

1-1 By: Bailes (Senate Sponsor - Schwertner) H.B. No. 4605
 1-2 (In the Senate - Received from the House May 17, 2021;
 1-3 May 17, 2021, read first time and referred to Committee on Local
 1-4 Government; May 21, 2021, reported favorably by the following
 1-5 vote: Yeas 7, Nays 0; May 21, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Menéndez	X			
1-9 Eckhardt	X			
1-10 Gutierrez			X	
1-11 Hall	X			
1-12 Nichols	X			
1-13 Paxton	X			
1-14 Springer	X			
1-15 Zaffirini			X	

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the creation of the New Waverly Municipal Management
 1-20 District No. 1; providing authority to issue bonds and impose
 1-21 assessments, fees, and taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Subtitle C, Title 4, Special District Local Laws
 1-24 Code, is amended by adding Chapter 3992 to read as follows:

1-25 CHAPTER 3992. NEW WAVERLY MUNICIPAL MANAGEMENT DISTRICT NO. 1
 1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 3992.0101. DEFINITIONS. In this chapter:

- 1-28 (1) "Board" means the district's board of directors.
- 1-29 (2) "City" means the City of New Waverly, Texas.
- 1-30 (3) "Commission" means the Texas Commission on
 1-31 Environmental Quality.
- 1-32 (4) "Director" means a board member.
- 1-33 (5) "District" means the New Waverly Municipal
 1-34 Management District No. 1.

1-35 Sec. 3992.0102. CREATION AND NATURE OF DISTRICT. The
 1-36 district is a special district created under Sections 52 and 52-a,
 1-37 Article III, and Section 59, Article XVI, Texas Constitution.

1-38 Sec. 3992.0103. PURPOSE; LEGISLATIVE FINDINGS. (a) The
 1-39 creation of the district is essential to accomplish the purposes of
 1-40 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
 1-41 Texas Constitution, and other public purposes stated in this
 1-42 chapter. By creating the district and in authorizing the city and
 1-43 other political subdivisions to contract with the district, the
 1-44 legislature has established a program to accomplish the public
 1-45 purposes set out in Section 52-a, Article III, Texas Constitution.

1-46 (b) The creation of the district is necessary to promote,
 1-47 develop, encourage, and maintain employment, commerce,
 1-48 transportation, housing, tourism, recreation, the arts,
 1-49 entertainment, economic development, safety, and the public
 1-50 welfare in the district.

1-51 (c) This chapter and the creation of the district may not be
 1-52 interpreted to relieve the city from providing the level of
 1-53 services provided to the area in the district as of the effective
 1-54 date of the Act enacting this chapter. The district is created to
 1-55 supplement and not to supplant the city services provided in the
 1-56 district.

1-57 Sec. 3992.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-58 (a) The district is created to serve a public use and benefit.

1-59 (b) All land and other property included in the district
 1-60 will benefit from the improvements and services to be provided by
 1-61 the district under powers conferred by Sections 52 and 52-a,

2-1 Article III, and Section 59, Article XVI, Texas Constitution, and
 2-2 other powers granted under this chapter.

2-3 (c) The district is created to accomplish the purposes of a
 2-4 municipal management district as provided by general law and
 2-5 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
 2-6 Texas Constitution.

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

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

2-11 (2) eliminate unemployment and underemployment;

2-12 (3) develop or expand transportation and commerce; and

2-13 (4) provide quality residential housing.

2-14 (e) 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 and by landscaping and
 2-23 developing certain areas in the district, which are necessary for
 2-24 the restoration, preservation, and enhancement of scenic beauty;
 2-25 and

2-26 (4) provide for water, wastewater, drainage, road, and
 2-27 recreational facilities for the district.

2-28 (f) Pedestrian ways along or across a street, whether at
 2-29 grade or above or below the surface, and street lighting, street
 2-30 landscaping, parking, and street art objects are parts of and
 2-31 necessary components of a street and are considered to be a street
 2-32 or road improvement.

2-33 (g) The district will not act as the agent or
 2-34 instrumentality of any private interest even though the district
 2-35 will benefit many private interests as well as the public.

2-36 Sec. 3992.0105. DISTRICT TERRITORY. (a) The district is
 2-37 composed of the territory described by Section 2 of the Act enacting
 2-38 this chapter, as that territory may have been modified under other
 2-39 law.

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 contract;

2-46 (3) authority to borrow money or issue bonds or other
 2-47 obligations or to pay the principal and interest of the bonds or
 2-48 other obligations;

2-49 (4) right to impose or collect an assessment, or
 2-50 collect other revenue; or

2-51 (5) legality or operation.

2-52 Sec. 3992.0106. APPLICABILITY OF MUNICIPAL MANAGEMENT
 2-53 DISTRICTS LAW. Except as otherwise provided by this chapter,
 2-54 Chapter 375, Local Government Code, applies to the district.

2-55 Sec. 3992.0107. CONSTRUCTION OF CHAPTER. This chapter
 2-56 shall be liberally construed in conformity with the findings and
 2-57 purposes stated in this chapter.

2-58 Sec. 3992.0108. CONFLICTS OF LAW. This chapter prevails
 2-59 over any provision of Chapter 375, Local Government Code, that is in
 2-60 conflict or inconsistent with this chapter.

2-61 Sec. 3992.0109. CONSENT OF MUNICIPALITY REQUIRED. The
 2-62 board may not hold an election to authorize the issuance of bonds
 2-63 until the governing body of the city by ordinance or resolution
 2-64 consents to the creation of the district and to the inclusion of
 2-65 land in the district. The city's consent must be granted in the
 2-66 manner provided by Section 54.016, Water Code, for including land
 2-67 within the corporate limits or extraterritorial jurisdiction of a
 2-68 city.

SUBCHAPTER B. BOARD OF DIRECTORS

3-1 Sec. 3992.0201. GOVERNING BODY; TERMS. (a) The district is
 3-2 governed by a board of five directors who serve staggered terms of
 3-3 four years, with two or three directors' terms expiring June 1 of
 3-4 each even-numbered year.

3-5 (b) The governing body of the city, by a majority vote,
 3-6 shall appoint one member of the board.

3-7 (c) The commission shall appoint four members of the board
 3-8 in the manner provided by Section 3992.0202.

3-9 Sec. 3992.0202. APPOINTMENT BY COMMISSION. (a) Before the
 3-10 term of a director appointed by the commission expires, the board
 3-11 shall recommend to the commission a person to serve as a successor
 3-12 director. The commission shall appoint as director the person
 3-13 recommended by the board.

3-14 (b) A person recommended by the board under Subsection (a)
 3-15 must be:

3-16 (1) at least 18 years of age;

3-17 (2) an owner of property in the district;

3-18 (3) an owner of stock, whether beneficial or
 3-19 otherwise, of a corporate owner of property in the district;

3-20 (4) an owner of a beneficial interest in a trust that
 3-21 owns property in the district; or

3-22 (5) an agent, employee, or tenant of a person
 3-23 described by Subdivision (2), (3), or (4).

3-24 Sec. 3992.0203. VACANCY. (a) Except as provided by
 3-25 Subsection (b), if a vacancy occurs on the board, the remaining
 3-26 directors shall appoint a director for the remainder of the
 3-27 unexpired term.

3-28 (b) If a vacancy occurs in the position of the board member
 3-29 appointed by the city, the city shall appoint a director for the
 3-30 remainder of the unexpired term.

3-31 Sec. 3992.0204. COMPENSATION; EXPENSES. (a) The district
 3-32 may compensate each director in an amount not to exceed \$150 for
 3-33 each board meeting. The total amount of compensation a director may
 3-34 receive each year may not exceed \$7,200.

3-35 (b) A director is entitled to reimbursement for necessary
 3-36 and reasonable expenses incurred in carrying out the duties and
 3-37 responsibilities of the board.

3-38 Sec. 3992.0205. INITIAL DIRECTORS. (a) On or after the
 3-39 effective date of the Act enacting this chapter, the owner or owners
 3-40 of a majority of the assessed value of the real property in the
 3-41 district according to the most recent certified tax appraisal rolls
 3-42 for the county may submit a petition to the commission requesting
 3-43 that the commission appoint as initial directors four persons named
 3-44 in the petition. The commission shall appoint as initial directors
 3-45 the persons named in the petition.

3-46 (b) The initial directors, including the initial
 3-47 city-appointed director, shall determine by lot which three
 3-48 positions expire June 1, 2024, and which two positions expire June
 3-49 1, 2022.

3-50 (c) This section expires September 1, 2025.

SUBCHAPTER C. POWERS AND DUTIES

3-51 Sec. 3992.0301. GENERAL POWERS AND DUTIES. The district
 3-52 has the powers and duties necessary to accomplish the purposes for
 3-53 which the district is created.

3-54 Sec. 3992.0302. IMPROVEMENT PROJECTS AND SERVICES. The
 3-55 district may provide, design, construct, acquire, improve,
 3-56 relocate, operate, maintain, or finance an improvement project or
 3-57 service using money available to the district for the purpose, or
 3-58 contract with a governmental or private entity to provide, design,
 3-59 construct, acquire, improve, relocate, operate, maintain, or
 3-60 finance an improvement project or service authorized under this
 3-61 chapter or Chapter 375, Local Government Code.

3-62 Sec. 3992.0303. LOCATION OF IMPROVEMENT PROJECT. A
 3-63 district improvement project may be located inside or outside of
 3-64 the district.

3-65 Sec. 3992.0304. NO EMINENT DOMAIN. The district may not
 3-66 exercise the power of eminent domain.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4-1 Sec. 3992.0401. DISBURSEMENTS AND TRANSFERS OF MONEY. The
 4-2 board by resolution shall establish the number of directors'
 4-3 signatures and the procedure required for a disbursement or
 4-4 transfer of the district's money.

4-5 Sec. 3992.0402. MONEY USED FOR IMPROVEMENTS OR SERVICES.
 4-6 The district may acquire, construct, or finance an improvement
 4-7 project or service authorized by this chapter or Chapter 375, Local
 4-8 Government Code, using any money available to the district for that
 4-9 purpose.

SUBCHAPTER E. TAXES AND BONDS

4-10 Sec. 3992.0501. OPERATION AND MAINTENANCE TAX. The
 4-11 district may impose an operation and maintenance tax on taxable
 4-12 property in the district for any district purpose in the manner
 4-13 provided by Section 49.107, Water Code, if authorized by a majority
 4-14 of the district voters voting at an election held in accordance with
 4-15 the Water Code, the Election Code, and any other applicable law,
 4-16 including for:

4-17 (1) maintaining and operating the district;

4-18 (2) constructing or acquiring improvements; or

4-19 (3) providing a service.

4-20 Sec. 3992.0502. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
 4-21 the time bonds or other obligations payable wholly or partly from ad
 4-22 valorem taxes are issued:

4-23 (1) the board shall impose a continuing direct annual
 4-24 ad valorem tax for each year that all or part of the bonds are
 4-25 outstanding; and

4-26 (2) the board annually shall impose an ad valorem tax
 4-27 on all taxable property in the district in an amount sufficient to:

4-28 (A) pay the interest on the bonds or other
 4-29 obligations as the interest becomes due; and

4-30 (B) create a sinking fund for the payment of the
 4-31 principal of the bonds or other obligations when due or the
 4-32 redemption price at any earlier required redemption date.

4-33 SECTION 2. The New Waverly Municipal Management District
 4-34 No. 1 initially includes all the territory contained in the
 4-35 following area:

4-36 Tract 1 - 101.605 Acres:

4-37 FIELDNOTES TO 101.605 ACRES OF LAND AS SITUATED IN THE CITY OF
 4-38 NEW WAVERLY, IN THE C. A. SLEIGHT SURVEY, A-496, WALKER COUNTY,
 4-39 TEXAS, AND BEING OUT OF THAT CERTAIN CALLED 132.629 ACRE TRACT
 4-40 CONVEYED BY JOE T. HODDE, TRUSTEE, TO HMH-WALKER 140 LIMITED BY DEED
 4-41 RECORDED IN VOLUME 255, PAGE 1 OF THE DEED RECORDS OF SAID COUNTY.
 4-42 SAID 101.605 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND
 4-43 BOUNDS AS FOLLOWS:

4-44 BEGINNING at a 1/2 inch iron rod set for the north corner of this and
 4-45 of said 132.629 acres on the southwest right-of-way of State
 4-46 Highway 150, same being the east corner of the Emma Reese 1.0 acre
 4-47 tract described in Volume 265, Page 625 of said deed records;

4-48 THENCE: S 59° 58' E 647.74 Ft., with said southwest right-of-way, to
 4-49 a 1/2 inch iron rod set for an exterior corner of this tract, same
 4-50 being the north corner of proposed New Waverly Ridge II Commercial
 4-51 Lot 4;

4-52 THENCE: S 30° 02' W 600.00 Ft., on a line within said 132.629 acres
 4-53 and with the northwest line said Lot 4 to its west corner, a 1/2 inch
 4-54 iron rod set for an interior corner of this tract;

4-55 THENCE: S 59° 58' E 300.00 Ft., continuing within said 132.629 acres
 4-56 and with the southwest line of said Lot 4 to its south corner, a 1/2
 4-57 inch iron rod set for an interior corner of this tract;

4-58 THENCE: N 30° 02' E 600,00 Ft., continuing within said 132.629 acres
 4-59 and with the southeast line of said Lot 4 to its east corner, a 1/2
 4-60 inch iron rod set for an exterior corner of this tract on the
 4-61 northeast line of said 132.629 acres, same being on the southwest
 4-62 right-of-way of said State Highway 150;

4-63 THENCE: S 59° 58' E 669.60 Ft., with said southwest right-of-way and
 4-64 132.629 acre northeast line, to a 1/2 inch iron rod set for an
 4-65 exterior corner of this tract, same being the north corner of
 4-66 proposed New Waverly Ridge II Commercial Lot 1;

4-67 THENCE: S 30° 02' W 600.00 Ft., on a line within said 132.629 acres

5-1 and with the northwest line of said Lot 1 to its west corner, a 1/2
5-2 inch iron rod set for an interior corner of this tract;
5-3 THENCE: S 59° 58' E 836.94 Ft., continuing within said 132.629 acres
5-4 and with the southwest lines of said Lot 1, of New Waverly Ridge
5-5 Commercial Lot 2 as shown on plat recorded in Volume 3, Page 130 of
5-6 the plat records of said county and of New Waverly Ridge Commercial
5-7 Lot 3, as shown on plat recorded in Volume 3, Page 154 of said plat
5-8 records to a 1/2 inch iron rod set for an interior corner of this
5-9 tract, same being the south corner of said New Waverly Ridge Lot.3;
5-10 THENCE: N 30° 02' E 591.12 Ft., continuing on said 132.629 acres and
5-11 with the southeast lines of said New Waverly Ridge Lot 3 to its east
5-12 corner, a 1/2 inch iron rod set for an exterior corner of this tract
5-13 on the southwest right-of-way of said State Highway 150, same being
5-14 on the northeast line of said 132.629 acres;
5-15 THENCE: S 58° 03' E 80.04 Ft., with said southwest right-of-way and
5-16 being 132.629 acre northeast line, to a 1/2 inch iron rod set for
5-17 the upper east corner of this tract, same being the north corner of
5-18 the proposed New Waverly Ridge Commercial Lot 4;
5-19 THENCE: N 30° 02' W 588.44 Ft., on a line within said 132.629 acres
5-20 and with the northwest line of said New Waverly Ridge Lot 4 to its
5-21 west corner, a 1/2 inch iron rod set for an interior corner of this
5-22 tract;
5-23 THENCE: S 59° 58' E 286.28 Ft., continuing within said 132.629 acres
5-24 and with the southwest line of said Lot 4 to its south corner, a 1/2
5-25 inch iron rod set for the east corner of this tract on the northwest
5-26 line of New Waverly Ridge Commercial Lot 1 as shown on plat recorded
5-27 in Volume 3, Page 130 of said plat records;
5-28 THENCE: S 16° 03' W 516.29 Ft., continuing within said 132.629 acres
5-29 and with said Lot 1 northwest line to its west corner, a 1/2 inch
5-30 iron rod set for the lower east corner of this tract on the
5-31 southeast line of said 132.629 acres, same being on the northwest
5-32 right-a-way of Longstreet Road;
5-33 THENCE: With said 132.629 acre southeast line and Longstreet Road
5-34 northwest right-of-way as follows:
5-35 S 81° 03' W 45.11 Ft. S 80° 05' W 216.95 Ft.
5-36 S 77° 48' W 222.57 Ft. S 75° 05' W 122.55 Ft.
5-37 to a 1/2 inch iron rod set for an exterior corner of this tract, same
5-38 being the east corner of the Southwestern Bell Telephone Company
5-39 0.057 acre tract described in Volume 423, Page 556 of said deed
5-40 records;
5-41 THENCE: N 10° 43' W 50.00 Ft., on a line within said 132.629 acres
5-42 and with the northeast line of said 0.057 acre to its north corner,
5-43 a 1/2 inch iron rod set for an interior corner of this tract;
5-44 THENCE: S 75° 05' W 50.00 Ft., continuing within said 132.629 acres
5-45 and with the northwest line of said 0.057 acre to its west corner, a
5-46 1/2 inch iron rod set for an interior corner of this tract;
5-47 THENCE: S 10° 43' E 50.00 Ft., continuing within said 132.629 acres
5-48 and with the southwest line of said 0.057 acre to its south corner,
5-49 a concrete monument found for exterior corner of this tract on the
5-50 southeast line of said 132.629 acres, same being on the northwest
5-51 right-of-way of said Longstreet Road;
5-52 THENCE: S 74° 19' W 472.13 Ft. and S 68° 33' W 147.67 Ft., with said
5-53 132.629 acre southeast line and Longstreet Road northwest
5-54 right-of-way, to a 3 inch iron pipe found for the south corner of
5-55 this and of said 132.629 acres, same being the east corner of the
5-56 Western Grove Missionary Baptist Church tract which no deed of
5-57 record was located;
5-58 THENCE: N 24° 49' W 170.48 Ft, with the northeast line of said church
5-59 tract to its north corner, a 1/2 inch iron rod set for an interior
5-60 corner of this tract;
5-61 THENCE: S 53° 09' W 157.03 Ft., with the northwest line of said
5-62 church tract to its west corner, a 1/2 inch iron rod set for an
5-63 exterior corner of this tract on the northeast line of Fritz Kelly
5-64 2.0 acre tract described in Volume 123, Page 716 of said deed
5-65 records;
5-66 THENCE: N 60° 07' W 1003.34 Ft., with the southwest line of said
5-67 132.629 acres and the northeast lines of said 2.0 acres, of the
5-68 Jimmie Cain Jr. 5.89 acre tract described in Volume 252, Page 75 of
5-69 the official records of said county, of the Jourdon Sanders 1.0 acre

6-1 tract described in Volume 395, Page 899 of said deed records and of
6-2 the Mildred Harris 1.07 acre tract described in Volume 227, Page 285
6-3 of said deed records, to a 1 inch iron pipe found for an exterior
6-4 corner of this tract, same being the south corner of the City of New
6-5 Waverly 2.8708 acre tract described in Volume 425, Page 874 of said
6-6 deed records;
6-7 THENCE: N 29° 55' E 304.96 Ft., with the southeast line of said
6-8 2.8708 acres to its east corner, a 1 inch iron pipe found for an
6-9 interior corner of this tract;
6-10 THENCE: N 60° 07' W 409.90 Ft., with the northeast line of said
6-11 2.8708 acres to its north corner, a 1 inch iron pipe found for an
6-12 interior corner of this tract;
6-13 THENCE: S 29° 51' W 304.96 Ft., with the northwest line of said
6-14 2.8708 acres to its west corner, a 1 inch iron pipe found for an
6-15 exterior corner of this tract on the southwest line of said 132.629
6-16 acres, same being on the northeast line of the Roy Clark 2.44 acre
6-17 tract described in Volume 311, Page 569 of said deed records;
6-18 THENCE: N 60° 07' W 389.41 Ft., with said 132.629 acre southwest line
6-19 and the northeast lines of said 2.44 acres and of the Patricia L.
6-20 Crowley 0.771 acre described as Tract One in Volume 248, Page 497 of
6-21 said official records, to a 1/2 inch iron rod set for an exterior
6-22 corner of this and of said 132.629 acres on the northeast
6-23 right-of-way of Interstate Highway 45, same being the north corner
6-24 of said 0.771 acre;
6-25 THENCE: N 11° 12' W 46.73 Ft., with said northeast right-of-way, to a
6-26 1/2 inch iron pipe found for the west corner of this and of said
6-27 132.629 acres, same being the south corner of the Patricia L.
6-28 Crowley 2.559 acres described as Tract Two in Volume 248, Page 497
6-29 of said official records;
6-30 THENCE: N 30° 27' E 507.40 Ft., with the southeast line of said 2.559
6-31 acres to its east corner, a 1/2 inch iron rod found for an interior
6-32 corner of this and of said 132.629 acres, same being the south
6-33 corner of the Artie L. Moses, et. al., residue of a 15 acre tract
6-34 described in Volume 272, Page 667 of said official records;
6-35 THENCE: N 29° 57' E 542.03 Ft., with the southeast line of said
6-36 residue of 15 acres to its east corner, a 5/8 inch iron rod found for
6-37 an interior corner of this and of said 132.629 acres, same being the
6-38 south corner of the Ned Jourdan 3.842 acre tract described in Volume
6-39 390, Page 640 of said deed records;
6-40 THENCE: N 29° 47' E 960.15 Ft., with the southeast lines of said
6-41 3.842 acres, of the Frances Gillaspie 1.50 acre tract described in
6-42 Volume 162, Page 85 of said deed records and of said Reese 1.0 acre,
6-43 to the PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS
6-44 101.605 ACRES OF LAND.
6-45 TRACT 2:
6-46 Being 1.07 acres of land, situated in the C.A. SLEIGHT Survey,
6-47 Abstract No. 496, Walker County, Texas, and being out of and a part
6-48 of the residue of a called 15.00 acre tract of land described in a
6-49 Deed Deed from Isom Mickle, et ux. to Lucretia Moses dated 17 Nov.
6-50 1925 and recorded in Volume 56, Page 147, Deed Records, Walker
6-51 County, Texas, said 1.07 acres being more definitely described by
6-52 metes and bounds as follows:
6-53 BEGINNING at the most westerly corner of the said 15 acre tract,
6-54 same being a northern corner of a called 523.55 acre tract described
6-55 in a Deed from John Henry Hall et al to Judy C. Campbell recorded in
6-56 Volume 0861, Page 140, Official Records and being a point in the
6-57 southeastern line of a called 3.76 acre tract described in a Deed
6-58 from Joan Lee, Trustee to Ralph A. Cadwallader, recorded in Volume
6-59 0787, Page 501, Official Records, Walker County, Texas, found a 3"
6-60 iron pipe (set a 5/8" iron rod w/cap in center of pipe) for corner;
6-61 THENCE S 59°36'04" E along the common boundary line of said 523.55
6-62 acre Campbell tract and the said 15 acre Moses tract, a distance of
6-63 286.28 feet to a 5/8" iron rod set in the west right-of-way line of
6-64 Interstate 45, said iron rod being the most southern corner of the
6-65 herein described 1.07 acre and the southwest corner of a called 7.43
6-66 acre tract described in a Deed from Lucretia Moses to the State
6-67 Highway Commission, dated 5 Aug. 1958 and recorded in Volume 161,
6-68 Page 111, Deed Records, Walker County, Texas;
6-69 THENCE N 11°07'21" W along the said west right-of-way line of

7-1 Interstate 45, a distance of 435.60 feet to the most northern corner
7-2 of the herein described 1.07 acre tract, same being a southeast
7-3 corner of the said 3.76 acre Cadwallader tract, set a 5/8" iron rod
7-4 w/cap, from which a 1/2" iron rod bears S 29°57'48" W a distance of
7-5 1.62 feet, and a 5/8" iron rod w/cap brs. N 11°46'38" W a distance of
7-6 79.19 feet;
7-7 THENCE S 29°57'48" W along the common boundary line of the said 3.76
7-8 acre Cadwallader tract and the said 15 acre Moses tract, a distance
7-9 of 326.15 feet to the POINT OF BEGINNING.
7-10 Containing 1.07 acres of land.
7-11 TRACT 3:
7-12 Being 6.56 acres of land, situated in the C.A. SLEIGHT Survey,
7-13 Abstract No. 496, Walker County, Texas, and being out of and a part
7-14 of the residue of a called 15.00 acre tract of land described in a
7-15 Deed from Isom Mickle, et ux. to Lucretia Moses dated 17 Nov. 1925
7-16 and recorded in Volume 56, Page 147, Deed Records, Walker County,
7-17 Texas, said 6.56 acres being more definitely described by metes and
7-18 bounds as follows:
7-19 BEGINNING at the most southern corner of the said 15 acre tract,
7-20 same being the most eastern corner of a called 2.559 acre tract
7-21 described as Tract 2 in a deed dated 29 March 1995 from Martin J.
7-22 Ross III, et al to Patricia L. Crowley, recorded in Volume 0248,
7-23 Page 497, Official Records, and a point in the west line of a called
7-24 101.65 acre tract described in a Deed dated 26 April 2006 from
7-25 HMH-Walker 140 Limited to Thornberry Family Partnership, recorded
7-26 in Volume 0745, Page 678, Official Records, found a 1/2" iron rod
7-27 for corner;
7-28 THENCE N 30°01'04" W along an old barbed wire fence and with the
7-29 common line of said 101.65 acre Thornberry and the 15 acre Moses
7-30 tracts, a distance of 398.88 feet to a 5/8" iron rod set for the most
7-31 easterly corner of the said Moses tract, said iron rod also being
7-32 the south corner of called 1 acre tract described in a deed to Emma
7-33 Reece and recorded in Volume 273, Page 702, Deed Records and from
7-34 which a iron stake found (disturbed) brs S 60°38'04" E distance of
7-35 1.89 feet and a found 5/8" iron rod w/cap brs. N 30°01'04"E a
7-36 distance of 143.36 feet;
7-37 THENCE N 60°38'04" W along the common line of said 1 acre Reece and 15
7-38 acre Moses tracts, at a calculated distance of 285 feet pass the
7-39 southwest corner of said 1 acre Reece tract, same being the
7-40 southeast corner of a called 1 acre tract described in a deed to
7-41 Carolyn Anderson and recorded in Volume 389, Page 642, Deed
7-42 Records, and continuing on a total distance of 570 feet to a found
7-43 3/8"x2" flat iron stake (set a 5/8" iron rod w/cap beside) for a
7-44 reentrant corner of the said 15 acre Moses tract and the most
7-45 westerly corner of said 1 acre Anderson tract;
7-46 THENCE N 29°21'56" E with the common boundary line of the 1 acre
7-47 Anderson tract and the 15 acre Moses tract, a distance of 142.33 to
7-48 a 5/8" iron rod set for corner, said iron rod being the northwest
7-49 corner of said 1 acre Anderson tract and a point in the south line of
7-50 a 2 acre tract described in a deed to Lula Rogers, et al, and
7-51 recorded in Volume 83, Page 596, Deed Records, Walker County,
7-52 Texas;
7-53 THENCE N 60°44'12" W along common line of said 2 acre Rogers and 15
7-54 acre Moses tracts, at a distance of 97.32 feet pass a found 5"x 3.5"
7-55 wagon axle housing for the west corner of said 2 acre Rogers tract
7-56 and the south corner of the residue a called 7 acre tract described
7-57 in a deed to Harrison Hector and recorded in Volume 83, Page 595,
7-58 Deed Records, and continuing on for a total distance of 338.96 to a
7-59 set 5/8" iron rod for the most north corner of the herein described
7-60 tract, said iron rod being in the east right-of-way of said
7-61 Interstate 45 and being the southern corner of a called 2.67 acre
7-62 tract described in a deed to the State Highway Commission and
7-63 recorded in Volume 161, Page 161, Deed Records, Walker County,
7-64 Texas;
7-65 THENCE S 11°09'E with the said east right-of-way line of Interstate
7-66 45 a distance of 716.09 feet to a point for corner, said point being
7-67 in the southwest line of the said 15 acre tract and being the most
7-68 northern corner of the said Crowley 2.559 acre tract and from which
7-69 the center of a 3" galvanized fence post brs S 63°43'36"E a distance

8-1 of 0.42 feet, a 1/2" iron pipe (disturbed) brs S58°20'05"W a
8-2 distance of 1.06 feet and a 5/8" iron rod with cap (set for
8-3 reference) brs N 72° W a distance of 0.21 feet;
8-4 THENCE S 61°07'56" W with the common line of said 2.559 acre P.
8-5 Crowley and 15 acre Moses tracts, a distance of 439.22 feet to the
8-6 PLACE OF' BEGINNING.
8-7 Containing 6.56 acres of land.
8-8 Tract 4 - 4.846 ACRES:
8-9 A tract or parcel of land containing 4.846 acres (211,071 square
8-10 feet) out of the C.A. Sleight 1/3 League, Abstract No. 496, Walker
8-11 County, Texas, being all of the called 3.842 acre tract and all of
8-12 the called 1.000 acre tract conveyed to Ned Jordan, Jr., as recorded
8-13 in Volume 390, Page 640 of the Walker County Deed Records
8-14 (W.C.D.R.), said 4.846 acres being more particularly described by
8-15 metes and bounds as follows: (The basis of bearing for this
8-16 description is the monumented north line of the subject tract
8-17 called SOUTH 61 degrees 05 minutes 45 seconds EAST, as recorded in
8-18 said Volume 390, Page 640)
8-19 BEGINNING at a 1/2-inch iron rod found at the northwest corner of
8-20 said 1.000 acre tract and the northwest corner of the herein
8-21 described tract, being the northeast corner of the 2 acre tract
8-22 conveyed to Edward Crawford, as recorded in Volume 83, Page 596 of
8-23 the W.C.D.R., and the southwest corner of the 1.50 acre tract
8-24 conveyed to Frances Gillaspie, as recorded in Volume 162, Page 85 of
8-25 the W.C.D.R., lying at the terminus of Colony Road;
8-26 THENCE SOUTH 61 degrees 05 minutes 45 seconds EAST along the south
8-27 line of said 1.50 acre tract, at 264.05 feet passing a 5/8-inch iron
8-28 rod found at the northeast corner of said 1.000 acre tract and
8-29 continuing for a total distance of 473.50 feet to a 5/8-inch iron
8-30 rod found at the northeast corner of the herein described tract;
8-31 THENCE SOUTH 29 degrees 32 minutes 14 seconds WEST, 444.11 feet
8-32 (called S 29 Deg. 37'03" W, 444.12') along the west line of the
8-33 101.605 acre tract conveyed to the Thornberry Family Partnership,
8-34 Ltd., as recorded in Volume 776, Page 655 of the Official Public
8-35 Records of Walker County (O.P.R.W.C.), to a 5/8-inch iron rod found
8-36 at the southeast corner of the herein described tract;
8-37 THENCE NORTH 61 degrees 05 minutes 45 seconds WEST, 477.09 feet
8-38 (called 476.47') along the north lines of a 1 acre tract, described
8-39 as a save & except tract to Emma Reese and another 1 acre tract
8-40 conveyed to Carolyn Anderson, as recorded in Volume 389, Page 642 of
8-41 the W.C.D.R., to a 5/8-inch iron rod found at the southwest corner
8-42 of the herein described tract;
8-43 THENCE NORTH 30 degrees 00 minutes 00 seconds EAST along the east
8-44 line of said 2 acre Crawford tract, at 279.16 feet passing the
8-45 southwest corner of said 1.000 acre Jordan tract, and continuing
8-46 for a total distance of 444.17 feet to the POINT OF BEGINNING of the
8-47 herein described tract, containing 4.846 acres (211,071 square
8-48 feet) of land. Drawing No. B-502 was prepared to accompany this
8-49 description, and is on file in the office of C&R Surveying, Inc.
8-50 Tract 5:
8-51 Field Notes to 3.285 acres of land situated in the City of New
8-52 Waverly, in the C.A. Sleight Survey, A-496, Walker County, Texas,
8-53 and being out of the 124.818 acres residue of that certain called
8-54 132.629 acres tract conveyed by Joe. T. Hode, Trustee, to HMW-I40
8-55 Walker Limited by deed recorded in volume 253, page 1 of the deed
8-56 records of said Walker County, Texas, said 3.285 acres being more
8-57 particularly described by metes and bounds as follows;
8-58 BEGINNING at a 5/8 inch iron rod found for the northeast corner of
8-59 this and of said 124.818 acre residue tract, same being the
8-60 northwest corner of the Earl Biscamp 3.00 acre tract described in
8-61 Volume 338, Page 735 of the official records of said County and
8-62 being on the south right of way of State Highway 150;
8-63 THENCE: S 26°58' W 429.09 ft., with the west line of said 3.00 acres
8-64 to its southwest corner, a 5/8 inch iron rod found for an interior
8-65 corner of this tract, same being the northwest corner of commercial
8-66 lot 1 of New Waverly Ridge Subdivision as shown on plat recorded in
8-67 Volume 3, Page 130 of the plat records of said County;
8-68 THENCE: S 16°03' W 157.08 ft., with the west line of said Lot 1, to a
8-69 1/2 inch iron rod set for the southeast corner of this tract;

9-1 THENCE: N 59°58' W 286.28 ft., on a line within said 132.629 acres,
 9-2 to a 1/2 inch iron rod set for the southwest corner of this tract;
 9-3 THENCE: N 30°02' W 588.44 ft., continuing within said 132.629 acres,
 9-4 to a 1/2 inch iron rod set for the northwest corner of this tract on
 9-5 the south right of way of State Highway 150, same being the north
 9-6 line of said 132.629 acres;
 9-7 THENCE: S 58°03' E 225.49 ft., with said north line and south right
 9-8 of way, to the place of beginning and containing within these bounds
 9-9 3.285 acres of land.

9-10 SECTION 3. (a) The legal notice of the intention to
 9-11 introduce this Act, setting forth the general substance of this
 9-12 Act, has been published as provided by law, and the notice and a
 9-13 copy of this Act have been furnished to all persons, agencies,
 9-14 officials, or entities to which they are required to be furnished
 9-15 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 9-16 Government Code.

9-17 (b) The governor, one of the required recipients, has
 9-18 submitted the notice and Act to the Texas Commission on
 9-19 Environmental Quality.

9-20 (c) The Texas Commission on Environmental Quality has filed
 9-21 its recommendations relating to this Act with the governor,
 9-22 lieutenant governor, and speaker of the house of representatives
 9-23 within the required time.

9-24 (d) All requirements of the constitution and laws of this
 9-25 state and the rules and procedures of the legislature with respect
 9-26 to the notice, introduction, and passage of this Act have been
 9-27 fulfilled and accomplished.

9-28 SECTION 4. This Act takes effect immediately if it receives
 9-29 a vote of two-thirds of all the members elected to each house, as
 9-30 provided by Section 39, Article III, Texas Constitution. If this
 9-31 Act does not receive the vote necessary for immediate effect, this
 9-32 Act takes effect September 1, 2021.

9-33 * * * * *