

1-1 By: Gates (Senate Sponsor - Kolkhorst) H.B. No. 4615
 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				
1-8	X			
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	

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

1-19 relating to the creation of the Fort Bend County Municipal Utility
 1-20 District No. 249; granting a limited power of eminent domain;
 1-21 providing authority to issue bonds; providing authority to impose
 1-22 assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-24 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-25 Code, is amended by adding Chapter 7904A to read as follows:

1-26 CHAPTER 7904A. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT
 1-27 NO. 249

1-28 SUBCHAPTER A. GENERAL PROVISIONS

1-29 Sec. 7904A.0101. DEFINITIONS. In this chapter:

- 1-30 (1) "Board" means the district's board of directors.
- 1-31 (2) "City" means the City of Fulshear, Texas.
- 1-32 (3) "Commission" means the Texas Commission on
 1-33 Environmental Quality.
- 1-34 (4) "Director" means a board member.
- 1-35 (5) "District" means the Fort Bend County Municipal
 1-36 Utility District No. 249.

1-37 Sec. 7904A.0102. NATURE OF DISTRICT. The district is a
 1-38 municipal utility district created under Section 59, Article XVI,
 1-39 Texas Constitution.

1-40 Sec. 7904A.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-41 REQUIRED. The temporary directors shall hold an election to
 1-42 confirm the creation of the district and to elect five permanent
 1-43 directors as provided by Section 49.102, Water Code.

1-44 Sec. 7904A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-45 temporary directors may not hold an election under Section
 1-46 7904A.0103 until each municipality in whose corporate limits or
 1-47 extraterritorial jurisdiction the district is located has
 1-48 consented by ordinance or resolution to the creation of the
 1-49 district and to the inclusion of land in the district.

1-50 Sec. 7904A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
 1-51 (a) The district is created to serve a public purpose and benefit.

- 1-52 (b) The district is created to accomplish the purposes of:
- 1-53 (1) a municipal utility district as provided by
 1-54 general law and Section 59, Article XVI, Texas Constitution; and
- 1-55 (2) Section 52, Article III, Texas Constitution, that
 1-56 relate to the construction, acquisition, improvement, operation,
 1-57 or maintenance of macadamized, graveled, or paved roads, or
 1-58 improvements, including storm drainage, in aid of those roads.

1-59 Sec. 7904A.0106. INITIAL DISTRICT TERRITORY. (a) The
 1-60 district is initially composed of the territory described by
 1-61 Section 2 of the Act enacting this chapter.

2-1 (b) The boundaries and field notes contained in Section 2 of
 2-2 the Act enacting this chapter form a closure. A mistake made in the
 2-3 field notes or in copying the field notes in the legislative process
 2-4 does not affect the district's:

2-5 (1) organization, existence, or validity;
 2-6 (2) right to issue any type of bond for the purposes
 2-7 for which the district is created or to pay the principal of and
 2-8 interest on a bond;

2-9 (3) right to impose a tax; or
 2-10 (4) legality or operation.

2-11 SUBCHAPTER B. BOARD OF DIRECTORS

2-12 Sec. 7904A.0201. GOVERNING BODY; TERMS. (a) The district
 2-13 is governed by a board of five elected directors.

2-14 (b) Except as provided by Section 7904A.0202, directors
 2-15 serve staggered four-year terms.

2-16 Sec. 7904A.0202. TEMPORARY DIRECTORS. (a) On or after the
 2-17 effective date of the Act enacting this chapter, the owner or owners
 2-18 of a majority of the assessed value of the real property in the
 2-19 district may submit a petition to the commission requesting that
 2-20 the commission appoint as temporary directors the five persons
 2-21 named in the petition. The commission shall appoint as temporary
 2-22 directors the five persons named in the petition.

2-23 (b) Temporary directors serve until the earlier of:

2-24 (1) the date permanent directors are elected under
 2-25 Section 7904A.0103; or

2-26 (2) the fourth anniversary of the effective date of
 2-27 the Act enacting this chapter.

2-28 (c) If permanent directors have not been elected under
 2-29 Section 7904A.0103 and the terms of the temporary directors have
 2-30 expired, successor temporary directors shall be appointed or
 2-31 reappointed as provided by Subsection (d) to serve terms that
 2-32 expire on the earlier of:

2-33 (1) the date permanent directors are elected under
 2-34 Section 7904A.0103; or

2-35 (2) the fourth anniversary of the date of the
 2-36 appointment or reappointment.

2-37 (d) If Subsection (c) applies, the owner or owners of a
 2-38 majority of the assessed value of the real property in the district
 2-39 may submit a petition to the commission requesting that the
 2-40 commission appoint as successor temporary directors the five
 2-41 persons named in the petition. The commission shall appoint as
 2-42 successor temporary directors the five persons named in the
 2-43 petition.

2-44 SUBCHAPTER C. POWERS AND DUTIES

2-45 Sec. 7904A.0301. GENERAL POWERS AND DUTIES. The district
 2-46 has the powers and duties necessary to accomplish the purposes for
 2-47 which the district is created.

2-48 Sec. 7904A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-49 DUTIES. The district has the powers and duties provided by the
 2-50 general law of this state, including Chapters 49 and 54, Water Code,
 2-51 applicable to municipal utility districts created under Section 59,
 2-52 Article XVI, Texas Constitution.

2-53 Sec. 7904A.0303. AUTHORITY FOR ROAD PROJECTS. Under
 2-54 Section 52, Article III, Texas Constitution, the district may
 2-55 design, acquire, construct, finance, issue bonds for, improve,
 2-56 operate, maintain, and convey to this state, a county, or a
 2-57 municipality for operation and maintenance macadamized, graveled,
 2-58 or paved roads, or improvements, including storm drainage, in aid
 2-59 of those roads.

2-60 Sec. 7904A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-61 road project must meet all applicable construction standards,
 2-62 zoning and subdivision requirements, and regulations of each
 2-63 municipality in whose corporate limits or extraterritorial
 2-64 jurisdiction the road project is located.

2-65 (b) If a road project is not located in the corporate limits
 2-66 or extraterritorial jurisdiction of a municipality, the road
 2-67 project must meet all applicable construction standards,
 2-68 subdivision requirements, and regulations of each county in which
 2-69 the road project is located.

3-1 (c) If the state will maintain and operate the road, the
 3-2 Texas Transportation Commission must approve the plans and
 3-3 specifications of the road project.

3-4 Sec. 7904A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
 3-5 ORDINANCE OR RESOLUTION. The district shall comply with all
 3-6 applicable requirements of any ordinance or resolution that is
 3-7 adopted under Section 54.016 or 54.0165, Water Code, and that
 3-8 consents to the creation of the district or to the inclusion of land
 3-9 in the district.

3-10 Sec. 7904A.0306. PUBLIC INFORMATION. (a) The district
 3-11 shall maintain an Internet website.

3-12 (b) The board shall make available on the district's
 3-13 Internet website the information required under Section 26.18, Tax
 3-14 Code.

3-15 SUBCHAPTER D. BONDS AND OTHER OBLIGATIONS

3-16 Sec. 7904A.0401. AUTHORITY TO ISSUE BONDS AND OTHER
 3-17 OBLIGATIONS. The district may issue bonds or other obligations
 3-18 payable wholly or partly from ad valorem taxes, impact fees,
 3-19 revenue, contract payments, grants, or other district money, or any
 3-20 combination of those sources, to pay for any authorized district
 3-21 purpose.

3-22 Sec. 7904A.0402. TAXES FOR BONDS. At the time the district
 3-23 issues bonds payable wholly or partly from ad valorem taxes, the
 3-24 board shall provide for the annual imposition of a continuing
 3-25 direct ad valorem tax, without limit as to rate or amount, while all
 3-26 or part of the bonds are outstanding as required and in the manner
 3-27 provided by Sections 54.601 and 54.602, Water Code.

3-28 Sec. 7904A.0403. BONDS FOR ROAD PROJECTS. At the time of
 3-29 issuance, the total principal amount of bonds or other obligations
 3-30 issued or incurred to finance road projects and payable from ad
 3-31 valorem taxes may not exceed one-fourth of the assessed value of the
 3-32 real property in the district.

3-33 Sec. 7904A.0404. CONSENT OF MUNICIPALITY AND DEVELOPMENT
 3-34 AGREEMENT REQUIRED. (a) The temporary directors may not hold an
 3-35 election to authorize the issuance of bonds until:

3-36 (1) the governing body of the city by ordinance or
 3-37 resolution consents to the creation of the district and to the
 3-38 inclusion of land in the district; and

3-39 (2) the district, the city, and the owner or owners of
 3-40 a majority of the assessed value of real property in the district
 3-41 negotiate and execute a mutually approved and accepted development
 3-42 and operating agreement, including any limitations imposed by the
 3-43 city.

3-44 (b) The city's consent under Subsection (a) must be granted
 3-45 in the manner provided by Section 54.016, Water Code, for including
 3-46 land within the corporate limits or extraterritorial jurisdiction
 3-47 of a city.

3-48 SECTION 2. The Fort Bend County Municipal Utility District
 3-49 No. 249 initially includes all the territory contained in the
 3-50 following area:

3-51 Tract 1
 3-52 Being a tract containing 58.07 acres of land located in the William
 3-53 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said
 3-54 58.07 acres being a call 58.09 acre tract of land recorded in the
 3-55 name of HVM Partners, L.P. under Fort Bend County Clerk's File
 3-56 No. 2006046902. Said 58.07 acres of land being more particularly
 3-57 described by metes and bounds as follows (Bearings are referenced
 3-58 to the Texas Coordinate System of 1983, South Central Zone, as
 3-59 derived from GPS observations):

3-60 BEGINNING at a 1 inch iron pipe found at the northeast corner of
 3-61 said 58.09 acre tract, the southeast corner of a call 12.525 acre
 3-62 tract of land recorded in the name of Mason Briscoe III and Dee
 3-63 Briscoe under Volume 609, Page 690 of the Fort Bend County Deed
 3-64 Records (F.B.C.D.R.) and being on the west right-of-way (R.O.W.)
 3-65 line of F.M. Highway 723 (call 120-foot wide; occupied width
 3-66 varies), from which a 1/2 inch iron pipe found at the northeast
 3-67 corner of said 12.525 acre tract and intersection of said west
 3-68 R.O.W. with the south R.O.W. line of Beadle Road (occupied width
 3-69 varies) bears North 02 degrees 20 minutes 36 seconds West, a

4-1 distance of 627.92 feet;

4-2 THENCE, with said west R.O.W. line, South 02 degrees 20 minutes 36

4-3 seconds East (call South 00 degrees 16 minutes 50 seconds West), a

4-4 distance of 1,564.34 feet (call 1,563.07 feet) to a 1/2 inch iron

4-5 rod found at the common east corner of said 58.09 acre tract and a

4-6 call 57.34 acre tract of land recorded in the name of Evelyn

4-7 Huntington under F.B.C.C.F. No. 2014103478 from which a concrete

4-8 monument found at an angle point in said west R.O.W. line bears

4-9 South 02 degrees 20 minutes 36 seconds East, a distance of 359.15

4-10 feet;

4-11 THENCE, with the common line between said 58.09 acre and 57.34 acre

4-12 tracts, South 87 degrees 54 minutes 04 seconds West (call North 89

4-13 degrees 28 minutes 30 seconds West), a distance of 1,618.39 feet

4-14 (call 1,620.07 feet) to the common west corner of said 58.09 acre

4-15 and 57.34 acre tracts, being on the east line of a call 1,410.69

4-16 acre tract of land, styled as "Second Tract", recorded in the name

4-17 of Foster Farms, Inc. under Volume 362, Page 549 of the F.B.C.D.R.,

4-18 and the common line between said Andrews League and the John Foster

4-19 2-1/2 League Grant, A-26, Fort Bend County, Texas, from which point

4-20 a 1/2 inch iron pipe found bears South 87 degrees 54 minutes 04

4-21 seconds West, a distance of 0.45 feet;

4-22 THENCE, with said east line and said common league line, North 02

4-23 degrees 18 minutes 47 seconds West (call North 00 degrees 22 minutes

4-24 00 seconds East), a distance of 1,562.53 feet (call 1,563.05 feet)

4-25 to a 1/2 inch iron pipe found at the common west corner of said 58.09

4-26 acre tract and a call 12.525 acre tract of land recorded in the name

4-27 of Mason Briscoe III and Dee Briscoe under Volume 1118, Page 817 of

4-28 the F.B.C.D.R.;

4-29 THENCE, with the common line between said 58.09 acre and 12.525 acre

4-30 tracts and the south line of the aforesaid 12.525 acre tract, North

4-31 87 degrees 50 minutes 13 seconds East (call South 89 degrees 28

4-32 minutes 30 seconds East), a distance of 1,617.56 feet (call

4-33 1,617.72 feet) to the POINT OF BEGINNING and containing 58.07 acres

4-34 of land.

4-35 Tract 2

4-36 Being a tract containing 57.22 acres of land located in the William

4-37 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said

4-38 57.22 acres being a call 57.34 acre tract of land recorded in the

4-39 name of Evelyn Huntington under Fort Bend County Clerk's File

4-40 No. 2014103478. Said 57.22 acres of land being more particularly

4-41 described by metes and bounds as follows (Bearings are referenced

4-42 to the Texas Coordinate System of 1983, South Central Zone, as

4-43 derived from GPS observations):

4-44 BEGINNING at a 1/2 inch iron pipe found at the northeast corner of

4-45 said 57.34 acre tract, the southeast corner of a call 58.09 acre

4-46 tract of land recorded in the name of HVM Partners, L.P. under

4-47 F.B.C.C.F. No. 2006046902 and being on the west right-of-way

4-48 (R.O.W.) line of F.M. Highway 723 (call 120-foot wide; occupied

4-49 width varies), from which a 1 inch iron pipe found at the northeast

4-50 corner of said 58.09 acre tract and the southeast corner of a call

4-51 12.525 acre tract of land recorded in the name of Mason Briscoe III

4-52 and Dee Briscoe under Volume 609, Page 690 of the Fort Bend County

4-53 Deed Records (F.B.C.D.R.) bears North 02 degrees 20 minutes 36

4-54 seconds West, a distance of 1,564.34 feet;

4-55 THENCE, with said west R.O.W. line, the following two (2) courses:

4-56 1.) South 02 degrees 20 minutes 36 seconds East (call South 00

4-57 degrees 16 minutes 50 seconds East), a distance of 359.15 feet to a

4-58 concrete monument found;

4-59 2.) South 02 degrees 19 minutes 49 seconds East (call South 00

4-60 degrees 14 minutes 10 seconds West), a distance of 308.87 feet to a

4-61 1/2 inch iron rod found at the most easterly northeast corner of a

4-62 call 0.7397 acre tract of land recorded in the name of Mary Claire

4-63 Huntington in Volume 2271, Page 469 of the F.B.C.D.R.;

4-64 THENCE, with the north, west and south lines of said 0.7397 acre

4-65 tract, the following nine (9) courses:

4-66 1.) South 87 degrees 44 minutes 59 seconds West (call North 89

4-67 degrees 45 minutes 50 seconds West), a distance of 227.58 feet (call

4-68 227.60 feet) to a 1/2 inch iron pipe found;

4-69 2.) North 09 degrees 20 minutes 20 seconds West (call North 06

5-1 degrees 45 minutes 50 seconds West), a distance of 73.12 feet (call
5-2 73.48 feet) to a 1/2 inch iron pipe found;

5-3 3.) South 63 degrees 43 minutes 26 seconds West (call South 65
5-4 degrees 45 minutes West), a distance of 140.27 feet (call 140.05
5-5 feet) to a 5/8 inch capped iron rod stamped "GBI Partners" set;

5-6 4.) South 17 degrees 42 minutes 21 seconds West (call South 20
5-7 degrees 31 minutes 10 seconds West), a distance of 110.75 feet to a
5-8 1/2 inch iron pipe found;

5-9 5.) South 10 degrees 07 minutes 39 seconds East (call South 07
5-10 degrees 18 minutes 15 seconds East), a distance of 59.05 feet (call
5-11 59.0 feet) to a 1/2 inch iron pipe found;

5-12 6.) North 85 degrees 33 minutes 05 seconds East (call North 88
5-13 degrees East), a distance of 81.73 feet (call 82.32 feet) to a 1/2
5-14 inch iron pipe found;

5-15 7.) North 65 degrees 13 minutes 35 seconds East (call North 67
5-16 degrees 24 minutes 10 seconds East), a distance of 105.65 feet (call
5-17 105.75 feet) to a 1/2 inch iron pipe found;

5-18 8.) North 09 degrees 08 minutes 49 seconds West (call North 06
5-19 degrees 45 minutes 50 seconds West), a distance of 89.33 feet (call
5-20 88.89 feet) to a 1/2 inch iron pipe found;

5-21 9.) North 87 degrees 42 minutes 39 seconds East (call South 89
5-22 degrees 45 minutes 50 seconds West), a distance of 225.90 feet (call
5-23 225.76 feet) to a 1/2 inch iron pipe found at the most easterly
5-24 southeast corner of said 0.7397 acre tract and being on the
5-25 aforesaid west R.O.W. line of F.M. Highway 723;

5-26 THENCE, with said west R.O.W. line, South 02 degrees 19 minutes 49
5-27 seconds East (call South 00 degrees 14 minutes 10 seconds West), a
5-28 distance of 877.24 feet to a 1/2 inch iron rod found at the common
5-29 east corner of said 57.34 acre tract and a call 30.00 acre tract of
5-30 land recorded in the name of Evelyn Huntington under F.B.C.C.F.
5-31 No. 2014103447;

5-32 THENCE, with the common line between said 57.34 acre and 30.00 acre
5-33 tracts, South 87 degrees 54 minutes 34 seconds West (call North 89
5-34 degrees 28 minutes 30 seconds West), a distance of 1,618.94 feet
5-35 (call 1,623.30 feet) to a 1/2 inch iron pipe found at the common
5-36 west corner of said 57.34 acre and 30.00 acre tracts, being on the
5-37 east line of a call 1,410.69 acre tract of land, styled as "Second
5-38 Tract", recorded in the name of Foster Farms, Inc. under Volume 362,
5-39 Page 549 of the F.B.C.D.R., and the common line between said Andrews
5-40 League and the John Foster 2-1/2 League Grant, A-26, Fort Bend
5-41 County, Texas, from which a 1/2 inch iron pipe found at the
5-42 southwest corner of said 30.00 acre tract bears South 02 degrees 18
5-43 minutes 47 seconds East, a distance of 805.73 feet;

5-44 THENCE, with said east line and said common league line, North 02
5-45 degrees 18 minutes 47 seconds West (call North 00 degrees 22 minutes
5-46 00 seconds East), a distance of 1,559.73 feet (call 1,560.41 feet)
5-47 to a 1/2 inch iron pipe found at the common west corner of said 57.34
5-48 acre and aforesaid 58.09 acre tract from which point a 1/2 inch iron
5-49 pipe found bears South 87 degrees 54 minutes 04 seconds West, a
5-50 distance of 0.45 feet;

5-51 THENCE, with the common line between said 57.34 acre and 58.09 acre
5-52 tracts, North 87 degrees 54 minutes 04 seconds East (call South 89
5-53 degrees 28 minutes 30 seconds East), a distance of 1,618.39 feet
5-54 (call 1,620.07 feet) to the POINT OF BEGINNING and containing 57.22
5-55 acres of land.

5-56 Tract 3

5-57 Being a tract containing 0.739 acres of land located in the William
5-58 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said
5-59 0.739 acres being a call 0.7397 acre tract of land recorded in the
5-60 name of Mary Claire Huntington under Volume 2271, Page 469 of the
5-61 Fort Bend County Deed Records (F.B.C.D.R.). Said 0.739 acres of
5-62 land being more particularly described by metes and bounds as
5-63 follows (Bearings are referenced to the Texas Coordinate System of
5-64 1983, South Central Zone, as derived from GPS observations):

5-65 BEGINNING at a 1/2 inch iron pipe found at most easterly southeast
5-66 corner of said 0.7397 acre tract and being on the west right-of-way
5-67 (R.O.W.) line of F.M. Highway 723 (call 120-foot wide; occupied
5-68 width varies), from which a 1/2 inch iron pipe found on said west
5-69 R.O.W. line and at the common east corner of call 30.00 acre and

6-1 57.34 acre tracts of land recorded in the name of Evelyn Huntington
6-2 under Fort Bend County Clerk's File No. 2014103477 and 2014103478,
6-3 respectively, bears South 02 degrees 19 minutes 49 seconds East, a
6-4 distance of 877.24 feet;
6-5 THENCE, with the south, west and north lines of said 0.7397 acre
6-6 tract, the following nine (9) courses:
6-7 1.) South 87 degrees 42 minutes 39 seconds West (call North 89
6-8 degrees 45 minutes 50 seconds West), a distance of 225.90 feet (call
6-9 225.76 feet) to a 1/2 inch iron pipe found;
6-10 2.) South 09 degrees 08 minutes 49 seconds East (call South 09
6-11 degrees 08 minutes 49 seconds East), a distance of 89.33 feet (call
6-12 89.89 feet) to a 1/2 inch iron pipe found;
6-13 3.) South 65 degrees 13 minutes 35 seconds West (call South 67
6-14 degrees 24 minutes 10 seconds West), a distance of 105.65 feet (call
6-15 105.75 feet) to a 1/2 inch iron pipe found;
6-16 4.) South 85 degrees 33 minutes 05 seconds West (call South 88
6-17 degrees West), a distance of 81.73 feet (call 82.32 feet) to a 1/2
6-18 inch iron pipe found;
6-19 5.) North 10 degrees 07 minutes 39 seconds West (call North 07
6-20 degrees 18 minutes 15 seconds West), a distance of 59.05 feet (call
6-21 59.0 feet) to a 1/2 inch iron pipe found;
6-22 6.) North 17 degrees 42 minutes 21 seconds East (call North 20
6-23 degrees 31 minutes 10 seconds East), a distance of 110.75 feet to a
6-24 5/8 inch capped iron rod stamped "GBI Partners" set;
6-25 7.) North 63 degrees 43 minutes 26 seconds East (call North 65
6-26 degrees 45 minutes East), a distance of 140.27 feet (call 140.05
6-27 feet) to a 1/2 inch iron pipe found;
6-28 8.) South 09 degrees 20 minutes 20 seconds East (call South 06
6-29 degrees 45 minutes 50 seconds East), a distance of 73.12 feet (call
6-30 73.48 feet) to a 1/2 inch iron pipe found;
6-31 9.) North 87 degrees 44 minutes 59 seconds East (call South 89
6-32 degrees 45 minutes 50 seconds East), a distance of 227.58 feet (call
6-33 227.60 feet) to a 1/2 inch iron pipe found at the most easterly
6-34 northeast corner of said 0.7397 acre tract and being on the
6-35 aforesaid west R.O.W. line of F.M. Highway 723 from which a concrete
6-36 monument found on said west R.O.W. line bears North 02 degrees 19
6-37 minutes 49 seconds West, a distance of 308.87 feet;
6-38 THENCE, with said west R.O.W. line, South 02 degrees 19 minutes 49
6-39 seconds East (call South 00 degrees 14 minutes 10 seconds West), a
6-40 distance of 14.71 feet (call 15.0 feet) to the POINT OF BEGINNING
6-41 and containing 0.739 acres of land.
6-42 Tract 4
6-43 Being a tract containing 29.93 acres of land located in the William
6-44 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said
6-45 29.93 acres being a call 30.00 acre tract of land recorded in the
6-46 name of Evelyn Huntington under Fort Bend County Clerk's File
6-47 No. 2014103477. Said 29.93 acres of land being more particularly
6-48 described by metes and bounds as follows (Bearings are referenced
6-49 to the Texas Coordinate System of 1983, South Central Zone, as
6-50 derived from GPS observations):
6-51 BEGINNING at a 1/2 inch iron pipe found at the northeast corner of
6-52 said 30.00 acre tract, the southeast corner of a call 57.34 acre
6-53 tract of land recorded in the name of Evelyn Huntington under
6-54 F.B.C.C.F. No. 2014103478 and being on the west right-of-way
6-55 (R.O.W.) line of F.M. Highway 723 (call 120-foot wide; occupied
6-56 width varies), from which a 1/2 inch iron pipe found on said west
6-57 R.O.W. line and at the most easterly southeast corner of a call
6-58 0.7397 acre tract of land recorded in the name of Mary Claire
6-59 Huntington in Volume 2271, Page 469 of the Fort Bend County Deed
6-60 Records (F.B.C.D.R.) bears North 02 degrees 19 minutes 49 seconds
6-61 West, a distance of 877.24 feet;
6-62 THENCE, with said west R.O.W. line, the following two (2) courses:
6-63 1.) South 02 degrees 19 minutes 49 seconds East (call South 00
6-64 degrees 14 minutes 10 seconds West), a distance of 785.48 feet (call
6-65 785.45 feet) to a 5/8 inch capped iron rod stamped "GBI Partners"
6-66 set;
6-67 2.) South 02 degrees 44 minutes 20 seconds East (call South 00
6-68 degrees 14 minutes 40 seconds West), a distance of 19.25 feet (call
6-69 19.14 feet) to a 1/2 inch iron rod found at common east corner of

7-1 said 30.00 acre tract and a call 6.5331 acre tract of land recorded
7-2 in the name of Denise K. Heibel under F.B.C.C.F. No. 9818471 from
7-3 which a 1/2 inch iron pipe found on said west R.O.W. line bears
7-4 South 02 degrees 44 minutes 20 seconds East, a distance of 59.79
7-5 feet;
7-6 THENCE, with the common line between said 30.00 acre and 6.5331 acre
7-7 tracts, South 87 degrees 52 minutes 26 seconds West (call North 89
7-8 degrees 28 minutes 30 seconds West), a distance of 1,619.31 feet
7-9 (call 1,625.13 feet) to a 1/2 inch iron pipe found at the common
7-10 west corner of said 30.00 acre and 6.5331 acre tracts, being on the
7-11 east line of a call 1,410.69 acre tract of land, styled as "Second
7-12 Tract", recorded in the name of Foster Farms, Inc. under Volume 362,
7-13 Page 549 of the F.B.C.D.R., and the common line between said Andrews
7-14 League and the John Foster 2-1/2 League Grant, A-26, Fort Bend
7-15 County, Texas;
7-16 THENCE, with said east line and said common league line, North 02
7-17 degrees 18 minutes 47 seconds West (call North 00 degrees 22 minutes
7-18 00 seconds East), a distance of 805.73 feet (call 804.58 feet) to a
7-19 1/2 inch iron pipe found at the common west corner of said 30.00
7-20 acre and aforesaid 57.34 acre tract;
7-21 THENCE, with the common line between said 30.00 acre and 57.34 acre
7-22 tracts, North 87 degrees 54 minutes 34 seconds East (call South 89
7-23 degrees 28 minutes 30 seconds East), a distance of 1,618.94 feet
7-24 (call 1,623.30 feet) to the POINT OF BEGINNING and containing 29.93
7-25 acres of land.

7-26 SECTION 3. (a) The legal notice of the intention to
7-27 introduce this Act, setting forth the general substance of this
7-28 Act, has been published as provided by law, and the notice and a
7-29 copy of this Act have been furnished to all persons, agencies,
7-30 officials, or entities to which they are required to be furnished
7-31 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-32 Government Code.

7-33 (b) The governor, one of the required recipients, has
7-34 submitted the notice and Act to the Texas Commission on
7-35 Environmental Quality.

7-36 (c) The Texas Commission on Environmental Quality has filed
7-37 its recommendations relating to this Act with the governor, the
7-38 lieutenant governor, and the speaker of the house of
7-39 representatives within the required time.

7-40 (d) All requirements of the constitution and laws of this
7-41 state and the rules and procedures of the legislature with respect
7-42 to the notice, introduction, and passage of this Act are fulfilled
7-43 and accomplished.

7-44 SECTION 4. (a) If this Act does not receive a two-thirds
7-45 vote of all the members elected to each house, Subchapter C, Chapter
7-46 7904A, Special District Local Laws Code, as added by Section 1 of
7-47 this Act, is amended by adding Section 7904A.0307 to read as
7-48 follows:

7-49 Sec. 7904A.0307. NO EMINENT DOMAIN POWER. The district may
7-50 not exercise the power of eminent domain.

7-51 (b) This section is not intended to be an expression of a
7-52 legislative interpretation of the requirements of Section 17(c),
7-53 Article I, Texas Constitution.

7-54 SECTION 5. This Act takes effect immediately if it receives
7-55 a vote of two-thirds of all the members elected to each house, as
7-56 provided by Section 39, Article III, Texas Constitution. If this
7-57 Act does not receive the vote necessary for immediate effect, this
7-58 Act takes effect September 1, 2021.

7-59 * * * * *