

By: Stephenson

H.B. No. 4680

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Gateway Park Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3985 to read as follows:

CHAPTER 3985. GATEWAY PARK MUNICIPAL MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3985.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of El Campo.

(3) "Development agreement" means a development agreement between the city and the primary landowner that establishes the standards that apply to development in the district, in addition to those contained in zoning, subdivision, and other applicable ordinances of the city.

(4) "Director" means a board member.

(5) "District" means the Gateway Park Municipal Management District.

(6) "Rail facilities" includes all real and personal property owned or held by the district for railroad purposes, including land, interests in land, structures, easements, rail lines, stations, platforms, rolling stock, garages, equipment, and

1 other facilities necessary or convenient for the operation of those
2 facilities.

3 Sec. 3985.0102. NATURE OF DISTRICT. The Gateway Park
4 Municipal Management District is a special district created under
5 Section 59, Article XVI, Texas Constitution.

6 Sec. 3985.0103. PURPOSE; DECLARATION OF INTENT. (a) The
7 creation of the district is essential to accomplish the purposes of
8 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
9 Texas Constitution, and other public purposes stated in this
10 chapter.

11 (b) By creating the district and in authorizing the city and
12 other political subdivisions to contract with the district, the
13 legislature has established a program to accomplish the public
14 purposes set out in Section 52-a, Article III, Texas Constitution.

15 (c) The creation of the district is necessary to promote,
16 develop, encourage, and maintain employment, commerce,
17 transportation, housing, tourism, recreation, the arts,
18 entertainment, economic development, safety, and the public
19 welfare in the district.

20 (d) This chapter and the creation of the district may not be
21 interpreted to relieve the city from providing the level of
22 services provided as of the effective date of the Act enacting this
23 chapter to the area in the district. The district is created to
24 supplement and not to supplant city services provided in the
25 district.

26 Sec. 3985.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

27 (a) All land and other property included in the district will

1 benefit from the improvements and services to be provided by the
2 district under powers conferred by Sections 52 and 52-a, Article
3 III, and Section 59, Article XVI, Texas Constitution, and other
4 powers granted under this chapter.

5 (b) The district is created to serve a public use and
6 benefit.

7 (c) The creation of the district is in the public interest
8 and is essential to further the public purposes of:

9 (1) developing and diversifying the economy of the
10 state;

11 (2) eliminating unemployment and underemployment; and

12 (3) developing or expanding transportation and
13 commerce.

14 (d) The district will:

15 (1) promote the health, safety, and general welfare of
16 residents, employers, potential employees, employees, visitors,
17 and consumers in the district, and of the public;

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

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

26 (4) provide for water, wastewater, drainage, road,
27 rail, and recreational facilities for the district.

1 (e) Pedestrian ways along or across a street, whether at
2 grade or above or below the surface, and street lighting, street
3 landscaping, parking, and street art objects are parts of and
4 necessary components of a street and are considered to be a street
5 or road improvement.

6 (f) The district will not act as the agent or
7 instrumentality of any private interest even though the district
8 will benefit many private interests as well as the public.

9 Sec. 3985.0105. INITIAL DISTRICT TERRITORY. (a) The
10 district is initially composed of the territory described by
11 Section 2 of the Act enacting this chapter.

12 (b) The boundaries and field notes contained in Section 2 of
13 the Act enacting this chapter form a closure. A mistake in the
14 field notes or in copying the field notes in the legislative process
15 does not affect the district's:

16 (1) organization, existence, or validity;

17 (2) right to issue any type of bonds for the purposes
18 for which the district is created or to pay the principal of and
19 interest on the bonds;

20 (3) right to impose or collect an assessment or tax; or

21 (4) legality or operation.

22 Sec. 3985.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
23 All or any part of the area of the district is eligible to be
24 included in:

25 (1) a tax increment reinvestment zone created under
26 Chapter 311, Tax Code; or

27 (2) a tax abatement reinvestment zone created under

1 Chapter 312, Tax Code.

2 Sec. 3985.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
3 DISTRICTS LAW. Except as otherwise provided by this chapter,
4 Chapter 375, Local Government Code, applies to the district.

5 Sec. 3985.0108. CONSTRUCTION OF CHAPTER. This chapter
6 shall be liberally construed in conformity with the findings and
7 purposes stated in this chapter.

8 Sec. 3985.0109. MUNICIPAL CONSENT OR AGREEMENT. (a) The
9 district shall comply with all applicable requirements of a
10 municipal ordinance or resolution that consents to the creation of
11 the district or to the inclusion of land in the district.

12 (b) An agreement between the district and a municipality
13 related to municipal consent to the creation of the district,
14 including a development agreement, is valid and enforceable.

15 SUBCHAPTER B. BOARD OF DIRECTORS

16 Sec. 3985.0201. GOVERNING BODY; TERMS. (a) The district is
17 governed by a board of five directors who serve staggered four-year
18 terms.

19 (b) Three directors must be elected in the manner provided
20 by Subchapter D, Chapter 49, Water Code.

21 (c) Two directors must be appointed by the governing body of
22 the city.

23 Sec. 3985.0202. QUALIFICATIONS. (a) To be qualified to
24 serve as a director, a person must be at least 18 years old.

25 (b) Of the elected directors:

26 (1) two directors must be qualified under Section
27 375.063, Local Government Code; and

1 (2) one director must be a resident of the city.

2 (c) The directors appointed by the governing body of the
3 city must be residents of the city.

4 Sec. 3985.0203. VACANCY. If a vacancy occurs on the board,
5 the remaining directors shall appoint a director for the remainder
6 of the unexpired term.

7 Sec. 3985.0204. COMPENSATION; EXPENSES. (a) The district
8 may compensate each elected director in an amount not to exceed \$150
9 for each board meeting. The total amount of compensation for each
10 director in one year may not exceed \$7,200.

11 (b) An appointed director is not entitled to compensation
12 for service on the board.

13 (c) An elected or appointed director is entitled to
14 reimbursement for necessary and reasonable expenses incurred in
15 carrying out the duties and responsibilities of the board.

16 Sec. 3985.0205. INITIAL DIRECTORS. (a) On or after the
17 effective date of the Act enacting this chapter, the owner or owners
18 of a majority of the assessed value of the real property in the
19 district, together with the city, may submit a petition to the Texas
20 Commission on Environmental Quality requesting that the commission
21 appoint as initial directors five persons named in the petition.
22 The commission shall appoint as initial directors the persons named
23 in the petition.

24 (b) Initial directors serve until the earlier of:

25 (1) for each director serving in a position for which
26 the directors are elected, the date the permanent directors are
27 elected under Section 3985.0201 or June 1, 2023; and

1 (2) for each director serving in a position for which
2 the directors are appointed under Section 3985.0201, June 1, 2023.

3 (c) If the permanent elected directors have not been elected
4 under Section 3985.0201 and the terms of those temporary directors
5 have expired, the Texas Commission on Environmental Quality shall
6 appoint or reappoint successor directors to serve terms that expire
7 on the earlier of:

8 (1) the date the permanent elected directors are
9 elected under Section 3985.0201; or

10 (2) the fourth anniversary of the date of the
11 appointment or reappointment.

12 SUBCHAPTER C. POWERS AND DUTIES

13 Sec. 3985.0301. GENERAL POWERS AND DUTIES. The district
14 has the powers and duties necessary to accomplish the purposes for
15 which the district is created.

16 Sec. 3985.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The
17 district, using any money available to the district for the
18 purpose, may provide, design, construct, acquire, improve,
19 relocate, operate, maintain, or finance an improvement project or
20 service authorized under this chapter or Chapter 372 or 375, Local
21 Government Code.

22 (b) The district may contract with a governmental or private
23 entity to carry out an action under Subsection (a).

24 (c) The implementation of a district project or service is a
25 governmental function or service for the purposes of Chapter 791,
26 Government Code.

27 Sec. 3985.0303. NONPROFIT CORPORATION. (a) The board by

1 resolution may authorize the creation of a nonprofit corporation to
2 assist and act for the district in implementing a project or
3 providing a service authorized by this chapter.

4 (b) The nonprofit corporation:

5 (1) has each power of and is considered to be a local
6 government corporation created under Subchapter D, Chapter 431,
7 Transportation Code; and

8 (2) may implement any project and provide any service
9 authorized by this chapter.

10 (c) The board shall appoint the board of directors of the
11 nonprofit corporation. The board of directors of the nonprofit
12 corporation shall serve in the same manner as the board of directors
13 of a local government corporation created under Subchapter D,
14 Chapter 431, Transportation Code, except that a board member is not
15 required to reside in the district.

16 Sec. 3985.0304. LAW ENFORCEMENT SERVICES. To protect the
17 public interest, the district may contract with a qualified party,
18 including the city, to provide law enforcement services in the
19 district for a fee.

20 Sec. 3985.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
21 The district may join and pay dues to a charitable or nonprofit
22 organization that performs a service or provides an activity
23 consistent with the furtherance of a district purpose.

24 Sec. 3985.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
25 district may engage in activities that accomplish the economic
26 development purposes of the district.

27 (b) The district may establish and provide for the

1 administration of one or more programs to promote state or local
2 economic development and to stimulate business and commercial
3 activity in the district, including programs to:

- 4 (1) make loans and grants of public money; and
- 5 (2) provide district personnel and services.

6 (c) The district may create economic development programs
7 and exercise the economic development powers provided to
8 municipalities by:

- 9 (1) Chapter 380, Local Government Code; and
- 10 (2) Subchapter A, Chapter 1509, Government Code.

11 Sec. 3985.0307. PARKING FACILITIES. (a) The district may
12 acquire, lease as lessor or lessee, construct, develop, own,
13 operate, and maintain parking facilities or a system of parking
14 facilities, including lots, garages, parking terminals, or other
15 structures or accommodations for parking motor vehicles off the
16 streets and related appurtenances.

17 (b) The district's parking facilities serve the public
18 purposes of the district and are owned, used, and held for a public
19 purpose even if leased or operated by a private entity for a term of
20 years.

21 (c) The district's parking facilities are parts of and
22 necessary components of a street and are considered to be a street
23 or road improvement.

24 (d) The development and operation of the district's parking
25 facilities may be considered an economic development program.

26 Sec. 3985.0308. ADDING OR EXCLUDING LAND. The district may
27 add or exclude land in the manner provided by Subchapter J, Chapter

1 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

2 Sec. 3985.0309. DISBURSEMENTS AND TRANSFERS OF MONEY. The
3 board by resolution shall establish the number of directors'
4 signatures and the procedure required for a disbursement or
5 transfer of district money.

6 Sec. 3985.0310. RAIL FACILITIES. The district may
7 construct, acquire, improve, maintain, finance, and operate rail
8 facilities and improvements for freight, commuter, or other rail
9 purposes.

10 Sec. 3985.0311. NO EMINENT DOMAIN POWER. The district may
11 not exercise the power of eminent domain.

12 SUBCHAPTER D. ASSESSMENTS

13 Sec. 3985.0401. PETITION REQUIRED FOR FINANCING SERVICES
14 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
15 service or improvement project with assessments under this chapter
16 unless a written petition requesting that service or improvement
17 has been filed with the board.

18 (b) A petition filed under Subsection (a) must be signed by
19 the owners of a majority of the assessed value of real property in
20 the district subject to assessment according to the most recent
21 certified tax appraisal roll for the county.

22 Sec. 3985.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
23 The board by resolution may impose and collect an assessment for any
24 purpose authorized by this chapter in all or any part of the
25 district.

26 (b) An assessment, a reassessment, or an assessment
27 resulting from an addition to or correction of the assessment roll

1 by the district, penalties and interest on an assessment or
2 reassessment, an expense of collection, and reasonable attorney's
3 fees incurred by the district:

4 (1) are a first and prior lien against the property
5 assessed;

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

9 (3) are the personal liability of and a charge against
10 the owners of the property even if the owners are not named in the
11 assessment proceedings.

12 (c) The lien is effective from the date of the board's
13 resolution imposing the assessment until the date the assessment is
14 paid. The board may enforce the lien in the same manner that the
15 board may enforce an ad valorem tax lien against real property.

16 (d) The board may make a correction to or deletion from the
17 assessment roll that does not increase the amount of assessment of
18 any parcel of land without providing notice and holding a hearing in
19 the manner required for additional assessments.

20 SUBCHAPTER E. TAXES AND BONDS

21 Sec. 3985.0501. TAX ELECTION REQUIRED. The district must
22 hold an election in the manner provided by Chapter 49, Water Code,
23 or, if applicable, Chapter 375, Local Government Code, to obtain
24 voter approval before the district may impose an ad valorem tax.

25 Sec. 3985.0502. OPERATION AND MAINTENANCE TAX. (a) If
26 authorized by a majority of the district voters voting at an
27 election under Section 3985.0501, the district may impose an

1 operation and maintenance tax on taxable property in the district
2 in the manner provided by Section 49.107, Water Code, for any
3 district purpose, including to:

- 4 (1) maintain and operate the district;
- 5 (2) construct or acquire improvements; or
- 6 (3) provide a service.

7 (b) The board shall determine the operation and maintenance
8 tax rate. The rate may not exceed the rate approved at the
9 election.

10 Sec. 3985.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE
11 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
12 terms determined by the board.

13 (b) The district may issue bonds, notes, or other
14 obligations payable wholly or partly from ad valorem taxes,
15 assessments, impact fees, revenue, contract payments, grants, or
16 other district money, or any combination of those sources of money,
17 to pay for any authorized district purpose.

18 Sec. 3985.0504. BONDS SECURED BY REVENUE OR CONTRACT
19 PAYMENTS. The district may issue, without an election, bonds
20 secured by:

- 21 (1) revenue other than ad valorem taxes, including
22 contract revenues; or
- 23 (2) contract payments, provided that the requirements
24 of Section 49.108, Water Code, have been met.

25 Sec. 3985.0505. BONDS SECURED BY AD VALOREM TAXES;
26 ELECTIONS. (a) If authorized at an election under Section
27 3985.0501, the district may issue bonds payable from ad valorem

1 taxes.

2 (b) Section 375.243, Local Government Code, does not apply
3 to the district.

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

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

14 Sec. 3985.0506. BONDS AND OTHER OBLIGATIONS FOR IMPROVEMENT
15 UNDER AGREEMENT. If the improvements financed by an obligation
16 will be constructed or financed pursuant to the imposition of
17 assessments:

18 (1) the district must enter into an agreement with the
19 city before the issuance of the obligation; and

20 (2) the obligation may be in the form of bonds, notes,
21 or other obligations, payable wholly or partly from assessments,
22 issued by public or private sale, in the manner provided by
23 Subchapter A, Chapter 372, Local Government Code.

24 Sec. 3985.0507. CONSENT OF MUNICIPALITY AND AGREEMENT
25 REQUIRED. (a) The board may not issue bonds until each
26 municipality in whose corporate limits or extraterritorial
27 jurisdiction the district is located has consented by ordinance or

1 resolution to the creation of the district and to the inclusion of
2 land in the district.

3 (b) Subsection (a) applies only to the district's first
4 issuance of bonds payable from ad valorem taxes.

5 (c) The board may not impose taxes or assessments, borrow
6 money, or issue obligations until the district and the city have
7 entered into an agreement for the development of the property in the
8 district and financing of improvement projects in the district.

9 SUBCHAPTER I. DISSOLUTION

10 Sec. 3985.0901. DISSOLUTION. (a) The board shall dissolve
11 the district on written petition filed with the board by the owners
12 of:

13 (1) 66 percent or more of the assessed value of the
14 property subject to assessment by the district based on the most
15 recent certified county property tax rolls; or

16 (2) 66 percent or more of the surface area of the
17 district, excluding roads, streets, highways, utility
18 rights-of-way, other public areas, and other property exempt from
19 assessment by the district according to the most recent certified
20 county property tax rolls.

21 (b) The board by majority vote may dissolve the district at
22 any time.

23 (c) The district may not be dissolved by its board under
24 Subsection (a) or (b) if the district:

25 (1) has any outstanding debt until that debt has been
26 repaid or defeased in accordance with the order or resolution
27 authorizing the issuance of the debt;

1 (2) has a contractual obligation to pay money until
2 that obligation has been fully paid in accordance with the
3 contract; or

4 (3) owns, operates, or maintains public works,
5 facilities, or improvements unless the district contracts with
6 another person for the ownership and operation or maintenance of
7 the public works, facilities, or improvements.

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

10 SECTION 2. The Gateway Park Municipal Management District
11 initially includes all territory contained in the following area:

12 Field Note Description of a 410.73 acre tract of land
13 situated in the I. & G.N. R.R. Co. Survey No. 37, Abstract No. 222,
14 the I. & G.N. R.R. Co. Survey No. 36, Abstract No. 223 and the H. &
15 T.C. R.R. Co. (J. Telfener) Survey No. 2, Abstract No. 453 in
16 Wharton County, Texas, being a part or portion of a called 540.95
17 acre tract of land conveyed to Joe A. Zalman, Jr., et al, in Volume
18 225, Page 156 in Official Records of Wharton County, Texas.

19 BEGINNING at a 5/8" Iron Rod called and found at the
20 intersection of the centerline of County Road 421 (measures 64'
21 wide), with the Southeast right-of-way of the Texas Mexican
22 Railway, for the North corner of said 540.95 acre tract, and for the
23 North corner of this herein described tract;

24 THENCE: S 34°23'52" E - along and with the centerline of
25 County Road 421, same being the Northeast line of said 540.95 acre
26 tract, a distance of 4,479.67 feet to a 5/8" Iron Rod (bent) called
27 and found for an angle point of said 540.95 acre tract, in the East

1 line of Survey No. 37, same being the North corner of a called 4.00
2 acre tract of land conveyed to Joseph J. Kocurek in Volume 173, Page
3 566 in Official Records of Wharton County, Texas, and for an angle
4 point of this herein described tract;

5 THENCE: S 02°32'31" E - along and with the upper East line of
6 said 540.95 acre tract, the East line of Survey No. 37, same being
7 the West line of said 4.00 acre tract, at 146.79 feet, pass a 4" Iron
8 Pipe called and found for reference, continuing on course a total
9 distance of 177.14 feet to a 5/8" Iron Rod called and found in the
10 centerline of County Road 405 (measures 64' wide), for the
11 Southeast corner of Survey No. 37, the Northeast corner of Survey
12 No. 36, the Northeast corner of a called 80.020 acre tract of land
13 conveyed to Joseph John Kocurek in Volume 396, Page 602 in Deed
14 Records of Wharton County, Texas, same being the upper Southeast
15 corner of said 540.95 acre tract, and for the upper Southeast corner
16 of this herein described tract;

17 THENCE: S 87°25'51" W - along and with the centerline of
18 County Road 405, the North line of said 80.020 acre tract, same
19 being the upper South line of said 540.95 acre tract, a distance of
20 1,098.24 feet to a 5/8" Iron Rod called and found for an interior
21 corner of said 540.95 acre tract, same being the Northwest corner of
22 said 80.020 acre tract, and for an interior corner of this herein
23 described tract, from which, a 5/8" Iron Rod bears: N 51°06'58" W -
24 1.42 feet;

25 THENCE: S 02°33'37" E - along and with the lower East line of
26 said 540.95 acre tract, same being the West line of said 80.020 acre
27 tract, at 3,140.72 feet, pass a 4" Iron Pipe called and found for

1 reference, continuing on course a total distance of 3,172.25 feet
2 to a 5/8" Iron Rod called and found in the centerline of County Road
3 400 (measures 64' wide), in the South line of Survey No. 36, same
4 being in the North line of a called 82.125 acre tract of land
5 conveyed to Rebekkah Jean Jones, et al, in Volume 1007, Page 19 in
6 Official Records of Wharton County, Texas, for the lower Southeast
7 corner of said 540.95 acre tract, and for the lower Southeast corner
8 of this herein described tract from which, a 5/8" Iron Rod bears: N
9 44°18'47" W - 3.80 feet;

10 THENCE: S 87°26'24" W - along and with the centerline of
11 County Road 400, the North line of said 82.125 acre tract, same
12 being the lower South line of said 540.95 acre tract, a distance of
13 1,689.69 feet to a point at the centerline intersection of County
14 Road 400 and County Road 407 (measures 64' wide), for an angle point
15 of said 540.95 acre tract, and for an angle point of this herein
16 described tract, from which, a 5/8" Iron Rod bears: N 02°19'43" E -
17 3.85 feet;

18 THENCE: S 87°26'36" W - along and with the centerline of
19 County Road 400, same being the lower South line of said 540.95 acre
20 tract, a distance of 507.08 feet to a point for the lower Southwest
21 corner of said 540.95 acre tract, same being the Southeast corner of
22 a called 78.821 acre tract of land conveyed to the Watz Family Trust
23 in Volume 730, Page 17 in Official Records of Wharton County, Texas,
24 and for the lower Southwest corner of this herein described tract;

25 THENCE: N 02°35'11" W - along and with the West line of said
26 540.95 acre tract, same being the East line of said 78.821 acre
27 tract, at 10.17 feet, pass a 3/4" Iron Shaft called and found for

1 reference, at 32.00 feet, pass a 5/8" Iron Rod set in the North line
2 of County Road 400, continuing on course a total distance of
3 3,174.10 feet to a 2" Iron Pipe (bent) called and found in the
4 centerline of County Road 405, for an interior corner of said 540.95
5 acre tract, same being the Northeast corner of said 78.821 acre
6 tract, and for an interior corner of this herein described tract;

7 THENCE: S 87°25'24" W - along and with the centerline of
8 County Road 405, the upper South line of said 540.95 acre tract,
9 same being the North line of said 78.821 acre tract, a distance of
10 444.85 feet to a point for the Southeast corner of a 113.44 acre
11 tract of land surveyed by this firm January 14, 2019, and for the
12 upper Southwest corner of this herein described tract;

13 THENCE: N 02°32'31" W - along and with the East line of said
14 113.44 acre tract, at 32.00 feet, pass a 5/8" Iron Rod set in the
15 North margin of County Road 405, continuing a total distance of
16 555.41 feet to a 5/8" Iron Rod set for an angle point of said 113.44
17 acre tract, and for an angle point of this herein described tract;

18 THENCE: N 36°43'40" W - along and with the East line of said
19 113.44 acre tract, a distance of 1,932.86 feet to a 5/8" Iron Rod
20 set for the North corner of said 113.44 acre tract, same being in
21 the Southeast line of a 16.75 acre tract of land surveyed by this
22 firm January 14, 2019, and for the West corner of this herein
23 described tract;

24 THENCE: N 53°16'28" E - along and with the Southeast line of
25 said 16.75 acre tract, a distance of 1,543.43 feet to a point at the
26 PC of a non-tangent curve to the left, for an angle point of said
27 16.75 acre tract, and for an angle point of this herein described

1 tract;

2 THENCE: Northeasterly - along and with the Southeast line of
3 said 16.75 acre tract and with said non-tangent curve to the left,
4 having a radius of 800.49 feet, an arc length of 72.72 feet, a chord
5 bearing of N 50°40'19" E and a chord distance of 72.69 feet to a
6 point for an angle point of said 16.75 acre tract, and for an angle
7 point of this herein described tract;

8 THENCE: N 48°04'10" E - along and with the Southeast line of
9 said 16.75 acre tract, a distance of 184.07 feet to a point for an
10 angle point of said 16.75 acre tract, and for an angle point of this
11 herein described tract;

12 THENCE: N 53°16'28" E - along and with the Southeast line of
13 said 16.75 acre tract, a distance of 179.76 feet to a point at the PC
14 of a non-tangent curve to the left, for an angle point of said 16.75
15 acre tract, and for an angle point of this herein described tract;

16 THENCE: Northeasterly - along and with the Southeast line of
17 said 16.75 acre tract and with said non-tangent curve to the left,
18 having a radius of 800.49 feet, an arc length of 225.66 feet, a
19 chord bearing of N 45°11'55" E and a chord distance of 224.91 feet to
20 a point for an angle point of said 16.75 acre tract, and for an angle
21 point of this herein described tract;

22 THENCE: N 37°07'22" E - along and with the Southeast line of
23 said 16.75 acre tract, a distance of 157.22 feet to a point at the PC
24 of a non-tangent curve to the right, for an angle point of said
25 16.75 acre tract, and for an angle point of this herein described
26 tract;

27 THENCE: Northeasterly - along and with the Southeast line of

1 said 16.75 acre tract and with said non-tangent curve to the right,
2 having a radius of 728.49 feet, an arc length of 156.81 feet, a
3 chord bearing of N 43°17'22" E and a chord distance of 156.51 feet to
4 a point for an angle point of said 16.75 acre tract, and for an angle
5 point of this herein described tract;

6 THENCE: N 49°27'22" E - along and with the Southeast line of
7 said 16.75 acre tract, a distance of 80.15 feet to a point in the
8 Northwest line of said 540.95 acre tract, same being in the
9 Southeast right-of-way of the Texas Mexican Railway, for the East
10 corner of said 16.75 acre tract, and for an angle point of this
11 herein described tract;

12 THENCE: N 53°16'20" E - along and with the Northwest line of
13 said 540.95 acre tract, same being in the Southeast right-of-way of
14 the Texas Mexican Railway, at 445.29 feet, pass a 5/8" Iron Rod
15 (slightly bent) called and found in the Southwest margin of County
16 Road 421, continuing on course a total distance of 477.29 feet to
17 the POINT OF BEGINNING, containing within these metes and bounds
18 410.73 Acres, more or less.

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

26 (b) The governor, one of the required recipients, has
27 submitted the notice and Act to the Texas Commission on

1 Environmental Quality.

2 (c) The Texas Commission on Environmental Quality has filed
3 its recommendations relating to this Act with the governor,
4 lieutenant governor, and speaker of the house of representatives
5 within the required time.

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

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