

1-1 By: Bell of Montgomery (Senate Sponsor - Creighton) H.B. No. 4657
 1-2 (In the Senate - Received from the House May 6, 2019;
 1-3 May 6, 2019, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 17, 2019, reported adversely,
 1-5 with favorable Committee Substitute by the following vote: Yeas 7,
 1-6 Nays 0; May 17, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 4657 By: Menéndez

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the creation of the Montgomery County Management
 1-20 District No. 1; providing authority to issue bonds; providing
 1-21 authority to impose assessments, fees, and taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Subtitle C, Title 4, Special District Local Laws
 1-24 Code, is amended by adding Chapter 3979 to read as follows:

1-25 CHAPTER 3979. MONTGOMERY COUNTY MANAGEMENT DISTRICT NO. 1

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 3979.0101. DEFINITIONS. In this chapter:

1-28 (1) "Board" means the district's board of directors.

1-29 (2) "Commission" means the Texas Commission on

1-30 Environmental Quality.

1-31 (3) "County" means Montgomery County.

1-32 (4) "Director" means a board member.

1-33 (5) "District" means the Montgomery County Management

1-34 District No. 1.

1-35 Sec. 3979.0102. CREATION AND NATURE OF DISTRICT; IMMUNITY.

1-36 (a) The district is a special district created under Section 59,
 1-37 Article XVI, Texas Constitution.

1-38 (b) The district is a governmental unit, as provided by
 1-39 Section 375.004, Local Government Code.

1-40 (c) This chapter does not waive any governmental or
 1-41 sovereign immunity from suit, liability, or judgment that would
 1-42 otherwise apply to the district.

1-43 Sec. 3979.0103. PURPOSE; DECLARATION OF INTENT. (a) The
 1-44 creation of the district is essential to accomplish the purposes of
 1-45 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
 1-46 Texas Constitution, and other public purposes stated in this
 1-47 chapter.

1-48 (b) By creating the district, the legislature has
 1-49 established a program to accomplish the public purposes set out in
 1-50 Sections 52 and 52-a, Article III, Texas Constitution.

1-51 (c) The creation of the district is necessary to promote,
 1-52 develop, encourage, and maintain employment, commerce,
 1-53 transportation, housing, tourism, recreation, the arts,
 1-54 entertainment, economic development, safety, and the public
 1-55 welfare in the district.

1-56 (d) This chapter and the creation of the district may not be
 1-57 interpreted to relieve the county or a municipality from providing
 1-58 the level of services provided as of the effective date of the Act
 1-59 enacting this chapter to the area in the district. The district is
 1-60 created to supplement and not to supplant county or municipal

2-1 services provided in the district.
2-2 Sec. 3979.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.
2-3 (a) All land and other property included in the district will
2-4 benefit from the improvements and services to be provided by the
2-5 district under powers conferred by Sections 52 and 52-a, Article
2-6 III, and Section 59, Article XVI, Texas Constitution, and other
2-7 powers granted under this chapter.
2-8 (b) The district is created to serve a public use and
2-9 benefit.
2-10 (c) The creation of the district is in the public interest
2-11 and is essential to further the public purposes of:
2-12 (1) developing and diversifying the economy of the
2-13 state;
2-14 (2) eliminating unemployment and underemployment; and
2-15 (3) developing or expanding transportation and
2-16 commerce.
2-17 (d) The district will:
2-18 (1) promote the health, safety, and general welfare of
2-19 residents, employers, potential employees, employees, visitors,
2-20 and consumers in the district, and of the public;
2-21 (2) provide needed funding for the district to
2-22 preserve, maintain, and enhance the economic health and vitality of
2-23 the district territory as a community and business center;
2-24 (3) promote the health, safety, welfare, and enjoyment
2-25 of the public by providing pedestrian ways, road facilities,
2-26 transit facilities, parking facilities, recreational facilities,
2-27 and public art objects and by landscaping and developing certain
2-28 areas in the district, which are necessary for the restoration,
2-29 preservation, and enhancement of scenic beauty; and
2-30 (4) provide for water, wastewater, and drainage
2-31 facilities for the district.
2-32 (e) Pedestrian ways along or across a street, whether at
2-33 grade or above or below the surface, and street lighting, street
2-34 landscaping, parking, and street art objects are parts of and
2-35 necessary components of a street and are considered to be a street
2-36 or road improvement.
2-37 (f) The district will not act as the agent or
2-38 instrumentality of any private interest even though the district
2-39 will benefit many private interests as well as the public.
2-40 Sec. 3979.0105. INITIAL DISTRICT TERRITORY. (a) The
2-41 district is initially composed of the territory described by
2-42 Section 2 of the Act enacting this chapter.
2-43 (b) The boundaries and field notes contained in Section 2 of
2-44 the Act enacting this chapter form a closure. A mistake in the
2-45 field notes or in copying the field notes in the legislative process
2-46 does not affect the district's:
2-47 (1) organization, existence, or validity;
2-48 (2) right to issue any type of bonds for the purposes
2-49 for which the district is created or to pay the principal of and
2-50 interest on the bonds;
2-51 (3) right to impose or collect an assessment or tax; or
2-52 (4) legality or operation.
2-53 Sec. 3979.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
2-54 All or any part of the area of the district is eligible to be
2-55 included in:
2-56 (1) a tax increment reinvestment zone created under
2-57 Chapter 311, Tax Code;
2-58 (2) a tax abatement reinvestment zone created under
2-59 Chapter 312, Tax Code;
2-60 (3) an enterprise zone created under Chapter 2303,
2-61 Government Code; or
2-62 (4) an industrial district created under Chapter 42,
2-63 Local Government Code.
2-64 Sec. 3979.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
2-65 DISTRICTS LAW. Except as otherwise provided by this chapter,
2-66 Chapter 375, Local Government Code, applies to the district.
2-67 Sec. 3979.0108. LIBERAL CONSTRUCTION OF CHAPTER. This
2-68 chapter shall be liberally construed in conformity with the
2-69 findings and purposes stated in this chapter.

3-1 Sec. 3979.0109. CONFLICTS OF LAW. This chapter prevails
 3-2 over any provision of general law, including a provision of Chapter
 3-3 375, Local Government Code, or Chapter 49, Water Code, that is in
 3-4 conflict or inconsistent with this chapter.

3-5 SUBCHAPTER B. BOARD OF DIRECTORS

3-6 Sec. 3979.0201. GOVERNING BODY; TERMS. (a) The district is
 3-7 governed by a board of five directors elected or appointed as
 3-8 provided by this chapter and Subchapter D, Chapter 49, Water Code.

3-9 (b) Except as provided by Section 3979.0203, directors
 3-10 serve staggered four-year terms.

3-11 Sec. 3979.0202. COMPENSATION. A director is entitled to
 3-12 receive fees of office and reimbursement for actual expenses as
 3-13 provided by Section 49.060, Water Code. Sections 375.069 and
 3-14 375.070, Local Government Code, do not apply to the board.

3-15 Sec. 3979.0203. TEMPORARY DIRECTORS. (a) On or after the
 3-16 effective date of the Act enacting this chapter, the owner or owners
 3-17 of a majority of the assessed value of the real property in the
 3-18 district according to the most recent certified tax appraisal roll
 3-19 for the county may submit a petition to the commission requesting
 3-20 that the commission appoint as temporary directors the five persons
 3-21 named in the petition. The commission shall appoint as temporary
 3-22 directors the five persons named in the petition.

3-23 (b) The temporary directors shall hold an election to elect
 3-24 five permanent directors as provided by Section 49.102, Water Code.

3-25 (c) Temporary directors serve until the earlier of:

3-26 (1) the date permanent directors are elected under
 3-27 Subsection (b); or

3-28 (2) the fourth anniversary of the effective date of
 3-29 the Act enacting this chapter.

3-30 (d) If permanent directors have not been elected under
 3-31 Subsection (b) and the terms of the temporary directors have
 3-32 expired, successor temporary directors shall be appointed or
 3-33 reappointed as provided by Subsection (e) to serve terms that
 3-34 expire on the earlier of:

3-35 (1) the date permanent directors are elected under
 3-36 Subsection (b); or

3-37 (2) the fourth anniversary of the date of the
 3-38 appointment or reappointment.

3-39 (e) If Subsection (d) applies, the owner or owners of a
 3-40 majority of the assessed value of the real property in the district
 3-41 according to the most recent certified tax appraisal roll for the
 3-42 county may submit a petition to the commission requesting that the
 3-43 commission appoint as successor temporary directors the five
 3-44 persons named in the petition. The commission shall appoint as
 3-45 successor temporary directors the five persons named in the
 3-46 petition.

3-47 Sec. 3979.0204. DISQUALIFICATION OF DIRECTORS. Section
 3-48 49.052, Water Code, applies to the members of the board.

3-49 SUBCHAPTER C. POWERS AND DUTIES

3-50 Sec. 3979.0301. GENERAL POWERS AND DUTIES. The district
 3-51 has the powers and duties necessary to accomplish the purposes for
 3-52 which the district is created.

3-53 Sec. 3979.0302. IMPROVEMENT PROJECTS AND SERVICES. (a)
 3-54 The district, using any money available to the district for the
 3-55 purpose, may provide, design, construct, acquire, improve,
 3-56 relocate, operate, maintain, or finance an improvement project or
 3-57 service authorized under this chapter or Chapter 375, Local
 3-58 Government Code.

3-59 (b) The district may contract with a governmental or private
 3-60 entity to carry out an action under Subsection (a).

3-61 (c) The implementation of a district project or service is a
 3-62 governmental function or service for the purposes of Chapter 791,
 3-63 Government Code.

3-64 Sec. 3979.0303. RECREATIONAL FACILITIES. The district may
 3-65 develop or finance recreational facilities as authorized by Chapter
 3-66 375, Local Government Code, Sections 52 and 52-a, Article III,
 3-67 Texas Constitution, Section 59, Article XVI, Texas Constitution,
 3-68 and any other law that applies to the district.

3-69 Sec. 3979.0304. AUTHORITY FOR ROAD PROJECTS. Under Section

4-1 52, Article III, Texas Constitution, the district may own, operate,
4-2 maintain, design, acquire, construct, finance, issue bonds, notes,
4-3 or other obligations for, improve, and convey to this state, a
4-4 county, or a municipality for ownership, operation, and maintenance
4-5 macadamized, graveled, or paved roads or improvements, including
4-6 storm drainage, in aid of those roads.

4-7 Sec. 3979.0305. CONVEYANCE AND APPROVAL OF ROAD PROJECT.

4-8 (a) The district may convey a road project authorized by Section
4-9 3979.0304 to:

4-10 (1) a municipality or county that will operate and
4-11 maintain the road if the municipality or county has approved the
4-12 plans and specifications of the road project; or

4-13 (2) the state if the state will operate and maintain
4-14 the road and the Texas Transportation Commission has approved the
4-15 plans and specifications of the road project.

4-16 (b) Except as provided by Subsection (c), the district shall
4-17 operate and maintain a road project authorized by Section 3979.0304
4-18 that the district implements and does not convey to a municipality,
4-19 a county, or this state under Subsection (a).

4-20 (c) The district may agree in writing with a municipality, a
4-21 county, or this state to assign operation and maintenance duties to
4-22 the district, the municipality, the county, or this state in a
4-23 manner other than the manner described in Subsections (a) and (b).

4-24 Sec. 3979.0306. NONPROFIT CORPORATION. (a) The board by
4-25 resolution may authorize the creation of a nonprofit corporation to
4-26 assist and act for the district in implementing a project or
4-27 providing a service authorized by this chapter.

4-28 (b) The nonprofit corporation:

4-29 (1) has each power of and is considered to be a local
4-30 government corporation created under Subchapter D, Chapter 431,
4-31 Transportation Code; and

4-32 (2) may implement any project and provide any service
4-33 authorized by this chapter.

4-34 (c) The board shall appoint the board of directors of the
4-35 nonprofit corporation. The board of directors of the nonprofit
4-36 corporation shall serve in the same manner as the board of directors
4-37 of a local government corporation created under Subchapter D,
4-38 Chapter 431, Transportation Code, except that a board member is not
4-39 required to reside in the district.

4-40 Sec. 3979.0307. LAW ENFORCEMENT SERVICES. Section 49.216,
4-41 Water Code, applies to the district.

4-42 Sec. 3979.0308. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
4-43 The district may join and pay dues to a charitable or nonprofit
4-44 organization that performs a service or provides an activity
4-45 consistent with the furtherance of a district purpose.

4-46 Sec. 3979.0309. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
4-47 district may engage in activities that accomplish the economic
4-48 development purposes of the district.

4-49 (b) The district may establish and provide for the
4-50 administration of one or more programs to promote state or local
4-51 economic development and to stimulate business and commercial
4-52 activity in the district, including programs to:

4-53 (1) make loans and grants of public money; and

4-54 (2) provide district personnel and services.

4-55 (c) The district may create economic development programs
4-56 and exercise the economic development powers that:

4-57 (1) Chapter 380, Local Government Code, provides to a
4-58 municipality; and

4-59 (2) Subchapter A, Chapter 1509, Government Code,
4-60 provides to a municipality.

4-61 Sec. 3979.0310. STRATEGIC PARTNERSHIP AGREEMENT. The
4-62 district may negotiate and enter into a written strategic
4-63 partnership agreement with a municipality under Section 43.0751,
4-64 Local Government Code.

4-65 Sec. 3979.0311. REGIONAL PARTICIPATION AGREEMENT. The
4-66 district may negotiate and enter into a written regional
4-67 participation agreement with a municipality under Section 43.0754,
4-68 Local Government Code.

4-69 Sec. 3979.0312. PARKING FACILITIES. (a) The district may

5-1 acquire, lease as lessor or lessee, construct, develop, own,
 5-2 operate, and maintain parking facilities or a system of parking
 5-3 facilities, including lots, garages, parking terminals, or other
 5-4 structures or accommodations for parking motor vehicles off the
 5-5 streets and related appurtenances.

5-6 (b) The district's parking facilities serve the public
 5-7 purposes of the district and are owned, used, and held for a public
 5-8 purpose even if leased or operated by a private entity for a term of
 5-9 years.

5-10 (c) The district's parking facilities are parts of and
 5-11 necessary components of a street and are considered to be a street
 5-12 or road improvement.

5-13 (d) The development and operation of the district's parking
 5-14 facilities may be considered an economic development program.

5-15 Sec. 3979.0313. ADDING OR EXCLUDING LAND. (a) The district
 5-16 may add land as provided by Subchapter J, Chapter 49, Water Code.

5-17 (b) The district may exclude land as provided by Subchapter
 5-18 J, Chapter 49, Water Code. Section 375.044(b), Local Government
 5-19 Code, does not apply to the district.

5-20 (c) The district may include and exclude land as provided by
 5-21 Sections 54.739-54.747, Water Code. A reference in those sections
 5-22 to a "tax" means an ad valorem tax for the purposes of this
 5-23 subsection.

5-24 (d) If the district adopts a sales and use tax authorized at
 5-25 an election held under Section 3979.0602 and subsequently includes
 5-26 new territory in the district under this section, the district:

5-27 (1) is not required to hold another election to
 5-28 approve the imposition of the sales and use tax in the included
 5-29 territory; and

5-30 (2) shall impose the sales and use tax in the included
 5-31 territory as provided by Chapter 321, Tax Code.

5-32 (e) If the district adopts a sales and use tax authorized at
 5-33 an election held under Section 3979.0602 and subsequently excludes
 5-34 territory in the district under this section, the sales and use tax
 5-35 is inapplicable to the excluded territory, as provided by Chapter
 5-36 321, Tax Code, but is applicable to the territory remaining in the
 5-37 district.

5-38 Sec. 3979.0314. DISBURSEMENTS AND TRANSFERS OF MONEY. The
 5-39 board by resolution shall establish the number of directors'
 5-40 signatures and the procedure required for a disbursement or
 5-41 transfer of district money.

5-42 Sec. 3979.0315. AUDIT EXEMPTION. (a) The district may
 5-43 elect to complete an annual financial report in lieu of an annual
 5-44 audit under Section 375.096(a)(6), Local Government Code, if:

5-45 (1) the district had no bonds or other long-term (more
 5-46 than one year) liabilities outstanding during the fiscal period;

5-47 (2) the district did not have gross receipts from
 5-48 operations, loans, taxes, assessments, or contributions in excess
 5-49 of \$250,000 during the fiscal period; and

5-50 (3) the district's cash and temporary investments were
 5-51 not in excess of \$250,000 during the fiscal period.

5-52 (b) Each annual financial report prepared in accordance
 5-53 with this section must be open to public inspection and accompanied
 5-54 by an affidavit signed by a duly authorized representative of the
 5-55 district attesting to the accuracy and authenticity of the
 5-56 financial report.

5-57 (c) The annual financial report and affidavit shall be
 5-58 substantially similar in form to the annual financial report and
 5-59 affidavit forms prescribed by the executive director of the
 5-60 commission under Section 49.198, Water Code.

5-61 Sec. 3979.0316. NO EMINENT DOMAIN POWER. The district may
 5-62 not exercise the power of eminent domain.

5-63 SUBCHAPTER D. ASSESSMENTS

5-64 Sec. 3979.0401. PETITION REQUIRED FOR FINANCING SERVICES
 5-65 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
 5-66 service or improvement project with assessments under this chapter
 5-67 unless a written petition requesting that service or improvement
 5-68 has been filed with the board.

5-69 (b) A petition filed under Subsection (a) must be signed by

6-1 the owners of a majority of the assessed value of real property in
 6-2 the district subject to assessment according to the most recent
 6-3 certified tax appraisal roll for the county.

6-4 Sec. 3979.0402. METHOD OF NOTICE FOR HEARING. The district
 6-5 may mail the notice required by Section 375.115(c), Local
 6-6 Government Code, by certified or first class United States mail.
 6-7 The board shall determine the method of notice.

6-8 Sec. 3979.0403. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
 6-9 The board by resolution may impose and collect an assessment for any
 6-10 purpose authorized by this chapter in all or any part of the
 6-11 district.

6-12 (b) An assessment, a reassessment, or an assessment
 6-13 resulting from an addition to or correction of the assessment roll
 6-14 by the district, penalties and interest on an assessment or
 6-15 reassessment, an expense of collection, and reasonable attorney's
 6-16 fees incurred by the district:

6-17 (1) are a first and prior lien against the property
 6-18 assessed;

6-19 (2) are superior to any other lien or claim other than
 6-20 a lien or claim for county, school district, or municipal ad valorem
 6-21 taxes; and

6-22 (3) are the personal liability of and a charge against
 6-23 the owners of the property even if the owners are not named in the
 6-24 assessment proceedings.

6-25 (c) The lien is effective from the date of the board's
 6-26 resolution imposing the assessment until the date the assessment is
 6-27 paid. The board may enforce the lien in the same manner that the
 6-28 board may enforce an ad valorem tax lien against real property.

6-29 (d) The board may make a correction to or deletion from the
 6-30 assessment roll that does not increase the amount of assessment of
 6-31 any parcel of land without providing notice and holding a hearing in
 6-32 the manner required for additional assessments.

6-33 SUBCHAPTER E. TAXES AND BONDS

6-34 Sec. 3979.0501. TAX ELECTION REQUIRED. The district must
 6-35 hold an election in the manner provided by Chapter 49, Water Code,
 6-36 or, if applicable, Chapter 375, Local Government Code, to obtain
 6-37 voter approval before the district may impose an ad valorem tax.

6-38 Sec. 3979.0502. OPERATION AND MAINTENANCE TAX. (a) If
 6-39 authorized by a majority of the district voters voting at an
 6-40 election under Section 3979.0501, the district may impose an
 6-41 operation and maintenance tax on taxable property in the district
 6-42 in the manner provided by Section 49.107, Water Code, for any
 6-43 district purpose, including to:

6-44 (1) maintain and operate the district;

6-45 (2) construct or acquire improvements; or

6-46 (3) provide a service.

6-47 (b) The board shall determine the operation and maintenance
 6-48 tax rate. The rate may not exceed the rate approved at the
 6-49 election.

6-50 (c) Section 49.107(h), Water Code, does not apply to the
 6-51 district.

6-52 Sec. 3979.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE
 6-53 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
 6-54 terms determined by the board.

6-55 (b) The district, by competitive bid or negotiated sale, may
 6-56 issue bonds, notes, or other obligations payable wholly or partly
 6-57 from ad valorem taxes, assessments, impact fees, revenue, contract
 6-58 payments, grants, or other district money, or any combination of
 6-59 those sources of money, to pay for any authorized district purpose.

6-60 (c) The limitation on the outstanding principal amount of
 6-61 bonds, notes, or other obligations provided by Section 49.4645,
 6-62 Water Code, does not apply to the district.

6-63 Sec. 3979.0504. BONDS SECURED BY REVENUE OR CONTRACT
 6-64 PAYMENTS. The district may issue, without an election, bonds
 6-65 secured by:

6-66 (1) revenue other than ad valorem taxes, including
 6-67 contract revenues; or

6-68 (2) contract payments, provided that the requirements
 6-69 of Section 49.108, Water Code, have been met.

7-1 Sec. 3979.0505. BONDS SECURED BY AD VALOREM TAXES;
7-2 ELECTIONS. (a) If authorized at an election under Section
7-3 3979.0501, the district may issue bonds payable from ad valorem
7-4 taxes.

7-5 (b) Section 375.243, Local Government Code, does not apply
7-6 to the district.

7-7 (c) At the time the district issues bonds payable wholly or
7-8 partly from ad valorem taxes, the board shall provide for the annual
7-9 imposition of a continuing direct annual ad valorem tax, without
7-10 limit as to rate or amount, for each year that all or part of the
7-11 bonds are outstanding as required and in the manner provided by
7-12 Sections 54.601 and 54.602, Water Code.

7-13 (d) All or any part of any facilities or improvements that
7-14 may be acquired by a district by the issuance of its bonds may be
7-15 submitted as a single proposition or as several propositions to be
7-16 voted on at the election.

7-17 Sec. 3979.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The
7-18 board may not issue bonds until each municipality in whose
7-19 corporate limits or extraterritorial jurisdiction the district is
7-20 located has consented by ordinance or resolution to the creation of
7-21 the district and to the inclusion of land in the district.

7-22 (b) This section applies only to the district's first
7-23 issuance of bonds payable from ad valorem taxes.

7-24 SUBCHAPTER F. SALES AND USE TAX

7-25 Sec. 3979.0601. APPLICABILITY OF CERTAIN TAX CODE
7-26 PROVISIONS. (a) Chapter 321, Tax Code, governs the imposition,
7-27 computation, administration, enforcement, and collection of the
7-28 sales and use tax authorized by this subchapter except to the extent
7-29 Chapter 321, Tax Code, is inconsistent with this chapter.

7-30 (b) A reference in Chapter 321, Tax Code, to a municipality
7-31 or the governing body of a municipality is a reference to the
7-32 district or the board, respectively.

7-33 Sec. 3979.0602. ELECTION; ADOPTION OF TAX. (a) The
7-34 district may adopt a sales and use tax if authorized by a majority
7-35 of the voters of the district voting at an election held for that
7-36 purpose.

7-37 (b) The board by order may call an election to authorize the
7-38 adoption of the sales and use tax. The election may be held on any
7-39 uniform election date and in conjunction with any other district
7-40 election.

7-41 (c) The ballot shall be printed to provide for voting for or
7-42 against the proposition: "Authorization of a sales and use tax in
7-43 the Montgomery County Management District No. 1 at a rate not to
7-44 exceed _____ percent" (insert rate of one or more increments of
7-45 one-eighth of one percent).

7-46 Sec. 3979.0603. SALES AND USE TAX RATE. (a) On or after the
7-47 date the results are declared of an election held under Section
7-48 3979.0602, at which the voters approved imposition of the tax
7-49 authorized by this subchapter, the board shall determine and adopt
7-50 by resolution or order the initial rate of the tax, which must be in
7-51 one or more increments of one-eighth of one percent.

7-52 (b) After the election held under Section 3979.0602, the
7-53 board may increase or decrease the rate of the tax by one or more
7-54 increments of one-eighth of one percent.

7-55 (c) The initial rate of the tax or any rate resulting from
7-56 subsequent increases or decreases may not exceed the lesser of:

7-57 (1) the maximum rate authorized by the district voters
7-58 at the election held under Section 3979.0602; or

7-59 (2) a rate that, when added to the rates of all sales
7-60 and use taxes imposed by other political subdivisions with
7-61 territory in the district, would result in the maximum combined
7-62 rate prescribed by Section 321.101(f), Tax Code, at any location in
7-63 the district.

7-64 Sec. 3979.0604. TAX AFTER MUNICIPAL ANNEXATION. (a) This
7-65 section applies to the district after a municipality annexes part
7-66 of the territory in the district and imposes the municipality's
7-67 sales and use tax in the annexed territory.

7-68 (b) If at the time of annexation the district has
7-69 outstanding debt or other obligations payable wholly or partly from

8-1 district sales and use tax revenue, Section 321.102(g), Tax Code,
 8-2 applies to the district.

8-3 (c) If at the time of annexation the district does not have
 8-4 outstanding debt or other obligations payable wholly or partly from
 8-5 district sales and use tax revenue, the district may:

8-6 (1) exclude the annexed territory from the district,
 8-7 if the district has no outstanding debt or other obligations
 8-8 payable from any source; or

8-9 (2) reduce the sales and use tax in the annexed
 8-10 territory by resolution or order of the board to a rate that, when
 8-11 added to the sales and use tax rate imposed by the municipality in
 8-12 the annexed territory, is equal to the sales and use tax rate
 8-13 imposed by the district in the district territory that was not
 8-14 annexed by the municipality.

8-15 Sec. 3979.0605. NOTIFICATION OF RATE CHANGE. The board
 8-16 shall notify the comptroller of any changes made to the tax rate
 8-17 under this subchapter in the same manner the municipal secretary
 8-18 provides notice to the comptroller under Section 321.405(b), Tax
 8-19 Code.

8-20 Sec. 3979.0606. USE OF REVENUE. Revenue from the sales and
 8-21 use tax imposed under this subchapter is for the use and benefit of
 8-22 the district and may be used for any district purpose. The district
 8-23 may pledge all or part of the revenue to the payment of bonds,
 8-24 notes, or other obligations, and that pledge of revenue may be in
 8-25 combination with other revenue, including tax revenue, available to
 8-26 the district.

8-27 Sec. 3979.0607. ABOLITION OF TAX. (a) Except as provided
 8-28 by Subsection (b), the board may abolish the tax imposed under this
 8-29 subchapter without an election.

8-30 (b) The board may not abolish the tax imposed under this
 8-31 subchapter if the district has outstanding debt secured by the tax,
 8-32 and repayment of the debt would be impaired by the abolition of the
 8-33 tax.

8-34 (c) If the board abolishes the tax, the board shall notify
 8-35 the comptroller of that action in the same manner the municipal
 8-36 secretary provides notice to the comptroller under Section
 8-37 321.405(b), Tax Code.

8-38 (d) If the board abolishes the tax or decreases the tax rate
 8-39 to zero, a new election to authorize a sales and use tax must be held
 8-40 under Section 3979.0602 before the district may subsequently impose
 8-41 the tax.

8-42 (e) This section does not apply to a decrease in the sales
 8-43 and use tax authorized under Section 3979.0604(c)(2).

8-44 SUBCHAPTER G. HOTEL OCCUPANCY TAX

8-45 Sec. 3979.0701. DEFINITION. In this subchapter, "hotel"
 8-46 has the meaning assigned by Section 156.001, Tax Code.

8-47 Sec. 3979.0702. APPLICABILITY OF CERTAIN TAX CODE
 8-48 PROVISIONS. (a) For purposes of this subchapter:

8-49 (1) a reference in Subchapter A, Chapter 352, Tax
 8-50 Code, to a county is a reference to the district; and

8-51 (2) a reference in Subchapter A, Chapter 352, Tax
 8-52 Code, to the commissioners court is a reference to the board.

8-53 (b) Except as inconsistent with this subchapter, Subchapter
 8-54 A, Chapter 352, Tax Code, governs a hotel occupancy tax authorized
 8-55 by this subchapter, including the collection of the tax, subject to
 8-56 the limitations prescribed by Sections 352.002(b) and (c), Tax
 8-57 Code.

8-58 Sec. 3979.0703. TAX AUTHORIZED; USE OF REVENUE. The
 8-59 district may impose a hotel occupancy tax for any purpose described
 8-60 by Section 351.101 or 352.101, Tax Code.

8-61 Sec. 3979.0704. TAX RATE. (a) The amount of the hotel
 8-62 occupancy tax may not exceed the lesser of:

8-63 (1) the maximum rate prescribed by Section 352.003(a),
 8-64 Tax Code; or

8-65 (2) a rate that, when added to the rates of all hotel
 8-66 occupancy taxes imposed by other political subdivisions with
 8-67 territory in the district and by this state, does not exceed the sum
 8-68 of the rate prescribed by Section 351.0025(b), Tax Code, plus two
 8-69 percent.

9-1 (b) The district tax is in addition to a tax imposed by a
9-2 municipality under Chapter 351, Tax Code, or by the county under
9-3 Chapter 352, Tax Code.

9-4 Sec. 3979.0705. INFORMATION. The district may examine and
9-5 receive information related to the imposition of hotel occupancy
9-6 taxes to the same extent as if the district were a county.

9-7 Sec. 3979.0706. USE OF REVENUE. The district may use
9-8 revenue from the hotel occupancy tax for any district purpose that
9-9 is an authorized use of hotel occupancy tax revenue under Chapter
9-10 351 or 352, Tax Code. The district may pledge all or part of the
9-11 revenue to the payment of bonds, notes, or other obligations and
9-12 that pledge of revenue may be in combination with other revenue
9-13 available to the district.

9-14 Sec. 3979.0707. ABOLITION OF TAX. (a) Except as provided
9-15 by Subsection (b), the board may abolish the tax imposed under this
9-16 subchapter.

9-17 (b) The board may not abolish the tax imposed under this
9-18 subchapter if the district has outstanding debt secured by the tax,
9-19 and repayment of the debt would be impaired by the abolition of the
9-20 tax.

9-21 SUBCHAPTER I. DISSOLUTION BY BOARD

9-22 Sec. 3979.0901. DISSOLUTION. (a) The board shall dissolve
9-23 the district on written petition filed with the board by the owners
9-24 of:

9-25 (1) 66 percent or more of the assessed value of the
9-26 property subject to assessment by the district based on the most
9-27 recent certified county property tax rolls; or

9-28 (2) 66 percent or more of the surface area of the
9-29 district, excluding roads, streets, highways, utility
9-30 rights-of-way, other public areas, and other property exempt from
9-31 assessment by the district according to the most recent certified
9-32 county property tax rolls.

9-33 (b) The board by majority vote may dissolve the district at
9-34 any time.

9-35 (c) The district may not be dissolved by its board under
9-36 Subsection (a) or (b) if the district:

9-37 (1) has any outstanding bonded indebtedness until that
9-38 bonded indebtedness has been repaid or defeased in accordance with
9-39 the order or resolution authorizing the issuance of the bonds;

9-40 (2) has a contractual obligation to pay money until
9-41 that obligation has been fully paid in accordance with the
9-42 contract; or

9-43 (3) owns, operates, or maintains public works,
9-44 facilities, or improvements unless the district contracts with
9-45 another person for the ownership, operation, or maintenance of the
9-46 public works, facilities, or improvements.

9-47 (d) Sections 375.261, 375.262, and 375.264, Local
9-48 Government Code, do not apply to the district.

9-49 SECTION 2. The Montgomery County Management District No. 1
9-50 initially includes all the territory contained in the following
9-51 area:

9-52 TRACT 1

9-53 A metes and bounds description of a 279.07 acre tract of land
9-54 situated in the Edward Taylor Survey, Abstract Number 554,
9-55 Montgomery County, Texas; being all of a called 279.65 acre tract
9-56 conveyed to Mitchell Energy Corporation by Surface Deed and
9-57 Subsurface Easement dated January 1, 1995 and filed for record
9-58 under Clerk's File No. 9509774 of the Montgomery County Official
9-59 Public Records of Real Property; said 279.07 acres being more
9-60 particularly described as follows with all bearing based on the
9-61 Texas Coordinate System of 1983, Central Zone:

9-62 BEGINNING at a found 1/2-inch iron rod in the apparent west
9-63 right-of-way of Cripple Creek Drive North, for an angle corner in
9-64 the north line of Lot 1 of Galleria Oaks Estates as shown on a plat
9-65 filed for record in Cabinet B, Sheet 79 of the Montgomery County Map
9-66 Records and the southeast corner of said 279.65 acres, same being
9-67 the southeast corner of the herein described tract, from which a
9-68 found 1/2-inch iron rod bears North 77°23'58" East, 38.23 feet;

9-69 THENCE, South 86°25'45" West, along the north line of Lots 1-

10-1 7 of said Galleria Oaks Estates and the south line of said 279.65
 10-2 acres, passing a found 1-inch iron pipe at 244.84 feet, a found axle
 10-3 at 544.26 feet, 5.56 feet right, a found 8-inch by 8-inch concrete
 10-4 monument at 544.89 feet, 4.90 feet right, and a found 1-inch iron
 10-5 pipe at 1170.28 feet, continuing for a total distance of 1988.05
 10-6 feet (called 1997.31) to a set 3/4-inch iron rod (with cap stamped
 10-7 "Jones|Carter Property Corner") in the northeast right-of-way of
 10-8 the Union Pacific Railroad (formerly I & G.N. Railroad Company)
 10-9 (width varies) filed for record under Volume 26, Page 351 of the
 10-10 Montgomery County Deed Records, for the south corner of the herein
 10-11 described tract, from which a found 8-inch by 8-inch concrete
 10-12 monument bears South 86°25'45" West, 9.14 feet;

10-13 THENCE, along the northeast right-of-way of the said Union
 10-14 Pacific Railroad and the southwest line of the herein described
 10-15 tract the following five (5) courses and distances:

10-16 1. North 59°15'02" West, 1127.60 feet, departing the north
 10-17 line of said Lot 7, to a set 3/4-inch iron rod (with cap stamped
 10-18 "Jones|Carter Property Corner");

10-19 2. North 30°44'58" East, 25.00 feet to a set 3/4-inch iron
 10-20 rod (with cap stamped "Jones|Carter Property Corner");

10-21 3. North 59°15'02" West, 600.00 feet to a set 3/4-inch iron
 10-22 rod (with cap stamped "Jones|Carter Property Corner");

10-23 4. South 30°44'58" West, 25.00 feet to a set 3/4-inch iron
 10-24 rod (with cap stamped "Jones|Carter Property Corner");

10-25 5. North 59°15'02" West, 1371.85 feet to a set 3/4-inch iron
 10-26 rod (with cap stamped "Jones|Carter Property Corner") in the south
 10-27 line of a called 139.384 acre tract conveyed to Norma Helen
 10-28 Schoessow by Special Warranty Deed dated October 23, 1995 and filed
 10-29 for record under Clerk's File No. 9559657 of the Montgomery County
 10-30 Official Public Records of Real Property, for the west corner of the
 10-31 herein described tract, from which a found 8-inch by 8-inch
 10-32 concrete monument bears South 87°11'00" East, 8.79 feet;

10-33 THENCE, North 87°11'00" East, 2105.63 feet (called 2114.59
 10-34 feet), departing the northeast right-of-way of the said Union
 10-35 Pacific Railroad, along the south line of said 139.384 acres, a
 10-36 north line of said 279.65 acres, and a north line of the herein
 10-37 described tract to a found 8-inch by 8-inch concrete monument, for
 10-38 an angle corner for said 139.384 acres, said 279.65 acres, and the
 10-39 herein described tract;

10-40 THENCE, North 32°44'24" East, along the southeast line of said
 10-41 139.384 acres, the northwest line of said 279.65 acres, and the
 10-42 northwest line of the herein described tract, passing a found
 10-43 1/2-inch iron rod (bent) at 2037.03 feet, 4.74 feet right,
 10-44 continuing for a total distance of 2056.48 feet to a found 1-inch
 10-45 pinched top pipe, for an angle corner for said 139.384 acres, said
 10-46 279.65 acres, and the herein described tract;

10-47 THENCE, North 02°29'44" West, 2678.96 feet (called 2681.84
 10-48 feet) along the east line of said 139.384 acres, the west line of
 10-49 said 279.65 acres, and the west line of the herein described tract
 10-50 to a found 8-inch by 8-inch concrete monument in the south line of a
 10-51 called 77.051 acre tract conveyed to Susan Halstead, Vincent S.
 10-52 Halstead, Steven B. Schoessow, Clarice J. Fore, Curtis F.
 10-53 Schoessow, Douglas P. Schoessow, Jana B. McNeil and Adrienne Leigh
 10-54 Fore by Gift Deed dated October 10, 2014 and filed for record under
 10-55 Clerk's File No. 2014100067 of the Montgomery County Official
 10-56 Public Records of Real Property, for the northeast corner of said
 10-57 139.384 acres and the northwest corner of said 279.65 acres, same
 10-58 being the northwest corner of the herein described tract, from
 10-59 which a found 1/2-inch iron pipe bears North 01°41'45" East, 0.61
 10-60 feet;

10-61 THENCE, North 86°56'34" East, along the south line of said
 10-62 77.051 acres, the north line of said 279.65 acres, and the north
 10-63 line of the herein described tract, passing a found 1-inch pinched
 10-64 top pipe at 298.14 feet, continuing along the north line of said
 10-65 279.65 acres and the north line of the herein described tract for a
 10-66 total distance of 715.80 feet to a set 3/4-inch iron rod (with cap
 10-67 stamped "Jones|Carter Property Corner") for an angle corner;

10-68 THENCE, North 86°38'34" East, 561.72 feet (called 561.50
 10-69 feet), continuing along the north line of said 279.65 acres and the

11-1 north line of the herein described tract to a found 1/2-inch iron
11-2 pipe in the apparent east line of the Edward Taylor Survey, Abstract
11-3 Number 554 and the apparent west line of the Leander Wescott Survey,
11-4 Abstract Number 616, for the southeast corner of a called 10 acre
11-5 tract conveyed to Axe Em Investments, L.P. by Special Warranty Deed
11-6 dated October 1, 2003 and filed for record under Clerk's File
11-7 No. 2003-134286 of the Montgomery County Official Public Records of
11-8 Real Property and the northeast corner of said 279.65 acres, same
11-9 being the northeast corner of the herein described tract, from
11-10 which a found 1/2-inch iron rod bears North 03°18'03" West, 941.08
11-11 feet;

11-12 THENCE, South 02°35'38" East, along the apparent east line of
11-13 the Edward Taylor Survey, Abstract Number 554, the apparent west
11-14 line of the Leander Wescott Survey, Abstract Number 616, the east
11-15 line of said 279.65 acres and the east line of the herein described
11-16 tract, passing a found 1/2-inch iron pipe at a distance of 2090.96
11-17 feet, 12.71 feet right, a found 5/8-inch iron rod at a distance of
11-18 2094.87 feet, 12.74 feet right and a found 3/4-inch iron rod (with
11-19 cap stamped "Jones|Carter Property Corner") (previously set for
11-20 survey of adjoining acreage) at a distance of 2107.96 feet,
11-21 continuing along apparent east line of the Edward Taylor Survey,
11-22 Abstract Number 554, the apparent west line of the Robin George
11-23 Survey, Abstract Number 470, the apparent west line of the Leander
11-24 Wescott Survey, Abstract Number 615, the west line of Block 4 of
11-25 Cripple Creek Farms North Section Three (an unrecorded
11-26 subdivision), the east line of said 279.65 acres and the east line
11-27 of the herein described tract, same being the common line of a
11-28 Boundary Agreement dated August 11, 1958 filed for record in Volume
11-29 458, Page 386 of the Montgomery County Deed Records, passing a found
11-30 1/2-inch iron pipe at a distance of 2978.61 feet, 4.46 feet right, a
11-31 found 1/2-inch iron pipe at a distance of 3178.70 feet, 4.50 feet
11-32 right, a found 5/8-inch iron rod at a distance of 3408.76 feet, 4.96
11-33 feet right, a found 1/2-inch iron pipe at a distance of 3638.37
11-34 feet, 5.76 feet right, a found 1/2-inch iron pipe at a distance of
11-35 3846.97 feet, 5.42 feet right, a found 1/2-inch iron pipe at a
11-36 distance of 4046.44 feet, 4.77 feet right, a found 3/4-inch iron rod
11-37 at a distance of 4246.56 feet, 4.32 feet right, a found 1/2-inch
11-38 iron pipe at a distance of 4446.96 feet, 5.22 feet right, a found
11-39 1/2-inch iron pipe at a distance of 4646.61 feet, 6.40 feet right, a
11-40 found 5/8-inch iron rod at a distance of 4845.95 feet, 6.30 feet
11-41 right, a found 1/2-inch iron pipe at a distance of 5044.96 feet,
11-42 6.79 feet right, a found 1/2-inch iron pipe at a distance of 5644.64
11-43 feet, 6.54 feet right, a found 1/4-inch iron pipe at a distance of
11-44 5665.25 feet, 7.16 feet right, a found 5/8-inch iron rod at a
11-45 distance of 5665.30 feet, 6.86 feet right, continuing for a total
11-46 distance of 6047.81 feet (called 6051.88 feet) to the POINT OF
11-47 BEGINNING, CONTAINING 279.07 acres of land in Montgomery County,
11-48 Texas, as shown on drawing number 9629-A.

11-49 TRACT 2

11-50 A METES AND BOUNDS description of a 842.23 acre tract of land
11-51 situated in the Charles Frazier Survey, Abstract Number 206, the
11-52 Andrew J. Hensley Survey, Abstract Number 255, the Azariah Prather
11-53 Survey, Abstract Number 427 and the Leander Wescott Survey,
11-54 Abstract Number 616, Montgomery County, Texas; being out of and a
11-55 part of a called 881.183 acre tract (Tract 1) conveyed to Mitchell
11-56 Energy Corporation by Special Warranty Deed dated July 31, 1997 and
11-57 filed for record under Clerk's File No. 9746155 of the Montgomery
11-58 County Official Public Records of Real Property; said 842.23 acres
11-59 being more particularly described as follows with all bearings
11-60 based on the Texas Coordinate System of 1983, Central Zone:

11-61 BEGINNING at a found 3-inch iron pipe for the north corner
11-62 Greentree Forest Estates (an Unrecorded Subdivision), same being an
11-63 interior corner of the herein described tract;

11-64 THENCE, South 42°47'48" West, along the northwest line of said
11-65 Greentree Forest Estates and a southeast line of said 881.183
11-66 acres, passing a found 5/8-inch iron rod at 256.52 feet, a found
11-67 1/2-inch iron rod at 374.49 feet, 0.17 feet left, a found 5/8-inch
11-68 iron rod at 847.40 feet, a found 5/8-inch iron rod at 965.59 feet,
11-69 0.38 feet right, a found 1/2-inch iron rod at 1202.01 feet, a found

12-1 1/2-inch iron rod at 1442.52 feet, 1.05 feet right, a found 5/8-inch
 12-2 iron rod at 1686.50 feet and a found 1/2-inch iron rod at 1921.45
 12-3 feet, continuing for a total distance of 2155.95 feet (called
 12-4 2155.95 feet) to a set 3/4-inch iron rod (with cap stamped
 12-5 "Jones|Carter Property Corner") in the northeast line of called
 12-6 4.615 acre tract, known as Tract 17, Block 4 of Cripple Creek Farms
 12-7 North Section Three (an unrecorded subdivision), conveyed to Larry
 12-8 Dan McQuerry and wife, Mary Margaret McQuerry by General Warranty
 12-9 Deed dated April 2, 1980 and filed for record under Clerk's File
 12-10 No. 8011618 of the Montgomery County Official Public Records of
 12-11 Real Property, for a southwest corner of the herein described
 12-12 tract, from which a found 1/2-inch iron rod bears South 47°45'18"
 12-13 East, 171.07 feet;

12-14 THENCE, North 47°25'32" West, 433.31 feet (called 1246.42
 12-15 feet), departing the northwest line of said Greentree Forest
 12-16 Estates, along the northeast line of said 4.615 acres and a
 12-17 southwest line of said 881.183 acres to a set 3/4-inch iron rod
 12-18 (with cap stamped "Jones|Carter Property Corner") in the east line
 12-19 of a called 279.65 acre tract conveyed to Mitchell Energy
 12-20 Corporation by Surface Deed and Subsurface Easement dated January
 12-21 1, 1995 and file for record under Clerk's File No. 9509774 of the
 12-22 Montgomery County Official Public Records of Real Property, same
 12-23 being the apparent east line of the Edward Taylor Survey, Abstract
 12-24 Number 554 and the apparent west line of the Leander Wescott Survey,
 12-25 Abstract Number 616, from which found 3-1/2" iron pipe bears North
 12-26 47°25'32" West, 812.94 feet, and a found 1/2-inch iron rod bears
 12-27 South 02°35'38" East, 3939.85 feet;

12-28 THENCE, North 02°35'38" West, departing the northeast line of
 12-29 said 4.615 acres, along the east line of said 279.65 acres, the
 12-30 apparent east line of the Edward Taylor Survey, Abstract Number 554
 12-31 and the apparent west line of the Leander Wescott Survey, Abstract
 12-32 Number 616, passing a 5/8-inch iron rod at 13.09 feet, 12.74 feet
 12-33 left and a found 1/2-inch iron pipe at 17.01 feet, 12.71 feet left,
 12-34 continuing for a total distance of 2107.96 feet to a found 1/2-inch
 12-35 iron pipe for the southeast corner of a called 10 acre tract
 12-36 conveyed to Axe Em Investments, L.P. by Special Warranty Deed dated
 12-37 October 1, 2003 and filed for record under Clerk's File
 12-38 No. 2003-134286 of the Montgomery County Official Public Records of
 12-39 Real Property, the northeast corner of said 279.65 acres and an
 12-40 angle point in the west line of the herein described tract, from
 12-41 which a found 3/4-inch iron rod (with cap stamped "Jones|Carter
 12-42 Property Corner") bears South 86°38'34" West, 561.72 feet;

12-43 THENCE, North 03°18'03" West, continuing along the apparent
 12-44 east line of the Edward Taylor Survey, Abstract Number 554, the
 12-45 apparent west line of the Leander Wescott Survey, Abstract Number
 12-46 616, and the east line of said 10 acres, passing a 1/2-inch iron rod
 12-47 at 220.99 feet, continuing along the east line of said 10 acres, the
 12-48 east line of a called 5 acre tract and another called 10 acre tract
 12-49 (hereinafter referred to as "northern 10 acres"), both conveyed to
 12-50 Axe Em Investments, L.P. by Special Warranty Deed dated October 1,
 12-51 2003 and filed for record under Clerk's File No. 2003-134286 of the
 12-52 Montgomery County Official Public Records of Real Property for a
 12-53 total distance of 941.08 feet to a found 1/2-inch iron rod in the
 12-54 north line of said 881.183 acres for an angle point in the south
 12-55 line of a called 757.02 acre tract ("Tract III") conveyed to 1488
 12-56 Corp. by Special Warranty Deed dated December 29, 2015 and filed for
 12-57 record under Clerk's File No. 2016002467 of the Montgomery County
 12-58 Official Public Records of Real Property, same being the northwest
 12-59 corner of the herein described tract, from which a found axle bears
 12-60 North 48°48'43" West, 728.19 feet and a found 3/4-inch pinched top
 12-61 pipe bears North 03°04'57" West, 1286.89 feet;

12-62 THENCE, departing the east line of said northern 10 acres,
 12-63 the apparent east line of the Edward Taylor Survey, Abstract Number
 12-64 554 and the apparent west line of the Leander Wescott Survey,
 12-65 Abstract Number 616, along the south line of said 757.02 acres and
 12-66 the north line of said 881.183 acres the following six (6) courses
 12-67 and distances:

12-68 1. South 48°52'00" East, 593.66 feet (called 1321.86 feet)
 12-69 to a found 3-inch iron pipe for an angle point;

- 13-1 2. North 42°00'28" East, 807.36 feet (called 807.98 feet) to
- 13-2 a found 3-inch iron pipe;
- 13-3 3. North 43°20'46" East, 781.14 feet (called 779.36 feet) to
- 13-4 a found 3/4-inch iron pipe;
- 13-5 4. North 41°41'25" East, 1538.43 feet (called 1540.14 feet)
- 13-6 to a found 3-inch iron pipe;
- 13-7 5. North 42°24'04" East, 777.81 feet (called 778.99 feet) to
- 13-8 a found 1/2-inch iron rod;
- 13-9 6. North 42°15'57" East, 706.71 feet (called 710.25 feet) to
- 13-10 a point in the centerline of Mill Creek, for the west corner of a
- 13-11 called 6.11186 acre tract, known as Tract 12 of Wildwood Estates (an
- 13-12 unrecorded subdivision), conveyed to John M. Burdick and wife,
- 13-13 Sandra A. Burdick by Warranty Deed dated October 14, 1991 and file
- 13-14 for record under Clerk's File No. 9148107 of the Montgomery County
- 13-15 Official Public Records of Real Property, same being the north
- 13-16 corner of said 881.183 acres and the herein described tract, from
- 13-17 which a found 1-inch iron pipe bears North 42°15'57" East, 1881.50
- 13-18 feet;

13-19 THENCE, departing the south line of said 757.02 acres, along
 13-20 the centerline meanders of said Mill Creek, same being the east line
 13-21 of said 881.183 acres, the following two-hundred and forty-six
 13-22 (246) courses and distances:

- 13-23 1. South 12°18'18" East, 20.94 feet to a point;
- 13-24 2. South 22°23'59" East, 74.66 feet to a point;
- 13-25 3. South 42°53'52" West, 46.44 feet to a point;
- 13-26 4. South 36°58'56" West, 46.01 feet to a point;
- 13-27 5. South 09°52'55" East, 37.33 feet to a point;
- 13-28 6. North 87°56'29" East, 80.12 feet to a point;
- 13-29 7. South 45°12'31" East, 17.10 feet to a point;
- 13-30 8. South 10°52'22" East, 26.87 feet to a point;
- 13-31 9. South 02°05'39" East, 26.13 feet to a point;
- 13-32 10. South 12°44'29" East, 19.29 feet to a point;
- 13-33 11. South 04°45'43" West, 43.16 feet to a point;
- 13-34 12. South 35°59'36" East, 36.12 feet to a point;
- 13-35 13. South 09°16'25" West, 32.54 feet to a point;
- 13-36 14. South 12°40'55" West, 171.14 feet to a point;
- 13-37 15. South 06°14'53" East, 70.78 feet to a point;
- 13-38 16. South 41°23'52" East, 61.54 feet to a point;
- 13-39 17. South 14°42'38" East, 130.27 feet to a point;
- 13-40 18. South 23°55'53" East, 126.21 feet to a point;
- 13-41 19. South 10°03'51" East, 50.67 feet to a point;
- 13-42 20. South 36°50'20" East, 107.39 feet to a point;
- 13-43 21. South 10°43'38" East, 60.21 feet to a point;
- 13-44 22. South 21°14'15" West, 153.28 feet to a point;
- 13-45 23. South 22°33'14" West, 58.07 feet to a point;
- 13-46 24. South 05°35'01" West, 20.25 feet to a point;
- 13-47 25. South 61°22'44" East, 38.41 feet to a point;
- 13-48 26. South 69°02'33" East, 58.99 feet to a point;
- 13-49 27. South 12°12'50" East, 124.16 feet to a point;
- 13-50 28. South 32°31'48" East, 44.10 feet to a point;
- 13-51 29. South 57°36'47" East, 61.05 feet to a point;
- 13-52 30. South 53°27'39" East, 56.94 feet to a point;
- 13-53 31. South 33°14'19" East, 97.80 feet to a point;
- 13-54 32. South 21°00'11" East, 47.88 feet to a point;
- 13-55 33. South 00°14'08" West, 9.48 feet to a point;
- 13-56 34. South 35°38'34" West, 15.42 feet to a point;
- 13-57 35. South 05°09'49" West, 35.23 feet to a point;
- 13-58 36. South 41°24'16" East, 29.71 feet to a point;
- 13-59 37. South 59°26'29" East, 22.32 feet to a point;
- 13-60 38. South 69°02'33" East, 324.70 feet to a point;
- 13-61 39. South 85°20'52" East, 48.71 feet to a point;
- 13-62 40. North 78°12'44" East, 26.46 feet to a point;
- 13-63 41. North 42°26'02" East, 37.26 feet to a point;
- 13-64 42. North 09°57'57" East, 21.44 feet to a point;
- 13-65 43. North 71°11'45" West, 44.32 feet to a point;
- 13-66 44. North 43°20'43" West, 8.72 feet to a point;
- 13-67 45. North 01°04'41" West, 22.38 feet to a point;
- 13-68 46. North 21°27'17" East, 14.55 feet to a point;
- 13-69 47. North 35°12'16" East, 57.34 feet to a point;

14-1 48. South 40°49'24" East, 26.21 feet to a point;
 14-2 49. South 26°33'49" East, 19.14 feet to a point;
 14-3 50. South 78°44'47" East, 39.61 feet to a point;
 14-4 51. South 42°37'50" East, 117.76 feet to a point;
 14-5 52. South 63°31'02" East, 54.42 feet to a point;
 14-6 53. North 86°22'35" East, 14.48 feet to a point;
 14-7 54. South 83°23'38" East, 50.81 feet to a point;
 14-8 55. South 41°53'26" East, 37.41 feet to a point;
 14-9 56. South 10°42'29" East, 156.83 feet to a point;
 14-10 57. South 50°37'37" East, 26.55 feet to a point;
 14-11 58. South 35°05'48" East, 74.85 feet to a point;
 14-12 59. South 34°45'59" East, 50.28 feet to a point;
 14-13 60. South 63°14'51" East, 163.53 feet to a point;
 14-14 61. South 87°53'24" East, 20.12 feet to a point;
 14-15 62. North 48°15'22" East, 95.09 feet to a point;
 14-16 63. South 57°40'49" East, 12.18 feet to a point;
 14-17 64. South 55°52'46" East, 39.03 feet to a point;
 14-18 65. South 30°38'19" East, 13.33 feet to a point;
 14-19 66. South 17°12'36" East, 20.13 feet to a point;
 14-20 67. South 54°53'29" East, 145.28 feet to a point;
 14-21 68. South 66°39'02" East, 56.87 feet to a point;
 14-22 69. South 75°44'05" East, 87.52 feet to a point;
 14-23 70. South 58°53'21" East, 90.35 feet to a point;
 14-24 71. North 88°28'59" East, 42.27 feet to a point;
 14-25 72. South 56°16'37" East, 181.99 feet to a point;
 14-26 73. South 40°53'21" East, 125.58 feet to a point;
 14-27 74. South 31°26'40" West, 50.99 feet to a point;
 14-28 75. South 28°10'18" West, 24.21 feet to a point;
 14-29 76. South 77°29'22" East, 19.73 feet to a point;
 14-30 77. South 50°09'42" East, 96.47 feet to a point;
 14-31 78. South 56°32'41" East, 38.23 feet to a point;
 14-32 79. South 54°49'44" East, 31.98 feet to a point;
 14-33 80. North 77°40'42" East, 30.26 feet to a point;
 14-34 81. North 80°05'57" East, 64.03 feet to a point;
 14-35 82. South 66°03'01" East, 290.35 feet to a point;
 14-36 83. South 63°25'23" East, 170.62 feet to a point;
 14-37 84. South 62°41'27" East, 181.12 feet to a point;
 14-38 85. South 49°53'40" East, 59.94 feet to a point;
 14-39 86. South 39°07'27" East, 46.28 feet to a point;
 14-40 87. South 05°14'20" West, 92.52 feet to a point;
 14-41 88. South 63°37'44" West, 38.32 feet to a point;
 14-42 89. South 46°52'08" West, 17.69 feet to a point;
 14-43 90. South 30°30'24" West, 32.48 feet to a point;
 14-44 91. South 52°08'30" West, 30.87 feet to a point;
 14-45 92. North 88°59'43" West, 56.63 feet to a point;
 14-46 93. South 40°10'42" West, 137.98 feet to a point;
 14-47 94. South 17°29'36" West, 77.42 feet to a point;
 14-48 95. South 00°37'28" East, 30.27 feet to a point;
 14-49 96. South 83°36'36" East, 64.24 feet to a point;
 14-50 97. South 86°39'20" East, 105.45 feet to a point;
 14-51 98. South 46°06'16" East, 176.19 feet to a point;
 14-52 99. South 56°22'42" East, 61.38 feet to a point;
 14-53 100. South 53°51'41" East, 64.61 feet to a point;
 14-54 101. North 46°16'54" East, 19.60 feet to a point;
 14-55 102. North 42°53'51" East, 33.81 feet to a point;
 14-56 103. North 81°54'47" East, 105.65 feet to a point;
 14-57 104. South 78°49'30" East, 53.59 feet to a point;
 14-58 105. South 39°53'14" East, 18.21 feet to a point;
 14-59 106. South 27°02'07" East, 57.44 feet to a point;
 14-60 107. South 40°36'08" East, 83.23 feet to a point;
 14-61 108. South 36°14'03" East, 104.79 feet to a point;
 14-62 109. South 21°55'33" West, 120.32 feet to a point;
 14-63 110. South 45°28'18" West, 24.82 feet to a point;
 14-64 111. North 87°16'18" West, 60.19 feet to a point;
 14-65 112. South 04°03'57" West, 40.49 feet to a point;
 14-66 113. South 19°30'55" West, 113.56 feet to a point;
 14-67 114. South 17°09'33" West, 26.63 feet to a point;
 14-68 115. South 06°32'51" West, 52.58 feet to a point;
 14-69 116. South 48°03'00" East, 198.07 feet to a point;

15-1 117. South 78°07'22" East, 39.83 feet to a point;
 15-2 118. South 45°15'38" East, 108.53 feet to a point;
 15-3 119. South 15°27'32" East, 74.05 feet to a point;
 15-4 120. South 29°42'12" East, 187.05 feet to a point;
 15-5 121. South 10°51'23" East, 98.64 feet to a point;
 15-6 122. South 13°57'22" West, 16.81 feet to a point;
 15-7 123. South 05°41'13" East, 152.49 feet to a point;
 15-8 124. South 04°31'17" East, 117.06 feet to a point;
 15-9 125. South 04°48'51" West, 67.94 feet to a point;
 15-10 126. South 20°51'03" West, 86.27 feet to a point;
 15-11 127. South 48°35'35" West, 63.11 feet to a point;
 15-12 128. South 48°58'11" West, 27.31 feet to a point;
 15-13 129. South 41°19'59" West, 147.94 feet to a point;
 15-14 130. South 16°43'24" West, 51.25 feet to a point;
 15-15 131. South 38°48'25" West, 129.88 feet to a point;
 15-16 132. South 48°43'18" West, 33.26 feet to a point;
 15-17 133. South 49°33'27" West, 63.28 feet to a point;
 15-18 134. South 34°02'23" West, 138.93 feet to a point;
 15-19 135. South 43°19'50" West, 77.02 feet to a point;
 15-20 136. South 21°42'27" East, 21.32 feet to a point;
 15-21 137. South 19°31'50" East, 69.55 feet to a point;
 15-22 138. South 10°43'23" East, 164.23 feet to a point;
 15-23 139. South 50°46'56" East, 96.05 feet to a point;
 15-24 140. South 38°12'17" East, 124.95 feet to a point;
 15-25 141. South 14°25'39" East, 40.20 feet to a point;
 15-26 142. South 04°53'50" East, 123.95 feet to a point;
 15-27 143. South 32°39'47" East, 115.61 feet to a point;
 15-28 144. South 15°59'49" East, 145.05 feet to a point;
 15-29 145. South 44°34'59" East, 144.65 feet to a point;
 15-30 146. South 62°03'10" East, 95.40 feet to a point;
 15-31 147. South 79°38'44" East, 72.91 feet to a point;
 15-32 148. South 10°24'52" East, 229.66 feet to a point;
 15-33 149. North 68°22'11" West, 80.47 feet to a point;
 15-34 150. South 07°25'05" East, 48.42 feet to a point;
 15-35 151. South 02°41'47" West, 198.27 feet to a point;
 15-36 152. South 43°12'25" West, 88.27 feet to a point;
 15-37 153. South 51°53'13" West, 53.80 feet to a point;
 15-38 154. South 46°45'22" East, 42.20 feet to a point;
 15-39 155. South 61°43'29" East, 161.36 feet to a point;
 15-40 156. South 28°19'40" East, 101.12 feet to a point;
 15-41 157. South 32°48'06" East, 144.76 feet to a point;
 15-42 158. South 50°37'24" East, 51.47 feet to a point;
 15-43 159. South 28°01'42" East, 126.58 feet to a point;
 15-44 160. South 38°57'45" East, 107.31 feet to a point;
 15-45 161. South 50°24'34" East, 71.71 feet to a point;
 15-46 162. South 09°29'22" East, 212.34 feet to a point;
 15-47 163. South 00°20'59" West, 132.90 feet to a point;
 15-48 164. South 19°40'54" East, 86.34 feet to a point;
 15-49 165. South 14°58'26" West, 140.70 feet to a point;
 15-50 166. South 10°08'09" West, 74.76 feet to a point;
 15-51 167. South 53°21'21" West, 115.04 feet to a point;
 15-52 168. South 27°54'49" West, 62.71 feet to a point;
 15-53 169. South 34°48'30" East, 61.40 feet to a point;
 15-54 170. South 66°20'22" East, 141.85 feet to a point;
 15-55 171. South 72°53'56" East, 64.16 feet to a point;
 15-56 172. South 80°40'10" East, 93.92 feet to a point;
 15-57 173. North 88°21'42" East, 215.53 feet to a point;
 15-58 174. North 72°22'13" East, 72.02 feet to a point;
 15-59 175. North 30°33'22" East, 51.13 feet to a point;
 15-60 176. North 53°06'11" East, 67.65 feet to a point;
 15-61 177. South 89°23'41" East, 60.02 feet to a point;
 15-62 178. North 69°42'48" East, 89.16 feet to a point;
 15-63 179. North 84°21'21" East, 28.12 feet to a point;
 15-64 180. South 65°03'29" East, 63.15 feet to a point;
 15-65 181. South 24°31'20" East, 153.15 feet to a point;
 15-66 182. South 79°55'10" East, 74.23 feet to a point;
 15-67 183. South 30°19'44" East, 69.41 feet to a point;
 15-68 184. South 26°36'17" West, 67.33 feet to a point;
 15-69 185. South 51°53'55" East, 28.30 feet to a point;

16-1 186. South 48°09'02" East, 20.98 feet to a point;
 16-2 187. South 69°54'32" East, 42.71 feet to a point;
 16-3 188. South 49°35'02" East, 114.15 feet to a point;
 16-4 189. South 61°51'29" East, 70.82 feet to a point;
 16-5 190. North 56°45'53" East, 81.24 feet to a point;
 16-6 191. North 10°22'42" West, 27.52 feet to a point;
 16-7 192. North 44°20'07" West, 46.76 feet to a point;
 16-8 193. North 14°23'02" West, 40.60 feet to a point;
 16-9 194. North 81°26'55" East, 88.16 feet to a point;
 16-10 195. South 81°27'52" East, 225.26 feet to a point;
 16-11 196. North 50°13'30" East, 52.21 feet to a point;
 16-12 197. South 83°42'53" East, 38.65 feet to a point;
 16-13 198. South 53°20'17" East, 54.33 feet to a point;
 16-14 199. South 34°41'44" East, 78.36 feet to a point;
 16-15 200. South 04°59'36" West, 17.83 feet to a point;
 16-16 201. South 75°56'24" West, 26.48 feet to a point;
 16-17 202. North 80°06'10" West, 22.44 feet to a point;
 16-18 203. South 15°30'22" West, 102.03 feet to a point;
 16-19 204. South 77°49'42" West, 77.55 feet to a point;
 16-20 205. South 05°43'31" West, 17.16 feet to a point;
 16-21 206. South 36°38'48" East, 52.50 feet to a point;
 16-22 207. South 22°17'18" West, 18.42 feet to a point;
 16-23 208. South 46°04'19" West, 106.13 feet to a point;
 16-24 209. South 00°20'40" East, 46.25 feet to a point;
 16-25 210. North 86°03'23" East, 65.78 feet to a point;
 16-26 211. South 88°15'33" East, 59.39 feet to a point;
 16-27 212. South 72°52'21" East, 84.16 feet to a point;
 16-28 213. South 22°30'03" East, 31.04 feet to a point;
 16-29 214. South 07°37'19" West, 34.13 feet to a point;
 16-30 215. South 13°51'28" East, 32.68 feet to a point;
 16-31 216. South 42°01'46" East, 82.75 feet to a point;
 16-32 217. South 32°57'14" East, 31.07 feet to a point;
 16-33 218. South 26°42'20" West, 36.83 feet to a point;
 16-34 219. South 51°10'47" West, 104.44 feet to a point;
 16-35 220. South 78°09'38" West, 133.44 feet to a point;
 16-36 221. North 65°18'54" West, 40.51 feet to a point;
 16-37 222. North 20°57'04" West, 19.22 feet to a point;
 16-38 223. North 20°58'16" East, 21.54 feet to a point;
 16-39 224. North 31°10'24" West, 21.19 feet to a point;
 16-40 225. South 86°54'36" West, 98.56 feet to a point;
 16-41 226. South 62°17'52" West, 61.48 feet to a point;
 16-42 227. South 10°48'36" West, 14.13 feet to a point;
 16-43 228. South 68°28'09" West, 146.02 feet to a point;
 16-44 229. South 66°50'57" West, 13.98 feet to a point;
 16-45 230. South 54°14'31" West, 9.13 feet to a point;
 16-46 231. South 28°53'35" West, 47.36 feet to a point;
 16-47 232. South 14°53'51" East, 38.67 feet to a point;
 16-48 233. South 33°16'15" West, 110.49 feet to a point;
 16-49 234. South 25°51'57" West, 87.36 feet to a point;
 16-50 235. South 24°40'48" West, 168.46 feet to a point;
 16-51 236. South 18°07'49" West, 119.57 feet to a point;
 16-52 237. South 07°55'38" West, 73.03 feet to a point;
 16-53 238. South 30°22'38" East, 68.89 feet to a point;
 16-54 239. South 08°41'13" West, 43.89 feet to a point;
 16-55 240. South 20°25'31" West, 64.73 feet to a point;
 16-56 241. South 06°48'07" West, 63.29 feet to a point;
 16-57 242. South 07°37'07" West, 39.79 feet to a point;
 16-58 243. South 28°55'17" West, 36.09 feet to a point;
 16-59 244. South 66°13'24" West, 56.17 feet to a point;
 16-60 245. South 43°02'27" West, 59.63 feet to a point;
 16-61 246. South 13°44'31" West, 6.84 feet to a point in the
 16-62 northeast line of Mill Creek Forest as shown on a plat filed for
 16-63 record in Volume 5, Page 491 of the Montgomery County Deed Records
 16-64 for the most southerly corner of said 881.183 acres and the herein
 16-65 described tract;
 16-66 THENCE, North 46°43'05" West, departing the centerline
 16-67 meanders of said Mill Creek, along the northeast line of said Mill
 16-68 Creek Forest, and the southwest line of said 881.183 acres, passing
 16-69 a found 1/2-inch iron rod (with cap stamped "Reinke 3971") at 61.41

17-1 feet, continuing for a total distance of 397.79 feet (called
 17-2 414.06) to a found 1/2-inch iron rod (with cap stamped "Geomatics
 17-3 Inc.") for the north corner of said Mill Creek Forest, and an
 17-4 interior corner of said 881.183 acres and the herein described
 17-5 tract;

17-6 THENCE, South 43°03'45" West, along the northwest line of said
 17-7 Mill Creek Forest and a southeast line of said 881.183 acres,
 17-8 passing a found 3/4-inch iron pipe at 104.79 feet, 0.97 feet right,
 17-9 continuing for a total distance of 198.18 feet (called 192.78 feet)
 17-10 to a set 3/4-inch iron rod (with cap stamped "Jones|Carter Property
 17-11 Corner") for the east corner of Lot 14, Block 44 of Hazy Hollow East
 17-12 Estates Section 7 (an unrecorded subdivision) conveyed to Malcom
 17-13 James Johnson by Warranty Deed dated April 5, 1991 and filed for
 17-14 record under Clerk's File No. 9230908 of the Montgomery County
 17-15 Official Public Records of Real Property, a south corner of said
 17-16 881.183 acres and the herein described tract;

17-17 THENCE, departing the northwest line of said Mill Creek
 17-18 Forest along the southwest line of said 881.183 acres and the herein
 17-19 described tract the following seven (7) courses and distances:

17-20 1. North 47°15'15" West, along the northeast line said Hazy
 17-21 Hollow East Estates Section 7, passing a found 3/8-inch iron rod at
 17-22 1321.03 feet, 1.17 feet left, passing a found 1/2-inch iron rod at
 17-23 1429.95 feet, 1.21 feet left, continuing for a total distance of
 17-24 1755.51 feet to an angle point, from which a found 1/2-inch iron rod
 17-25 bears North 21°27'43" West 4.22 feet;

17-26 2. North 47°29'30" West, along the northeast line of said
 17-27 Hazy Hollow East Estates Section 7 and the northeast line of Hazy
 17-28 Hollow East Estates Section 4 (an unrecorded subdivision), passing
 17-29 a found 3/8-inch iron rod at 393.30 feet, 1.24 feet right,
 17-30 continuing for a total distance of 711.72 feet to a point;

17-31 3. North 47°20'39" West, along the northeast line of Hazy
 17-32 Hollow East Estates Section 10 (an unrecorded subdivision), passing
 17-33 a found 3/8-inch iron rod at 126.64 feet, 2.16 feet right, passing a
 17-34 found 3/8-inch iron rod at 375.33 feet, 1.09 feet right, passing a
 17-35 found 3/8-inch iron rod at 499.77 feet, 0.63 feet right, continuing
 17-36 for a total distance of 527.41 feet to a point;

17-37 4. North 47°17'20" West, along the northeast line of said
 17-38 Hazy Hollow East Estates Section 10, passing a found 5/8-inch iron
 17-39 rod at 96.90 feet, 0.38 feet right, a found 1/2-inch iron rod (bent)
 17-40 at 289.53 feet, a found 3/8-inch iron rod at 422.16 feet, 0.24 feet
 17-41 right, a found 1/2-inch iron rod at 554.92 feet, a found 5/8-inch
 17-42 iron rod at 687.54 feet, a found 3/8-inch iron rod at 1116.06 feet,
 17-43 0.31 feet left, a found 3/8-inch iron rod at 1239.11 feet, 0.41 feet
 17-44 left, a found 3/8-inch iron rod at 1484.87 feet, 0.98 feet left, a
 17-45 found 3/8-inch iron rod at 1608.04 feet, 1.32 feet left, a found
 17-46 3/8-inch iron rod at 1731.04 feet, 1.21 feet left, a found 3/8-inch
 17-47 iron rod at 1854.08 feet, 0.55 feet left, a found 5/8-inch square
 17-48 iron bar at 1977.47 feet, 0.11 feet right, a found 5/8-inch square
 17-49 iron bar at 2037.11 feet, 0.36 feet right, a found 3/8-inch iron rod
 17-50 at 2159.55 feet, 1.03 feet right, a found 1/2-inch iron rod (with
 17-51 cap stamped "C&C Surveying") at 2282.80 feet, 0.18 feet right, a
 17-52 found 1/2-inch iron rod (with cap stamped "C&C Surveying") at
 17-53 2405.70 feet, and a found 3/8-inch iron rod at 2897.75 feet, 0.13
 17-54 feet right, continuing for a total distance of 3015.29 feet to a
 17-55 point;

17-56 5. North 47°22'30" West, along the northeast line of Hazy
 17-57 Hollow East Estates Section 11 (an unrecorded subdivision), passing
 17-58 a found 3/8-inch iron rod at 5.37 feet, 2.20 feet left, a found
 17-59 3/8-inch iron rod at 128.11 feet, 3.14 feet left, a found 3/8-inch
 17-60 iron rod at 251.00 feet, 3.59 feet left, a found 3/8-inch iron rod
 17-61 at 373.97 feet, 3.79 feet left, a found 3/8-inch iron rod at 496.74
 17-62 feet, 3.70 feet left, a found 3/8-inch iron rod at 619.44 feet, 3.76
 17-63 feet left, a found 3/8-inch iron rod at 743.26 feet, 1.81 feet
 17-64 left, and a found 3/8-inch iron rod at 988.51 feet, 0.13 feet left,
 17-65 continuing for a total distance of 1784.65 feet to a found 1/2-inch
 17-66 iron rod for the north corner of said Hazy Hollow East Estates
 17-67 Section 11 and the east corner of Greentree Forest Estates (an
 17-68 unrecorded subdivision);

17-69 6. North 47°01'59" West, along the northeast line of said

18-1 Greentree Forest Estates, passing a found 1/2-inch iron rod at
18-2 354.40 feet, passing a found 5/8-inch iron rod at 414.22 feet,
18-3 continuing for a total distance of 498.04 feet to a found 3-1/2-inch
18-4 iron pipe;

18-5 7. North 47°36'37" West, 270.64 feet (called 270.76 feet) to
18-6 the POINT OF BEGINNING, CONTAINING 842.23 acres of land in
18-7 Montgomery County, Texas, as shown on drawing number 9630-A.

18-8 SECTION 3. (a) The legal notice of the intention to
18-9 introduce this Act, setting forth the general substance of this
18-10 Act, has been published as provided by law, and the notice and a
18-11 copy of this Act have been furnished to all persons, agencies,
18-12 officials, or entities to which they are required to be furnished
18-13 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
18-14 Government Code.

18-15 (b) The governor, one of the required recipients, has
18-16 submitted the notice and Act to the Texas Commission on
18-17 Environmental Quality.

18-18 (c) The Texas Commission on Environmental Quality has filed
18-19 its recommendations relating to this Act with the governor,
18-20 lieutenant governor, and speaker of the house of representatives
18-21 within the required time.

18-22 (d) All requirements of the constitution and laws of this
18-23 state and the rules and procedures of the legislature with respect
18-24 to the notice, introduction, and passage of this Act have been
18-25 fulfilled and accomplished.

18-26 SECTION 4. This Act takes effect immediately if it receives
18-27 a vote of two-thirds of all the members elected to each house, as
18-28 provided by Section 39, Article III, Texas Constitution. If this
18-29 Act does not receive the vote necessary for immediate effect, this
18-30 Act takes effect September 1, 2019.

18-31 * * * * *