

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 14, 2021

The Honorable Dan Patrick  
Lieutenant Governor of Texas  
Capitol Station  
PO Box 12068  
Austin, Texas 78711

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

Senate Bill (SB) 2239, as Filed by Senator Larry Taylor - Relating to the creation of the Brazoria County Municipal Utility District No. 86; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Dear Governor Patrick:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

Sincerely,

  
Cari-Michel La Caille, Director  
Water Supply Division

cc: Honorable Paul Bettencourt, Chairman, Senate Local Government Committee  
Senator Larry Taylor, Texas Senate

Enclosure

**SB 2239, as Filed by Senator Larry Taylor**  
**Texas Commission on Environmental Quality's Comments**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

This bill creates Brazoria County Municipal Utility District No. 86 (District) with the powers and duties of a standard municipal utility district under Water Code Chapters 49 and 54.

**Comments on Powers/Duties Different from Similar Types of Districts:** The District must receive consent to the creation of the District from each municipality in whose corporate limits or extraterritorial jurisdiction the District is located prior to holding a confirmation election. The bill requires the TCEQ to appoint the five initial temporary directors upon receipt of a petition from the owners of a majority of the assessed value of the real property in the district. The bill grants the District authority for road projects. The bill allows the District to divide. The bill specifies that at the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of real property in the District. If the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

**Overlapping Services:** TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

**TCEQ's Supervision:** As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

LETTER OF TRANSMITTAL  
TEXAS SENATE  
STATE OF TEXAS

SB 2239

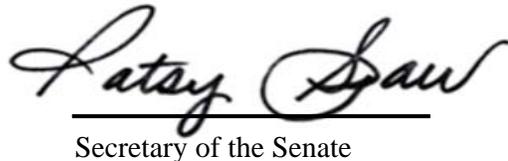
Bill Number

TO: The Honorable Governor of Texas  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

4/29/2021

Date transmitted to  
Governor's Office

  
Secretary of the Senate

TO: Texas Commission on Environmental Quality  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

May 3, 2021

Date transmitted to  
Texas Commission on Environmental Quality

  
Governor

TO: The Honorable President of the Senate  
The Honorable Speaker of the House of Representatives  
The Honorable Governor of Texas  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.



Texas Commission on Environmental Quality

By: Taylor

S.B. No. 2239

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Brazoria County Municipal Utility District No. 86; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7952A to read as follows:

CHAPTER 7952A. BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 86

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7952A.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Brazoria County Municipal Utility District No. 86.

Sec. 7952A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7952A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

1       Sec. 7952A.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
2 temporary directors may not hold an election under Section  
3 7952A.0103 until each municipality in whose corporate limits or  
4 extraterritorial jurisdiction the district is located has  
5 consented by ordinance or resolution to the creation of the  
6 district and to the inclusion of land in the district.

7       Sec. 7952A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

16       Sec. 7952A.0106. INITIAL DISTRICT TERRITORY. (a) The  
17 district is initially composed of the territory described by  
18 Section 2 of the Act enacting this chapter.

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

23           (1) organization, existence, or validity;

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

27           (3) right to impose a tax; or

1           (4) legality or operation.

2                   SUBCHAPTER B. BOARD OF DIRECTORS

3           Sec. 7952A.0201. GOVERNING BODY; TERMS. (a) The district  
4 is governed by a board of five elected directors.

5           (b) Except as provided by Section 7952A.0202, directors  
6 serve staggered four-year terms.

7           Sec. 7952A.0202. TEMPORARY DIRECTORS. (a) On or after the  
8 effective date of the Act enacting this chapter, the owner or owners  
9 of a majority of the assessed value of the real property in the  
10 district may submit a petition to the commission requesting that  
11 the commission appoint as temporary directors the five persons  
12 named in the petition. The commission shall appoint as temporary  
13 directors the five persons named in the petition.

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

15                   (1) the date permanent directors are elected under  
16 Section 7952A.0103; or

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

19           (c) If permanent directors have not been elected under  
20 Section 7952A.0103 and the terms of the temporary directors have  
21 expired, successor temporary directors shall be appointed or  
22 reappointed as provided by Subsection (d) to serve terms that  
23 expire on the earlier of:

24                   (1) the date permanent directors are elected under  
25 Section 7952A.0103; or

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

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

8                   SUBCHAPTER C. POWERS AND DUTIES

9       Sec. 7952A.0301. GENERAL POWERS AND DUTIES. The district  
10 has the powers and duties necessary to accomplish the purposes for  
11 which the district is created.

12       Sec. 7952A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
13 DUTIES. The district has the powers and duties provided by the  
14 general law of this state, including Chapters 49 and 54, Water Code,  
15 applicable to municipal utility districts created under Section 59,  
16 Article XVI, Texas Constitution.

17       Sec. 7952A.0303. AUTHORITY FOR ROAD PROJECTS. Under  
18 Section 52, Article III, Texas Constitution, the district may  
19 design, acquire, construct, finance, issue bonds for, improve,  
20 operate, maintain, and convey to this state, a county, or a  
21 municipality for operation and maintenance macadamized, graveled,  
22 or paved roads, or improvements, including storm drainage, in aid  
23 of those roads.

24       Sec. 7952A.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. 7952A.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. 7952A.0306. DIVISION OF DISTRICT. (a) The district  
17 may be divided into two or more new districts only if the district:

- 18 (1) has never issued any bonds; 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) A 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 7952A.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 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 7952A.0103.

22 (i) If the creation of the new district is confirmed, the  
23 new district shall provide the election date and results to the  
24 commission.

25 (j) Any new district created by the division of the district  
26 must hold an election as required by this chapter to obtain voter  
27 approval before the district may impose a maintenance tax or issue

1 bonds payable wholly or partly from ad valorem taxes.

2 (k) Municipal consent to the creation of the district and to  
3 the inclusion of land in the district granted under Section  
4 7952A.0104 acts as municipal consent to the creation of any new  
5 district created by the division of the district and to the  
6 inclusion of land in the new district.

7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

8 Sec. 7952A.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  
13 7952A.0403.

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

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

22 Sec. 7952A.0402. OPERATION AND MAINTENANCE TAX. (a) If  
23 authorized at an election held under Section 7952A.0401, the  
24 district may impose an operation and maintenance tax on taxable  
25 property in the district in accordance with Section 49.107, Water  
26 Code.

27 (b) The board shall determine the tax rate. The rate may not

1 exceed the rate approved at the election.

2 Sec. 7952A.0403. CONTRACT TAXES. (a) In accordance with  
3 Section 49.108, Water Code, the district may impose a tax other than  
4 an operation and maintenance tax and use the revenue derived from  
5 the tax to make payments under a contract after the provisions of  
6 the contract have been approved by a majority of the district voters  
7 voting at an election held for that purpose.

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

11 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

12 Sec. 7952A.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
13 OBLIGATIONS. The district may issue bonds or other obligations  
14 payable wholly or partly from ad valorem taxes, impact fees,  
15 revenue, contract payments, grants, or other district money, or any  
16 combination of those sources, to pay for any authorized district  
17 purpose.

18 Sec. 7952A.0502. TAXES FOR BONDS. At the time the district  
19 issues bonds payable wholly or partly from ad valorem taxes, the  
20 board shall provide for the annual imposition of a continuing  
21 direct ad valorem tax, without limit as to rate or amount, while all  
22 or part of the bonds are outstanding as required and in the manner  
23 provided by Sections 54.601 and 54.602, Water Code.

24 Sec. 7952A.0503. BONDS FOR ROAD PROJECTS. At the time of  
25 issuance, the total principal amount of bonds or other obligations  
26 issued or incurred to finance road projects and payable from ad  
27 valorem taxes may not exceed one-fourth of the assessed value of the

1 real property in the district.

2 SECTION 2. The Brazoria County Municipal Utility District  
3 No. 86 initially includes all the territory contained in the  
4 following area:

5 206.94 ACRES OF LAND, BEING A PART OF THE PERRY AND AUSTIN  
6 LEAGUE, ABSTRACT 109, BRAZORIA COUNTY, TEXAS, AND BEING OUT OF THAT  
7 CERTAIN TRACT DESCRIBED IN A DEED TO IP FARMS AS PARCEL 34, TRACT 1,  
8 RECORDED IN VOLUME 1769, PAGE 350, DEED RECORDS OF BRAZORIA COUNTY,  
9 TEXAS, SAID 206.94 ACRES BEING MORE PARTICULARLY DESCRIBED AS  
10 FOLLOWS:

11 BEGINNING at a 3/4 inch iron pipe set for the South corner of  
12 the herein described tract and the East corner of Tract 4 this day  
13 surveyed in the Northwest right-of-way line of F. M. 2004 (300.0  
14 feet wide in Volume 873, Page 612, Deed Records), said point being  
15 located North 43 deg. 30 min. 34 sec. East - 1544.16 feet from a 3/4  
16 inch iron pipe found at the East corner of a 15.0 acre tract  
17 described in a deed from IP Farms to Regency Cleaners, Inc. recorded  
18 in Clerk's File 00-032313;

19 THENCE North 43 deg. 35 min. 12 sec. West, along the Northeast  
20 line of Tract 4, a distance of 121.04 feet to a 3/4 inch iron pipe  
21 set for angle point;

22 THENCE North 55 deg. 26 min. 28 sec. West, along the Northeast  
23 line of Tract 4, a distance of 161.66 feet to a 3/4 inch iron pipe  
24 set for angle point;

25 THENCE North 44 deg. 16 min. 35 sec. West, along the Northeast  
26 line of Tract 4, a distance of 1738.74 feet to a 3/4 inch iron pipe  
27 set for angle point;

1           THENCE North 59 deg. 34 min. 22 sec. West, along the Northeast  
2 line of Tract 4, a distance of 158.26 feet to a 3/4 inch iron pipe  
3 set for angle point;

4           THENCE North 82 deg. 17 min. 31 sec. West, along the North  
5 line of Tract 4, a distance of 827.12 feet to a 3/4 inch iron pipe  
6 set for angle point;

7           THENCE South 68 deg. 39 min. 28 sec. West, along the North  
8 line of Tract 4, a distance of 960.63 feet to a 3/4 inch iron pipe  
9 found for the West corner of the herein described tract in the  
10 Southeast line of Tract 5 heretofore surveyed;

11           THENCE North 22 deg. 08 min. 26 sec. East, along the Southeast  
12 line of Tract 5, a distance of 152.05 feet to a 3/4 inch iron pipe  
13 found for angle point;

14           THENCE North 39 deg. 52 min. 48 sec. East, along the Southeast  
15 line of Tract 5, at 2279.02 feet pass a 3/4 inch iron pipe set for  
16 reference corner, and continue for a total distance of 2379.02 feet  
17 to a point marking the North corner of the herein described tract in  
18 the Southwest line of Tract 6 this day surveyed, said point being in  
19 the centerline of Persimmon Bayou;

20           THENCE North 85 deg. 31 min. 02 sec. East, along the  
21 centerline of Persimmon Bayou and the Southwest line of Tract 6, at  
22 52.97 feet pass the South corner of Tract 6 and the West corner of  
23 Tract 2, and continue along the Southwest line of Tract 2 for a  
24 total distance of 1183.48 feet to an angle point;

25           THENCE South 72 deg. 02 min. 39 sec. East, along the  
26 centerline of Persimmon Bayou and the Southwest line of Tract 2, a  
27 distance of 2183.60 feet to an angle point;

1           THENCE South 71 deg. 13 min. 56 sec. East, along the  
2 centerline of Persimmon Bayou and the Southwest line of Tract 2, a  
3 distance of 765.49 feet to a point marking the East corner of the  
4 herein described tract in the Northwest right-of-way line of F. M.  
5 2004, from which point a concrete monument found bears North 43 deg.  
6 30 min. 34 sec. East - 355.35 feet;

7           THENCE South 43 deg. 30 min. 34 sec. West, along the Northwest  
8 line of F. M. 2004, a distance of 3316.44 feet to the PLACE OF  
9 BEGINNING and containing 206.94 acres of land.

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

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

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

24           (d) All requirements of the constitution and laws of this  
25 state and the rules and procedures of the legislature with respect  
26 to the notice, introduction, and passage of this Act are fulfilled  
27 and accomplished.

1           SECTION 4. (a) If this Act does not receive a two-thirds  
2 vote of all the members elected to each house, Subchapter C, Chapter  
3 7952A, Special District Local Laws Code, as added by Section 1 of  
4 this Act, is amended by adding Section 7952A.0307 to read as  
5 follows:

6           Sec. 7952A.0307. NO EMINENT DOMAIN POWER. The district may  
7 not exercise the power of eminent domain.

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

11          SECTION 5. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2021.



Product

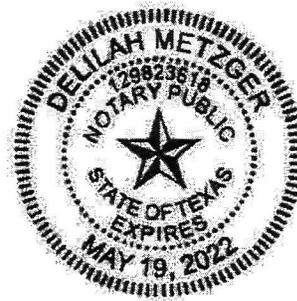
Date

Class

Page

Victoria Bond \* K Club  
NEWSPAPER REPRESENTATIVE

Sworn and subscribed to before me, this 30th Day of March A.D. 2021



[Signature]  
Notary Public in and for the State of Texas

**NOTICE OF INTENTION TO INTRODUCE A BILL  
IN THE LEGISLATURE OF TEXAS**

Notice is hereby given of the intention to introduce in the Regular Session of the 87th Legislature of Texas a bill creating and establishing a special district in Brazoria County, under the provisions of Article XVI, Section 59 of the Constitution of Texas and pursuant to the inherent power of the Legislature to create special governmental agencies and districts, with powers including those given to municipal utility districts operating pursuant to Chapters 49 and 54, Texas Water Code, with road powers pursuant to Article III, Section 52 of the Constitution of Texas. The bill will provide for the district's administration, powers, terms, duties, operation, and financing. The proposed boundaries of the district will include all or part of the following land situated in Brazoria County, Texas:

206.94 ACRES OF LAND, BEING A PART OF THE PERRY AND AUSTIN LEAGUE, ABSTRACT 109, BRAZORIA COUNTY, TEXAS, AND BEING OUT OF THAT CERTAIN TRACT DESCRIBED IN A DEED TO IP FARMS AS PARCEL 34, TRACT 1, RECORDED IN VOLUME 1769, PAGE 350, DEED RECORDS OF BRAZORIA COUNTY, TEXAS, SAID 206.94 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 3/4 inch iron pipe set for the South corner of the herein described tract and the East corner of Tract 4 this day surveyed in the Northwest right-of-way line of F. M. 2004 (300.0 feet wide in Volume 873, Page 612, Deed Records), said point being located North 43 deg. 30 min. 34 sec. East - 1544.18 feet from a 3/4 inch iron pipe found at the East corner of a 150 acre tract described in a deed from IP Farms to Regency Cleaners, Inc. recorded in Clerk's File 00-032313;

THENCE North 43 deg. 35 min. 12 sec. West, along the Northeast line of Tract 4, a distance of 121.04 feet to a 3/4 inch iron pipe set for angle point;

THENCE North 55 deg. 26 min. 28 sec. West, along the Northeast line of Tract 4, a distance of 161.66 feet to a 3/4 inch iron pipe set for angle point;

THENCE North 44 deg. 16 min. 35 sec. West, along the Northeast line of Tract 4, a distance of 1738.74 feet to a 3/4 inch iron pipe set for angle point;

THENCE North 59 deg. 34 min. 22 sec. West, along the Northeast line of Tract 4, a distance of 158.26 feet to a 3/4 inch iron pipe set for angle point;

THENCE North 82 deg. 17 min. 31 sec. West, along the North line of Tract 4, a distance of 827.12 feet to a 3/4 inch iron pipe set for angle point;

THENCE South 68 deg. 39 min. 28 sec. West, along the North line of Tract 4, a distance of 950.63 feet to a 3/4 inch iron pipe found for the West corner of the herein described tract in the Southeast line of Tract 5;

THENCE North 22 deg. 08 min. 26 sec. East, along the Southeast line of Tract 5, a distance of 152.05 feet to a 3/4 inch iron pipe found for angle point;

THENCE North 29 deg. 52 min. 48 sec. East, along the Southeast line of Tract 5, at 2279.02 feet pass a 3/4 inch iron pipe set for reference corner, and continue for a total distance of 2379.02 feet to a point marking the North corner of the herein described tract in the Southwest line of Tract 5 this day surveyed, said point being in the centerline of Persimmon Bayou;

THENCE North 85 deg. 31 min. 02 sec. East, along the centerline of Persimmon Bayou and the Southwest line of Tract 6, at 52.97 feet pass the South corner of Tract 6 and the West corner of Tract 2, and continue along the Southwest line of Tract 2 for a total distance of 1183.48 feet to an angle point;

THENCE South 72 deg. 02 min. 39 sec. East, along the centerline of Persimmon Bayou and the Southwest line of Tract 2, a distance of 2183.60 feet to an angle point;

THENCE South 71 deg. 13 min. 56 sec. East, along the centerline of Persimmon Bayou and the Southwest line of Tract 2, a distance of 765.49 feet to a point marking the East corner of the herein described tract in the Northwest right-of-way line of F. M. 2004, from which point a concrete monument found bears North 43 deg. 30 min. 34 sec. East - 355.35 feet;

THENCE South 43 deg. 30 min. 34 sec. West, along the Northwest line of F. M. 2004, a distance of 3316.44 feet to the PLACE OF BEGINNING and containing 206.94 acres of land.

BEARING BASE: Texas State Plane Coordinate System - South Central Zone.

This publication was paid for by T&K Hovinka Farms.

**To place legal notices**  
 email [legals@chron.com](mailto:legals@chron.com) or call 713.224.6868.

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**NOTICE OF INTENTION TO INTRODUCE A BILL IN THE LEGISLATURE OF TEXAS**

Notice is hereby given of the intention to introduce in the Regular Session of the 87th Legislature of Texas a bill creating and establishing a special district in Brazoria County, under the provisions of Article XVI, Section 59 of the Constitution of Texas and pursuant to the inherent power of the Legislature to create special governmental agencies and districts, with powers including those given to municipal utility districts operating pursuant to Chapters 43 and 54, Texas Water Code, with road powers pursuant to Article III, Section 52 of the Constitution of Texas. The bill will provide for the district's administration, powers, name, duties, operation, and financing. The proposed boundaries of the district will include all or part of the following land situated in Brazoria County, Texas:

**206.94 ACRES OF LAND, BEING A PART OF THE PERRY AND AUSTIN LEAGUE, ABSTRACT 108, BRAZORIA COUNTY, TEXAS, AND BEING OUT OF THAT CERTAIN TRACT DESCRIBED IN A DEED TO IP FARMS AS PARCEL 34, TRACT 1, RECORDED IN VOLUME 1766, PAGE 350, DEED RECORDS OF BRAZORIA COUNTY, TEXAS, SAID 206.94 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING** at a 3/4 inch iron pipe set for the South corner of the herein described tract and the East corner of Tract 4 this day surveyed in the Northwest right-of-way line of F. M. 2004 (300.0 feet wide in Volume 878, Page 612, Deed Records), said point being located North 43 deg. 30 min. 34 sec. East - 1544.36 feet from a 3/4 inch iron pipe found at the East corner of a 15.0 acre tract described in a deed from IP Farms to Regency Cleaners, Inc. recorded in Clark's File 00-032313;

**THENCE** North 43 deg. 35 min. 12 sec. West, along the Northeast line of Tract 4, a distance of 121.04 feet to a 3/4 inch iron pipe set for angle point;

**THENCE** North 55 deg. 26 min. 26 sec. West, along the Northeast line of Tract 4, a distance of 161.66 feet to a 3/4 inch iron pipe set for angle point;

**THENCE** North 44 deg. 16 min. 34 sec. West, along the Northeast line of Tract 4, a distance of 1738.74 feet to a 3/4 inch iron pipe set for angle point;

**THENCE** North 59 deg. 34 min. 22 sec. West, along the Northeast line of Tract 4, a distance of 158.26 feet to a 3/4 inch iron pipe set for angle point;

**THENCE** North 82 deg. 17 min. 31 sec. West, along the North line of Tract 4, a distance of 827.12 feet to a 3/4 inch iron pipe set for angle point;

**THENCE** South 68 deg. 39 min. 26 sec. West, along the North line of Tract 4, a distance of 960.63 feet to a 3/4 inch iron pipe found for the West corner of the herein described tract in the Southeast line of Tract 5 heretofore surveyed;

**THENCE** North 22 deg. 08 min. 26 sec. East, along the Southeast line of Tract 5, a distance of 152.05 feet to a 3/4 inch iron pipe found for angle point;

**THENCE** North 89 deg. 32 min. 49 sec. East, along the Southwest line of Tract 5, a distance of 2279.02 feet pass a 3/4 inch iron pipe set for reference corner, and continue for a total distance of 2379.02 feet to a point marking the North corner of the herein described tract in the Southwest line of Tract 6 this day surveyed, said point being on the centerline of Persimmon Bayou;

**THENCE** North 85 deg. 38 min. 02 sec. East, along the centerline of Persimmon Bayou and the Southwest line of Tract 6, a distance of 92.97 feet pass the South corner of Tract 6 and the West corner of Tract 2, and continue along the Southwest line of Tract 2 for a total distance of 1183.46 feet to an angle point;

**THENCE** North 72 deg. 06 min. 35 sec. East, along the centerline of Persimmon Bayou and the Southwest line of Tract 2, a distance of 2183.69 feet to an angle point;

**THENCE** South 71 deg. 13 min. 05 sec. East, along the centerline of Persimmon Bayou and the Southwest line of Tract 2, a distance of 205.93 feet to a point marking the East corner of the herein described tract in the Northwest right-of-way line of F. M. 2004, from which point a concrete monument found bears North 43 deg. 30 min. 34 sec. East - 1544.36 feet;

**THENCE** South 43 deg. 30 min. 34 sec. West, along the Northwest line of F. M. 2004, a distance of 3316.44 feet to the PLACE OF BEGINNING, and containing 206.94 acres of land.

**BEARING** BASE: Texas State Plane Coordinate System - South Central Zone.

This publication was paid for by T&K Insurance Agency.

**UNITED STATES DISTRICT COURT**  
 For the Southern District of Texas  
 WELLS FARGO BANK, N.A.  
 Plaintiff(s)  
 v.  
 ERIC ORTIZ and CLAUDIA A. WHITE  
 Defendant(s)  
 Civil Action No. 4:20-CV-03865  
**SUMMONS IN A CIVIL ACTION**

To: (Defendant's name and address) ERIC ORTIZ  
 2920 SHADOWBRIAR DR  
 APT 914  
 HOUSTON, TX 77082

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff of plaintiff's attorney, whose name and address are Robert J. Palmer  
 Fox Rothschild LLP  
 Saint Ann Court  
 2501 N. Harwood Street  
 Suite 1800  
 Dallas, TX 75201

If you fail to respond, judgement by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

David J. Bradley, Clerk  
 Court

Date: November 17, 2021  
 s/ D. Waggoner  
 Signature of Clerk or Deputy Clerk

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