8-5 cap stamped "T.E.A.M." set for the northwest end of a radial cutback
8-6 at the intersection of the south right-of-way line of said Becker
8-7 Road with the west right-of-way line of Katy-Hockley Cut-Off Road
8-8 (called 60 feet wide) for a point-of-curvature;

8-9 THENCE, in a southeasterly direction with said cutback and
8-10 with a curve to the right having a radius of 173.75 feet, a central
8-11 angle of 89° 51' 04", a length of 272.47 feet, and a chord bearing
8-12 South 47° 34' 29" East - 245.40 feet to a 5/8-inch iron rod with cap
8-13 stamped "T.E.A.M." set for a point-of-tangency;

8-14 THENCE, South 02° 38' 58" East - 4,770.88 feet with the west
8-15 line of said Katy-Hockley Cut-Off Road to a point in a headwall for
8-16 the southeast corner of said 850 acre tract and for the southeast
8-17 corner of this tract;

8-18 THENCE, South 87° 42' 31" West - 5,577.00 feet with the north
8-19 line of a 74.109 acre tract of land conveyed to Gold Star Realty,
8-20 Inc., as recorded in Harris County Clerk's File No. U987281, with
8-21 the north line of a 72.8256 acre tract conveyed to Minero Holdings,
8-22 LLC, as recorded in Harris County Clerk's File No. RP-2016-333873
8-23 and with the north line of a 94.107 acre tract conveyed to Cypress
8-24 Prairie Mitigation, Inc., as recorded in Harris County Clerk's File
8-25 No. RP-2017-220630 to a 1/2-inch iron rod found for the southwest
8-26 corner of this tract; from which a 1-inch iron rod found for an
8-27 interior corner of said 850 acres bears North 87° 42' 31" East -
8-28 194.97 feet;

8-29 THENCE, North 02° 39' 04" West - 4,095.43 feet to a 1/2-inch
8-30 iron rod found for a northwest corner of said 850 acre tract and for
8-31 the northwest corner of this tract;

8-32 THENCE, North 88° 14' 06" East - 3,786.97 feet with a south
8-33 line of a tract of land conveyed to 290 WR Holdings LP, as recorded
8-34 in Harris County Clerk's File No. RP-2017-245403 to a 5/8-inch iron
8-35 rod with cap stamped "T.E.A.M." set to replace a disturbed 3/8-inch
8-36 iron rod for an interior corner of this tract;

8-37 THENCE, North 01° 52' 21" West - 877.02 feet with a west line
8-38 of said 850 acre tract to the POINT OF BEGINNING and containing
8-39 557.308 acres of land.

8-40 SECTION 3. (a) The legal notice of the intention to
8-41 introduce this Act, setting forth the general substance of this
8-42 Act, has been published as provided by law, and the notice and a
8-43 copy of this Act have been furnished to all persons, agencies,
8-44 officials, or entities to which they are required to be furnished
8-45 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
8-46 Government Code.

8-47 (b) The governor, one of the required recipients, has
8-48 submitted the notice and Act to the Texas Commission on
8-49 Environmental Quality.

8-50 (c) The Texas Commission on Environmental Quality has filed
8-51 its recommendations relating to this Act with the governor, the
8-52 lieutenant governor, and the speaker of the house of
8-53 representatives within the required time.

8-54 (d) All requirements of the constitution and laws of this
8-55 state and the rules and procedures of the legislature with respect
8-56 to the notice, introduction, and passage of this Act are fulfilled
8-57 and accomplished.

8-58 SECTION 4. (a) If this Act does not receive a two-thirds
8-59 vote of all the members elected to each house, Subchapter C, Chapter
8-60 8037, Special District Local Laws Code, as added by Section 1 of
8-61 this Act, is amended by adding Section 8037.0307 to read as follows:

8-62 Sec. 8037.0307. NO EMINENT DOMAIN POWER. The district may
8-63 not exercise the power of eminent domain.

8-64 (b) This section is not intended to be an expression of a
8-65 legislative interpretation of the requirements of Section 17(c),
8-66 Article I, Texas Constitution.

8-67 SECTION 5. This Act takes effect immediately if it receives
8-68 a vote of two-thirds of all the members elected to each house, as
8-69 provided by Section 39, Article III, Texas Constitution. If this

9-1 Act does not receive the vote necessary for immediate effect, this
9-2 Act takes effect September 1, 2019.

9-3

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