

By: Huberty

H.B. No. 4765

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Harris County Improvement District No. 27; granting a limited power of eminent domain; 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 F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7887 to read as follows:

CHAPTER 7887. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 27

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7887.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Harris County Improvement District No. 27.

Sec. 7887.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7887.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

1 Sec. 7887.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 7887.0103 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 Sec. 7887.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

8 (a) The district is created to serve a public purpose and benefit.

9 (b) The district is created to accomplish the purposes of:

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

12 (2) Section 52, Article III, Texas Constitution, that
13 relate to the construction, acquisition, improvement, operation,
14 or maintenance of macadamized, graveled, or paved roads, or
15 improvements, including storm drainage, in aid of those roads.

16 Sec. 7887.0106. INITIAL DISTRICT TERRITORY. (a) The
17 district is initially composed of the territory described by
18 Section 2 of the Act enacting this chapter.

19 (b) The boundaries and field notes contained in Section 2 of
20 the Act enacting this chapter form a closure. A mistake made in the
21 field notes or in copying the field notes in the legislative process
22 does not affect the district's:

23 (1) organization, existence, or validity;

24 (2) right to issue any type of bond for the purposes
25 for which the district is created or to pay the principal of and
26 interest on a bond;

27 (3) right to impose a tax; or

1 (4) legality or operation.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 7887.0201. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five elected directors.

5 (b) Except as provided by Section 7887.0202, directors
6 serve staggered four-year terms.

7 Sec. 7887.0202. TEMPORARY DIRECTORS. (a) On or after the
8 effective date of the Act enacting this chapter, the owner or owners
9 of a majority of the assessed value of the real property in the
10 district may submit a petition to the commission requesting that
11 the commission appoint as temporary directors the five persons
12 named in the petition. The commission shall appoint as temporary
13 directors the five persons named in the petition.

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

15 (1) the date permanent directors are elected under
16 Section 7887.0103; or

17 (2) the fourth anniversary of the effective date of
18 the Act enacting this chapter.

19 (c) If permanent directors have not been elected under
20 Section 7887.0103 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:

24 (1) the date permanent directors are elected under
25 Section 7887.0103; or

26 (2) the fourth anniversary of the date of the
27 appointment or reappointment.

1 (d) If Subsection (c) applies, the owner or owners of a
2 majority of the assessed value of the real property in the district
3 may submit a petition to the commission requesting that the
4 commission appoint as successor temporary directors the five
5 persons named in the petition. The commission shall appoint as
6 successor temporary directors the five persons named in the
7 petition.

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 7887.0301. GENERAL POWERS AND DUTIES. The district
10 has the powers and duties necessary to accomplish the purposes for
11 which the district is created.

12 Sec. 7887.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
13 DUTIES. The district has the powers and duties provided by the
14 general law of this state, including Chapters 49 and 54, Water Code,
15 applicable to municipal utility districts created under Section 59,
16 Article XVI, Texas Constitution.

17 Sec. 7887.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
18 52, Article III, Texas Constitution, the district may design,
19 acquire, construct, finance, issue bonds for, improve, operate,
20 maintain, and convey to this state, a county, or a municipality for
21 operation and maintenance macadamized, graveled, or paved roads, or
22 improvements, including storm drainage, in aid of those roads.

23 Sec. 7887.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
24 road project must meet all applicable construction standards,
25 zoning and subdivision requirements, and regulations of each
26 municipality in whose corporate limits or extraterritorial
27 jurisdiction the road project is located.

1 (b) If a road project is not located in the corporate limits
2 or extraterritorial jurisdiction of a municipality, the road
3 project must meet all applicable construction standards,
4 subdivision requirements, and regulations of each county in which
5 the road project is located.

6 (c) If the state will maintain and operate the road, the
7 Texas Transportation Commission must approve the plans and
8 specifications of the road project.

9 Sec. 7887.0305. COMPLIANCE WITH MUNICIPAL CONSENT
10 ORDINANCE OR RESOLUTION. The district shall comply with all
11 applicable requirements of any ordinance or resolution that is
12 adopted under Section 54.016 or 54.0165, Water Code, and that
13 consents to the creation of the district or to the inclusion of land
14 in the district.

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16 Sec. 7887.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
17 The district may issue, without an election, bonds and other
18 obligations secured by:

- 19 (1) revenue other than ad valorem taxes; or
20 (2) contract payments described by Section 7887.0403.

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

25 (c) The district may not issue bonds payable from ad valorem
26 taxes to finance a road project unless the issuance is approved by a
27 vote of a two-thirds majority of the district voters voting at an

1 election held for that purpose.

2 Sec. 7887.0402. OPERATION AND MAINTENANCE TAX. (a) If
3 authorized at an election held under Section 7887.0401, the
4 district may impose an operation and maintenance tax on taxable
5 property in the district in accordance with Section 49.107, Water
6 Code.

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

9 Sec. 7887.0403. CONTRACT TAXES. (a) In accordance with
10 Section 49.108, Water Code, the district may impose a tax other than
11 an operation and maintenance tax and use the revenue derived from
12 the tax to make payments under a contract after the provisions of
13 the contract have been approved by a majority of the district voters
14 voting at an election held for that purpose.

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

18 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

19 Sec. 7887.0501. AUTHORITY TO ISSUE BONDS AND OTHER
20 OBLIGATIONS. The district may issue bonds or other obligations
21 payable wholly or partly from ad valorem taxes, impact fees,
22 revenue, contract payments, grants, or other district money, or any
23 combination of those sources, to pay for any authorized district
24 purpose.

25 Sec. 7887.0502. TAXES FOR BONDS. At the time the district
26 issues bonds payable wholly or partly from ad valorem taxes, the
27 board shall provide for the annual imposition of a continuing

1 direct ad valorem tax, without limit as to rate or amount, while all
2 or part of the bonds are outstanding as required and in the manner
3 provided by Sections 54.601 and 54.602, Water Code.

4 Sec. 7887.0503. BONDS FOR ROAD PROJECTS. At the time of
5 issuance, the total principal amount of bonds or other obligations
6 issued or incurred to finance road projects and payable from ad
7 valorem taxes may not exceed one-fourth of the assessed value of the
8 real property in the district.

9 SECTION 2. The Harris County Improvement District No. 27
10 initially includes all the territory contained in the following
11 area:

12 LEGAL DESCRIPTION

13 TRACT ONE: Fieldnotes for 28.8778 acres of land out of the Amos
14 Barber Survey, Abstract No. 125 in Harris County, Texas, being out
15 of and a part of that certain 28.2586 acre tract of land conveyed to
16 Craig Nelson, Trustee, as described in deed recorded under County
17 Clerk's File No. T275175 of the Real Property Records of Harris
18 County, and all of that certain 16.2039 acre tract of land conveyed
19 to Northwood North Venture, L.P ., and described as "Tract II" in
20 deed recorded under County Clerk's File No. T951125 of the said
21 Real Property Records, said 28.8778 acres of land being more
22 particularly described by metes and bounds as follows:

23 COMMENCING at a 1 1/4 inch steel pipe at the base of a 30 inch
24 Cypress tree found in the West line of the said Amos Barber Survey,
25 marking the Northeast corner of the Richard B. West Survey.
26 Abstract No. 860, and the Southeast corner of the H.T. & B.R.R.
27 Survey, Abstract No. 385, said point also being the Southeast

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1 corner of the residue of that certain 69.3518 acre tract of land
2 conveyed to Westfield Properties, Inc., as described in deed
3 recorded under County Clerk's File No. M751039 of the said Real
4 Property Records, said point also being in the West line of that
5 certain 4.0000 acre tract of land conveyed to Ricardo F de
6 Ibarlucea, et al, as described in deed recorded under County
7 Clerk's File No. M383506 of the said Real Property Records;
8 Thence, North 33° 19' 42" West, 469.82 feet with the East line of the
9 said 69.3518 acre tract and the said H.T. & B.R.R. Survey, and with
10 the West line of the said 4.000 acre tract and the said Amos Barber
11 Survey, and generally along a barbed wire fence line to a 5/8 inch
12 steel rod found marking the Southwest corner and PLACE OF BEGINNING
13 for the herein described tract of land, said point being the most
14 Southerly or Southwest corner of the said 28.2586 acre tract, said
15 point also being the Northwest corner of the said 4.0000 acre tract;
16 Thence, continuing with the East line of the said 69.3518 acre tract
17 and the said H.T.& B.R.R. Survey. And with the common West line of
18 the said 28.2586 acre tract and the said Amos Barber Survey, and
19 generally along a barbed wire fence line. North 33° 19' 42" West,
20 971.92 feet to a 5/8 inch steel rod with cap set for the most
21 Westerly or Northwest corner of the herein described tract, said
22 point being the most Southerly or Southwest corner of that certain
23 14.3 acre tract of land conveyed to Aldine Independent School
24 District, as described in deed recorded under Clerk's File
25 No. 20060195978 of Real Records;
26 Thence, North 57° 58' 17" East, 771.54 Feet with the Southeast line
27 of the said 14.3 acre tract to a 3/8 inch steel rod found at an angle

1 point for the herein described tract, said point being the most
2 Easterly or Southeast corner of the said 14.3 acre tract and the
3 Northwest corner of the said 16.2039 acre tract, Northwood North
4 Venture, L.P., as described in deed recorded under County Clerk's
5 File No. 20060015817 of the said Real Property Records;
6 Thence, North 79° 11' 19" East, 599.93 feet with the South line of
7 the said 0.8253 acre tract and the North line of the said 16.2039
8 acre tract to a 3/8 inch steel rod found in the West line of Rayford
9 Road, based on an 80 foot right-of-way-, marking the Northeast
10 corner of the said 16.2039 acre tract and the herein described
11 tract, said the Southeast corner of the said 0.8253 acre tract, said
12 point also being in a non-tangent curve to the right having a radius
13 of 20000.00 feet and a central angle of 00° 56' 33";
14 Thence, in a Southerly direction, with the West line of said Rayford
15 Road and the East line of the said 16.2039 acre tract, and with the
16 said curve to the right having a radius of 2000.00 feet (chord
17 bearing South 11°18' 59" East, 32.90 feet an arc distance of 32.90
18 feet to a 5/8 inch steel rod set at a point of tangency;
19 Thence, continuing with the West line of said Rayford Road and the
20 East line of the said 16.2039 acre tract, South 10° 50' 43" East,
21 428.57 feet to a 5/8 inch steel rod set at a point of curve to the
22 right having a radius of 1120.00 feet and a central angle of 50°39'
23 42";
24 Thence, continuing with the West line of said Rayford Road and the
25 East line of the said 16.2039 acre tract, and with the said curve to
26 the right having a radius of 1120.00 feet (chord bearing South 14°
27 29 '08" West, 958.37 feet), an arc distance of 990.32 feet to a 5/8

1 inch steel rod set at a point of tangency;
2 Thence, continuing with the Northwesterly line of said Rayford Road
3 and the Southeasterly line of the said 16.2039 acre tract, South 39°
4 48' 59" West, 125.77 feet to a 5/8 inch steel rod set at a point of
5 curve to the left having a radius of 1180.00 feet and a central
6 angle of 5°45' 53";
7 Thence, continuing with the Northwesterly line of said Rayford Road
8 and the Southeasterly line of the said 16.2039 acre tract, and with
9 the said curve to the left having a radius of 1180.00 feet (chord
10 bearing South 36° 56' 02" West, 118.67 feet), an arc distance of
11 118.72 feet to a 5/8 inch steel rod set for the most Southerly
12 corner of the said 16.2039 acre tract and the herein described
13 tract. said point also the Southeast corner of the aforesaid
14 Ricardo F. de Ibarlucea, 4.0000 acre tract;
15 Thence, North 11° 50' 34" West, 453.44 feet with the East line of the
16 said 4.0000 acre tract and the West line of the said 16.2039 acre
17 tract to a 5/8 inch steel rod found at an interior ell corner of the
18 herein described tract, said point also being the Northeast corner
19 of the said 4.0000 acre tract and the Southeast corner of the
20 aforesaid 28.2586 acre tract;
21 Thence, South 56°40' 34" West, 373.21 feet with the North line of the
22 said 4.0000 acre tract and the South line of the said 28.2586 acre
23 tract to the PLACE OF BEGINNING and containing 28.8778 acres or
24 1.257.915 square feet of land, more or less.
25 TRACT TWO: Fieldnotes for 0.1782 acre of land out of the Amos Barber
26 Survey, Abstract No. 125 and the Richard B. West Survey, Abstract
27 No. 860 in Harris County, Texas, being out of and a part of that

1 certain 0.65 acre tract of land described in instrument recorded in
2 Volume 3118, Page 422 of the Deed Records of Harris County, and
3 being that same 0.1782 acre tract of land conveyed to Northwood
4 North Venture, L.P., and described as "Tract III" in deed recorded
5 under County Clerk's File No. T951125 of the Real Property Records
6 of Harris County, said 0.1782 acre of land being more particularly
7 described by metes and bounds as follows:

8 COMMENCING at a 5/8 inch steel rod found in the called North line of
9 the Amos Barber Survey marking the Northwest corner of Forest
10 Shadows Subdivision, Section I, the map or plat of same being
11 recorded in Volume 58, Page 54 of the Map Records of Harris County,
12 said point also being the Northeast corner of that certain 83.156
13 acre tract of land described in instrument recorded in Volume 7263,
14 Page 325 of the said Deed Records, and that certain 20.000 acre
15 tract of land conveyed to the Aldine Independent School District
16 and described as "Tract 2" in deed recorded under County Clerk's
17 File No. D456846 of the said Real Property Records;

18 Thence, South 32°05'03" East with the West line of Forest Shadows
19 Subdivision, Sections 1, 2 and 3 and with the East line of the said
20 83.156 acre tract and the said 20.000 acre tract, at 1501.54 feet
21 passing a 5/8 inch steel rod set at the Northeast corner of that
22 certain (called) 27.2585 acre tract of land conveyed to Northwood
23 North Venture. L.P., and described as "Tract I" in deed recorded
24 under County Clerk's File No. T951125 of the said Real Property
25 Records, said point also being the Southeast corner of the said
26 20.000 acre tract, and continuing with the West line of said Forest
27 Shadows Subdivision, Section 3, the map or plat of same being

1 recorded in Volume 153, Page 123 of the said Map Records, the West
2 line of Forest Shadows, Section 4, the map or plat of same being
3 recorded in Volume 174, Page 115 of the said Map Records, and the
4 East line of the said called 27.2585 acre tract in all, a total
5 distance of 2327.58 feet to a 5/8 inch steel rod set for the
6 Southeast corner of the said called 27 .2585 acre tract, said point
7 also being the Northeast corner of that certain 7.549 acre tract of
8 land conveyed to the Harris County Flood Control District, as
9 described in deed recorded under County Clerk's File No. J175685 of
10 the said Real Property Records;

11 Thence, South 57° 26' 45" West 603.75 with the South line of the said
12 called 27.2585 acre tract and with the North line of said 7.549 acre
13 tract to a 5/8 inch steel rod set at an angle point;

14 Thence, continuing with the South line of the said called 27.2585
15 acre tract and the North of the said 7.549 acre tract, South 66° 43'
16 00" West, 900.00 feet to a 5/8 inch steel rod set at a point of cure
17 to the left having a radius of 695.00 feet and a central angle of 37°
18 32' 04";

19 Thence continuing with Southerly line of said called 27.2585 acre
20 tract and the Northerly line of said 7.549 acre tract and with the
21 said curve to the left having a radius of 695.000 feet (chord
22 bearing South 47° 56' 58" West, 447.20 feet), an arc distance of
23 455.29 feet to a 5/8 inch steel rod set for the Southwest corner of
24 the said called 27.2585 acre tract, and an point of the said 7.549
25 acre tract;

26 Thence, South 12° 28' 19" East, 46.20 feet with a Westerly line of
27 the said 7.549 acre tract to an ell corner, said point also being

1 the most Northerly corner of the aforesaid 0.65 acre tract;
2 Thence, South 55° 47' 26" West. 54.87 feet with the Northwesterly
3 line of the said 0.65 acre tract and the Westerly line of the said
4 7.549 acre tract to a 5/8 inch steel rod set for the most Northerly
5 corner and PLACE OF BEGINNING for the herein described tract of
6 land, said point also being an angle point in the Westerly line of
7 the said 7.549 acre tract, said point also being in a non-tangent
8 curve to the left having a radius of 695.00 feet and a central angle
9 of 10° 41 '35";
10 Thence, in a Southwesterly direction with the Westerly line of the
11 said 7.549 acre tract and with the said curve to the left having a
12 radius of 695.00 feet (chord bearing South 17° 11' 02" West, 129.52
13 feet), an arc distance of 129.71 feet to a 5/8 inch steel rod set at
14 a point of tangency;
15 Thence, continuing with the Westerly line of the said 7.549 acre
16 tract, South 11° 50' 14" West, 32.84 feet to a 5/8 inch steel rod set
17 in the North line of FM. Highway No. 1960, based on a 170 foot
18 right-of-way, for the Southeast corner of the herein described
19 tract, said point also being the Southwest corner of the said 7.549
20 acre tract;
21 Thence, North 78° 09' 14" West, 63.90 feet with the North line of
22 said FM. Highway No. 1960 to a 5/8 inch steel rod set at its
23 intersection with the East line of Rayford Road, based on an 80 foot
24 right-of-way, for the Southwest corner of the herein described
25 tract, said point also being in a non-tangent curve to the right
26 having a radius of 1100.00 feet and a central angle of 04° 31' 15";
27 Thence, in a Northeasterly direction with the East line of said

1 Rayford Road and the said curve to the right having a radius of
2 1100.00 feet (chord bearing North 14° 11' 49" East, 86.77 feet), an
3 arc distance of 86.79 feet to a 5/8 inch steel rod set in the North
4 line of the aforesaid 0.65 acre tract for the Northwest corner of
5 the herein described tract;

6 Thence, North 55° 47' 26" East, 104.31 feet with the North line of
7 the said 0.65 acre tract to the PLACE OF BEGINNING and containing
8 0.1782 acre or 7,764 square feet of land, more or less.

9 TRACT THREE: Fieldnotes for 27.2273 acres of land out the Amos
10 Barber Survey Abstract No. 125 in Harris County, Texas, being out
11 of and part of the certain 83.156 acre tract of land described in
12 instrument recorded in Volume 7263, Page 325 of the Deed Records of
13 Harris County, and being the same (called) 27.2585 acre tract of
14 land conveyed to Northwood North Venture, L.P., and described as
15 "Tract I" in deed recorded under County Clerk's No.. T951125 of the
16 Real Property Records of Harris County, said 27.2273 acres
17 described by metes and bounds as follows:

18 COMMENCING in a point in the called North line of the Amos Barber
19 Survey at the Northwest corner of Forest Shadows Subdivision,
20 Section I, the map or plat of same being recorded in Volume 58, Page
21 54 of the Map Records of Harris County, said point also the
22 Northeast corner of the said 83.156 acre tract and that certain
23 20.000 acre tract of land conveyed to the Aldine Independent School
24 District and described as "Tract 2" in deed recorded under Clerk's
25 File No. D456846 of the said Real Property Records;

26 Thence, South 32° 05' 03" East (called South 32° 08' 41" East in
27 vesting deed), 1501.54 feet with the West line of Forest Shadows

1 Subdivision, Sections 1, 2 and 3 and with the East line of the said
2 83.156 acre tract and the said 20.000 acre tract to a 5/8 inch steel
3 rod set for the Northeast corner and PLACE OF BEGINNING for the
4 herein described tract of land, said point being the Southeast
5 corner of the said 20.000 acre tract, said point also being in the
6 West line of said Forest Shadows Subdivision, Section 3, the map or
7 plat of same recorded in Volume 153, Page 123 of the said Map
8 Records;

9 Thence continuing with the West line of the said Forest Shadows
10 Subdivision, Section 3, and the East line of the said 83.156 acre
11 tract, South 32° 05' 03" East, at 260 feet passing the Southwest
12 corner of said Section 3 and the Northwest corner of Forest Shadows,
13 Section 4, the map or plat of same being recorded in Volume 174,
14 Page 115 of the said Map Records, and continuing with the West line
15 of said Section 4 in all, a total distance of 826.04 feet to a 5/8
16 inch steel rod set for the Southeast corner of the herein described
17 tract, said point also being the Northeast corner of that certain
18 7.549 acre tract of land conveyed to the Harris Flood Control
19 District, as described in deed recorded under Clerk's File
20 No. J175685 of the said Real Records;

21 Thence, South 57° 26' 45" West, 603.75 feet with the North line of
22 the said 7,549 acre tract to a 5/8 inch steel rod set as an angle
23 point;

24 Thence, continuing with the North line of the said 7.549 acre tract,
25 South 66° 43' 00" West, 900.00 feet (called South 67° 21' 27" West in
26 7.549 acre deed) to a 5/8 inch steel rod set at a point of curve to
27 the left having a radius of 695.00 feet and a central angle of 37°

1 32' 04";
2 Thence, continuing Northwesterly line of the said 7.549 acre tract
3 and with the said curve to the left having a radius of 695.00 feet
4 and central angle of $47^{\circ} 56' 58''$ West, 447.20 feet), an arc distance
5 of 455.29 feet to a 5/8 inch steel rod set or the Southwest corner of
6 the herein described tract;
7 Thence, North $11^{\circ} 50' 34''$ West, 103.53 feet to a 5/8 inch steel rod
8 set in the Southeasterly line of Rayford Road, based on an 80 foot
9 right-of-way, said point being in a non-tangent curve to the right
10 having a radius of 1100.00 feet and a central angle of $9^{\circ} 57' 21''$;
11 Thence, in a Northeasterly direction with the Southeasterly line of
12 said Rayford Road and with the said curve to the having a radius of
13 1100.00 feet (chord bearing North $34^{\circ} 50' 18''$ East, 190.90 feet), an
14 arc distance of 191.14 feet to a 5/8 inch steel rod set at a point of
15 tangency;
16 Thence, continuing with the Southeasterly line of said Rayford
17 Road, North $39^{\circ} 48' 59''$ East, 125.77 feet to a 5/8 inch steel rod set
18 at a point of curve to the left having a radius of 1200.00 feet and a
19 central angle of $50^{\circ} 39' 42''$;
20 Thence, continuing with the Southeasterly line of said Rayford Road
21 and with the said curve to the left having a radius of 1200.00 feet
22 (chord bearing North $14^{\circ} 29' 08''$ East, 1026.83 feet), an arc
23 distance of 1061.06 feet to a 5/8 inch steel rod set at a point of
24 tangency;
25 Thence, continuing with an Easterly line of said Rayford Road,
26 North $10^{\circ} 50' 43''$ West, 174.19 to a 5/8 inch steel rod set for the
27 Northwest corner of the herein described tract, said point also

1 being the Southwest corner of the aforesaid Aldine Independence
2 School District 20.000 acre tract;
3 Thence, North 79°09'40" East. 851.68 feet with the South line of the
4 said 20.000 acre tract to the PLACE OF BEGINNING and containing
5 27.2273 acres or 1,186,023 square feet of land, more or less.

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

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

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

20 (d) All requirements of the constitution and laws of this
21 state and the rules and procedures of the legislature with respect
22 to the notice, introduction, and passage of this Act are fulfilled
23 and accomplished.

24 SECTION 4. (a) If this Act does not receive a two-thirds
25 vote of all the members elected to each house, Subchapter C, Chapter
26 7887, Special District Local Laws Code, as added by Section 1 of
27 this Act, is amended by adding Section 7887.0306 to read as follows:

1 Sec. 7887.0306. NO EMINENT DOMAIN POWER. The district may
2 not exercise the power of eminent domain.

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

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