

1-1 By: Creighton S.B. No. 2461  
 1-2 (In the Senate - Filed March 26, 2019; March 27, 2019, read  
 1-3 first time and referred to Committee on Intergovernmental  
 1-4 Relations; April 23, 2019, reported favorably by the following  
 1-5 vote: Yeas 6, Nays 0; April 23, 2019, sent to printer.)

1-6 COMMITTEE VOTE

|                | Yea | Nay | Absent | PNV |
|----------------|-----|-----|--------|-----|
| 1-7 Lucio      | X   |     |        |     |
| 1-8 Schwertner | X   |     |        |     |
| 1-9 Alvarado   | X   |     |        |     |
| 1-10 Campbell  | X   |     |        |     |
| 1-11 Fallon    | X   |     |        |     |
| 1-12 Menéndez  |     |     | X      |     |
| 1-13 Nichols   | X   |     |        |     |

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

1-17 relating to the creation of the Montgomery County Management  
 1-18 District No. 1; providing authority to issue bonds; providing  
 1-19 authority 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 3979 to read as follows:

1-23 CHAPTER 3979. MONTGOMERY COUNTY MANAGEMENT DISTRICT NO. 1

1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 3979.0101. DEFINITIONS. In this chapter:

- 1-26 (1) "Board" means the district's board of directors.
- 1-27 (2) "Commission" means the Texas Commission on  
 1-28 Environmental Quality.
- 1-29 (3) "County" means Montgomery County.
- 1-30 (4) "Director" means a board member.
- 1-31 (5) "District" means the Montgomery County Management  
 1-32 District No. 1.

1-33 Sec. 3979.0102. CREATION AND NATURE OF DISTRICT; IMMUNITY.

1-34 (a) The district is a special district created under Section 59,  
 1-35 Article XVI, Texas Constitution.

1-36 (b) The district is a governmental unit, as provided by  
 1-37 Section 375.004, Local Government Code.

1-38 (c) This chapter does not waive any governmental or  
 1-39 sovereign immunity from suit, liability, or judgment that would  
 1-40 otherwise apply to the district.

1-41 Sec. 3979.0103. PURPOSE; DECLARATION OF INTENT. (a) The  
 1-42 creation of the district is essential to accomplish the purposes of  
 1-43 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
 1-44 Texas Constitution, and other public purposes stated in this  
 1-45 chapter.

1-46 (b) By creating the district, the legislature has  
 1-47 established a program to accomplish the public purposes set out in  
 1-48 Sections 52 and 52-a, Article III, Texas Constitution.

1-49 (c) The creation of the district is necessary to promote,  
 1-50 develop, encourage, and maintain employment, commerce,  
 1-51 transportation, housing, tourism, recreation, the arts,  
 1-52 entertainment, economic development, safety, and the public  
 1-53 welfare in the district.

1-54 (d) This chapter and the creation of the district may not be  
 1-55 interpreted to relieve the county or a municipality from providing  
 1-56 the level of services provided as of the effective date of the Act  
 1-57 enacting this chapter to the area in the district. The district is  
 1-58 created to supplement and not to supplant county or municipal  
 1-59 services provided in the district.

1-60 Sec. 3979.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-61 (a) All land and other property included in the district will

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

2-5 (b) The district is created to serve a public use and  
2-6 benefit.

2-7 (c) The creation of the district is in the public interest  
2-8 and is essential to further the public purposes of:

2-9 (1) developing and diversifying the economy of the  
2-10 state;

2-11 (2) eliminating unemployment and underemployment; and

2-12 (3) developing or expanding transportation and  
2-13 commerce.

2-14 (d) The district will:

2-15 (1) promote the health, safety, and general welfare of  
2-16 residents, employers, potential employees, employees, visitors,  
2-17 and consumers in the district, and of the public;

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

2-21 (3) promote the health, safety, welfare, and enjoyment  
2-22 of the public by providing pedestrian ways, road facilities,  
2-23 transit facilities, parking facilities, recreational facilities,  
2-24 and public art objects and by landscaping and developing certain  
2-25 areas in the district, which are necessary for the restoration,  
2-26 preservation, and enhancement of scenic beauty; and

2-27 (4) provide for water, wastewater, and drainage  
2-28 facilities for the district.

2-29 (e) Pedestrian ways along or across a street, whether at  
2-30 grade or above or below the surface, and street lighting, street  
2-31 landscaping, parking, and street art objects are parts of and  
2-32 necessary components of a street and are considered to be a street  
2-33 or road improvement.

2-34 (f) The district will not act as the agent or  
2-35 instrumentality of any private interest even though the district  
2-36 will benefit many private interests as well as the public.

2-37 Sec. 3979.0105. INITIAL DISTRICT TERRITORY. (a) The  
2-38 district is initially composed of the territory described by  
2-39 Section 2 of the Act enacting this chapter.

2-40 (b) The boundaries and field notes contained in Section 2 of  
2-41 the Act enacting this chapter form a closure. A mistake in the  
2-42 field notes or in copying the field notes in the legislative process  
2-43 does not affect the district's:

2-44 (1) organization, existence, or validity;

2-45 (2) right to issue any type of bonds for the purposes  
2-46 for which the district is created or to pay the principal of and  
2-47 interest on the bonds;

2-48 (3) right to impose or collect an assessment or tax; or

2-49 (4) legality or operation.

2-50 Sec. 3979.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

2-51 All or any part of the area of the district is eligible to be  
2-52 included in:

2-53 (1) a tax increment reinvestment zone created under  
2-54 Chapter 311, Tax Code;

2-55 (2) a tax abatement reinvestment zone created under  
2-56 Chapter 312, Tax Code;

2-57 (3) an enterprise zone created under Chapter 2303,  
2-58 Government Code; or

2-59 (4) an industrial district created under Chapter 42,  
2-60 Local Government Code.

2-61 Sec. 3979.0107. 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. 3979.0108. LIBERAL CONSTRUCTION OF CHAPTER. This  
2-65 chapter shall be liberally construed in conformity with the  
2-66 findings and purposes stated in this chapter.

2-67 Sec. 3979.0109. CONFLICTS OF LAW. This chapter prevails  
2-68 over any provision of general law, including a provision of Chapter  
2-69 375, Local Government Code, or Chapter 49, Water Code, that is in

3-1 conflict or inconsistent with this chapter.

3-2 SUBCHAPTER B. BOARD OF DIRECTORS

3-3 Sec. 3979.0201. GOVERNING BODY; TERMS. (a) The district  
 3-4 is governed by a board of five directors elected or appointed as  
 3-5 provided by this chapter and Subchapter D, Chapter 49, Water Code.

3-6 (b) Except as provided by Section 3979.0203, directors  
 3-7 serve staggered four-year terms.

3-8 Sec. 3979.0202. COMPENSATION. A director is entitled to  
 3-9 receive fees of office and reimbursement for actual expenses as  
 3-10 provided by Section 49.060, Water Code. Sections 375.069 and  
 3-11 375.070, Local Government Code, do not apply to the board.

3-12 Sec. 3979.0203. TEMPORARY DIRECTORS. (a) On or after the  
 3-13 effective date of the Act enacting this chapter, the owner or owners  
 3-14 of a majority of the assessed value of the real property in the  
 3-15 district according to the most recent certified tax appraisal roll  
 3-16 for the county may submit a petition to the commission requesting  
 3-17 that the commission appoint as temporary directors the five persons  
 3-18 named in the petition. The commission shall appoint as temporary  
 3-19 directors the five persons named in the petition.

3-20 (b) The temporary directors shall hold an election to elect  
 3-21 five permanent directors as provided by Section 49.102, Water Code.

3-22 (c) Temporary directors serve until the earlier of:

3-23 (1) the date permanent directors are elected under  
 3-24 Subsection (b); or

3-25 (2) the fourth anniversary of the effective date of  
 3-26 the Act enacting this chapter.

3-27 (d) If permanent directors have not been elected under  
 3-28 Subsection (b) and the terms of the temporary directors have  
 3-29 expired, successor temporary directors shall be appointed or  
 3-30 reappointed as provided by Subsection (e) to serve terms that  
 3-31 expire on the earlier of:

3-32 (1) the date permanent directors are elected under  
 3-33 Subsection (b); or

3-34 (2) the fourth anniversary of the date of the  
 3-35 appointment or reappointment.

3-36 (e) If Subsection (d) applies, the owner or owners of a  
 3-37 majority of the assessed value of the real property in the district  
 3-38 according to the most recent certified tax appraisal roll for the  
 3-39 county may submit a petition to the commission requesting that the  
 3-40 commission appoint as successor temporary directors the five  
 3-41 persons named in the petition. The commission shall appoint as  
 3-42 successor temporary directors the five persons named in the  
 3-43 petition.

3-44 Sec. 3979.0204. DISQUALIFICATION OF DIRECTORS. Section  
 3-45 49.052, Water Code, applies to the members of the board.

3-46 SUBCHAPTER C. POWERS AND DUTIES

3-47 Sec. 3979.0301. GENERAL POWERS AND DUTIES. The district  
 3-48 has the powers and duties necessary to accomplish the purposes for  
 3-49 which the district is created.

3-50 Sec. 3979.0302. IMPROVEMENT PROJECTS AND SERVICES.

3-51 (a) The district, using any money available to the district for  
 3-52 the purpose, may provide, design, construct, acquire, improve,  
 3-53 relocate, operate, maintain, or finance an improvement project or  
 3-54 service authorized under this chapter or Chapter 375, Local  
 3-55 Government Code.

3-56 (b) The district may contract with a governmental or private  
 3-57 entity to carry out an action under Subsection (a).

3-58 (c) The implementation of a district project or service is a  
 3-59 governmental function or service for the purposes of Chapter 791,  
 3-60 Government Code.

3-61 Sec. 3979.0303. RECREATIONAL FACILITIES. The district may  
 3-62 develop or finance recreational facilities as authorized by Chapter  
 3-63 375, Local Government Code, Sections 52 and 52-a, Article III,  
 3-64 Texas Constitution, Section 59, Article XVI, Texas Constitution,  
 3-65 and any other law that applies to the district.

3-66 Sec. 3979.0304. AUTHORITY FOR ROAD PROJECTS. Under Section  
 3-67 52, Article III, Texas Constitution, the district may own, operate,  
 3-68 maintain, design, acquire, construct, finance, issue bonds, notes,  
 3-69 or other obligations for, improve, and convey to this state, a

4-1 county, or a municipality for ownership, operation, and maintenance  
4-2 macadamized, graveled, or paved roads or improvements, including  
4-3 storm drainage, in aid of those roads.

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

4-5 (a) The district may convey a road project authorized by Section  
4-6 3979.0304 to:

4-7 (1) a municipality or county that will operate and  
4-8 maintain the road if the municipality or county has approved the  
4-9 plans and specifications of the road project; or

4-10 (2) the state if the state will operate and maintain  
4-11 the road and the Texas Transportation Commission has approved the  
4-12 plans and specifications of the road project.

4-13 (b) Except as provided by Subsection (c), the district shall  
4-14 operate and maintain a road project authorized by Section 3979.0304  
4-15 that the district implements and does not convey to a municipality,  
4-16 a county, or this state under Subsection (a).

4-17 (c) The district may agree in writing with a municipality, a  
4-18 county, or this state to assign operation and maintenance duties to  
4-19 the district, the municipality, the county, or this state in a  
4-20 manner other than the manner described in Subsections (a) and (b).

4-21 Sec. 3979.0306. NONPROFIT CORPORATION. (a) The board by  
4-22 resolution may authorize the creation of a nonprofit corporation to  
4-23 assist and act for the district in implementing a project or  
4-24 providing a service authorized by this chapter.

4-25 (b) The nonprofit corporation:

4-26 (1) has each power of and is considered to be a local  
4-27 government corporation created under Subchapter D, Chapter 431,  
4-28 Transportation Code; and

4-29 (2) may implement any project and provide any service  
4-30 authorized by this chapter.

4-31 (c) The board shall appoint the board of directors of the  
4-32 nonprofit corporation. The board of directors of the nonprofit  
4-33 corporation shall serve in the same manner as the board of directors  
4-34 of a local government corporation created under Subchapter D,  
4-35 Chapter 431, Transportation Code, except that a board member is not  
4-36 required to reside in the district.

4-37 Sec. 3979.0307. LAW ENFORCEMENT SERVICES. Section 49.216,  
4-38 Water Code, applies to the district.

4-39 Sec. 3979.0308. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.  
4-40 The district may join and pay dues to a charitable or nonprofit  
4-41 organization that performs a service or provides an activity  
4-42 consistent with the furtherance of a district purpose.

4-43 Sec. 3979.0309. ECONOMIC DEVELOPMENT PROGRAMS. (a) The  
4-44 district may engage in activities that accomplish the economic  
4-45 development purposes of the district.

4-46 (b) The district may establish and provide for the  
4-47 administration of one or more programs to promote state or local  
4-48 economic development and to stimulate business and commercial  
4-49 activity in the district, including programs to:

4-50 (1) make loans and grants of public money; and

4-51 (2) provide district personnel and services.

4-52 (c) The district may create economic development programs  
4-53 and exercise the economic development powers that:

4-54 (1) Chapter 380, Local Government Code, provides to a  
4-55 municipality; and

4-56 (2) Subchapter A, Chapter 1509, Government Code,  
4-57 provides to a municipality.

4-58 Sec. 3979.0310. STRATEGIC PARTNERSHIP AGREEMENT. The  
4-59 district may negotiate and enter into a written strategic  
4-60 partnership agreement with a municipality under Section 43.0751,  
4-61 Local Government Code.

4-62 Sec. 3979.0311. REGIONAL PARTICIPATION AGREEMENT. The  
4-63 district may negotiate and enter into a written regional  
4-64 participation agreement with a municipality under Section 43.0754,  
4-65 Local Government Code.

4-66 Sec. 3979.0312. PARKING FACILITIES. (a) The district may  
4-67 acquire, lease as lessor or lessee, construct, develop, own,  
4-68 operate, and maintain parking facilities or a system of parking  
4-69 facilities, including lots, garages, parking terminals, or other

5-1 structures or accommodations for parking motor vehicles off the  
5-2 streets and related appurtenances.

5-3 (b) The district's parking facilities serve the public  
5-4 purposes of the district and are owned, used, and held for a public  
5-5 purpose even if leased or operated by a private entity for a term of  
5-6 years.

5-7 (c) The district's parking facilities are parts of and  
5-8 necessary components of a street and are considered to be a street  
5-9 or road improvement.

5-10 (d) The development and operation of the district's parking  
5-11 facilities may be considered an economic development program.

5-12 Sec. 3979.0313. ADDING OR EXCLUDING LAND. (a) The  
5-13 district may add land as provided by Subchapter J, Chapter 49, Water  
5-14 Code.

5-15 (b) The district may exclude land as provided by Subchapter  
5-16 J, Chapter 49, Water Code. Section 375.044(b), Local Government  
5-17 Code, does not apply to the district.

5-18 (c) The district may include and exclude land as provided by  
5-19 Sections 54.739-54.747, Water Code. A reference in those sections  
5-20 to a "tax" means an ad valorem tax for the purposes of this  
5-21 subsection.

5-22 (d) If the district adopts a sales and use tax authorized at  
5-23 an election held under Section 3979.0602 and subsequently includes  
5-24 new territory in the district under this section, the district:

5-25 (1) is not required to hold another election to  
5-26 approve the imposition of the sales and use tax in the included  
5-27 territory; and

5-28 (2) shall impose the sales and use tax in the included  
5-29 territory as provided by Chapter 321, Tax Code.

5-30 (e) If the district adopts a sales and use tax authorized at  
5-31 an election held under Section 3979.0602 and subsequently excludes  
5-32 territory in the district under this section, the sales and use tax  
5-33 is inapplicable to the excluded territory, as provided by Chapter  
5-34 321, Tax Code, but is applicable to the territory remaining in the  
5-35 district.

5-36 Sec. 3979.0314. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
5-37 board by resolution shall establish the number of directors'  
5-38 signatures and the procedure required for a disbursement or  
5-39 transfer of district money.

5-40 Sec. 3979.0315. AUDIT EXEMPTION. (a) The district may  
5-41 elect to complete an annual financial report in lieu of an annual  
5-42 audit under Section 375.096(a)(6), Local Government Code, if:

5-43 (1) the district had no bonds or other long-term (more  
5-44 than one year) liabilities outstanding during the fiscal period;

5-45 (2) the district did not have gross receipts from  
5-46 operations, loans, taxes, assessments, or contributions in excess  
5-47 of \$250,000 during the fiscal period; and

5-48 (3) the district's cash and temporary investments were  
5-49 not in excess of \$250,000 during the fiscal period.

5-50 (b) Each annual financial report prepared in accordance  
5-51 with this section must be open to public inspection and accompanied  
5-52 by an affidavit signed by a duly authorized representative of the  
5-53 district attesting to the accuracy and authenticity of the  
5-54 financial report.

5-55 (c) The annual financial report and affidavit shall be  
5-56 substantially similar in form to the annual financial report and  
5-57 affidavit forms prescribed by the executive director of the  
5-58 commission under Section 49.198, Water Code.

5-59 Sec. 3979.0316. NO EMINENT DOMAIN POWER. The district may  
5-60 not exercise the power of eminent domain.

5-61 SUBCHAPTER D. ASSESSMENTS

5-62 Sec. 3979.0401. PETITION REQUIRED FOR FINANCING SERVICES  
5-63 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance  
5-64 a service or improvement project with assessments under this  
5-65 chapter unless a written petition requesting that service or  
5-66 improvement has been filed with the board.

5-67 (b) A petition filed under Subsection (a) must be signed by  
5-68 the owners of a majority of the assessed value of real property in  
5-69 the district subject to assessment according to the most recent

6-1 certified tax appraisal roll for the county.  
6-2 Sec. 3979.0402. METHOD OF NOTICE FOR HEARING. The district  
6-3 may mail the notice required by Section 375.115(c), Local  
6-4 Government Code, by certified or first class United States mail.  
6-5 The board shall determine the method of notice.  
6-6 Sec. 3979.0403. ASSESSMENTS; LIENS FOR ASSESSMENTS.  
6-7 (a) The board by resolution may impose and collect an assessment  
6-8 for any purpose authorized by this chapter in all or any part of the  
6-9 district.  
6-10 (b) An assessment, a reassessment, or an assessment  
6-11 resulting from an addition to or correction of the assessment roll  
6-12 by the district, penalties and interest on an assessment or  
6-13 reassessment, an expense of collection, and reasonable attorney's  
6-14 fees incurred by the district:  
6-15 (1) are a first and prior lien against the property  
6-16 assessed;  
6-17 (2) are superior to any other lien or claim other than  
6-18 a lien or claim for county, school district, or municipal ad valorem  
6-19 taxes; and  
6-20 (3) are the personal liability of and a charge against  
6-21 the owners of the property even if the owners are not named in the  
6-22 assessment proceedings.  
6-23 (c) The lien is effective from the date of the board's  
6-24 resolution imposing the assessment until the date the assessment is  
6-25 paid. The board may enforce the lien in the same manner that the  
6-26 board may enforce an ad valorem tax lien against real property.  
6-27 (d) The board may make a correction to or deletion from the  
6-28 assessment roll that does not increase the amount of assessment of  
6-29 any parcel of land without providing notice and holding a hearing in  
6-30 the manner required for additional assessments.  
6-31 SUBCHAPTER E. TAXES AND BONDS  
6-32 Sec. 3979.0501. TAX ELECTION REQUIRED. The district must  
6-33 hold an election in the manner provided by Chapter 49, Water Code,  
6-34 or, if applicable, Chapter 375, Local Government Code, to obtain  
6-35 voter approval before the district may impose an ad valorem tax.  
6-36 Sec. 3979.0502. OPERATION AND MAINTENANCE TAX. (a) If  
6-37 authorized by a majority of the district voters voting at an  
6-38 election under Section 3979.0501, the district may impose an  
6-39 operation and maintenance tax on taxable property in the district  
6-40 in the manner provided by Section 49.107, Water Code, for any  
6-41 district purpose, including to:  
6-42 (1) maintain and operate the district;  
6-43 (2) construct or acquire improvements; or  
6-44 (3) provide a service.  
6-45 (b) The board shall determine the operation and maintenance  
6-46 tax rate. The rate may not exceed the rate approved at the  
6-47 election.  
6-48 (c) Section 49.107(h), Water Code, does not apply to the  
6-49 district.  
6-50 Sec. 3979.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE  
6-51 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on  
6-52 terms determined by the board.  
6-53 (b) The district, by competitive bid or negotiated sale, may  
6-54 issue bonds, notes, or other obligations payable wholly or partly  
6-55 from ad valorem taxes, assessments, impact fees, revenue, contract  
6-56 payments, grants, or other district money, or any combination of  
6-57 those sources of money, to pay for any authorized district purpose.  
6-58 (c) The limitation on the outstanding principal amount of  
6-59 bonds, notes, or other obligations provided by Section 49.4645,  
6-60 Water Code, does not apply to the district.  
6-61 Sec. 3979.0504. BONDS SECURED BY REVENUE OR CONTRACT  
6-62 PAYMENTS. The district may issue, without an election, bonds  
6-63 secured by:  
6-64 (1) revenue other than ad valorem taxes, including  
6-65 contract revenues; or  
6-66 (2) contract payments, provided that the requirements  
6-67 of Section 49.108, Water Code, have been met.  
6-68 Sec. 3979.0505. BONDS SECURED BY AD VALOREM TAXES;  
6-69 ELECTIONS. (a) If authorized at an election under Section

7-1 3979.0501, the district may issue bonds payable from ad valorem  
 7-2 taxes.

7-3 (b) Section 375.243, Local Government Code, does not apply  
 7-4 to the district.

7-5 (c) At the time the district issues bonds payable wholly or  
 7-6 partly from ad valorem taxes, the board shall provide for the annual  
 7-7 imposition of a continuing direct annual ad valorem tax, without  
 7-8 limit as to rate or amount, for each year that all or part of the  
 7-9 bonds are outstanding as required and in the manner provided by  
 7-10 Sections 54.601 and 54.602, Water Code.

7-11 (d) All or any part of any facilities or improvements that  
 7-12 may be acquired by a district by the issuance of its bonds may be  
 7-13 submitted as a single proposition or as several propositions to be  
 7-14 voted on at the election.

7-15 Sec. 3979.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The  
 7-16 board may not issue bonds until each municipality in whose  
 7-17 corporate limits or extraterritorial jurisdiction the district is  
 7-18 located has consented by ordinance or resolution to the creation of  
 7-19 the district and to the inclusion of land in the district.

7-20 (b) This section applies only to the district's first  
 7-21 issuance of bonds payable from ad valorem taxes.

#### 7-22 SUBCHAPTER F. SALES AND USE TAX

7-23 Sec. 3979.0601. APPLICABILITY OF CERTAIN TAX CODE  
 7-24 PROVISIONS. (a) Chapter 321, Tax Code, governs the imposition,  
 7-25 computation, administration, enforcement, and collection of the  
 7-26 sales and use tax authorized by this subchapter except to the extent  
 7-27 Chapter 321, Tax Code, is inconsistent with this chapter.

7-28 (b) A reference in Chapter 321, Tax Code, to a municipality  
 7-29 or the governing body of a municipality is a reference to the  
 7-30 district or the board, respectively.

7-31 Sec. 3979.0602. ELECTION; ADOPTION OF TAX. (a) The  
 7-32 district may adopt a sales and use tax if authorized by a majority  
 7-33 of the voters of the district voting at an election held for that  
 7-34 purpose.

7-35 (b) The board by order may call an election to authorize the  
 7-36 adoption of the sales and use tax. The election may be held on any  
 7-37 uniform election date and in conjunction with any other district  
 7-38 election.

7-39 (c) The ballot shall be printed to provide for voting for or  
 7-40 against the proposition: "Authorization of a sales and use tax in  
 7-41 the Montgomery County Management District No. 1 at a rate not to  
 7-42 exceed \_\_\_\_\_ percent" (insert rate of one or more increments of  
 7-43 one-eighth of one percent).

7-44 Sec. 3979.0603. SALES AND USE TAX RATE. (a) On or after  
 7-45 the date the results are declared of an election held under Section  
 7-46 3979.0602, at which the voters approved imposition of the tax  
 7-47 authorized by this subchapter, the board shall determine and adopt  
 7-48 by resolution or order the initial rate of the tax, which must be in  
 7-49 one or more increments of one-eighth of one percent.

7-50 (b) After the election held under Section 3979.0602, the  
 7-51 board may increase or decrease the rate of the tax by one or more  
 7-52 increments of one-eighth of one percent.

7-53 (c) The initial rate of the tax or any rate resulting from  
 7-54 subsequent increases or decreases may not exceed the lesser of:

7-55 (1) the maximum rate authorized by the district voters  
 7-56 at the election held under Section 3979.0602; or

7-57 (2) a rate that, when added to the rates of all sales  
 7-58 and use taxes imposed by other political subdivisions with  
 7-59 territory in the district, would result in the maximum combined  
 7-60 rate prescribed by Section 321.101(f), Tax Code, at any location in  
 7-61 the district.

7-62 Sec. 3979.0604. TAX AFTER MUNICIPAL ANNEXATION. (a) This  
 7-63 section applies to the district after a municipality annexes part  
 7-64 of the territory in the district and imposes the municipality's  
 7-65 sales and use tax in the annexed territory.

7-66 (b) If at the time of annexation the district has  
 7-67 outstanding debt or other obligations payable wholly or partly from  
 7-68 district sales and use tax revenue, Section 321.102(g), Tax Code,  
 7-69 applies to the district.

8-1 (c) If at the time of annexation the district does not have  
8-2 outstanding debt or other obligations payable wholly or partly from  
8-3 district sales and use tax revenue, the district may:

8-4 (1) exclude the annexed territory from the district,  
8-5 if the district has no outstanding debt or other obligations  
8-6 payable from any source; or

8-7 (2) reduce the sales and use tax in the annexed  
8-8 territory by resolution or order of the board to a rate that, when  
8-9 added to the sales and use tax rate imposed by the municipality in  
8-10 the annexed territory, is equal to the sales and use tax rate  
8-11 imposed by the district in the district territory that was not  
8-12 annexed by the municipality.

8-13 Sec. 3979.0605. NOTIFICATION OF RATE CHANGE. The board  
8-14 shall notify the comptroller of any changes made to the tax rate  
8-15 under this subchapter in the same manner the municipal secretary  
8-16 provides notice to the comptroller under Section 321.405(b), Tax  
8-17 Code.

8-18 Sec. 3979.0606. USE OF REVENUE. Revenue from the sales and  
8-19 use tax imposed under this subchapter is for the use and benefit of  
8-20 the district and may be used for any district purpose. The district  
8-21 may pledge all or part of the revenue to the payment of bonds,  
8-22 notes, or other obligations, and that pledge of revenue may be in  
8-23 combination with other revenue, including tax revenue, available to  
8-24 the district.

8-25 Sec. 3979.0607. ABOLITION OF TAX. (a) Except as provided  
8-26 by Subsection (b), the board may abolish the tax imposed under this  
8-27 subchapter without an election.

8-28 (b) The board may not abolish the tax imposed under this  
8-29 subchapter if the district has outstanding debt secured by the tax,  
8-30 and repayment of the debt would be impaired by the abolition of the  
8-31 tax.

8-32 (c) If the board abolishes the tax, the board shall notify  
8-33 the comptroller of that action in the same manner the municipal  
8-34 secretary provides notice to the comptroller under Section  
8-35 321.405(b), Tax Code.

8-36 (d) If the board abolishes the tax or decreases the tax rate  
8-37 to zero, a new election to authorize a sales and use tax must be held  
8-38 under Section 3979.0602 before the district may subsequently impose  
8-39 the tax.

8-40 (e) This section does not apply to a decrease in the sales  
8-41 and use tax authorized under Section 3979.0604(c)(2).

#### 8-42 SUBCHAPTER G. HOTEL OCCUPANCY TAX

8-43 Sec. 3979.0701. DEFINITION. In this subchapter, "hotel"  
8-44 has the meaning assigned by Section 156.001, Tax Code.

8-45 Sec. 3979.0702. APPLICABILITY OF CERTAIN TAX CODE  
8-46 PROVISIONS. (a) For purposes of this subchapter:

8-47 (1) a reference in Subchapter A, Chapter 352, Tax  
8-48 Code, to a county is a reference to the district; and

8-49 (2) a reference in Subchapter A, Chapter 352, Tax  
8-50 Code, to the commissioners court is a reference to the board.

8-51 (b) Except as inconsistent with this subchapter, Subchapter  
8-52 A, Chapter 352, Tax Code, governs a hotel occupancy tax authorized  
8-53 by this subchapter, including the collection of the tax, subject to  
8-54 the limitations prescribed by Sections 352.002(b) and (c), Tax  
8-55 Code.

8-56 Sec. 3979.0703. TAX AUTHORIZED; USE OF REVENUE. The  
8-57 district may impose a hotel occupancy tax for any purpose described  
8-58 by Section 351.101 or 352.101, Tax Code.

8-59 Sec. 3979.0704. TAX RATE. (a) The amount of the hotel  
8-60 occupancy tax may not exceed the lesser of:

8-61 (1) the maximum rate prescribed by Section 352.003(a),  
8-62 Tax Code; or

8-63 (2) a rate that, when added to the rates of all hotel  
8-64 occupancy taxes imposed by other political subdivisions with  
8-65 territory in the district and by this state, does not exceed the sum  
8-66 of the rate prescribed by Section 351.0025(b), Tax Code, plus two  
8-67 percent.

8-68 (b) The district tax is in addition to a tax imposed by a  
8-69 municipality under Chapter 351, Tax Code, or by the county under



9-1 Chapter 352, Tax Code.  
 9-2 Sec. 3979.0705. INFORMATION. The district may examine and  
 9-3 receive information related to the imposition of hotel occupancy  
 9-4 taxes to the same extent as if the district were a county.

9-5 Sec. 3979.0706. USE OF REVENUE. The district may use  
 9-6 revenue from the hotel occupancy tax for any district purpose that  
 9-7 is an authorized use of hotel occupancy tax revenue under Chapter  
 9-8 351 or 352, Tax Code. The district may pledge all or part of the  
 9-9 revenue to the payment of bonds, notes, or other obligations and  
 9-10 that pledge of revenue may be in combination with other revenue  
 9-11 available to the district.

9-12 Sec. 3979.0707. ABOLITION OF TAX. (a) Except as provided  
 9-13 by Subsection (b), the board may abolish the tax imposed under this  
 9-14 subchapter.

9-15 (b) The board may not abolish the tax imposed under this  
 9-16 subchapter if the district has outstanding debt secured by the tax,  
 9-17 and repayment of the debt would be impaired by the abolition of the  
 9-18 tax.

9-19 SUBCHAPTER I. DISSOLUTION BY BOARD

9-20 Sec. 3979.0901. DISSOLUTION OF DISTRICT WITH OUTSTANDING  
 9-21 DEBT. (a) The board may dissolve the district regardless of  
 9-22 whether the district has debt. Section 375.264, Local Government  
 9-23 Code, does not apply to the district.

9-24 (b) If the district has debt when it is dissolved, the  
 9-25 district shall remain in existence solely for the purpose of  
 9-26 discharging its debts. The dissolution is effective when all debts  
 9-27 have been discharged.

9-28 SECTION 2. The Montgomery County Management District No. 1  
 9-29 initially includes all the territory contained in the following  
 9-30 area:

9-31 TRACT 1

9-32 A metes and bounds description of a 279.07 acre tract of land  
 9-33 situated in the Edward Taylor Survey, Abstract Number 554,  
 9-34 Montgomery County, Texas; being all of a called 279.65 acre tract  
 9-35 conveyed to Mitchell Energy Corporation by Surface Deed and  
 9-36 Subsurface Easement dated January 1, 1995 and filed for record  
 9-37 under Clerk's File No. 9509774 of the Montgomery County Official  
 9-38 Public Records of Real Property; said 279.07 acres being more  
 9-39 particularly described as follows with all bearing based on the  
 9-40 Texas Coordinate System of 1983, Central Zone:

9-41 BEGINNING at a found 1/2-inch iron rod in the apparent west  
 9-42 right-of-way of Cripple Creek Drive North, for an angle corner in  
 9-43 the north line of Lot 1 of Galleria Oaks Estates as shown on a plat  
 9-44 filed for record in Cabinet B, Sheet 79 of the Montgomery County Map  
 9-45 Records and the southeast corner of said 279.65 acres, same being  
 9-46 the southeast corner of the herein described tract, from which a  
 9-47 found 1/2-inch iron rod bears North 77°23'58" East, 38.23 feet;

9-48 THENCE, South 86°25'45" West, along the north line of Lots 1-  
 9-49 7 of said Galleria Oaks Estates and the south line of said 279.65  
 9-50 acres, passing a found 1-inch iron pipe at 244.84 feet, a found axle  
 9-51 at 544.26 feet, 5.56 feet right, a found 8-inch by 8-inch concrete  
 9-52 monument at 544.89 feet, 4.90 feet right, and a found 1-inch iron  
 9-53 pipe at 1170.28 feet, continuing for a total distance of 1988.05  
 9-54 feet (called 1997.31) to a set 3/4-inch iron rod (with cap stamped  
 9-55 "Jones|Carter Property Corner") in the northeast right-of-way of  
 9-56 the Union Pacific Railroad (formerly I & G.N. Railroad Company)  
 9-57 (width varies) filed for record under Volume 26, Page 351 of the  
 9-58 Montgomery County Deed Records, for the south corner of the herein  
 9-59 described tract, from which a found 8-inch by 8-inch concrete  
 9-60 monument bears South 86°25'45" West, 9.14 feet;

9-61 THENCE, along the northeast right-of-way of the said Union  
 9-62 Pacific Railroad and the southwest line of the herein described  
 9-63 tract the following five (5) courses and distances:

9-64 1. North 59°15'02" West, 1127.60 feet, departing the north  
 9-65 line of said Lot 7, to a set 3/4-inch iron rod (with cap stamped  
 9-66 "Jones|Carter Property Corner");

9-67 2. North 30°44'58" East, 25.00 feet to a set 3/4-inch iron  
 9-68 rod (with cap stamped "Jones|Carter Property Corner");

9-69 3. North 59°15'02" West, 600.00 feet to a set 3/4-inch iron

10-1 rod (with cap stamped "Jones|Carter Property Corner");

10-2 4. South 30°44'58" West, 25.00 feet to a set 3/4-inch iron

10-3 rod (with cap stamped "Jones|Carter Property Corner");

10-4 5. North 59°15'02" West, 1371.85 feet to a set 3/4-inch iron

10-5 rod (with cap stamped "Jones|Carter Property Corner") in the south

10-6 line of a called 139.384 acre tract conveyed to Norma Helen

10-7 Schoessow by Special Warranty Deed dated October 23, 1995 and filed

10-8 for record under Clerk's File No. 9559657 of the Montgomery County

10-9 Official Public Records of Real Property, for the west corner of the

10-10 herein described tract, from which a found 8-inch by 8-inch

10-11 concrete monument bears South 87°11'00" East, 8.79 feet;

10-12 THENCE, North 87°11'00" East, 2105.63 feet (called 2114.59

10-13 feet), departing the northeast right-of-way of the said Union

10-14 Pacific Railroad, along the south line of said 139.384 acres, a

10-15 north line of said 279.65 acres, and a north line of the herein

10-16 described tract to a found 8-inch by 8-inch concrete monument, for

10-17 an angle corner for said 139.384 acres, said 279.65 acres, and the

10-18 herein described tract;

10-19 THENCE, North 32°44'24" East, along the southeast line of said

10-20 139.384 acres, the northwest line of said 279.65 acres, and the

10-21 northwest line of the herein described tract, passing a found

10-22 1/2-inch iron rod (bent) at 2037.03 feet, 4.74 feet right,

10-23 continuing for a total distance of 2056.48 feet to a found 1-inch

10-24 pinched top pipe, for an angle corner for said 139.384 acres, said

10-25 279.65 acres, and the herein described tract;

10-26 THENCE, North 02°29'44" West, 2678.96 feet (called 2681.84

10-27 feet) along the east line of said 139.384 acres, the west line of

10-28 said 279.65 acres, and the west line of the herein described tract

10-29 to a found 8-inch by 8-inch concrete monument in the south line of a

10-30 called 77.051 acre tract conveyed to Susan Halstead, Vincent S.

10-31 Halstead, Steven B. Schoessow, Clarice J. Fore, Curtis F.

10-32 Schoessow, Douglas P. Schoessow, Jana B. McNeil and Adrienne Leigh

10-33 Fore by Gift Deed dated October 10, 2014 and filed for record under

10-34 Clerk's File No. 2014100067 of the Montgomery County Official

10-35 Public Records of Real Property, for the northeast corner of said

10-36 139.384 acres and the northwest corner of said 279.65 acres, same

10-37 being the northwest corner of the herein described tract, from

10-38 which a found 1/2-inch iron pipe bears North 01°41'45" East, 0.61

10-39 feet;

10-40 THENCE, North 86°56'34" East, along the south line of said

10-41 77.051 acres, the north line of said 279.65 acres, and the north

10-42 line of the herein described tract, passing a found 1-inch pinched

10-43 top pipe at 298.14 feet, continuing along the north line of said

10-44 279.65 acres and the north line of the herein described tract for a

10-45 total distance of 715.80 feet to a set 3/4-inch iron rod (with cap

10-46 stamped "Jones|Carter Property Corner") for an angle corner;

10-47 THENCE, North 86°38'34" East, 561.72 feet (called 561.50

10-48 feet), continuing along the north line of said 279.65 acres and the

10-49 north line of the herein described tract to a found 1/2-inch iron

10-50 pipe in the apparent east line of the Edward Taylor Survey, Abstract

10-51 Number 554 and the apparent west line of the Leander Wescott Survey,

10-52 Abstract Number 616, for the southeast corner of a called 10 acre

10-53 tract conveyed to Axe Em Investments, L.P. by Special Warranty Deed

10-54 dated October 1, 2003 and filed for record under Clerk's File

10-55 No. 2003-134286 of the Montgomery County Official Public Records of

10-56 Real Property and the northeast corner of said 279.65 acres, same

10-57 being the northeast corner of the herein described tract, from

10-58 which a found 1/2-inch iron rod bears North 03°18'03" West, 941.08

10-59 feet;

10-60 THENCE, South 02°35'38" East, along the apparent east line of

10-61 the Edward Taylor Survey, Abstract Number 554, the apparent west

10-62 line of the Leander Wescott Survey, Abstract Number 616, the east

10-63 line of said 279.65 acres and the east line of the herein described

10-64 tract, passing a found 1/2-inch iron pipe at a distance of 2090.96

10-65 feet, 12.71 feet right, a found 5/8-inch iron rod at a distance of

10-66 2094.87 feet, 12.74 feet right and a found 3/4-inch iron rod (with

10-67 cap stamped "Jones|Carter Property Corner") (previously set for

10-68 survey of adjoining acreage) at a distance of 2107.96 feet,

10-69 continuing along apparent east line of the Edward Taylor Survey,

11-1 Abstract Number 554, the apparent west line of the Robin George  
 11-2 Survey, Abstract Number 470, the apparent west line of the Leander  
 11-3 Wescott Survey, Abstract Number 615, the west line of Block 4 of  
 11-4 Cripple Creek Farms North Section Three (an unrecorded  
 11-5 subdivision), the east line of said 279.65 acres and the east line  
 11-6 of the herein described tract, same being the common line of a  
 11-7 Boundary Agreement dated August 11, 1958 filed for record in Volume  
 11-8 458, Page 386 of the Montgomery County Deed Records, passing a found  
 11-9 1/2-inch iron pipe at a distance of 2978.61 feet, 4.46 feet right, a  
 11-10 found 1/2-inch iron pipe at a distance of 3178.70 feet, 4.50 feet  
 11-11 right, a found 5/8-inch iron rod at a distance of 3408.76 feet, 4.96  
 11-12 feet right, a found 1/2-inch iron pipe at a distance of 3638.37  
 11-13 feet, 5.76 feet right, a found 1/2-inch iron pipe at a distance of  
 11-14 3846.97 feet, 5.42 feet right, a found 1/2-inch iron pipe at a  
 11-15 distance of 4046.44 feet, 4.77 feet right, a found 3/4-inch iron rod  
 11-16 at a distance of 4246.56 feet, 4.32 feet right, a found 1/2-inch  
 11-17 iron pipe at a distance of 4446.96 feet, 5.22 feet right, a found  
 11-18 1/2-inch iron pipe at a distance of 4646.61 feet, 6.40 feet right, a  
 11-19 found 5/8-inch iron rod at a distance of 4845.95 feet, 6.30 feet  
 11-20 right, a found 1/2-inch iron pipe at a distance of 5044.96 feet,  
 11-21 6.79 feet right, a found 1/2-inch iron pipe at a distance of 5644.64  
 11-22 feet, 6.54 feet right, a found 1/4-inch iron pipe at a distance of  
 11-23 5665.25 feet, 7.16 feet right, a found 5/8-inch iron rod at a  
 11-24 distance of 5665.30 feet, 6.86 feet right, continuing for a total  
 11-25 distance of 6047.81 feet (called 6051.88 feet) to the POINT OF  
 11-26 BEGINNING, CONTAINING 279.07 acres of land in Montgomery County,  
 11-27 Texas, as shown on drawing number 9629-A.

11-28 TRACT 2

11-29 A METES AND BOUNDS description of a 842.23 acre tract of land  
 11-30 situated in the Charles Frazier Survey, Abstract Number 206, the  
 11-31 Andrew J. Hensley Survey, Abstract Number 255, the Azariah Prather  
 11-32 Survey, Abstract Number 427 and the Leander Wescott Survey,  
 11-33 Abstract Number 616, Montgomery County, Texas; being out of and a  
 11-34 part of a called 881.183 acre tract (Tract 1) conveyed to Mitchell  
 11-35 Energy Corporation by Special Warranty Deed dated July 31, 1997 and  
 11-36 filed for record under Clerk's File No. 9746155 of the Montgomery  
 11-37 County Official Public Records of Real Property; said 842.23 acres  
 11-38 being more particularly described as follows with all bearings  
 11-39 based on the Texas Coordinate System of 1983, Central Zone:

11-40 BEGINNING at a found 3-inch iron pipe for the north corner  
 11-41 Greentree Forest Estates (an Unrecorded Subdivision), same being an  
 11-42 interior corner of the herein described tract;

11-43 THENCE, South 42°47'48" West, along the northwest line of said  
 11-44 Greentree Forest Estates and a southeast line of said 881.183  
 11-45 acres, passing a found 5/8-inch iron rod at 256.52 feet, a found  
 11-46 1/2-inch iron rod at 374.49 feet, 0.17 feet left, a found 5/8-inch  
 11-47 iron rod at 847.40 feet, a found 5/8-inch iron rod at 965.59 feet,  
 11-48 0.38 feet right, a found 1/2-inch iron rod at 1202.01 feet, a found  
 11-49 1/2-inch iron rod at 1442.52 feet, 1.05 feet right, a found 5/8-inch  
 11-50 iron rod at 1686.50 feet and a found 1/2-inch iron rod at 1921.45  
 11-51 feet, continuing for a total distance of 2155.95 feet (called  
 11-52 2155.95 feet) to a set 3/4-inch iron rod (with cap stamped  
 11-53 "Jones|Carter Property Corner") in the northeast line of called  
 11-54 4.615 acre tract, known as Tract 17, Block 4 of Cripple Creek Farms  
 11-55 North Section Three (an unrecorded subdivision), conveyed to Larry  
 11-56 Dan McQuerry and wife, Mary Margaret McQuerry by General Warranty  
 11-57 Deed dated April 2, 1980 and filed for record under Clerk's File  
 11-58 No. 8011618 of the Montgomery County Official Public Records of  
 11-59 Real Property, for a southwest corner of the herein described  
 11-60 tract, from which a found 1/2-inch iron rod bears South 47°45'18"  
 11-61 East, 171.07 feet;

11-62 THENCE, North 47°25'32" West, 433.31 feet (called 1246.42  
 11-63 feet), departing the northwest line of said Greentree Forest  
 11-64 Estates, along the northeast line of said 4.615 acres and a  
 11-65 southwest line of said 881.183 acres to a set 3/4-inch iron rod  
 11-66 (with cap stamped "Jones|Carter Property Corner") in the east line  
 11-67 of a called 279.65 acre tract conveyed to Mitchell Energy  
 11-68 Corporation by Surface Deed and Subsurface Easement dated January  
 11-69 1, 1995 and file for record under Clerk's File No. 9509774 of the

12-1 Montgomery County Official Public Records of Real Property, same  
 12-2 being the apparent east line of the Edward Taylor Survey, Abstract  
 12-3 Number 554 and the apparent west line of the Leander Wescott Survey,  
 12-4 Abstract Number 616, from which found 3-1/2" iron pipe bears North  
 12-5 47°25'32" West, 812.94 feet, and a found 1/2-inch iron rod bears  
 12-6 South 02°35'38" East, 3939.85 feet;

12-7       THENCE, North 02°35'38" West, departing the northeast line of  
 12-8 said 4.615 acres, along the east line of said 279.65 acres, the  
 12-9 apparent east line of the Edward Taylor Survey, Abstract Number 554  
 12-10 and the apparent west line of the Leander Wescott Survey, Abstract  
 12-11 Number 616, passing a 5/8-inch iron rod at 13.09 feet, 12.74 feet  
 12-12 left and a found 1/2-inch iron pipe at 17.01 feet, 12.71 feet left,  
 12-13 continuing for a total distance of 2107.96 feet to a found 1/2-inch  
 12-14 iron pipe for the southeast corner of a called 10 acre tract  
 12-15 conveyed to Axe Em Investments, L.P. by Special Warranty Deed dated  
 12-16 October 1, 2003 and filed for record under Clerk's File  
 12-17 No. 2003-134286 of the Montgomery County Official Public Records of  
 12-18 Real Property, the northeast corner of said 279.65 acres and an  
 12-19 angle point in the west line of the herein described tract, from  
 12-20 which a found 3/4-inch iron rod (with cap stamped "Jones|Carter  
 12-21 Property Corner") bears South 86°38'34" West, 561.72 feet;

12-22       THENCE, North 03°18'03" West, continuing along the apparent  
 12-23 east line of the Edward Taylor Survey, Abstract Number 554, the  
 12-24 apparent west line of the Leander Wescott Survey, Abstract Number  
 12-25 616, and the east line of said 10 acres, passing a 1/2-inch iron rod  
 12-26 at 220.99 feet, continuing along the east line of said 10 acres, the  
 12-27 east line of a called 5 acre tract and another called 10 acre tract  
 12-28 (hereinafter referred to as "northern 10 acres"), both conveyed to  
 12-29 Axe Em Investments, L.P. by Special Warranty Deed dated October 1,  
 12-30 2003 and filed for record under Clerk's File No. 2003-134286 of the  
 12-31 Montgomery County Official Public Records of Real Property for a  
 12-32 total distance of 941.08 feet to a found 1/2-inch iron rod in the  
 12-33 north line of said 881.183 acres for an angle point in the south  
 12-34 line of a called 757.02 acre tract ("Tract III") conveyed to 1488  
 12-35 Corp. by Special Warranty Deed dated December 29, 2015 and filed for  
 12-36 record under Clerk's File No. 2016002467 of the Montgomery County  
 12-37 Official Public Records of Real Property, same being the northwest  
 12-38 corner of the herein described tract, from which a found axle bears  
 12-39 North 48°48'43" West, 728.19 feet and a found 3/4-inch pinched top  
 12-40 pipe bears North 03°04'57" West, 1286.89 feet;

12-41       THENCE, departing the east line of said northern 10 acres,  
 12-42 the apparent east line of the Edward Taylor Survey, Abstract Number  
 12-43 554 and the apparent west line of the Leander Wescott Survey,  
 12-44 Abstract Number 616, along the south line of said 757.02 acres and  
 12-45 the north line of said 881.183 acres the following six (6) courses  
 12-46 and distances:

12-47       1. South 48°52'00" East, 593.66 feet (called 1321.86 feet)  
 12-48 to a found 3-inch iron pipe for an angle point;

12-49       2. North 42°00'28" East, 807.36 feet (called 807.98 feet) to  
 12-50 a found 3-inch iron pipe;

12-51       3. North 43°20'46" East, 781.14 feet (called 779.36 feet) to  
 12-52 a found 3/4-inch iron pipe;

12-53       4. North 41°41'25" East, 1538.43 feet (called 1540.14 feet)  
 12-54 to a found 3-inch iron pipe;

12-55       5. North 42°24'04" East, 777.81 feet (called 778.99 feet) to  
 12-56 a found 1/2-inch iron rod;

12-57       6. North 42°15'57" East, 706.71 feet (called 710.25 feet) to  
 12-58 a point in the centerline of Mill Creek, for the west corner of a  
 12-59 called 6.11186 acre tract, known as Tract 12 of Wildwood Estates (an  
 12-60 unrecorded subdivision), conveyed to John M. Burdick and wife,  
 12-61 Sandra A. Burdick by Warranty Deed dated October 14, 1991 and file  
 12-62 for record under Clerk's File No. 9148107 of the Montgomery County  
 12-63 Official Public Records of Real Property, same being the north  
 12-64 corner of said 881.183 acres and the herein described tract, from  
 12-65 which a found 1-inch iron pipe bears North 42°15'57" East, 1881.50  
 12-66 feet;

12-67       THENCE, departing the south line of said 757.02 acres, along  
 12-68 the centerline meanders of said Mill Creek, same being the east line  
 12-69 of said 881.183 acres, the following two-hundred and forty-six

- 13-1 (246) courses and distances:
- 13-2 1. South 12°18'18" East, 20.94 feet to a point;
  - 13-3 2. South 22°23'59" East, 74.66 feet to a point;
  - 13-4 3. South 42°53'52" West, 46.44 feet to a point;
  - 13-5 4. South 36°58'56" West, 46.01 feet to a point;
  - 13-6 5. South 09°52'55" East, 37.33 feet to a point;
  - 13-7 6. North 87°56'29" East, 80.12 feet to a point;
  - 13-8 7. South 45°12'31" East, 17.10 feet to a point;
  - 13-9 8. South 10°52'22" East, 26.87 feet to a point;
  - 13-10 9. South 02°05'39" East, 26.13 feet to a point;
  - 13-11 10. South 12°44'29" East, 19.29 feet to a point;
  - 13-12 11. South 04°45'43" West, 43.16 feet to a point;
  - 13-13 12. South 35°59'36" East, 36.12 feet to a point;
  - 13-14 13. South 09°16'25" West, 32.54 feet to a point;
  - 13-15 14. South 12°40'55" West, 171.14 feet to a point;
  - 13-16 15. South 06°14'53" East, 70.78 feet to a point;
  - 13-17 16. South 41°23'52" East, 61.54 feet to a point;
  - 13-18 17. South 14°42'38" East, 130.27 feet to a point;
  - 13-19 18. South 23°55'53" East, 126.21 feet to a point;
  - 13-20 19. South 10°03'51" East, 50.67 feet to a point;
  - 13-21 20. South 36°50'20" East, 107.39 feet to a point;
  - 13-22 21. South 10°43'38" East, 60.21 feet to a point;
  - 13-23 22. South 21°14'15" West, 153.28 feet to a point;
  - 13-24 23. South 22°33'14" West, 58.07 feet to a point;
  - 13-25 24. South 05°35'01" West, 20.25 feet to a point;
  - 13-26 25. South 61°22'44" East, 38.41 feet to a point;
  - 13-27 26. South 69°02'33" East, 58.99 feet to a point;
  - 13-28 27. South 12°12'50" East, 124.16 feet to a point;
  - 13-29 28. South 32°31'48" East, 44.10 feet to a point;
  - 13-30 29. South 57°36'47" East, 61.05 feet to a point;
  - 13-31 30. South 53°27'39" East, 56.94 feet to a point;
  - 13-32 31. South 33°14'19" East, 97.80 feet to a point;
  - 13-33 32. South 21°00'11" East, 47.88 feet to a point;
  - 13-34 33. South 00°14'08" West, 9.48 feet to a point;
  - 13-35 34. South 35°38'34" West, 15.42 feet to a point;
  - 13-36 35. South 05°09'49" West, 35.23 feet to a point;
  - 13-37 36. South 41°24'16" East, 29.71 feet to a point;
  - 13-38 37. South 59°26'29" East, 22.32 feet to a point;
  - 13-39 38. South 69°02'33" East, 324.70 feet to a point;
  - 13-40 39. South 85°20'52" East, 48.71 feet to a point;
  - 13-41 40. North 78°12'44" East, 26.46 feet to a point;
  - 13-42 41. North 42°26'02" East, 37.26 feet to a point;
  - 13-43 42. North 09°57'57" East, 21.44 feet to a point;
  - 13-44 43. North 71°11'45" West, 44.32 feet to a point;
  - 13-45 44. North 43°20'43" West, 8.72 feet to a point;
  - 13-46 45. North 01°04'41" West, 22.38 feet to a point;
  - 13-47 46. North 21°27'17" East, 14.55 feet to a point;
  - 13-48 47. North 35°12'16" East, 57.34 feet to a point;
  - 13-49 48. South 40°49'24" East, 26.21 feet to a point;
  - 13-50 49. South 26°33'49" East, 19.14 feet to a point;
  - 13-51 50. South 78°44'47" East, 39.61 feet to a point;
  - 13-52 51. South 42°37'50" East, 117.76 feet to a point;
  - 13-53 52. South 63°31'02" East, 54.42 feet to a point;
  - 13-54 53. North 86°22'35" East, 14.48 feet to a point;
  - 13-55 54. South 83°23'38" East, 50.81 feet to a point;
  - 13-56 55. South 41°53'26" East, 37.41 feet to a point;
  - 13-57 56. South 10°42'29" East, 156.83 feet to a point;
  - 13-58 57. South 50°37'37" East, 26.55 feet to a point;
  - 13-59 58. South 35°05'48" East, 74.85 feet to a point;
  - 13-60 59. South 34°45'59" East, 50.28 feet to a point;
  - 13-61 60. South 63°14'51" East, 163.53 feet to a point;
  - 13-62 61. South 87°53'24" East, 20.12 feet to a point;
  - 13-63 62. North 48°15'22" East, 95.09 feet to a point;
  - 13-64 63. South 57°40'49" East, 12.18 feet to a point;
  - 13-65 64. South 55°52'46" East, 39.03 feet to a point;
  - 13-66 65. South 30°38'19" East, 13.33 feet to a point;
  - 13-67 66. South 17°12'36" East, 20.13 feet to a point;
  - 13-68 67. South 54°53'29" East, 145.28 feet to a point;
  - 13-69 68. South 66°39'02" East, 56.87 feet to a point;

14-1 69. South 75°44'05" East, 87.52 feet to a point;  
 14-2 70. South 58°53'21" East, 90.35 feet to a point;  
 14-3 71. North 88°28'59" East, 42.27 feet to a point;  
 14-4 72. South 56°16'37" East, 181.99 feet to a point;  
 14-5 73. South 40°53'21" East, 125.58 feet to a point;  
 14-6 74. South 31°26'40" West, 50.99 feet to a point;  
 14-7 75. South 28°10'18" West, 24.21 feet to a point;  
 14-8 76. South 77°29'22" East, 19.73 feet to a point;  
 14-9 77. South 50°09'42" East, 96.47 feet to a point;  
 14-10 78. South 56°32'41" East, 38.23 feet to a point;  
 14-11 79. South 54°49'44" East, 31.98 feet to a point;  
 14-12 80. North 77°40'42" East, 30.26 feet to a point;  
 14-13 81. North 80°05'57" East, 64.03 feet to a point;  
 14-14 82. South 66°03'01" East, 290.35 feet to a point;  
 14-15 83. South 63°25'23" East, 170.62 feet to a point;  
 14-16 84. South 62°41'27" East, 181.12 feet to a point;  
 14-17 85. South 49°53'40" East, 59.94 feet to a point;  
 14-18 86. South 39°07'27" East, 46.28 feet to a point;  
 14-19 87. South 05°14'20" West, 92.52 feet to a point;  
 14-20 88. South 63°37'44" West, 38.32 feet to a point;  
 14-21 89. South 46°52'08" West, 17.69 feet to a point;  
 14-22 90. South 30°30'24" West, 32.48 feet to a point;  
 14-23 91. South 52°08'30" West, 30.87 feet to a point;  
 14-24 92. North 88°59'43" West, 56.63 feet to a point;  
 14-25 93. South 40°10'42" West, 137.98 feet to a point;  
 14-26 94. South 17°29'36" West, 77.42 feet to a point;  
 14-27 95. South 00°37'28" East, 30.27 feet to a point;  
 14-28 96. South 83°36'36" East, 64.24 feet to a point;  
 14-29 97. South 86°39'20" East, 105.45 feet to a point;  
 14-30 98. South 46°06'16" East, 176.19 feet to a point;  
 14-31 99. South 56°22'42" East, 61.38 feet to a point;  
 14-32 100. South 53°51'41" East, 64.61 feet to a point;  
 14-33 101. North 46°16'54" East, 19.60 feet to a point;  
 14-34 102. North 42°53'51" East, 33.81 feet to a point;  
 14-35 103. North 81°54'47" East, 105.65 feet to a point;  
 14-36 104. South 78°49'30" East, 53.59 feet to a point;  
 14-37 105. South 39°53'14" East, 18.21 feet to a point;  
 14-38 106. South 27°02'07" East, 57.44 feet to a point;  
 14-39 107. South 40°36'08" East, 83.23 feet to a point;  
 14-40 108. South 36°14'03" East, 104.79 feet to a point;  
 14-41 109. South 21°55'33" West, 120.32 feet to a point;  
 14-42 110. South 45°28'18" West, 24.82 feet to a point;  
 14-43 111. North 87°16'18" West, 60.19 feet to a point;  
 14-44 112. South 04°03'57" West, 40.49 feet to a point;  
 14-45 113. South 19°30'55" West, 113.56 feet to a point;  
 14-46 114. South 17°09'33" West, 26.63 feet to a point;  
 14-47 115. South 06°32'51" West, 52.58 feet to a point;  
 14-48 116. South 48°03'00" East, 198.07 feet to a point;  
 14-49 117. South 78°07'22" East, 39.83 feet to a point;  
 14-50 118. South 45°15'38" East, 108.53 feet to a point;  
 14-51 119. South 15°27'32" East, 74.05 feet to a point;  
 14-52 120. South 29°42'12" East, 187.05 feet to a point;  
 14-53 121. South 10°51'23" East, 98.64 feet to a point;  
 14-54 122. South 13°57'22" West, 16.81 feet to a point;  
 14-55 123. South 05°41'13" East, 152.49 feet to a point;  
 14-56 124. South 04°31'17" East, 117.06 feet to a point;  
 14-57 125. South 04°48'51" West, 67.94 feet to a point;  
 14-58 126. South 20°51'03" West, 86.27 feet to a point;  
 14-59 127. South 48°35'35" West, 63.11 feet to a point;  
 14-60 128. South 48°58'11" West, 27.31 feet to a point;  
 14-61 129. South 41°19'59" West, 147.94 feet to a point;  
 14-62 130. South 16°43'24" West, 51.25 feet to a point;  
 14-63 131. South 38°48'25" West, 129.88 feet to a point;  
 14-64 132. South 48°43'18" West, 33.26 feet to a point;  
 14-65 133. South 49°33'27" West, 63.28 feet to a point;  
 14-66 134. South 34°02'23" West, 138.93 feet to a point;  
 14-67 135. South 43°19'50" West, 77.02 feet to a point;  
 14-68 136. South 21°42'27" East, 21.32 feet to a point;  
 14-69 137. South 19°31'50" East, 69.55 feet to a point;

15-1 138. South 10°43'23" East, 164.23 feet to a point;  
 15-2 139. South 50°46'56" East, 96.05 feet to a point;  
 15-3 140. South 38°12'17" East, 124.95 feet to a point;  
 15-4 141. South 14°25'39" East, 40.20 feet to a point;  
 15-5 142. South 04°53'50" East, 123.95 feet to a point;  
 15-6 143. South 32°39'47" East, 115.61 feet to a point;  
 15-7 144. South 15°59'49" East, 145.05 feet to a point;  
 15-8 145. South 44°34'59" East, 144.65 feet to a point;  
 15-9 146. South 62°03'10" East, 95.40 feet to a point;  
 15-10 147. South 79°38'44" East, 72.91 feet to a point;  
 15-11 148. South 10°24'52" East, 229.66 feet to a point;  
 15-12 149. North 68°22'11" West, 80.47 feet to a point;  
 15-13 150. South 07°25'05" East, 48.42 feet to a point;  
 15-14 151. South 02°41'47" West, 198.27 feet to a point;  
 15-15 152. South 43°12'25" West, 88.27 feet to a point;  
 15-16 153. South 51°53'13" West, 53.80 feet to a point;  
 15-17 154. South 46°45'22" East, 42.20 feet to a point;  
 15-18 155. South 61°43'29" East, 161.36 feet to a point;  
 15-19 156. South 28°19'40" East, 101.12 feet to a point;  
 15-20 157. South 32°48'06" East, 144.76 feet to a point;  
 15-21 158. South 50°37'24" East, 51.47 feet to a point;  
 15-22 159. South 28°01'42" East, 126.58 feet to a point;  
 15-23 160. South 38°57'45" East, 107.31 feet to a point;  
 15-24 161. South 50°24'34" East, 71.71 feet to a point;  
 15-25 162. South 09°29'22" East, 212.34 feet to a point;  
 15-26 163. South 00°20'59" West, 132.90 feet to a point;  
 15-27 164. South 19°40'54" East, 86.34 feet to a point;  
 15-28 165. South 14°58'26" West, 140.70 feet to a point;  
 15-29 166. South 10°08'09" West, 74.76 feet to a point;  
 15-30 167. South 53°21'21" West, 115.04 feet to a point;  
 15-31 168. South 27°54'49" West, 62.71 feet to a point;  
 15-32 169. South 34°48'30" East, 61.40 feet to a point;  
 15-33 170. South 66°20'22" East, 141.85 feet to a point;  
 15-34 171. South 72°53'56" East, 64.16 feet to a point;  
 15-35 172. South 80°40'10" East, 93.92 feet to a point;  
 15-36 173. North 88°21'42" East, 215.53 feet to a point;  
 15-37 174. North 72°22'13" East, 72.02 feet to a point;  
 15-38 175. North 30°33'22" East, 51.13 feet to a point;  
 15-39 176. North 53°06'11" East, 67.65 feet to a point;  
 15-40 177. South 89°23'41" East, 60.02 feet to a point;  
 15-41 178. North 69°42'48" East, 89.16 feet to a point;  
 15-42 179. North 84°21'21" East, 28.12 feet to a point;  
 15-43 180. South 65°03'29" East, 63.15 feet to a point;  
 15-44 181. South 24°31'20" East, 153.15 feet to a point;  
 15-45 182. South 79°55'10" East, 74.23 feet to a point;  
 15-46 183. South 30°19'44" East, 69.41 feet to a point;  
 15-47 184. South 26°36'17" West, 67.33 feet to a point;  
 15-48 185. South 51°53'55" East, 28.30 feet to a point;  
 15-49 186. South 48°09'02" East, 20.98 feet to a point;  
 15-50 187. South 69°54'32" East, 42.71 feet to a point;  
 15-51 188. South 49°35'02" East, 114.15 feet to a point;  
 15-52 189. South 61°51'29" East, 70.82 feet to a point;  
 15-53 190. North 56°45'53" East, 81.24 feet to a point;  
 15-54 191. North 10°22'42" West, 27.52 feet to a point;  
 15-55 192. North 44°20'07" West, 46.76 feet to a point;  
 15-56 193. North 14°23'02" West, 40.60 feet to a point;  
 15-57 194. North 81°26'55" East, 88.16 feet to a point;  
 15-58 195. South 81°27'52" East, 225.26 feet to a point;  
 15-59 196. North 50°13'30" East, 52.21 feet to a point;  
 15-60 197. South 83°42'53" East, 38.65 feet to a point;  
 15-61 198. South 53°20'17" East, 54.33 feet to a point;  
 15-62 199. South 34°41'44" East, 78.36 feet to a point;  
 15-63 200. South 04°59'36" West, 17.83 feet to a point;  
 15-64 201. South 75°56'24" West, 26.48 feet to a point;  
 15-65 202. North 80°06'10" West, 22.44 feet to a point;  
 15-66 203. South 15°30'22" West, 102.03 feet to a point;  
 15-67 204. South 77°49'42" West, 77.55 feet to a point;  
 15-68 205. South 05°43'31" West, 17.16 feet to a point;  
 15-69 206. South 36°38'48" East, 52.50 feet to a point;

- 16-1 207. South 22°17'18" West, 18.42 feet to a point;
- 16-2 208. South 46°04'19" West, 106.13 feet to a point;
- 16-3 209. South 00°20'40" East, 46.25 feet to a point;
- 16-4 210. North 86°03'23" East, 65.78 feet to a point;
- 16-5 211. South 88°15'33" East, 59.39 feet to a point;
- 16-6 212. South 72°52'21" East, 84.16 feet to a point;
- 16-7 213. South 22°30'03" East, 31.04 feet to a point;
- 16-8 214. South 07°37'19" West, 34.13 feet to a point;
- 16-9 215. South 13°51'28" East, 32.68 feet to a point;
- 16-10 216. South 42°01'46" East, 82.75 feet to a point;
- 16-11 217. South 32°57'14" East, 31.07 feet to a point;
- 16-12 218. South 26°42'20" West, 36.83 feet to a point;
- 16-13 219. South 51°10'47" West, 104.44 feet to a point;
- 16-14 220. South 78°09'38" West, 133.44 feet to a point;
- 16-15 221. North 65°18'54" West, 40.51 feet to a point;
- 16-16 222. North 20°57'04" West, 19.22 feet to a point;
- 16-17 223. North 20°58'16" East, 21.54 feet to a point;
- 16-18 224. North 31°10'24" West, 21.19 feet to a point;
- 16-19 225. South 86°54'36" West, 98.56 feet to a point;
- 16-20 226. South 62°17'52" West, 61.48 feet to a point;
- 16-21 227. South 10°48'36" West, 14.13 feet to a point;
- 16-22 228. South 68°28'09" West, 146.02 feet to a point;
- 16-23 229. South 66°50'57" West, 13.98 feet to a point;
- 16-24 230. South 54°14'31" West, 9.13 feet to a point;
- 16-25 231. South 28°53'35" West, 47.36 feet to a point;
- 16-26 232. South 14°53'51" East, 38.67 feet to a point;
- 16-27 233. South 33°16'15" West, 110.49 feet to a point;
- 16-28 234. South 25°51'57" West, 87.36 feet to a point;
- 16-29 235. South 24°40'48" West, 168.46 feet to a point;
- 16-30 236. South 18°07'49" West, 119.57 feet to a point;
- 16-31 237. South 07°55'38" West, 73.03 feet to a point;
- 16-32 238. South 30°22'38" East, 68.89 feet to a point;
- 16-33 239. South 08°41'13" West, 43.89 feet to a point;
- 16-34 240. South 20°25'31" West, 64.73 feet to a point;
- 16-35 241. South 06°48'07" West, 63.29 feet to a point;
- 16-36 242. South 07°37'07" West, 39.79 feet to a point;
- 16-37 243. South 28°55'17" West, 36.09 feet to a point;
- 16-38 244. South 66°13'24" West, 56.17 feet to a point;
- 16-39 245. South 43°02'27" West, 59.63 feet to a point;
- 16-40 246. South 13°44'31" West, 6.84 feet to a point in the
- 16-41 northeast line of Mill Creek Forest as shown on a plat filed for
- 16-42 record in Volume 5, Page 491 of the Montgomery County Deed Records
- 16-43 for the most southerly corner of said 881.183 acres and the herein
- 16-44 described tract;
- 16-45 THENCE, North 46°43'05" West, departing the centerline
- 16-46 meanders of said Mill Creek, along the northeast line of said Mill
- 16-47 Creek Forest, and the southwest line of said 881.183 acres, passing
- 16-48 a found 1/2-inch iron rod (with cap stamped "Reinke 3971") at 61.41
- 16-49 feet, continuing for a total distance of 397.79 feet (called
- 16-50 414.06) to a found 1/2-inch iron rod (with cap stamped "Geomatics
- 16-51 Inc.") for the north corner of said Mill Creek Forest, and an
- 16-52 interior corner of said 881.183 acres and the herein described
- 16-53 tract;
- 16-54 THENCE, South 43°03'45" West, along the northwest line of said
- 16-55 Mill Creek Forest and a southeast line of said 881.183 acres,
- 16-56 passing a found 3/4-inch iron pipe at 104.79 feet, 0.97 feet right,
- 16-57 continuing for a total distance of 198.18 feet (called 192.78 feet)
- 16-58 to a set 3/4-inch iron rod (with cap stamped "Jones|Carter Property
- 16-59 Corner") for the east corner of Lot 14, Block 44 of Hazy Hollow East
- 16-60 Estates Section 7 (an unrecorded subdivision) conveyed to Malcom
- 16-61 James Johnson by Warranty Deed dated April 5, 1991 and filed for
- 16-62 record under Clerk's File No. 9230908 of the Montgomery County
- 16-63 Official Public Records of Real Property, a south corner of said
- 16-64 881.183 acres and the herein described tract;
- 16-65 THENCE, departing the northwest line of said Mill Creek
- 16-66 Forest along the southwest line of said 881.183 acres and the herein
- 16-67 described tract the following seven (7) courses and distances:
- 16-68 1. North 47°15'15" West, along the northeast line said Hazy
- 16-69 Hollow East Estates Section 7, passing a found 3/8-inch iron rod at



17-1 1321.03 feet, 1.17 feet left, passing a found 1/2-inch iron rod at  
 17-2 1429.95 feet, 1.21 feet left, continuing for a total distance of  
 17-3 1755.51 feet to an angle point, from which a found 1/2-inch iron rod  
 17-4 bears North 21°27'43" West 4.22 feet;

17-5 2. North 47°29'30" West, along the northeast line of said  
 17-6 Hazy Hollow East Estates Section 7 and the northeast line of Hazy  
 17-7 Hollow East Estates Section 4 (an unrecorded subdivision), passing  
 17-8 a found 3/8-inch iron rod at 393.30 feet, 1.24 feet right,  
 17-9 continuing for a total distance of 711.72 feet to a point;

17-10 3. North 47°20'39" West, along the northeast line of Hazy  
 17-11 Hollow East Estates Section 10 (an unrecorded subdivision), passing  
 17-12 a found 3/8-inch iron rod at 126.64 feet, 2.16 feet right, passing a  
 17-13 found 3/8-inch iron rod at 375.33 feet, 1.09 feet right, passing a  
 17-14 found 3/8-inch iron rod at 499.77 feet, 0.63 feet right, continuing  
 17-15 for a total distance of 527.41 feet to a point;

17-16 4. North 47°17'20" West, along the northeast line of said  
 17-17 Hazy Hollow East Estates Section 10, passing a found 5/8-inch iron  
 17-18 rod at 96.90 feet, 0.38 feet right, a found 1/2-inch iron rod (bent)  
 17-19 at 289.53 feet, a found 3/8-inch iron rod at 422.16 feet, 0.24 feet  
 17-20 right, a found 1/2-inch iron rod at 554.92 feet, a found 5/8-inch  
 17-21 iron rod at 687.54 feet, a found 3/8-inch iron rod at 1116.06 feet,  
 17-22 0.31 feet left, a found 3/8-inch iron rod at 1239.11 feet, 0.41 feet  
 17-23 left, a found 3/8-inch iron rod at 1484.87 feet, 0.98 feet left, a  
 17-24 found 3/8-inch iron rod at 1608.04 feet, 1.32 feet left, a found  
 17-25 3/8-inch iron rod at 1731.04 feet, 1.21 feet left, a found 3/8-inch  
 17-26 iron rod at 1854.08 feet, 0.55 feet left, a found 5/8-inch square  
 17-27 iron bar at 1977.47 feet, 0.11 feet right, a found 5/8-inch square  
 17-28 iron bar at 2037.11 feet, 0.36 feet right, a found 3/8-inch iron rod  
 17-29 at 2159.55 feet, 1.03 feet right, a found 1/2-inch iron rod (with  
 17-30 cap stamped "C&C Surveying") at 2282.80 feet, 0.18 feet right, a  
 17-31 found 1/2-inch iron rod (with cap stamped "C&C Surveying") at  
 17-32 2405.70 feet, and a found 3/8-inch iron rod at 2897.75 feet, 0.13  
 17-33 feet right, continuing for a total distance of 3015.29 feet to a  
 17-34 point;

17-35 5. North 47°22'30" West, along the northeast line of Hazy  
 17-36 Hollow East Estates Section 11 (an unrecorded subdivision), passing  
 17-37 a found 3/8-inch iron rod at 5.37 feet, 2.20 feet left, a found  
 17-38 3/8-inch iron rod at 128.11 feet, 3.14 feet left, a found 3/8-inch  
 17-39 iron rod at 251.00 feet, 3.59 feet left, a found 3/8-inch iron rod  
 17-40 at 373.97 feet, 3.79 feet left, a found 3/8-inch iron rod at 496.74  
 17-41 feet, 3.70 feet left, a found 3/8-inch iron rod at 619.44 feet, 3.76  
 17-42 feet left, a found 3/8-inch iron rod at 743.26 feet, 1.81 feet  
 17-43 left, and a found 3/8-inch iron rod at 988.51 feet, 0.13 feet left,  
 17-44 continuing for a total distance of 1784.65 feet to a found 1/2-inch  
 17-45 iron rod for the north corner of said Hazy Hollow East Estates  
 17-46 Section 11 and the east corner of Greentree Forest Estates (an  
 17-47 unrecorded subdivision);

17-48 6. North 47°01'59" West, along the northeast line of said  
 17-49 Greentree Forest Estates, passing a found 1/2-inch iron rod at  
 17-50 354.40 feet, passing a found 5/8-inch iron rod at 414.22 feet,  
 17-51 continuing for a total distance of 498.04 feet to a found 3-1/2-inch  
 17-52 iron pipe;

17-53 7. North 47°36'37" West, 270.64 feet (called 270.76 feet) to  
 17-54 the POINT OF BEGINNING, CONTAINING 842.23 acres of land in  
 17-55 Montgomery County, Texas, as shown on drawing number 9630-A.

17-56 SECTION 3. (a) The legal notice of the intention to  
 17-57 introduce this Act, setting forth the general substance of this  
 17-58 Act, has been published as provided by law, and the notice and a  
 17-59 copy of this Act have been furnished to all persons, agencies,  
 17-60 officials, or entities to which they are required to be furnished  
 17-61 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
 17-62 Government Code.

17-63 (b) The governor, one of the required recipients, has  
 17-64 submitted the notice and Act to the Texas Commission on  
 17-65 Environmental Quality.

17-66 (c) The Texas Commission on Environmental Quality has filed  
 17-67 its recommendations relating to this Act with the governor,  
 17-68 lieutenant governor, and speaker of the house of representatives  
 17-69 within the required time.

18-1 (d) All requirements of the constitution and laws of this  
18-2 state and the rules and procedures of the legislature with respect  
18-3 to the notice, introduction, and passage of this Act have been  
18-4 fulfilled and accomplished.

18-5 SECTION 4. This Act takes effect immediately if it receives  
18-6 a vote of two-thirds of all the members elected to each house, as  
18-7 provided by Section 39, Article III, Texas Constitution. If this  
18-8 Act does not receive the vote necessary for immediate effect, this  
18-9 Act takes effect September 1, 2019.

18-10

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