

By: Creighton

S.B. No. 2458

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of the Wood Trace Municipal Utility  
3 District No. 4 of Montgomery County, Texas; granting a limited  
4 power of eminent domain; providing authority to issue bonds;  
5 providing authority to impose assessments, fees, and taxes.

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

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
8 Code, is amended by adding Chapter 8052 to read as follows:

9 CHAPTER 8052. WOOD TRACE MUNICIPAL UTILITY DISTRICT NO. 4 OF  
10 MONTGOMERY COUNTY, TEXAS

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 8052.0101. DEFINITIONS. In this chapter:

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

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

16 (3) "Director" means a board member.

17 (4) "District" means the Wood Trace Municipal Utility  
18 District No. 4 of Montgomery County, Texas.

19 Sec. 8052.0102. NATURE OF DISTRICT. The district is a  
20 municipal utility district created under Section 59, Article XVI,  
21 Texas Constitution.

22 Sec. 8052.0103. CONFIRMATION AND DIRECTOR ELECTION  
23 REQUIRED. The temporary directors shall hold an election to  
24 confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 8052.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
3 temporary directors may not hold an election under Section  
4 8052.0103 until each municipality in whose corporate limits or  
5 extraterritorial jurisdiction the district is located has  
6 consented by ordinance or resolution to the creation of the  
7 district and to the inclusion of land in the district.

8 Sec. 8052.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

17 Sec. 8052.0106. INITIAL DISTRICT TERRITORY. (a) The  
18 district is initially composed of the territory described by  
19 Section 2 of the Act enacting this chapter.

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

24 (1) organization, existence, or validity;

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

1           (3) right to impose a tax; or

2           (4) legality or operation.

3                   SUBCHAPTER B. BOARD OF DIRECTORS

4           Sec. 8052.0201. GOVERNING BODY; TERMS. (a) The district is  
5 governed by a board of five elected directors.

6           (b) Except as provided by Section 8052.0202, directors  
7 serve staggered four-year terms.

8           Sec. 8052.0202. TEMPORARY DIRECTORS. (a) On or after the  
9 effective date of the Act enacting this chapter, the owner or owners  
10 of a majority of the assessed value of the real property in the  
11 district may submit a petition to the commission requesting that  
12 the commission appoint as temporary directors the five persons  
13 named in the petition. The commission shall appoint as temporary  
14 directors the five persons named in the petition.

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

16                   (1) the date permanent directors are elected under  
17 Section 8052.0103; or

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

20           (c) If permanent directors have not been elected under  
21 Section 8052.0103 and the terms of the temporary directors have  
22 expired, successor temporary directors shall be appointed or  
23 reappointed as provided by Subsection (d) to serve terms that  
24 expire on the earlier of:

25                   (1) the date permanent directors are elected under  
26 Section 8052.0103; or

27                   (2) the fourth anniversary of the date of the

1 appointment or reappointment.

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

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 8052.0301. GENERAL POWERS AND DUTIES. The district  
11 has the powers and duties necessary to accomplish the purposes for  
12 which the district is created.

13 Sec. 8052.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
14 DUTIES. The district has the powers and duties provided by the  
15 general law of this state, including Chapters 49 and 54, Water Code,  
16 applicable to municipal utility districts created under Section 59,  
17 Article XVI, Texas Constitution.

18 Sec. 8052.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
19 52, Article III, Texas Constitution, the district may design,  
20 acquire, construct, finance, issue bonds for, improve, operate,  
21 maintain, and convey to this state, a county, or a municipality for  
22 operation and maintenance macadamized, graveled, or paved roads, or  
23 improvements, including storm drainage, in aid of those roads.

24 Sec. 8052.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
25 road project must meet all applicable construction standards,  
26 zoning and subdivision requirements, and regulations of each  
27 municipality in whose corporate limits or extraterritorial

1 jurisdiction the road project is located.

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

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

10 Sec. 8052.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
11 ORDINANCE OR RESOLUTION. The district shall comply with all  
12 applicable requirements of any ordinance or resolution that is  
13 adopted under Section 54.016 or 54.0165, Water Code, and that  
14 consents to the creation of the district or to the inclusion of land  
15 in the district.

16 Sec. 8052.0306. DIVISION OF DISTRICT. (a) The district may  
17 be divided into two or more new districts only if the district:

18 (1) has no outstanding bonded debt; and

19 (2) is not imposing ad valorem taxes.

20 (b) This chapter applies to any new district created by the  
21 division of the district, and a new district has all the powers and  
22 duties of the district.

23 (c) Any new district created by the division of the district  
24 may not, at the time the new district is created, contain any land  
25 outside the area described by Section 2 of the Act enacting this  
26 chapter.

27 (d) The board, on its own motion or on receipt of a petition

1 signed by the owner or owners of a majority of the assessed value of  
2 the real property in the district, may adopt an order dividing the  
3 district.

4 (e) The board may adopt an order dividing the district  
5 before or after the date the board holds an election under Section  
6 8052.0103 to confirm the district's creation.

7 (f) An order dividing the district shall:

8 (1) name each new district;

9 (2) include the metes and bounds description of the  
10 territory of each new district;

11 (3) appoint temporary directors for each new district;

12 and

13 (4) provide for the division of assets and liabilities  
14 between or among the new districts.

15 (g) On or before the 30th day after the date of adoption of  
16 an order dividing the district, the district shall file the order  
17 with the commission and record the order in the real property  
18 records of each county in which the district is located.

19 (h) Any new district created by the division of the district  
20 shall hold a confirmation and directors' election as required by  
21 Section 8052.0103.

22 (i) Municipal consent to the creation of the district and to  
23 the inclusion of land in the district granted under Section  
24 8052.0104 acts as municipal consent to the creation of any new  
25 district created by the division of the district and to the  
26 inclusion of land in the new district.

27 (j) Any new district created by the division of the district

1 must hold an election as required by this chapter to obtain voter  
2 approval before the district may impose a maintenance tax or issue  
3 bonds payable wholly or partly from ad valorem taxes.

4 (k) If the creation of the new district is confirmed, the  
5 new district shall provide the election date and results to the  
6 commission.

7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

8 Sec. 8052.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)

9 The district may issue, without an election, bonds and other  
10 obligations secured by:

11 (1) revenue other than ad valorem taxes; or

12 (2) contract payments described by Section 8052.0403.

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

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

21 Sec. 8052.0402. OPERATION AND MAINTENANCE TAX. (a) If

22 authorized at an election held under Section 8052.0401, the  
23 district may impose an operation and maintenance tax on taxable  
24 property in the district in accordance with Section 49.107, Water  
25 Code.

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

1       Sec. 8052.0403. CONTRACT TAXES. (a) In accordance with  
2 Section 49.108, Water Code, the district may impose a tax other than  
3 an operation and maintenance tax and use the revenue derived from  
4 the tax to make payments under a contract after the provisions of  
5 the contract have been approved by a majority of the district voters  
6 voting at an election held for that purpose.

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

10               SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

11       Sec. 8052.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
12 OBLIGATIONS. The district may issue bonds or other obligations  
13 payable wholly or partly from ad valorem taxes, impact fees,  
14 revenue, contract payments, grants, or other district money, or any  
15 combination of those sources, to pay for any authorized district  
16 purpose.

17       Sec. 8052.0502. TAXES FOR BONDS. At the time the district  
18 issues bonds payable wholly or partly from ad valorem taxes, the  
19 board shall provide for the annual imposition of a continuing  
20 direct ad valorem tax, without limit as to rate or amount, while all  
21 or part of the bonds are outstanding as required and in the manner  
22 provided by Sections 54.601 and 54.602, Water Code.

23       Sec. 8052.0503. BONDS FOR ROAD PROJECTS. At the time of  
24 issuance, the total principal amount of bonds or other obligations  
25 issued or incurred to finance road projects and payable from ad  
26 valorem taxes may not exceed one-fourth of the assessed value of the  
27 real property in the district.



1 SECTION 2. The Wood Trace Municipal Utility District No. 4  
2 of Montgomery County, Texas initially includes all the territory  
3 contained in the following area:

4 TRACT 1 - 505.83 ACRES:

5 Being a 505.83-acre tract of land, located in the Andrew J.  
6 Hensley, Abstract No. 255 and the J.D. Cochran Survey, A-123 in  
7 Montgomery County, Texas; said 505.83-acre tract being out of a  
8 called 2,253.2253-acre tract of land conveyed to Terra Investments,  
9 LP in Clerk's File Number 2004023496 of the Official Public Records  
10 of Real Property of Montgomery County Texas (O.P.R.R.P.M.C.T.);  
11 said 505.83 acre tract being more particularly described by metes  
12 and bounds as follows (all bearings are referenced to the north line  
13 of said 2,253.2253-acre tract):

14 Beginning at the northwest corner of a called 34.6647-acre  
15 tract of land recorded in Clerk's File Number 2018021947 of the  
16 O.P.R.R.P.M.C.T., same being on the northwest line of said called  
17 2,253.2253-acre tract;

18 Thence, with the northwest line of said called  
19 2,253.2253-acre tract, the following three (3) courses:

20 1. North 43 degrees 05 minutes 06 seconds East, a distance  
21 of 63.12 feet;

22 2. North 41 degrees 30 minutes 39 seconds East, a distance  
23 of 1,876.15 feet;

24 3. North 41 degrees 50 minutes 49 seconds East, a distance  
25 of 3,343.49 feet to the most northerly corner of aforesaid called  
26 2,253.2253-acre tract;

27 4. Thence, with the northeast line of said called

1 2,253.2253-acre tract, South 47 degrees 49 minutes 11 seconds East,  
2 a distance of 3,142.99 feet;

3 5. Thence, with an interior northeasterly line, South 41  
4 degrees 26 minutes 02 seconds West, a distance of 317.57 feet to the  
5 centerline of Mills Creek;

6 Thence, with the meanders of the centerline of said Mills  
7 Creek, the following twelve (12) courses:

8 6. South 40 degrees 14 minutes 25 seconds East, a distance  
9 of 3.45 feet;

10 7. South 58 degrees 25 minutes 02 seconds East, a distance  
11 of 201.92 feet;

12 8. South 73 degrees 09 minutes 05 seconds East, a distance  
13 of 115.58 feet;

14 9. North 74 degrees 20 minutes 37 seconds East, a distance  
15 of 46.27 feet;

16 10. North 73 degrees 47 minutes 22 seconds East, a distance  
17 of 166.85 feet;

18 11. North 17 degrees 09 minutes 37 seconds East, a distance  
19 of 45.08 feet;

20 12. North 26 degrees 27 minutes 19 seconds East, a distance  
21 of 23.35 feet;

22 13. North 82 degrees 53 minutes 07 seconds East, a distance  
23 of 26.89 feet;

24 14. South 84 degrees 07 minutes 38 seconds East, a distance  
25 of 30.93 feet;

26 15. South 55 degrees 11 minutes 42 seconds East, a distance  
27 of 34.75 feet;

1           16. South 15 degrees 00 minutes 28 seconds East, a distance  
2 of 61.82 feet;

3           17. South 58 degrees 09 minutes 25 seconds East, a distance  
4 of 25.03 feet to a northerly corner of a called 1295.994-acre tract  
5 of land (Tract B) recorded in Clerk's File Number 99074137 of the  
6 O.P.R.R.P.M.C.T.;

7           Thence, with the northwest line of said called 1295.994-acre  
8 tract, the following eight (8) courses:

9           18. South 41 degrees 15 minutes 36 seconds West, a distance  
10 of 462.62 feet;

11          19. South 41 degrees 34 minutes 29 seconds West, a distance  
12 of 189.21 feet;

13          20. South 41 degrees 16 minutes 52 seconds West, a distance  
14 of 919.78 feet;

15          21. South 41 degrees 02 minutes 20 seconds West, a distance  
16 of 705.64 feet;

17          22. South 42 degrees 48 minutes 40 seconds West, a distance  
18 of 1,020.09 feet;

19          23. South 44 degrees 10 minutes 27 seconds West, a distance  
20 of 494.99 feet;

21          24. South 44 degrees 52 minutes 56 seconds West, a distance  
22 of 1,038.47 feet;

23          25. South 44 degrees 34 minutes 39 seconds West, a distance  
24 of 736.16 feet to the northerly northwest corner of aforesaid  
25 called 1295.994-acre tract, same being on an interior southwesterly  
26 line of aforesaid called 2,253.2253-acre tract;

27          Thence, with a southerly interior line of said called

1 2,253.2253-acre tract, the following three (3) courses:

2 26. North 47 degrees 37 minutes 18 seconds West, a distance  
3 of 408.29 feet;

4 27. South 41 degrees 26 minutes 02 seconds West, a distance  
5 of 257.19 feet;

6 28. South 41 degrees 39 minutes 25 seconds West, a distance  
7 of 1,370.07 feet to the east corner of aforesaid called  
8 34.6647-acre tract;

9 Thence, with the northeast line of said called 34.6647-acre  
10 tract, the following seven (7) courses:

11 29. 803.07 feet along the arc of a curve to the right, said  
12 curve having a central angle of 08 degrees 19 minutes 16 seconds, a  
13 radius of 5,529.58 feet and a chord that bears North 14 degrees 15  
14 minutes 32 seconds West, a distance of 802.36 feet;

15 30. North 10 degrees 05 minutes 54 seconds West, a distance  
16 of 516.07 feet;

17 31. North 10 degrees 05 minutes 54 seconds West, a distance  
18 of 300.00 feet;

19 32. North 10 degrees 05 minutes 54 seconds West, a distance  
20 of 415.32 feet;

21 33. 1,374.38 feet along the arc of a curve to the left, said  
22 curve having a central angle of 25 degrees 41 minutes 38 seconds, a  
23 radius of 3,064.79 feet and a chord that bears North 22 degrees 56  
24 minutes 43 seconds West, a distance of 1,362.89 feet;

25 34. North 07 degrees 44 minutes 45 seconds West, a distance  
26 of 123.56 feet;

27 35. 219.14 feet (called 214.12 feet) along the arc of a

1 curve to the left, said curve having a central angle of 04 degrees  
2 01 minutes 06 seconds, a radius of 3,124.79 feet and a chord that  
3 bears North 39 degrees 48 minutes 05 seconds West, a distance of  
4 219.10 feet to the Point of Beginning and containing 505.83 acres of  
5 land.

6 TRACT 2 - 344.04 ACRES:

7 Being a 344.04-acre tract of land, located in the J.D.  
8 Cochran Survey, A-123 in Montgomery County, Texas; said 344.04-acre  
9 tract being out of a called 1295.994-acre tract of land conveyed to  
10 Primewood Investments, LP in Clerk's File Number 99074137 of the  
11 Official Public Records of Real Property of Montgomery County Texas  
12 (O.P.R.R.P.M.C.T.); said 344.04-acre tract being more particularly  
13 described by metes and bounds as follows (all bearings are  
14 referenced to the northwest line of said called 1295.994-acre  
15 tract):

16 Beginning at a 5/8-inch iron rod (bent) found for a westerly  
17 corner of said called 1295.994-acre tract, same being on the  
18 southwesterly line of said J.D. Cochran Survey;

19 1. Thence, with the southwest line of said called  
20 1295.994-acre tract, North 22 degrees 08 minutes 07 seconds East, a  
21 distance of 273.34 feet to an axle found;

22 2. Thence, continuing with said southwest line, North 47  
23 degrees 37 minutes 18 seconds West, a distance of 85.96 feet to the  
24 south corner of a called 4.080-acre tract of land recorded in  
25 Clerk's File Number 2008111916 of the O.P.R.R.P.M.C.T.;

26 Thence, with the southeast, northeast and northwest lines of  
27 said 4.080-acre tract common with a southerly interior line of said

1 called 1295.994-acre tract, the following three (3) courses:

2 3. North 44 degrees 38 minutes 41 seconds East, a distance  
3 of 485.30 feet;

4 4. North 49 degrees 09 minutes 03 seconds West, a distance  
5 of 370.80 feet;

6 5. South 44 degrees 38 minutes 42 seconds West, a distance  
7 of 475.40 feet to the west corner of aforesaid called 4.080-acre  
8 tract and exterior corner of aforesaid 1295.994 acre tract;

9 6. Thence, continuing with the southwest line of said called  
10 1295.994-acre tract, North 47 degrees 37 minutes 18 seconds West, a  
11 distance of 25.00 feet;

12 7. Thence, with the northwest line of said called  
13 1295.994-acre tract, North 44 degrees 34 minutes 39 seconds East, a  
14 distance of 736.16 feet;

15 8. Thence, continuing with the northwest line of said called  
16 1295.994-acre tract, North 44 degrees 52 minutes 56 seconds East, a  
17 distance of 808.31 feet;

18 Thence, through said called 1295.994-acre tract, the  
19 following seven (7) courses:

20 9. 1,450.72 feet along the arc of a curve to the right, said  
21 curve having a central angle of 10 degrees 23 minutes 24 seconds, a  
22 radius of 8,000.00 feet and a chord that bears South 82 degrees 21  
23 minutes 13 seconds East, a distance of 1,448.73 feet;

24 10. South 77 degrees 09 minutes 31 seconds East, a distance  
25 of 335.90 feet;

26 11. 1,858.47 feet along the arc of a curve to the left, said  
27 curve having a central angle of 13 degrees 18 minutes 37 seconds, a

1 radius of 8,000.00 feet and a chord that bears South 83 degrees 48  
2 minutes 49 seconds East, a distance of 1,854.29 feet;

3 12. South 00 degrees 28 minutes 20 seconds East, a distance  
4 of 3,754.11 feet;

5 13. 1,342.91 feet along the arc of a curve to the right, said  
6 curve having a central angle of 19 degrees 14 minutes 09 seconds, a  
7 radius of 4,000.00 feet and a chord that bears South 09 degrees 08  
8 minutes 44 seconds West, a distance of 1,336.62 feet;

9 14. North 47 degrees 50 minutes 58 seconds West, a distance  
10 of 492.91 feet;

11 15. North 47 degrees 50 minutes 58 seconds West, a distance  
12 of 2,930.27 feet to a westerly interior corner of aforesaid called  
13 1295.994-acre tract;

14 16. Thence, with the southwest line of said called  
15 1295.944-acre tract, North 47 degrees 39 minutes 46 seconds West, a  
16 distance of 2,329.59 feet to the Point of Beginning and containing  
17 344.04 acres of land.

18 TRACT 3 - 602.53 ACRES:

19 Being a 209.21-acre tract of land (Tract A) and a 393.32-acre  
20 tract of land (Tract B), both located in the J.D. Cochran Survey,  
21 A-123 in Montgomery County, Texas; said 209.21-acre tract being out  
22 of a called 1295.994-acre tract of land conveyed to Primewood  
23 Investments, LP in Clerk's File Number 99074137 and said  
24 393.32-acre tract being out of a called 2,253.2253-acre tract of  
25 land conveyed to Terra Investments, LP in Clerk's File Number  
26 2004023496, both of the Official Public Records of Real Property of  
27 Montgomery County Texas (O.P.R.R.P.M.C.T.); said tracts being more

1 particularly described by metes and bounds as follows (all bearings  
2 are referenced to the northwest line of said called 1295.994-acre  
3 tract):

4 TRACT A - 209.21 ACRES:

5 Beginning at a 3-inch iron pipe found for the north corner of  
6 a called 38.52-acre tract of land recorded in Clerk's File Number  
7 9471668 of the O.P.R.R.P.M.C.T. and a northeasterly corner of said  
8 called 1295.994, same being the north corner of a called  
9 43.0969-acre tract (Ninth Tract) and on the southwesterly line of a  
10 called 26.3229- acre tract of land (Tenth Tract) both described in  
11 Clerk's File Number 2004023496 of the O.P.R.R.P.M.C.T.;

12 Thence, with the common line of said called 1295.994-acre  
13 tract and said called 38.52-acre tract, the following five (5)  
14 courses:

15 1. South 41 degrees 42 minutes 29 seconds West, a distance  
16 of 1,630.66 feet to a concrete monument found;

17 2. South 47 degrees 58 minutes 31 seconds East, a distance  
18 of 1,233.64 feet to a concrete monument found;

19 3. North 42 degrees 11 minutes 59 seconds East, a distance  
20 of 587.70 feet;

21 4. South 24 degrees 12 minutes 25 seconds East, a distance  
22 of 500.00 feet;

23 5. North 42 degrees 12 minutes 04 seconds East, a distance  
24 of 439.67 feet to the east corner of aforesaid called 43.0969-acre  
25 tract, same being on the common line of aforesaid called  
26 26.3229-acre tract and aforesaid called 1295.994-acre tract;

27 6. Thence, with said common line, South 24 degrees 12



1 minutes 25 seconds East, a distance of 938.29 feet;

2 Thence, through said called 1295.994-acre tract, the  
3 following six (6) courses:

4 7. 1,679.81 feet along the arc of a curve to the right, said  
5 curve having a central angle of 12 degrees 01 minutes 51 seconds, a  
6 radius of 8,000.00 feet and a chord that bears South 83 degrees 30  
7 minutes 57 seconds West, a distance of 1,676.73 feet;

8 8. North 00 degrees 28 minutes 21 seconds West, a distance  
9 of 1.74 feet;

10 9. South 00 degrees 28 minutes 21 seconds East, a distance  
11 of 1.74 feet;

12 10. 1,858.47 feet along the arc of a curve to the right, said  
13 curve having a central angle of 13 degrees 18 minutes 37 seconds, a  
14 radius of 8,000.00 feet and a chord that bears North 83 degrees 48  
15 minutes 49 seconds West, a distance of 1,854.29 feet;

16 11. North 77 degrees 09 minutes 31 seconds West, a distance  
17 of 335.90 feet;

18 12. 1,450.73 feet along the arc of a curve to the left, said  
19 curve having a central angle of 10 degrees 23 minutes 24 seconds, a  
20 radius of 8,000.00 feet and a chord that bears North 82 degrees 21  
21 minutes 13 seconds West, a distance of 1,448.74 feet to the  
22 northwest line of aforesaid called 1295.994-acre tract;

23 Thence, with said northwest line, the following seven (7)  
24 courses:

25 13. North 44 degrees 53 minutes 03 seconds East, a distance  
26 of 230.17 feet;

27 14. North 44 degrees 10 minutes 27 seconds East, a distance

1 of 494.99 feet;

2 15. North 42 degrees 48 minutes 40 seconds East, a distance  
3 of 1,020.09 feet;

4 16. North 41 degrees 02 minutes 20 seconds East, a distance  
5 of 705.64 feet;

6 17. North 41 degrees 16 minutes 52 seconds East, a distance  
7 of 919.78 feet;

8 18. North 41 degrees 34 minutes 29 seconds East, a distance  
9 of 189.21 feet;

10 19. North 41 degrees 15 minutes 36 seconds East, a distance  
11 of 462.69 feet to the center line of Mills Creek, same being a  
12 northwesterly corner of said called 1295.994-acre tract;

13 Thence, with the meanders of the centerline of said Mills  
14 Creek and the north line of said called 1295.994-acre tract, the  
15 following thirty-one (31) courses:

16 20. South 58 degrees 09 minutes 25 seconds East, a distance  
17 of 18.91 feet;

18 21. North 75 degrees 25 minutes 05 seconds East, a distance  
19 of 44.23 feet;

20 22. North 76 degrees 29 minutes 06 seconds East, a distance  
21 of 46.94 feet;

22 23. South 80 degrees 42 minutes 55 seconds East, a distance  
23 of 64.72 feet;

24 24. South 86 degrees 50 minutes 45 seconds East, a distance  
25 of 60.53 feet;

26 25. North 36 degrees 39 minutes 15 seconds East, a distance  
27 of 73.15 feet;

- 1           26. North 18 degrees 33 minutes 02 seconds West, a distance  
2 of 57.31 feet;
- 3           27. North 18 degrees 45 minutes 50 seconds East, a distance  
4 of 83.26 feet;
- 5           28. North 27 degrees 55 minutes 55 seconds East, a distance  
6 of 34.76 feet;
- 7           29. South 85 degrees 18 minutes 17 seconds East, a distance  
8 of 34.54 feet;
- 9           30. South 29 degrees 46 minutes 38 seconds East, a distance  
10 of 30.04 feet;
- 11          31. South 17 degrees 21 minutes 13 seconds East, a distance  
12 of 55.65 feet;
- 13          32. South 02 degrees 17 minutes 41 seconds West, a distance  
14 of 19.33 feet;
- 15          33. South 25 degrees 27 minutes 35 seconds West, a distance  
16 of 31.69 feet;
- 17          34. South 36 degrees 58 minutes 17 seconds East, a distance  
18 of 29.30 feet;
- 19          35. North 66 degrees 24 minutes 25 seconds East, a distance  
20 of 27.50 feet;
- 21          36. North 30 degrees 38 minutes 53 seconds East, a distance  
22 of 68.33 feet;
- 23          37. North 66 degrees 53 minutes 07 seconds East, a distance  
24 of 42.01 feet;
- 25          38. South 69 degrees 35 minutes 09 seconds East, a distance  
26 of 51.93 feet;
- 27          39. South 83 degrees 58 minutes 20 seconds East, a distance

1 of 33.40 feet;  
2 40. South 57 degrees 01 minutes 02 seconds East, a distance  
3 of 20.46 feet;  
4 41. South 55 degrees 56 minutes 01 seconds East, a distance  
5 of 45.88 feet;  
6 42. South 52 degrees 24 minutes 02 seconds East, a distance  
7 of 35.24 feet;  
8 43. North 85 degrees 55 minutes 25 seconds East, a distance  
9 of 35.59 feet;  
10 44. North 73 degrees 28 minutes 31 seconds East, a distance  
11 of 45.24 feet;  
12 45. North 53 degrees 54 minutes 24 seconds East, a distance  
13 of 41.78 feet;  
14 46. North 15 degrees 19 minutes 11 seconds West, a distance  
15 of 36.63 feet;  
16 47. North 39 degrees 16 minutes 38 seconds West, a distance  
17 of 61.69 feet;  
18 48. North 22 degrees 42 minutes 12 seconds West, a distance  
19 of 26.40 feet;  
20 49. North 71 degrees 43 minutes 49 seconds East, a distance  
21 of 98.69 feet;  
22 50. South 83 degrees 02 minutes 24 seconds East, a distance  
23 of 172.00 feet to the northwest corner of aforesaid called  
24 26.3229-acre tract;  
25 Thence, with the southwest line of said called 26.3229-acre  
26 tract and the northeast line of aforesaid called 1295.994-acre  
27 tract, the following three (3) courses:

1           51. South 24 degrees 12 minutes 25 seconds East, a distance  
2 of 750.22 feet;

3           52. North 65 degrees 47 minutes 35 seconds East, a distance  
4 of 100.00 feet;

5           53. South 24 degrees 12 minutes 25 seconds East, a distance  
6 of 275.57 feet to the Point of Beginning and containing 209.21 acres  
7 of land.

8           TRACT B - 393.32 ACRES:

9           Beginning at a 5/8-inch iron rod found for the most easterly  
10 corner of the aforesaid Tenth Tract and the most southerly corner of  
11 a called 23.686-acre Houston Lighting and Power Company easement  
12 recorded in Clerk's File number 8316278 of the O.P.R.R.P.M.C.T.,  
13 same being on the southeasterly line of aforesaid called  
14 2,253.2253-acre tract and the northwesterly line of Decker Woods, a  
15 subdivision recorded in Cabinet C, Sheets 109 A and B of the  
16 Montgomery County Plat Records (M.C.P.R.)

17           Thence, with the common line of said Tenth Tract and said  
18 called 23.686-acre tract, the following fifteen (15) courses:

19           1. North 24 degrees 12 minutes 25 seconds West, a distance  
20 of 863.48 feet to a 1/2-iron rod found;

21           2. North 65 degrees 47 minutes 35 seconds East, a distance  
22 of 50.00 feet to a 1/2-iron rod found;

23           3. North 24 degrees 12 minutes 25 seconds West, a distance  
24 of 1,700.00 feet;

25           4. South 65 degrees 47 minutes 35 seconds West, a distance  
26 of 50.00 feet;

27           5. North 24 degrees 12 minutes 25 seconds West, a distance

1 of 1,001.00 feet;  
2           6. North 65 degrees 47 minutes 35 seconds East, a distance  
3 of 50.00 feet;  
4           7. North 24 degrees 12 minutes 25 seconds West, a distance  
5 of 1,501.00 feet;  
6           8. South 65 degrees 47 minutes 35 seconds West, a distance  
7 of 50.00 feet;  
8           9. North 24 degrees 12 minutes 25 seconds West, a distance  
9 of 1,000.00 feet;  
10          10. North 65 degrees 47 minutes 35 seconds East, a distance  
11 of 25.00 feet;  
12          11. North 24 degrees 12 minutes 25 seconds West, a distance  
13 of 300.00 feet;  
14          12. South 65 degrees 47 minutes 35 seconds West, a distance  
15 of 25.00 feet;  
16          13. North 24 degrees 12 minutes 25 seconds West, a distance  
17 of 400.00 feet;  
18          14. North 65 degrees 47 minutes 35 seconds East, a distance  
19 of 100.00 feet to 5/8-inch iron rod (bent) found;  
20          15. North 24 degrees 12 minutes 25 seconds West, a distance  
21 of 261.27 feet to the most easterly northeast corner of aforesaid  
22 Tenth Tract and the most northerly northwest corner of aforesaid  
23 called 23.686-acre tract, same being on the north line of aforesaid  
24 called 2,253.2253-acre tract in the centerline of Mill Creek;  
25          Thence, with the north line of said called 2,253.2253-acre  
26 tract common with the meanders of the centerline of said Mill Creek,  
27 the following forty-three (43) courses;

- 1           16. North 86 degrees 04 minutes 11 seconds East, a distance  
2 of 16.99 feet;
- 3           17. North 65 degrees 03 minutes 06 seconds East, a distance  
4 of 35.22 feet;
- 5           18. North 28 degrees 51 minutes 31 seconds East, a distance  
6 of 24.61 feet;
- 7           19. North 38 degrees 48 minutes 42 seconds East, a distance  
8 of 22.80 feet;
- 9           20. North 55 degrees 36 minutes 13 seconds East, a distance  
10 of 32.36 feet;
- 11          21. North 78 degrees 50 minutes 25 seconds East, a distance  
12 of 74.30 feet;
- 13          22. North 50 degrees 08 minutes 54 seconds East, a distance  
14 of 28.09 feet;
- 15          23. North 26 degrees 11 minutes 13 seconds East, a distance  
16 of 22.71 feet;
- 17          24. North 19 degrees 28 minutes 17 seconds East, a distance  
18 of 26.11 feet;
- 19          25. North 14 degrees 06 minutes 25 seconds West, a distance  
20 of 20.13 feet;
- 21          26. North 42 degrees 38 minutes 46 seconds West, a distance  
22 of 43.42 feet;
- 23          27. North 12 degrees 00 minutes 05 seconds West, a distance  
24 of 113.03 feet;
- 25          28. North 39 degrees 02 minutes 17 seconds East, a distance  
26 of 34.22 feet;
- 27          29. South 69 degrees 43 minutes 50 seconds East, a distance

- 1 of 27.69 feet;
- 2           30. South 30 degrees 14 minutes 18 seconds East, a distance  
3 of 56.66 feet;
- 4           31. North 36 degrees 24 minutes 53 seconds East, a distance  
5 of 29.94 feet;
- 6           32. North 44 degrees 53 minutes 54 seconds East, a distance  
7 of 37.03 feet;
- 8           33. North 03 degrees 15 minutes 42 seconds West, a distance  
9 of 51.37 feet;
- 10          34. North 49 degrees 56 minutes 32 seconds East, a distance  
11 of 29.20 feet;
- 12          35. South 82 degrees 03 minutes 05 seconds East, a distance  
13 of 102.24 feet;
- 14          36. North 14 degrees 15 minutes 56 seconds East, a distance  
15 of 47.43 feet;
- 16          37. North 70 degrees 36 minutes 01 seconds East, a distance  
17 of 52.42 feet;
- 18          38. North 61 degrees 12 minutes 25 seconds East, a distance  
19 of 104.30 feet;
- 20          39. North 20 degrees 17 minutes 28 seconds West, a distance  
21 of 166.23 feet;
- 22          40. North 62 degrees 49 minutes 54 seconds West, a distance  
23 of 40.61 feet;
- 24          41. North 32 degrees 41 minutes 01 seconds East, a distance  
25 of 40.55 feet;
- 26          42. North 60 degrees 40 minutes 18 seconds West, a distance  
27 of 46.50 feet;



- 1           43. North 30 degrees 09 minutes 24 seconds East, a distance  
2 of 37.94 feet;
- 3           44. North 43 degrees 46 minutes 37 seconds West, a distance  
4 of 42.24 feet;
- 5           45. North 45 degrees 55 minutes 50 seconds East, a distance  
6 of 37.07 feet;
- 7           46. North 08 degrees 17 minutes 58 seconds East, a distance  
8 of 142.81 feet;
- 9           47. North 33 degrees 29 minutes 34 seconds East, a distance  
10 of 100.25 feet;
- 11          48. North 64 degrees 02 minutes 14 seconds West, a distance  
12 of 59.00 feet;
- 13          49. North 71 degrees 17 minutes 47 seconds East, a distance  
14 of 133.57 feet;
- 15          50. North 64 degrees 02 minutes 14 seconds West, a distance  
16 of 100.00 feet;
- 17          51. North 68 degrees 32 minutes 18 seconds East, a distance  
18 of 140.42 feet;
- 19          52. North 64 degrees 02 minutes 14 seconds West, a distance  
20 of 104.80 feet;
- 21          53. North 72 degrees 14 minutes 34 seconds East, a distance  
22 of 151.92 feet;
- 23          54. North 07 degrees 44 minutes 37 seconds East, a distance  
24 of 67.17 feet;
- 25          55. North 57 degrees 14 minutes 54 seconds West, a distance  
26 of 42.30 feet;
- 27          56. North 12 degrees 46 minutes 20 seconds East, a distance

1 of 26.29 feet;

2 57. North 13 degrees 07 minutes 58 seconds East, a distance  
3 of 99.07 feet;

4 58. North 26 degrees 58 minutes 13 seconds East, a distance  
5 of 44.75 feet (called 45.08 feet) to a northerly corner of aforesaid  
6 called 2,253.2253-acre tract, same being the common line of  
7 aforesaid J.D. Cochran Survey and the J.H. Smith Survey, A-553;

8 59. Thence, with the northeast line of said called  
9 2,253.2253-acre tract, same being the common line of said J.D.  
10 Cochran Survey and J.H. Smith Survey, South 47 degrees 56 minutes 17  
11 seconds East, a distance of 2,140.08 feet (called 2140.82 feet) to  
12 an angle iron found for the north corner of a called 55-acre tract  
13 recorded in Volume 189, Page 286 of the Montgomery County Deed  
14 Records;

15 60. Thence, with the north line of said called 55-acre tract  
16 and a southerly interior line of said called 2,253.2253-acre tract,  
17 South 42 degrees 29 minutes 43 seconds West, a distance of 1,756.17  
18 feet (called 1727.49) to the west corner of said called 55-acre  
19 tract, same being the centerline of aforesaid Mills Creek;

20 Thence, with the meanders of the centerline of said Mills  
21 Creek and an interior line of said called 2,253.2253-acre tract,  
22 the following thirty-six (36) courses

23 61. South 64 degrees 41 minutes 47 seconds East, a distance  
24 of 2.74 feet;

25 62. South 21 degrees 48 minutes 18 seconds East, a distance  
26 of 52.81 feet;

27 63. South 64 degrees 41 minutes 36 seconds East, a distance

- 1 of 54.96 feet;
- 2           64. South 83 degrees 18 minutes 32 seconds East, a distance  
3 of 61.10 feet;
- 4           65. South 54 degrees 20 minutes 49 seconds East, a distance  
5 of 27.20 feet;
- 6           66. South 11 degrees 07 minutes 49 seconds East, a distance  
7 of 113.60 feet;
- 8           67. South 27 degrees 09 minutes 49 seconds East, a distance  
9 of 45.71 feet;
- 10          68. South 07 degrees 58 minutes 28 seconds East, a distance  
11 of 42.29 feet;
- 12          69. South 17 degrees 45 minutes 44 seconds East, a distance  
13 of 32.30 feet;
- 14          70. South 21 degrees 41 minutes 48 seconds East, a distance  
15 of 61.06 feet;
- 16          71. South 44 degrees 44 minutes 07 seconds East, a distance  
17 of 56.04 feet;
- 18          72. South 34 degrees 40 minutes 32 seconds East, a distance  
19 of 30.79 feet;
- 20          73. South 55 degrees 36 minutes 46 seconds East, a distance  
21 of 90.41 feet;
- 22          74. South 73 degrees 54 minutes 21 seconds East, a distance  
23 of 118.49 feet;
- 24          75. South 85 degrees 59 minutes 57 seconds East, a distance  
25 of 83.51 feet;
- 26          76. North 84 degrees 57 minutes 13 seconds East, a distance  
27 of 116.43 feet;

- 1           77. North 57 degrees 37 minutes 43 seconds East, a distance  
2 of 140.93 feet;
- 3           78. South 57 degrees 05 minutes 09 seconds East, a distance  
4 of 84.24 feet;
- 5           79. South 17 degrees 30 minutes 52 seconds West, a distance  
6 of 51.67 feet;
- 7           80. South 04 degrees 55 minutes 00 seconds East, a distance  
8 of 10.08 feet;
- 9           81. South 31 degrees 47 minutes 41 seconds East, a distance  
10 of 55.23 feet;
- 11          82. North 89 degrees 15 minutes 06 seconds East, a distance  
12 of 224.42 feet;
- 13          83. South 48 degrees 47 minutes 25 seconds East, a distance  
14 of 107.54 feet;
- 15          84. North 74 degrees 55 minutes 17 seconds East, a distance  
16 of 61.27 feet;
- 17          85. South 78 degrees 55 minutes 54 seconds East, a distance  
18 of 121.00 feet;
- 19          86. North 71 degrees 52 minutes 15 seconds East, a distance  
20 of 77.90 feet;
- 21          87. North 49 degrees 58 minutes 05 seconds East, a distance  
22 of 278.38 feet;
- 23          88. North 26 degrees 38 minutes 59 seconds East, a distance  
24 of 43.39 feet;
- 25          89. North 09 degrees 39 minutes 19 seconds East, a distance  
26 of 135.91 feet;
- 27          90. North 73 degrees 14 minutes 43 seconds East, a distance

1 of 110.43 feet;

2 91. North 72 degrees 44 minutes 00 seconds East, a distance  
3 of 130.57 feet;

4 92. South 61 degrees 47 minutes 52 seconds East, a distance  
5 of 31.32 feet;

6 93. South 14 degrees 45 minutes 20 seconds East, a distance  
7 of 47.51 feet;

8 94. South 37 degrees 46 minutes 20 seconds East, a distance  
9 of 70.58 feet;

10 95. South 79 degrees 12 minutes 47 seconds East, a distance  
11 of 37.44 feet;

12 96. South 47 degrees 23 minutes 10 seconds East, a distance  
13 of 6.47 feet to the most easterly south corner of a called  
14 44.3605-acre tract recorded in Clerk's File Number 9342675 of the  
15 O.P.R.R.P.M.C.T.;

16 97. Thence, with the common line of said called 44.3605-acre  
17 tract and said called 2,253.2253-acre tract, North 42 degrees 36  
18 minutes 51 seconds East, at 25.66 feet pass a 1-inch pipe found,  
19 continuing a total a distance of 557.63 feet to a northeasterly  
20 exterior corner of said called 2,253.2253-acre tract;

21 98. Thence, with the northeast line of said 2,253.2253-acre  
22 tract, South 47 degrees 32 minutes 00 seconds East, a distance of  
23 2,965.39 feet (called 2965.05 feet) to the east corner of said  
24 called 2,253.2253-acre tract;

25 99. Thence, with the southeast line of said called  
26 2,253.2253-acre tract, South 41 degrees 31 minutes 41 seconds West,  
27 a distance of 3,998.52 feet to a 4" X 4" concrete monument found;

1           100. Thence, continuing with said southeast line, South 41  
2 degrees 31 minutes 03 seconds West, a distance of 446.14 feet  
3 (called S41°32'47"W, 446.10') to the Point of Beginning and  
4 containing 393.32 acres of land.

5           TRACT 4 - 306.03 ACRES:

6           Being a 306.03-acre tract of land, located in the J.D.  
7 Cochran Survey, A-123 in Montgomery County, Texas; said 306.03-acre  
8 tract being out of a called 1295.994-acre tract of land conveyed to  
9 Primewood Investments, LP in Clerk's File Number 99074137 of the  
10 Official Public Records of Real Property of Montgomery County Texas  
11 (O.P.R.R.P.M.C.T.); said 306.03-acre tract being more particularly  
12 described by metes and bounds as follows (all bearings are  
13 referenced to the northwest line of said called 1295.994-acre  
14 tract):

15           Beginning at the most easterly corner of said called  
16 1295.994-acre tract and the most southerly corner of a called  
17 26.3329-acre tract of land (Tenth Tract) described in Clerk's File  
18 Number 2004023496 of the O.P.R.R.P.M.C.T. from which a 5/8-inch  
19 iron rod found for the most easterly corner of said called  
20 26.3229-acre tract bears N41°32'34"E, 109.67', same being on the  
21 common line of aforesaid J.D. Cochran Survey and the E. R. Hale  
22 Survey, A-264;

23           54. Thence, with the southwest line of said called  
24 1295.994-acre tract, the northwest line of said E. R. Hale Survey  
25 and the southeast line of said J.D. Cochran Survey, South 41 degrees  
26 32 minutes 47 seconds West, at a distance of 2,079.24 feet pass and  
27 interior corner of said called 1295.994-acre tract, continuing

1 through said called 1295.994-acre tract and with the common line of  
2 said J.D. Cochran Survey and the E.R Hale Survey, a total distance  
3 of 3698.53 feet to the south corner of said J.D. Cochran Survey and  
4 a northerly interior corner of said E.R. Hale Survey;

5         55. Thence, with the common line of said J.D. Cochran Survey  
6 and said E.R. Hale Survey, North 47 degrees 50 minutes 58 seconds  
7 West, a distance of 1,298.58 feet;

8         Thence, through said called 1295.994-acre tract, the  
9 following three (3) courses:

10         56. 1,342.91 feet along the arc of a curve to the left, said  
11 curve having a central angle of 19 degrees 14 minutes 09 seconds, a  
12 radius of 4,000.00 feet and a chord that bears North 09 degrees 08  
13 minutes 44 seconds East, a distance of 1,336.62 feet;

14         57. North 00 degrees 28 minutes 20 seconds West, a distance  
15 of 3,754.11 feet;

16         58. 1,679.81 feet along the arc of a curve to the left, said  
17 curve having a central angle of 12 degrees 01 minutes 51 seconds, a  
18 radius of 8,000.00 feet and a chord that bears North 83 degrees 30  
19 minutes 57 seconds East, a distance of 1,676.73 feet to the  
20 southwest line of aforesaid called 26.3229-acre tract common with  
21 the northeast line of aforesaid called 1295.994-acre tract;

22         Thence, with said common line, the following seven (7)  
23 courses:

24         59. South 24 degrees 12 minutes 25 seconds East, a distance  
25 of 103.86 feet;

26         60. North 65 degrees 47 minutes 35 seconds East, a distance  
27 of 50.00 feet;

1           61. South 24 degrees 12 minutes 25 seconds East, a distance  
2 of 1,001.00 feet;

3           62. South 65 degrees 47 minutes 35 seconds West, a distance  
4 of 50.00 feet;

5           63. South 24 degrees 12 minutes 25 seconds East, a distance  
6 of 1,700.00 feet;

7           64. North 65 degrees 47 minutes 35 seconds East, a distance  
8 of 50.00 feet;

9           65. South 24 degrees 12 minutes 25 seconds East, a distance  
10 of 908.52 feet to the Point of Beginning and containing 306.03 acres  
11 of land.

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

19           (b) The governor, one of the required recipients, has  
20 submitted the notice and Act to the Texas Commission on  
21 Environmental Quality.

22           (c) The Texas Commission on Environmental Quality has filed  
23 its recommendations relating to this Act with the governor, the  
24 lieutenant governor, and the speaker of the house of  
25 representatives within the required time.

26           (d) All requirements of the constitution and laws of this  
27 state and the rules and procedures of the legislature with respect



1 to the notice, introduction, and passage of this Act are fulfilled  
2 and accomplished.

3 SECTION 4. (a) If this Act does not receive a two-thirds  
4 vote of all the members elected to each house, Subchapter C, Chapter  
5 8052, Special District Local Laws Code, as added by Section 1 of  
6 this Act, is amended by adding Section 8052.0307 to read as follows:

7 Sec. 8052.0307. NO EMINENT DOMAIN POWER. The district may  
8 not exercise the power of eminent domain.

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

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