

By: Jetton

H.B. No. 4588

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Fort Bend County Municipal Utility District No. 251; 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 7915A to read as follows:

CHAPTER 7915A. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 251

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7915A.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 Fort Bend County Municipal Utility District No. 251.

Sec. 7915A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7915A.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. 7915A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 7915A.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. 7915A.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. 7915A.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. 7915A.0201. GOVERNING BODY; TERMS. (a) The district
4 is governed by a board of five elected directors.

5 (b) Except as provided by Section 7915A.0202, directors
6 serve staggered four-year terms.

7 Sec. 7915A.0202. TEMPORARY DIRECTORS. (a) The temporary
8 board consists of:

9 (1) Adam Baker;

10 (2) Justin Waggoner;

11 (3) Michael Binick;

12 (4) Tyler Horne; and

13 (5) Eric Vanderbilt.

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

15 (1) the date permanent directors are elected under
16 Section 7915A.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 7915A.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 7915A.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. 7915A.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. 7915A.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. 7915A.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. 7915A.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. 7915A.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 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

17 Sec. 7915A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
18 The district may issue, without an election, bonds and other
19 obligations secured by:

- 20 (1) revenue other than ad valorem taxes; or
21 (2) contract payments described by Section
22 7915A.0403.

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

27 (c) The district may not issue bonds payable from ad valorem

1 taxes to finance a road project unless the issuance is approved by a
2 vote of a two-thirds majority of the district voters voting at an
3 election held for that purpose.

4 Sec. 7915A.0402. OPERATION AND MAINTENANCE TAX. (a) If
5 authorized at an election held under Section 7915A.0401, the
6 district may impose an operation and maintenance tax on taxable
7 property in the district in accordance with Section 49.107, Water
8 Code.

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

11 Sec. 7915A.0403. CONTRACT TAXES. (a) In accordance with
12 Section 49.108, Water Code, the district may impose a tax other than
13 an operation and maintenance tax and use the revenue derived from
14 the tax to make payments under a contract after the provisions of
15 the contract have been approved by a majority of the district voters
16 voting at an election held for that purpose.

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

20 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

21 Sec. 7915A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
22 OBLIGATIONS. The district may issue bonds or other obligations
23 payable wholly or partly from ad valorem taxes, impact fees,
24 revenue, contract payments, grants, or other district money, or any
25 combination of those sources, to pay for any authorized district
26 purpose.

27 Sec. 7915A.0502. TAXES FOR BONDS. At the time the district

1 issues bonds payable wholly or partly from ad valorem taxes, the
2 board shall provide for the annual imposition of a continuing
3 direct ad valorem tax, without limit as to rate or amount, while all
4 or part of the bonds are outstanding as required and in the manner
5 provided by Sections 54.601 and 54.602, Water Code.

6 Sec. 7915A.0503. BONDS FOR ROAD PROJECTS. At the time of
7 issuance, the total principal amount of bonds or other obligations
8 issued or incurred to finance road projects and payable from ad
9 valorem taxes may not exceed one-fourth of the assessed value of the
10 real property in the district.

11 SECTION 2. The Fort Bend County Municipal Utility District
12 No. 251 initially includes all the territory contained in the
13 following area:

14 TRACT 1 of 2 (145.368 acres)

15 Being a tract containing 145.368 acres of land located in the
16 Jane Wilkins One League Grant, Abstract No. 96, Fort Bend County,
17 Texas. Said 145.368 acres being a call 145.368 acre tract of land,
18 styled as Tract III, recorded in the name of the 300 Acres LLC under
19 Fort Bend County Clerk's File (F.B.C.C.F.) No. 2017087205. Said
20 145.368 acres of land being more particularly described by metes
21 and bounds as follows (Bearings are referenced to the Texas
22 Coordinate System of 1983, South Central Zone, as derived from GPS
23 observations):

24 BEGINNING at a 5/8 inch capped iron rod (stamp illegible)
25 found at the southwest corner of said 145.368 acre tract, the
26 northwest corner of a call 317.812 acre tract of land, styled as
27 Tract One, recorded in the name of RES/VLS Real Estate Limited

1 Partnership under F.B.C.C.F. No. 2018058651 and being on the east
2 right-of-way (R.O.W.) line of Harlem Road (width varies) as
3 recorded in F.B.C.C.F. Nos. 2011015402 and 2015075797 and Volume
4 63, Page 203 of the Fort Bend County Deed Records (F.B.C.D.R.), from
5 which a 5/8 inch capped iron rod stamped "1943 4349 5829" bears
6 South 86 degrees 49 minutes 01 seconds West, a distance of 122.03
7 feet;

8 THENCE, with said east R.O.W. line, the following eight (8)
9 courses:

10 1. North 02 degrees 07 minutes 03 seconds West, a distance
11 of 1,332.59 feet to a 5/8 inch iron rod found (disturbed) at a point
12 of curvature to the left;

13 2. 100.26 feet along the arc of said curve, having a radius
14 of 23,989.95 feet, a central angle of 00 degrees 14 minutes 22
15 seconds, and a chord which bears North 02 degrees 14 minutes 14
16 seconds West, a distance of 100.26 feet to a 5/8 inch iron rod found
17 at a point of tangency;

18 3. North 02 degrees 21 minutes 25 seconds West, a distance
19 of 229.64 feet to a point of curvature to the left from which point a
20 5/8 inch iron rod found bears North 09 degrees 27 minutes 04 seconds
21 East, a distance of 0.42 feet;

22 4. 100.66 feet along the arc of said curve, having a radius
23 of 10,506.91 feet, a central angle of 00 degrees 32 minutes 56
24 seconds, and a chord which bears North 02 degrees 37 minutes 53
25 seconds West, a distance of 100.65 feet to a 5/8 inch capped iron
26 rod stamped "Landtech" found at a point of tangency;

27 5. North 02 degrees 54 minutes 21 seconds West, a distance

1 of 500.14 feet to a 5/8 inch iron rod found at a point of curvature
2 to the left;

3 6. 100.67 feet along the arc of said curve, having a radius
4 of 10,758.45 feet, a central angle of 00 degrees 32 minutes 10
5 seconds, and a chord which bears North 03 degrees 10 minutes 26
6 seconds West, a distance of 100.67 feet to a 5/8 inch capped iron
7 rod stamped "Landtech" found at a point of tangency;

8 7. North 03 degrees 26 minutes 31 seconds West, a distance
9 of 577.51 feet to a 5/8 inch capped iron rod (stamp illegible)
10 found;

11 8. North 07 degrees 26 minutes 39 seconds East, a distance
12 of 74.13 feet a 5/8 inch iron rod found at the northwest corner of
13 said 145.368 acre tract and on the south line of a call 70 foot
14 drainage canal (Fourth Tract) recorded in the name of Fort Bend
15 County Drainage District in Volume 331, Page 468, F.B.C.D.R.;

16 THENCE with the south line of said 70 foot drainage canal, the
17 following seventeen (17) courses:

18 1. South 60 degrees 53 minutes 52 seconds East, a distance
19 of 306.17 feet to a 5/8 inch iron rod found;

20 2. South 69 degrees 40 minutes 19 seconds East, a distance
21 of 478.71 feet to a 5/8 inch capped iron rod stamped "Texas GLO"
22 found;

23 3. South 52 degrees 56 minutes 36 seconds East, a distance
24 of 366.41 feet to a 5/8 inch capped iron rod stamped "GBI Partners"
25 set;

26 4. South 45 degrees 25 minutes 47 seconds East, a distance
27 of 500.58 feet to a 5/8 inch capped iron rod stamped "Texas GLO"

1 found;

2 5. South 57 degrees 59 minutes 59 seconds East, a distance
3 of 355.33 feet to a 5/8 inch capped iron rod stamped "Texas GLO"
4 found;

5 6. South 63 degrees 30 minutes 30 seconds East, a distance
6 of 557.67 feet to a 5/8 inch capped iron rod stamped "Texas GLO"
7 found;

8 7. South 56 degrees 32 minutes 29 seconds East, a distance
9 of 237.63 feet to a 5/8 inch capped iron rod stamped "GBI Partners"
10 set;

11 8. South 47 degrees 43 minutes 07 seconds East, a distance
12 of 235.69 feet to a 5/8 inch capped iron rod stamped "Texas GLO"
13 found;

14 9. South 36 degrees 54 minutes 04 seconds East, a distance
15 of 578.06 feet to a 5/8 inch capped iron rod stamped "Texas GLO"
16 found;

17 10. South 51 degrees 53 minutes 46 seconds East, a distance
18 of 306.04 feet to a 5/8 inch capped iron rod stamped "Texas GLO"
19 found;

20 11. South 79 degrees 35 minutes 06 seconds East, a distance
21 of 224.59 feet to a 5/8 inch capped iron rod stamped "Texas GLO"
22 found;

23 12. South 70 degrees 32 minutes 04 seconds East, a distance
24 of 118.34 feet to a 5/8 inch capped iron rod stamped "Texas GLO"
25 found;

26 13. South 57 degrees 43 minutes 30 seconds East, a distance
27 of 259.63 feet to a 5/8 inch capped iron rod stamped "Texas GLO"

1 found;

2 14. South 72 degrees 42 minutes 40 seconds East, a distance
3 of 146.64 feet to a 5/8 inch capped iron rod stamped "Texas GLO"
4 found;

5 15. North 86 degrees 24 minutes 38 seconds East, a distance
6 of 227.86 feet to a 5/8 inch capped iron rod stamped "Texas GLO"
7 found;

8 16. North 77 degrees 35 minutes 31 seconds East, a distance
9 of 163.54 feet to a 5/8 inch capped iron rod stamped "Texas GLO"
10 found;

11 17. North 72 degrees 52 minutes 13 seconds East, a distance
12 of 112.09 feet to a T-post found on the west line of a call 143.287
13 acre tract of land, styled as Tract IV, recorded in the name of 300
14 Acres LLC under F.B.C.C.F. No. 2017087205;

15 THENCE, with said west line, South 02 degrees 59 minutes 48
16 seconds East, a distance of 333.45 feet to the north line of a call
17 107.128 acre tract of land, styled as Tract 9B, recorded in the name
18 of RES/VLS Real Estate Limited Partnership under F.B.C.C.F.
19 No. 9632563, from which point a 5/8 inch iron rod found (disturbed)
20 bears North 02 degrees 59 minutes 48 seconds West, a distance of
21 1.86 feet;

22 THENCE, with said north line and the north line of aforesaid
23 317.812 acre tract, South 86 degrees 49 minutes 01 seconds West, a
24 distance of 4,213.36 feet to the POINT OF BEGINNING and containing
25 145.368 acres of land.

26 TRACT 2 of 2 (89.504 net acres)

27 Being 143.287 acres of land in the Jane Wilkins One League

1 Grant, Abstract No. 96, and the Jesse H. Cartwright One League
2 Grant, Abstract No. 16, Fort Bend County, Texas. Said 143.287 acres
3 of land being that certain call 7.39 acre (Tract Six) tract of land
4 and that certain call 100.16 acre (Tract Seven) tract of land
5 recorded in the name of State of Texas, for the use and benefit of
6 the Permanent School Fund, under Fort Bend County Clerk's File
7 (F.B.C.C.F.) No. 2004060103 and amended under 2004075320, and that
8 certain call 35.72 acre (Part 2) tract of land recorded in the name
9 of State of Texas, for the use and benefit of the Permanent School
10 Fund, under F.B.C.C.F. No. 2004060102 and amended under
11 2008106694. Said 143.287 acres also being a portion of that certain
12 tract of land described as 957 acres in a deed dated February 19,
13 1908 from Mollie C. Riddick to the Board of Penitentiary
14 Commissioners of the State of Texas as recorded in Volume 43, Page
15 209 of the Fort Bend County Deed Records (F.B.C.D.R.); said 143.287
16 acres of land being more particularly described by metes and bounds
17 as follows (Bearings are referenced to the Texas Coordinate System
18 of 1983, South Central Zone, as derived from GPS observations):

19 BEGINNING at a 5/8 inch capped iron rod found in the
20 Southwesterly line of a call 97.179 acre (Parcel 9) tract of land
21 for controlled access highway facility (State Highway No. 99;
22 locally known as Grand Parkway) recorded in the name of Texas
23 Transportation Commission under F.B.C.C.F. No. 9203043, for the
24 Northwest corner and call Point of Beginning of said 35.72 acres;

25 THENCE, with said Southwesterly line and the Northeasterly
26 line of said 35.72 acres and said 100.16 acres, the following three
27 (3) courses:

1 1. South 23 degrees 18 minutes 03 seconds East (call South
2 20 degrees 38 minutes 03 seconds East), at 864.59 feet (call 864.65
3 feet) pass a 5/8 inch capped iron rod set for the Northeast corner
4 of said 35.72 acres and the Northwest corner of said 100.16 acres,
5 and continuing for a total distance of 3,526.81 feet to a TXDOT disc
6 found for the beginning of a tangent curve to the left;

7 2. 1,941.45 feet (call 1,941.59 feet), along the arc of
8 said curve to the left, having a radius of 5,879.58 feet, a central
9 angle of 18 degrees 55 minutes 09 seconds (call 18 degrees 55
10 minutes 14 seconds), and a chord which bears South 32 degrees 45
11 minutes 37 seconds East (call South 30 degrees 05 minutes 42 seconds
12 East), a distance of 1,932.64 feet (call 1,932.80 feet) to a
13 concrete monument found for tangency;

14 3. South 42 degrees 13 minutes 12 seconds East (call South
15 39 degrees 32 minutes 48 seconds East), a distance of 771.91 feet
16 (call 771.54 feet) to the North line of a call 52.12 acre tract
17 (Fifth Tract) recorded in the name of Sandra Ann Smith Austin in
18 Volume 663, Page 770 F.B.C.D.R., for the Southeast corner of said
19 100.16 acres, from which point a found 5/8 inch iron rod bears South
20 86 degrees 49 minutes 34 seconds West, a distance of 0.42 feet;

21 THENCE, with said North line and the South line of said 100.16
22 acres, South 86 degrees 49 minutes 34 seconds West, a distance of
23 861.83 feet (call 861.54 feet) to the Northwest corner of said 52.12
24 acres, same being the Northeast corner of a call 107.128 acre tract
25 (Tract 9B) recorded in the name of RES/VLS Real Estate Limited
26 Partnership under F.B.C.C.F. No. 9632563, from which point a found
27 5/8 inch iron rod bears North 02 degrees 39 minutes 48 seconds West,

1 a distance of 0.38 feet;

2 THENCE, with the North line of said 107.128 acres and the
3 South line of said 100.16 acres, said 7.39 acres, and said 35.72
4 acres, South 86 degrees 49 minutes 01 seconds West, at 1,509.50
5 feet pass the Southwest corner of the aforementioned 7.39 acres and
6 the Southeast corner of the aforementioned 35.72 acres, from which
7 point a found 5/8 inch iron rod bears North 02 degrees 59 minutes 48
8 seconds West, a distance of 1.68 feet and continuing for a total
9 distance of 1,809.52 feet to the Southwest corner of said 35.72
10 acres and the Southeast corner of a call 154.59 acre tract recorded
11 in the name of State of Texas, for the use and benefit of the
12 Permanent School Fund under F.B.C.C.F. No. 2004060103 and amended
13 under F.B.C.C.F. No. 2004075320, from which point a found 5/8 inch
14 iron rod bears North 02 degrees 59 minutes 48 seconds West, a
15 distance of 1.86 feet;

16 THENCE, with the West line of said 35.72 acres, North 02
17 degrees 59 minutes 48 seconds West, at 333.45 feet pass the
18 Northeast corner of said 154.59 acres and continuing for a total
19 distance of 5,591.90 feet (call 5,591.99 feet) to the POINT OF
20 BEGINNING and containing 143.287 acres of land.

21 SAVE AND EXCEPT the following two tracts:

22 Tract A: Being a tract containing 9.477 acres of land located
23 in the Jane Wilkins One League Grant, Abstract No. 96, in Fort Bend
24 County, Texas. Said 9.477 acres being a portion of a call 143.287
25 acre tract of land, styled Tract IV, recorded in the name of 300
26 Acres LLC in Fort Bend County Clerk's File (F.B.C.C.F.)
27 No. 2017087205. Said 9.447 acres of land being more particularly

1 described by metes and bounds as follows (Bearings are referenced
2 to the Texas Coordinate System of 1983, South Central Zone, as
3 derived from GPS observations):

4 BEGINNING at a 5/8 inch iron rod found at the most northerly
5 corner of said 143.287 acre tract and being on the westerly
6 Right-of-Way (R.O.W.) line of Grand Parkway (S.H. 99), a controlled
7 access highway facility (width varies) and a call 97.179 acre tract
8 of land, styled Parcel 9, recorded in the name of Texas
9 Transportation Commission under F.B.C.C.F. No. 9203043, from which
10 a 5/8 inch capped iron rod stamped "Texas GLO" found at the
11 southeast corner of a call 168.253 acre tract of land, styled Tract
12 1, recorded in the name of Grand Parkway 1358 LP under F.B.C.C.F.
13 No. 2014037769 bears North 23 degrees 18 minutes 03 seconds West, a
14 distance of 5,435.63 feet;

15 THENCE, with said westerly R.O.W. line and west line of said
16 97.179 acre tract, South 23 degrees 18 minutes 03 seconds East, at a
17 distance of 864.57 feet pass a 5/8 inch iron rod found, and
18 continuing for a total distance of 1,815.94 feet to the northwest
19 intersection of said Grand Parkway and Owens Road (100- foot width)
20 as described in F.B.C.C.F. No. 2016063197;

21 THENCE, with the north R.O.W. line of said Owens Road, North
22 61 degrees 03 minutes 29 seconds West, at a distance of 0.55 feet
23 pass a 5/8 inch capped iron rod stamped "Town & Country" found and
24 continuing for a total distance of 742.55 feet to a 5/8 inch capped
25 iron rod stamped "Town & Country" found on the west line of said
26 143.287 acre tract;

27 THENCE, with said west line, North 02 degrees 59 minutes 48

1 seconds West, a distance of 1,310.29 feet to the POINT OF BEGINNING
2 and containing 9.477 acres of land.

3 Tract B: Being a tract containing 44.306 acres of land
4 located in the Jane Wilkins One League Grant, Abstract No. 96, in
5 Fort Bend County, Texas. Said 44.306 acres being a portion of a call
6 143.287 acre tract of land, styled Tract IV, recorded in the name of
7 300 Acres LLC in Fort Bend County Clerk's File (F.B.C.C.F.)
8 No. 2017087205. Said 44.306 acres of land being more particularly
9 described by metes and bounds as follows (Bearings are referenced
10 to the Texas Coordinate System of 1983, South Central Zone, as
11 derived from GPS observations):

12 BEGINNING at a 5/8 inch iron rod found at the intersection of
13 the west line of said 143.287 acre tract and the south Right-of-Way
14 (R.O.W.) line of Owens Road (100-foot width) as described in
15 F.B.C.C.F. No. 2016063197 from which a 5/8 inch iron rod found at
16 the most northerly corner of said 143.287 acre tract and being on
17 the westerly Right-of-Way (R.O.W.) line of Grand Parkway (S.H. 99),
18 a controlled access highway facility (width varies) and a call
19 97.179 acre tract of land, styled Parcel 9, recorded in the name of
20 Texas Transportation Commission under F.B.C.C.F. No. 9203043 bears
21 North 02 degrees 59 minutes 48 seconds West, a distance of 1,428.13
22 feet;

23 THENCE, with said south R.O.W. line, South 61 degrees 03
24 minutes 29 seconds East, at a distance of 808.78 feet pass a 5/8
25 inch capped iron rod stamped "Town & Country" found and continuing
26 for a distance of 809.33 feet to the southwest intersection of said
27 Owens Road and said Grand Parkway;

1 THENCE, with the westerly R.O.W. line of said Grand Parkway
2 and west line of said 97.179 acre tract, the following two (2)
3 courses:

4 1.) South 23 degrees 18 minutes 03 seconds East, a distance
5 of 1,547.55 feet to a Texas Department of Transportation (TXDOT)
6 disc found at a point of curvature to the left;

7 2.) 332.80 feet along the arc of said curve, having a radius
8 of 5,879.58 feet, a central angle of 03 degrees 14 minutes 35
9 seconds, and a chord which bears South 24 degrees 55 minutes 20
10 seconds East, a distance of 332.75 feet to a 5/8 inch capped iron
11 rod stamped "GBI Partners" set;

12 THENCE, through and across said 143.287 acre tract, South 87
13 degrees 00 minutes 12 seconds West, a distance of 1,348.06 feet to a
14 5/8 inch capped iron rod stamped "GBI Partners" set on the west line
15 of said 143.287 acre tract and at the southwest corner of the herein
16 described tract from which a T-post found on said west line and at
17 the northeast corner of a call 145.368 acre tract of land, styled
18 Tract III, recorded in the name of 300 Acres LLC in F.B.C.C.F.
19 2017087205 bears South 02 degrees 59 minutes 48 seconds East, a
20 distance of 1,642.09 feet;

21 THENCE, with said west line, North 02 degrees 59 minutes 48
22 seconds West, at a distance of 2,188.22 feet to the POINT OF
23 BEGINNING and containing 44.306 acres of land.

24 The total acreage of Tract 2 being 143.287 acres, save and
25 except 9.477 acres and 44.305 acres, for a total of 89.504 acres.

26 The total acreage of the district being 234.872 acres,
27 consisting of 145.368 in Tract 1 and 89.504 acres in Tract 2.

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

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

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

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

19 SECTION 4. (a) If this Act does not receive a two-thirds
20 vote of all the members elected to each house, Subchapter C, Chapter
21 7915A, Special District Local Laws Code, as added by Section 1 of
22 this Act, is amended by adding Section 7915A.0306 to read as
23 follows:

24 Sec. 7915A.0306. NO EMINENT DOMAIN POWER. The district may
25 not exercise the power of eminent domain.

26 (b) This section is not intended to be an expression of a
27 legislative interpretation of the requirements of Section 17(c),

1 Article I, Texas Constitution.

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