

1-1 By: Stephenson (Senate Sponsor - Kolthorst) H.B. No. 4680  
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 15, 2019, reported favorably by  
1-5 the following vote: Yeas 7, Nays 0; May 15, 2019, sent to printer.)

1-6 COMMITTEE VOTE

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

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

1-17 relating to the creation of the Gateway Park Municipal Management  
1-18 District; providing authority to issue bonds; providing authority  
1-19 to impose assessments, fees, and taxes.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Subtitle C, Title 4, Special District Local Laws  
1-22 Code, is amended by adding Chapter 3985 to read as follows:

1-23 CHAPTER 3985. GATEWAY PARK MUNICIPAL MANAGEMENT DISTRICT

1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 3985.0101. DEFINITIONS. In this chapter:

1-26 (1) "Board" means the district's board of directors.

1-27 (2) "City" means the City of El Campo.

1-28 (3) "Development agreement" means a development  
1-29 agreement between the city and the primary landowner that  
1-30 establishes the standards that apply to development in the  
1-31 district, in addition to those contained in zoning, subdivision,  
1-32 and other applicable ordinances of the city.

1-33 (4) "Director" means a board member.

1-34 (5) "District" means the Gateway Park Municipal  
1-35 Management District.

1-36 (6) "Rail facilities" includes all real and personal  
1-37 property owned or held by the district for railroad purposes,  
1-38 including land, interests in land, structures, easements, rail  
1-39 lines, stations, platforms, rolling stock, garages, equipment, and  
1-40 other facilities necessary or convenient for the operation of those  
1-41 facilities.

1-42 Sec. 3985.0102. NATURE OF DISTRICT. The Gateway Park  
1-43 Municipal Management District is a special district created under  
1-44 Section 59, Article XVI, Texas Constitution.

1-45 Sec. 3985.0103. PURPOSE; DECLARATION OF INTENT. (a) The  
1-46 creation of the district is essential to accomplish the purposes of  
1-47 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
1-48 Texas Constitution, and other public purposes stated in this  
1-49 chapter.

1-50 (b) By creating the district and in authorizing the city and  
1-51 other political subdivisions to contract with the district, the  
1-52 legislature has established a program to accomplish the public  
1-53 purposes set out in Section 52-a, Article III, Texas Constitution.

1-54 (c) The creation of the district is necessary to promote,  
1-55 develop, encourage, and maintain employment, commerce,  
1-56 transportation, housing, tourism, recreation, the arts,  
1-57 entertainment, economic development, safety, and the public  
1-58 welfare in the district.

1-59 (d) This chapter and the creation of the district may not be  
1-60 interpreted to relieve the city from providing the level of  
1-61 services provided as of the effective date of the Act enacting this

2-1 chapter to the area in the district. The district is created to  
2-2 supplement and not to supplant city services provided in the  
2-3 district.

2-4 Sec. 3985.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

2-5 (a) All land and other property included in the district will  
2-6 benefit from the improvements and services to be provided by the  
2-7 district under powers conferred by Sections 52 and 52-a, Article  
2-8 III, and Section 59, Article XVI, Texas Constitution, and other  
2-9 powers granted under this chapter.

2-10 (b) The district is created to serve a public use and  
2-11 benefit.

2-12 (c) The creation of the district is in the public interest  
2-13 and is essential to further the public purposes of:

2-14 (1) developing and diversifying the economy of the  
2-15 state;

2-16 (2) eliminating unemployment and underemployment; and

2-17 (3) developing or expanding transportation and  
2-18 commerce.

2-19 (d) The district will:

2-20 (1) promote the health, safety, and general welfare of  
2-21 residents, employers, potential employees, employees, visitors,  
2-22 and consumers in the district, and of the public;

2-23 (2) provide needed funding for the district to  
2-24 preserve, maintain, and enhance the economic health and vitality of  
2-25 the district territory as a community and business center;

2-26 (3) promote the health, safety, welfare, and enjoyment  
2-27 of the public by providing pedestrian ways and by landscaping and  
2-28 developing certain areas in the district, which are necessary for  
2-29 the restoration, preservation, and enhancement of scenic beauty;  
2-30 and

2-31 (4) provide for water, wastewater, drainage, road,  
2-32 rail, and recreational facilities for the district.

2-33 (e) Pedestrian ways along or across a street, whether at  
2-34 grade or above or below the surface, and street lighting, street  
2-35 landscaping, parking, and street art objects are parts of and  
2-36 necessary components of a street and are considered to be a street  
2-37 or road improvement.

2-38 (f) The district will not act as the agent or  
2-39 instrumentality of any private interest even though the district  
2-40 will benefit many private interests as well as the public.

2-41 Sec. 3985.0105. INITIAL DISTRICT TERRITORY. (a) The  
2-42 district is initially composed of the territory described by  
2-43 Section 2 of the Act enacting this chapter.

2-44 (b) The boundaries and field notes contained in Section 2 of  
2-45 the Act enacting this chapter form a closure. A mistake in the  
2-46 field notes or in copying the field notes in the legislative process  
2-47 does not affect the district's:

2-48 (1) organization, existence, or validity;

2-49 (2) right to issue any type of bonds for the purposes  
2-50 for which the district is created or to pay the principal of and  
2-51 interest on the bonds;

2-52 (3) right to impose or collect an assessment or tax; or

2-53 (4) legality or operation.

2-54 Sec. 3985.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

2-55 All or any part of the area of the district is eligible to be  
2-56 included in:

2-57 (1) a tax increment reinvestment zone created under  
2-58 Chapter 311, Tax Code; or

2-59 (2) a tax abatement reinvestment zone created under  
2-60 Chapter 312, Tax Code.

2-61 Sec. 3985.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT  
2-62 DISTRICTS LAW. Except as otherwise provided by this chapter,  
2-63 Chapter 375, Local Government Code, applies to the district.

2-64 Sec. 3985.0108. CONSTRUCTION OF CHAPTER. This chapter  
2-65 shall be liberally construed in conformity with the findings and  
2-66 purposes stated in this chapter.

2-67 Sec. 3985.0109. MUNICIPAL CONSENT OR AGREEMENT. (a) The  
2-68 district shall comply with all applicable requirements of a  
2-69 municipal ordinance or resolution that consents to the creation of

3-1 the district or to the inclusion of land in the district.  
 3-2 (b) An agreement between the district and a municipality  
 3-3 related to municipal consent to the creation of the district,  
 3-4 including a development agreement, is valid and enforceable.  
 3-5 SUBCHAPTER B. BOARD OF DIRECTORS  
 3-6 Sec. 3985.0201. GOVERNING BODY; TERMS. (a) The district is  
 3-7 governed by a board of five directors who serve staggered four-year  
 3-8 terms.  
 3-9 (b) Three directors must be elected in the manner provided  
 3-10 by Subchapter D, Chapter 49, Water Code.  
 3-11 (c) Two directors must be appointed by the governing body of  
 3-12 the city.  
 3-13 Sec. 3985.0202. QUALIFICATIONS. (a) To be qualified to  
 3-14 serve as a director, a person must be at least 18 years old.  
 3-15 (b) Of the elected directors:  
 3-16 (1) two directors must be qualified under Section  
 3-17 375.063, Local Government Code; and  
 3-18 (2) one director must be a resident of the city.  
 3-19 (c) The directors appointed by the governing body of the  
 3-20 city must be residents of the city.  
 3-21 Sec. 3985.0203. VACANCY. If a vacancy occurs on the board,  
 3-22 the remaining directors shall appoint a director for the remainder  
 3-23 of the unexpired term.  
 3-24 Sec. 3985.0204. COMPENSATION; EXPENSES. (a) The district  
 3-25 may compensate each elected director in an amount not to exceed \$150  
 3-26 for each board meeting. The total amount of compensation for each  
 3-27 director in one year may not exceed \$7,200.  
 3-28 (b) An appointed director is not entitled to compensation  
 3-29 for service on the board.  
 3-30 (c) An elected or appointed director is entitled to  
 3-31 reimbursement for necessary and reasonable expenses incurred in  
 3-32 carrying out the duties and responsibilities of the board.  
 3-33 Sec. 3985.0205. INITIAL DIRECTORS. (a) On or after the  
 3-34 effective date of the Act enacting this chapter, the owner or owners  
 3-35 of a majority of the assessed value of the real property in the  
 3-36 district, together with the city, may submit a petition to the Texas  
 3-37 Commission on Environmental Quality requesting that the commission  
 3-38 appoint as initial directors five persons named in the petition.  
 3-39 The commission shall appoint as initial directors the persons named  
 3-40 in the petition.  
 3-41 (b) Initial directors serve until the earlier of:  
 3-42 (1) for each director serving in a position for which  
 3-43 the directors are elected, the date the permanent directors are  
 3-44 elected under Section 3985.0201 or June 1, 2023; and  
 3-45 (2) for each director serving in a position for which  
 3-46 the directors are appointed under Section 3985.0201, June 1, 2023.  
 3-47 (c) If the permanent elected directors have not been elected  
 3-48 under Section 3985.0201 and the terms of those temporary directors  
 3-49 have expired, the Texas Commission on Environmental Quality shall  
 3-50 appoint or reappoint successor directors to serve terms that expire  
 3-51 on the earlier of:  
 3-52 (1) the date the permanent elected directors are  
 3-53 elected under Section 3985.0201; or  
 3-54 (2) the fourth anniversary of the date of the  
 3-55 appointment or reappointment.  
 3-56 SUBCHAPTER C. POWERS AND DUTIES  
 3-57 Sec. 3985.0301. GENERAL POWERS AND DUTIES. The district  
 3-58 has the powers and duties necessary to accomplish the purposes for  
 3-59 which the district is created.  
 3-60 Sec. 3985.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The  
 3-61 district, using any money available to the district for the  
 3-62 purpose, may provide, design, construct, acquire, improve,  
 3-63 relocate, operate, maintain, or finance an improvement project or  
 3-64 service authorized under this chapter or Chapter 372 or 375, Local  
 3-65 Government Code.  
 3-66 (b) The district may contract with a governmental or private  
 3-67 entity to carry out an action under Subsection (a).  
 3-68 (c) The implementation of a district project or service is a  
 3-69 governmental function or service for the purposes of Chapter 791,

4-1 Government Code.

4-2 Sec. 3985.0303. NONPROFIT CORPORATION. (a) The board by  
 4-3 resolution may authorize the creation of a nonprofit corporation to  
 4-4 assist and act for the district in implementing a project or  
 4-5 providing a service authorized by this chapter.

4-6 (b) The nonprofit corporation:

4-7 (1) has each power of and is considered to be a local  
 4-8 government corporation created under Subchapter D, Chapter 431,  
 4-9 Transportation Code; and

4-10 (2) may implement any project and provide any service  
 4-11 authorized by this chapter.

4-12 (c) The board shall appoint the board of directors of the  
 4-13 nonprofit corporation. The board of directors of the nonprofit  
 4-14 corporation shall serve in the same manner as the board of directors  
 4-15 of a local government corporation created under Subchapter D,  
 4-16 Chapter 431, Transportation Code, except that a board member is not  
 4-17 required to reside in the district.

4-18 Sec. 3985.0304. LAW ENFORCEMENT SERVICES. To protect the  
 4-19 public interest, the district may contract with a qualified party,  
 4-20 including the city, to provide law enforcement services in the  
 4-21 district for a fee.

4-22 Sec. 3985.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.  
 4-23 The district may join and pay dues to a charitable or nonprofit  
 4-24 organization that performs a service or provides an activity  
 4-25 consistent with the furtherance of a district purpose.

4-26 Sec. 3985.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The  
 4-27 district may engage in activities that accomplish the economic  
 4-28 development purposes of the district.

4-29 (b) The district may establish and provide for the  
 4-30 administration of one or more programs to promote state or local  
 4-31 economic development and to stimulate business and commercial  
 4-32 activity in the district, including programs to:

4-33 (1) make loans and grants of public money; and

4-34 (2) provide district personnel and services.

4-35 (c) The district may create economic development programs  
 4-36 and exercise the economic development powers provided to  
 4-37 municipalities by:

4-38 (1) Chapter 380, Local Government Code; and

4-39 (2) Subchapter A, Chapter 1509, Government Code.

4-40 Sec. 3985.0307. PARKING FACILITIES. (a) The district may  
 4-41 acquire, lease as lessor or lessee, construct, develop, own,  
 4-42 operate, and maintain parking facilities or a system of parking  
 4-43 facilities, including lots, garages, parking terminals, or other  
 4-44 structures or accommodations for parking motor vehicles off the  
 4-45 streets and related appurtenances.

4-46 (b) The district's parking facilities serve the public  
 4-47 purposes of the district and are owned, used, and held for a public  
 4-48 purpose even if leased or operated by a private entity for a term of  
 4-49 years.

4-50 (c) The district's parking facilities are parts of and  
 4-51 necessary components of a street and are considered to be a street  
 4-52 or road improvement.

4-53 (d) The development and operation of the district's parking  
 4-54 facilities may be considered an economic development program.

4-55 Sec. 3985.0308. ADDING OR EXCLUDING LAND. The district may  
 4-56 add or exclude land in the manner provided by Subchapter J, Chapter  
 4-57 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

4-58 Sec. 3985.0309. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
 4-59 board by resolution shall establish the number of directors'  
 4-60 signatures and the procedure required for a disbursement or  
 4-61 transfer of district money.

4-62 Sec. 3985.0310. RAIL FACILITIES. The district may  
 4-63 construct, acquire, improve, maintain, finance, and operate rail  
 4-64 facilities and improvements for freight, commuter, or other rail  
 4-65 purposes.

4-66 Sec. 3985.0311. NO EMINENT DOMAIN POWER. The district may  
 4-67 not exercise the power of eminent domain.

4-68 SUBCHAPTER D. ASSESSMENTS

4-69 Sec. 3985.0401. PETITION REQUIRED FOR FINANCING SERVICES

5-1 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
 5-2 service or improvement project with assessments under this chapter  
 5-3 unless a written petition requesting that service or improvement  
 5-4 has been filed with the board.

5-5 (b) A petition filed under Subsection (a) must be signed by  
 5-6 the owners of a majority of the assessed value of real property in  
 5-7 the district subject to assessment according to the most recent  
 5-8 certified tax appraisal roll for the county.

5-9 Sec. 3985.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
 5-10 The board by resolution may impose and collect an assessment for any  
 5-11 purpose authorized by this chapter in all or any part of the  
 5-12 district.

5-13 (b) An assessment, a reassessment, or an assessment  
 5-14 resulting from an addition to or correction of the assessment roll  
 5-15 by the district, penalties and interest on an assessment or  
 5-16 reassessment, an expense of collection, and reasonable attorney's  
 5-17 fees incurred by the district:

5-18 (1) are a first and prior lien against the property  
 5-19 assessed;

5-20 (2) are superior to any other lien or claim other than  
 5-21 a lien or claim for county, school district, or municipal ad valorem  
 5-22 taxes; and

5-23 (3) are the personal liability of and a charge against  
 5-24 the owners of the property even if the owners are not named in the  
 5-25 assessment proceedings.

5-26 (c) The lien is effective from the date of the board's  
 5-27 resolution imposing the assessment until the date the assessment is  
 5-28 paid. The board may enforce the lien in the same manner that the  
 5-29 board may enforce an ad valorem tax lien against real property.

5-30 (d) The board may make a correction to or deletion from the  
 5-31 assessment roll that does not increase the amount of assessment of  
 5-32 any parcel of land without providing notice and holding a hearing in  
 5-33 the manner required for additional assessments.

#### 5-34 SUBCHAPTER E. TAXES AND BONDS

5-35 Sec. 3985.0501. TAX ELECTION REQUIRED. The district must  
 5-36 hold an election in the manner provided by Chapter 49, Water Code,  
 5-37 or, if applicable, Chapter 375, Local Government Code, to obtain  
 5-38 voter approval before the district may impose an ad valorem tax.

5-39 Sec. 3985.0502. OPERATION AND MAINTENANCE TAX. (a) If  
 5-40 authorized by a majority of the district voters voting at an  
 5-41 election under Section 3985.0501, the district may impose an  
 5-42 operation and maintenance tax on taxable property in the district  
 5-43 in the manner provided by Section 49.107, Water Code, for any  
 5-44 district purpose, including to:

5-45 (1) maintain and operate the district;

5-46 (2) construct or acquire improvements; or

5-47 (3) provide a service.

5-48 (b) The board shall determine the operation and maintenance  
 5-49 tax rate. The rate may not exceed the rate approved at the  
 5-50 election.

5-51 Sec. 3985.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE  
 5-52 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on  
 5-53 terms determined by the board.

5-54 (b) The district may issue bonds, notes, or other  
 5-55 obligations payable wholly or partly from ad valorem taxes,  
 5-56 assessments, impact fees, revenue, contract payments, grants, or  
 5-57 other district money, or any combination of those sources of money,  
 5-58 to pay for any authorized district purpose.

5-59 Sec. 3985.0504. BONDS SECURED BY REVENUE OR CONTRACT  
 5-60 PAYMENTS. The district may issue, without an election, bonds  
 5-61 secured by:

5-62 (1) revenue other than ad valorem taxes, including  
 5-63 contract revenues; or

5-64 (2) contract payments, provided that the requirements  
 5-65 of Section 49.108, Water Code, have been met.

5-66 Sec. 3985.0505. BONDS SECURED BY AD VALOREM TAXES;  
 5-67 ELECTIONS. (a) If authorized at an election under Section  
 5-68 3985.0501, the district may issue bonds payable from ad valorem  
 5-69 taxes.

6-1 (b) Section 375.243, Local Government Code, does not apply  
 6-2 to the district.

6-3 (c) At the time the district issues bonds payable wholly or  
 6-4 partly from ad valorem taxes, the board shall provide for the annual  
 6-5 imposition of a continuing direct annual ad valorem tax, without  
 6-6 limit as to rate or amount, for each year that all or part of the  
 6-7 bonds are outstanding as required and in the manner provided by  
 6-8 Sections 54.601 and 54.602, Water Code.

6-9 (d) All or any part of any facilities or improvements that  
 6-10 may be acquired by a district by the issuance of its bonds may be  
 6-11 submitted as a single proposition or as several propositions to be  
 6-12 voted on at the election.

6-13 Sec. 3985.0506. BONDS AND OTHER OBLIGATIONS FOR IMPROVEMENT  
 6-14 UNDER AGREEMENT. If the improvements financed by an obligation  
 6-15 will be constructed or financed pursuant to the imposition of  
 6-16 assessments:

6-17 (1) the district must enter into an agreement with the  
 6-18 city before the issuance of the obligation; and

6-19 (2) the obligation may be in the form of bonds, notes,  
 6-20 or other obligations, payable wholly or partly from assessments,  
 6-21 issued by public or private sale, in the manner provided by  
 6-22 Subchapter A, Chapter 372, Local Government Code.

6-23 Sec. 3985.0507. CONSENT OF MUNICIPALITY AND AGREEMENT  
 6-24 REQUIRED. (a) The board may not issue bonds until each  
 6-25 municipality in whose corporate limits or extraterritorial  
 6-26 jurisdiction the district is located has consented by ordinance or  
 6-27 resolution to the creation of the district and to the inclusion of  
 6-28 land in the district.

6-29 (b) Subsection (a) applies only to the district's first  
 6-30 issuance of bonds payable from ad valorem taxes.

6-31 (c) The board may not impose taxes or assessments, borrow  
 6-32 money, or issue obligations until the district and the city have  
 6-33 entered into an agreement for the development of the property in the  
 6-34 district and financing of improvement projects in the district.

6-35 SUBCHAPTER I. DISSOLUTION

6-36 Sec. 3985.0901. DISSOLUTION. (a) The board shall dissolve  
 6-37 the district on written petition filed with the board by the owners  
 6-38 of:

6-39 (1) 66 percent or more of the assessed value of the  
 6-40 property subject to assessment by the district based on the most  
 6-41 recent certified county property tax rolls; or

6-42 (2) 66 percent or more of the surface area of the  
 6-43 district, excluding roads, streets, highways, utility  
 6-44 rights-of-way, other public areas, and other property exempt from  
 6-45 assessment by the district according to the most recent certified  
 6-46 county property tax rolls.

6-47 (b) The board by majority vote may dissolve the district at  
 6-48 any time.

6-49 (c) The district may not be dissolved by its board under  
 6-50 Subsection (a) or (b) if the district:

6-51 (1) has any outstanding debt until that debt has been  
 6-52 repaid or defeased in accordance with the order or resolution  
 6-53 authorizing the issuance of the debt;

6-54 (2) has a contractual obligation to pay money until  
 6-55 that obligation has been fully paid in accordance with the  
 6-56 contract; or

6-57 (3) owns, operates, or maintains public works,  
 6-58 facilities, or improvements unless the district contracts with  
 6-59 another person for the ownership and operation or maintenance of  
 6-60 the public works, facilities, or improvements.

6-61 (d) Sections 375.261, 375.262, and 375.264, Local  
 6-62 Government Code, do not apply to the district.

6-63 SECTION 2. The Gateway Park Municipal Management District  
 6-64 initially includes all territory contained in the following area:

6-65 Field Note Description of a 410.73 acre tract of land  
 6-66 situated in the I. & G.N. R.R. Co. Survey No. 37, Abstract No. 222,  
 6-67 the I. & G.N. R.R. Co. Survey No. 36, Abstract No. 223 and the H. &  
 6-68 T.C. R.R. Co. (J. Telfener) Survey No. 2, Abstract No. 453 in  
 6-69 Wharton County, Texas, being a part or portion of a called 540.95

7-1 acre tract of land conveyed to Joe A. Zalman, Jr., et al, in Volume  
7-2 225, Page 156 in Official Records of Wharton County, Texas.  
7-3 BEGINNING at a 5/8" Iron Rod called and found at the  
7-4 intersection of the centerline of County Road 421 (measures 64'  
7-5 wide), with the Southeast right-of-way of the Texas Mexican  
7-6 Railway, for the North corner of said 540.95 acre tract, and for the  
7-7 North corner of this herein described tract;  
7-8 THENCE: S 34°23'52" E - along and with the centerline of  
7-9 County Road 421, same being the Northeast line of said 540.95 acre  
7-10 tract, a distance of 4,479.67 feet to a 5/8" Iron Rod (bent) called  
7-11 and found for an angle point of said 540.95 acre tract, in the East  
7-12 line of Survey No. 37, same being the North corner of a called 4.00  
7-13 acre tract of land conveyed to Joseph J. Kocurek in Volume 173, Page  
7-14 566 in Official Records of Wharton County, Texas, and for an angle  
7-15 point of this herein described tract;  
7-16 THENCE: S 02°32'31" E - along and with the upper East line of  
7-17 said 540.95 acre tract, the East line of Survey No. 37, same being  
7-18 the West line of said 4.00 acre tract, at 146.79 feet, pass a 4" Iron  
7-19 Pipe called and found for reference, continuing on course a total  
7-20 distance of 177.14 feet to a 5/8" Iron Rod called and found in the  
7-21 centerline of County Road 405 (measures 64' wide), for the  
7-22 Southeast corner of Survey No. 37, the Northeast corner of Survey  
7-23 No. 36, the Northeast corner of a called 80.020 acre tract of land  
7-24 conveyed to Joseph John Kocurek in Volume 396, Page 602 in Deed  
7-25 Records of Wharton County, Texas, same being the upper Southeast  
7-26 corner of said 540.95 acre tract, and for the upper Southeast corner  
7-27 of this herein described tract;  
7-28 THENCE: S 87°25'51" W - along and with the centerline of  
7-29 County Road 405, the North line of said 80.020 acre tract, same  
7-30 being the upper South line of said 540.95 acre tract, a distance of  
7-31 1,098.24 feet to a 5/8" Iron Rod called and found for an interior  
7-32 corner of said 540.95 acre tract, same being the Northwest corner of  
7-33 said 80.020 acre tract, and for an interior corner of this herein  
7-34 described tract, from which, a 5/8" Iron Rod bears: N 51°06'58" W -  
7-35 1.42 feet;  
7-36 THENCE: S 02°33'37" E - along and with the lower East line of  
7-37 said 540.95 acre tract, same being the West line of said 80.020 acre  
7-38 tract, at 3,140.72 feet, pass a 4" Iron Pipe called and found for  
7-39 reference, continuing on course a total distance of 3,172.25 feet  
7-40 to a 5/8" Iron Rod called and found in the centerline of County Road  
7-41 400 (measures 64' wide), in the South line of Survey No. 36, same  
7-42 being in the North line of a called 82.125 acre tract of land  
7-43 conveyed to Rebekkah Jean Jones, et al, in Volume 1007, Page 19 in  
7-44 Official Records of Wharton County, Texas, for the lower Southeast  
7-45 corner of said 540.95 acre tract, and for the lower Southeast corner  
7-46 of this herein described tract from which, a 5/8" Iron Rod bears: N  
7-47 44°18'47" W - 3.80 feet;  
7-48 THENCE: S 87°26'24" W - along and with the centerline of  
7-49 County Road 400, the North line of said 82.125 acre tract, same  
7-50 being the lower South line of said 540.95 acre tract, a distance of  
7-51 1,689.69 feet to a point at the centerline intersection of County  
7-52 Road 400 and County Road 407 (measures 64' wide), for an angle point  
7-53 of said 540.95 acre tract, and for an angle point of this herein  
7-54 described tract, from which, a 5/8" Iron Rod bears: N 02°19'43" E -  
7-55 3.85 feet;  
7-56 THENCE: S 87°26'36" W - along and with the centerline of  
7-57 County Road 400, same being the lower South line of said 540.95 acre  
7-58 tract, a distance of 507.08 feet to a point for the lower Southwest  
7-59 corner of said 540.95 acre tract, same being the Southeast corner of  
7-60 a called 78.821 acre tract of land conveyed to the Watz Family Trust  
7-61 in Volume 730, Page 17 in Official Records of Wharton County, Texas,  
7-62 and for the lower Southwest corner of this herein described tract;  
7-63 THENCE: N 02°35'11" W - along and with the West line of said  
7-64 540.95 acre tract, same being the East line of said 78.821 acre  
7-65 tract, at 10.17 feet, pass a 3/4" Iron Shaft called and found for  
7-66 reference, at 32.00 feet, pass a 5/8" Iron Rod set in the North line  
7-67 of County Road 400, continuing on course a total distance of  
7-68 3,174.10 feet to a 2" Iron Pipe (bent) called and found in the  
7-69 centerline of County Road 405, for an interior corner of said 540.95

8-1 acre tract, same being the Northeast corner of said 78.821 acre  
8-2 tract, and for an interior corner of this herein described tract;  
8-3 THENCE: S 87°25'24" W - along and with the centerline of  
8-4 County Road 405, the upper South line of said 540.95 acre tract,  
8-5 same being the North line of said 78.821 acre tract, a distance of  
8-6 444.85 feet to a point for the Southeast corner of a 113.44 acre  
8-7 tract of land surveyed by this firm January 14, 2019, and for the  
8-8 upper Southwest corner of this herein described tract;  
8-9 THENCE: N 02°32'31" W - along and with the East line of said  
8-10 113.44 acre tract, at 32.00 feet, pass a 5/8" Iron Rod set in the  
8-11 North margin of County Road 405, continuing a total distance of  
8-12 555.41 feet to a 5/8" Iron Rod set for an angle point of said 113.44  
8-13 acre tract, and for an angle point of this herein described tract;  
8-14 THENCE: N 36°43'40" W - along and with the East line of said  
8-15 113.44 acre tract, a distance of 1,932.86 feet to a 5/8" Iron Rod  
8-16 set for the North corner of said 113.44 acre tract, same being in  
8-17 the Southeast line of a 16.75 acre tract of land surveyed by this  
8-18 firm January 14, 2019, and for the West corner of this herein  
8-19 described tract;  
8-20 THENCE: N 53°16'28" E - along and with the Southeast line of  
8-21 said 16.75 acre tract, a distance of 1,543.43 feet to a point at the  
8-22 PC of a non-tangent curve to the left, for an angle point of said  
8-23 16.75 acre tract, and for an angle point of this herein described  
8-24 tract;  
8-25 THENCE: Northeasterly - along and with the Southeast line of  
8-26 said 16.75 acre tract and with said non-tangent curve to the left,  
8-27 having a radius of 800.49 feet, an arc length of 72.72 feet, a chord  
8-28 bearing of N 50°40'19" E and a chord distance of 72.69 feet to a  
8-29 point for an angle point of said 16.75 acre tract, and for an angle  
8-30 point of this herein described tract;  
8-31 THENCE: N 48°04'10" E - along and with the Southeast line of  
8-32 said 16.75 acre tract, a distance of 184.07 feet to a point for an  
8-33 angle point of said 16.75 acre tract, and for an angle point of this  
8-34 herein described tract;  
8-35 THENCE: N 53°16'28" E - along and with the Southeast line of  
8-36 said 16.75 acre tract, a distance of 179.76 feet to a point at the PC  
8-37 of a non-tangent curve to the left, for an angle point of said 16.75  
8-38 acre tract, and for an angle point of this herein described tract;  
8-39 THENCE: Northeasterly - along and with the Southeast line of  
8-40 said 16.75 acre tract and with said non-tangent curve to the left,  
8-41 having a radius of 800.49 feet, an arc length of 225.66 feet, a  
8-42 chord bearing of N 45°11'55" E and a chord distance of 224.91 feet to  
8-43 a point for an angle point of said 16.75 acre tract, and for an angle  
8-44 point of this herein described tract;  
8-45 THENCE: N 37°07'22" E - along and with the Southeast line of  
8-46 said 16.75 acre tract, a distance of 157.22 feet to a point at the PC  
8-47 of a non-tangent curve to the right, for an angle point of said  
8-48 16.75 acre tract, and for an angle point of this herein described  
8-49 tract;  
8-50 THENCE: Northeasterly - along and with the Southeast line of  
8-51 said 16.75 acre tract and with said non-tangent curve to the right,  
8-52 having a radius of 728.49 feet, an arc length of 156.81 feet, a  
8-53 chord bearing of N 43°17'22" E and a chord distance of 156.51 feet to  
8-54 a point for an angle point of said 16.75 acre tract, and for an angle  
8-55 point of this herein described tract;  
8-56 THENCE: N 49°27'22" E - along and with the Southeast line of  
8-57 said 16.75 acre tract, a distance of 80.15 feet to a point in the  
8-58 Northwest line of said 540.95 acre tract, same being in the  
8-59 Southeast right-of-way of the Texas Mexican Railway, for the East  
8-60 corner of said 16.75 acre tract, and for an angle point of this  
8-61 herein described tract;  
8-62 THENCE: N 53°16'20" E - along and with the Northwest line of  
8-63 said 540.95 acre tract, same being in the Southeast right-of-way of  
8-64 the Texas Mexican Railway, at 445.29 feet, pass a 5/8" Iron Rod  
8-65 (slightly bent) called and found in the Southwest margin of County  
8-66 Road 421, continuing on course a total distance of 477.29 feet to  
8-67 the POINT OF BEGINNING, containing within these metes and bounds  
8-68 410.73 Acres, more or less.  
8-69 SECTION 3. (a) The legal notice of the intention to



9-1 introduce this Act, setting forth the general substance of this  
9-2 Act, has been published as provided by law, and the notice and a  
9-3 copy of this Act have been furnished to all persons, agencies,  
9-4 officials, or entities to which they are required to be furnished  
9-5 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
9-6 Government Code.

9-7 (b) The governor, one of the required recipients, has  
9-8 submitted the notice and Act to the Texas Commission on  
9-9 Environmental Quality.

9-10 (c) The Texas Commission on Environmental Quality has filed  
9-11 its recommendations relating to this Act with the governor,  
9-12 lieutenant governor, and speaker of the house of representatives  
9-13 within the required time.

9-14 (d) All requirements of the constitution and laws of this  
9-15 state and the rules and procedures of the legislature with respect  
9-16 to the notice, introduction, and passage of this Act have been  
9-17 fulfilled and accomplished.

9-18 SECTION 4. This Act takes effect immediately if it receives  
9-19 a vote of two-thirds of all the members elected to each house, as  
9-20 provided by Section 39, Article III, Texas Constitution. If this  
9-21 Act does not receive the vote necessary for immediate effect, this  
9-22 Act takes effect September 1, 2019.

9-23

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