

1-1 By: Toth (Senate Sponsor - Creighton) H.B. No. 4651  
1-2 (In the Senate - Received from the House May 10, 2021;  
1-3 May 10, 2021, read first time and referred to Committee on Local  
1-4 Government; May 20, 2021, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
1-6 May 20, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Bettencourt</u>	X		
1-10	<u>Menéndez</u>	X		
1-11	<u>Eckhardt</u>	X		
1-12	<u>Gutierrez</u>	X		
1-13	<u>Hall</u>	X		
1-14	<u>Nichols</u>	X		
1-15	<u>Paxton</u>	X		
1-16	<u>Springer</u>	X		
1-17	<u>Zaffirini</u>	X		

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 4651 By: Paxton

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to the creation of the Montgomery County Municipal Utility  
1-22 District No. 203; granting a limited power of eminent domain;  
1-23 providing authority to issue bonds; providing authority to impose  
1-24 assessments, fees, and taxes.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-27 Code, is amended by adding Chapter 7917A to read as follows:

1-28 CHAPTER 7917A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT  
1-29 NO. 203

1-30 SUBCHAPTER A. GENERAL PROVISIONS

1-31 Sec. 7917A.0101. DEFINITIONS. In this chapter:

1-32 (1) "Board" means the district's board of directors.

1-33 (2) "Commission" means the Texas Commission on  
1-34 Environmental Quality.

1-35 (3) "Director" means a board member.

1-36 (4) "District" means the Montgomery County Municipal  
1-37 Utility District No. 203.

1-38 Sec. 7917A.0102. NATURE OF DISTRICT. The district is a  
1-39 municipal utility district created under Section 59, Article XVI,  
1-40 Texas Constitution.

1-41 Sec. 7917A.0103. CONFIRMATION AND DIRECTOR ELECTION  
1-42 REQUIRED. The temporary directors shall hold an election to  
1-43 confirm the creation of the district and to elect five permanent  
1-44 directors as provided by Section 49.102, Water Code.

1-45 Sec. 7917A.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
1-46 temporary directors may not hold an election under Section  
1-47 7917A.0103 until each municipality in whose corporate limits or  
1-48 extraterritorial jurisdiction the district is located has  
1-49 consented by ordinance or resolution to the creation of the  
1-50 district and to the inclusion of land in the district.

1-51 Sec. 7917A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-52 (a) The district is created to serve a public purpose and benefit.

1-53 (b) The district is created to accomplish the purposes of:

1-54 (1) a municipal utility district as provided by  
1-55 general law and Section 59, Article XVI, Texas Constitution; and

1-56 (2) Section 52, Article III, Texas Constitution, that  
1-57 relate to the construction, acquisition, improvement, operation,  
1-58 or maintenance of macadamized, graveled, or paved roads, or  
1-59 improvements, including storm drainage, in aid of those roads.

1-60 Sec. 7917A.0106. INITIAL DISTRICT TERRITORY. (a) The

2-1 district is initially composed of the territory described by  
 2-2 Section 2 of the Act enacting this chapter.

2-3 (b) The boundaries and field notes contained in Section 2 of  
 2-4 the Act enacting this chapter form a closure. A mistake made in the  
 2-5 field notes or in copying the field notes in the legislative process  
 2-6 does not affect the district's:

2-7 (1) organization, existence, or validity;

2-8 (2) right to issue any type of bond for the purposes  
 2-9 for which the district is created or to pay the principal of and  
 2-10 interest on a bond;

2-11 (3) right to impose a tax; or

2-12 (4) legality or operation.

2-13 SUBCHAPTER B. BOARD OF DIRECTORS

2-14 Sec. 7917A.0201. GOVERNING BODY; TERMS. (a) The district  
 2-15 is governed by a board of five elected directors.

2-16 (b) Except as provided by Section 7917A.0202, directors  
 2-17 serve staggered four-year terms.

2-18 Sec. 7917A.0202. TEMPORARY DIRECTORS. (a) On or after  
 2-19 September 1, 2021, the owner or owners of a majority of the assessed  
 2-20 value of the real property in the district may submit a petition to  
 2-21 the commission requesting that the commission appoint as temporary  
 2-22 directors the five persons named in the petition. The commission  
 2-23 shall appoint as temporary directors the five persons named in the  
 2-24 petition.

2-25 (b) Temporary directors serve until the earlier of:

2-26 (1) the date permanent directors are elected under  
 2-27 Section 7917A.0103; or

2-28 (2) September 1, 2025.

2-29 (c) If permanent directors have not been elected under  
 2-30 Section 7917A.0103 and the terms of the temporary directors have  
 2-31 expired, successor temporary directors shall be appointed or  
 2-32 reappointed as provided by Subsection (d) to serve terms that  
 2-33 expire on the earlier of:

2-34 (1) the date permanent directors are elected under  
 2-35 Section 7917A.0103; or

2-36 (2) the fourth anniversary of the date of the  
 2-37 appointment or reappointment.

2-38 (d) If Subsection (c) applies, the owner or owners of a  
 2-39 majority of the assessed value of the real property in the district  
 2-40 may submit a petition to the commission requesting that the  
 2-41 commission appoint as successor temporary directors the five  
 2-42 persons named in the petition. The commission shall appoint as  
 2-43 successor temporary directors the five persons named in the  
 2-44 petition.

2-45 SUBCHAPTER C. POWERS AND DUTIES

2-46 Sec. 7917A.0301. GENERAL POWERS AND DUTIES. The district  
 2-47 has the powers and duties necessary to accomplish the purposes for  
 2-48 which the district is created.

2-49 Sec. 7917A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-50 DUTIES. The district has the powers and duties provided by the  
 2-51 general law of this state, including Chapters 49 and 54, Water Code,  
 2-52 applicable to municipal utility districts created under Section 59,  
 2-53 Article XVI, Texas Constitution.

2-54 Sec. 7917A.0303. AUTHORITY FOR ROAD PROJECTS. Under  
 2-55 Section 52, Article III, Texas Constitution, the district may  
 2-56 design, acquire, construct, finance, issue bonds for, improve,  
 2-57 operate, maintain, and convey to this state, a county, or a  
 2-58 municipality for operation and maintenance macadamized, graveled,  
 2-59 or paved roads, or improvements, including storm drainage, in aid  
 2-60 of those roads.

2-61 Sec. 7917A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 2-62 road project must meet all applicable construction standards,  
 2-63 zoning and subdivision requirements, and regulations of each  
 2-64 municipality in whose corporate limits or extraterritorial  
 2-65 jurisdiction the road project is located.

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

3-1 the road project is located.  
 3-2 (c) If the state will maintain and operate the road, the  
 3-3 Texas Transportation Commission must approve the plans and  
 3-4 specifications of the road project.  
 3-5 Sec. 7917A.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
 3-6 ORDINANCE OR RESOLUTION. The district shall comply with all  
 3-7 applicable requirements of any ordinance or resolution that is  
 3-8 adopted under Section 54.016 or 54.0165, Water Code, and that  
 3-9 consents to the creation of the district or to the inclusion of land  
 3-10 in the district.  
 3-11 Sec. 7917A.0306. DIVISION OF DISTRICT. (a) The district  
 3-12 may be divided into two or more new districts only if the district:  
 3-13 (1) has no outstanding bonded debt; and  
 3-14 (2) is not imposing ad valorem taxes.  
 3-15 (b) This chapter applies to any new district created by the  
 3-16 division of the district, and a new district has all the powers and  
 3-17 duties of the district.  
 3-18 (c) A new district created by the division of the district  
 3-19 may not, at the time the new district is created, contain any land  
 3-20 outside the area described by Section 2 of the Act enacting this  
 3-21 chapter.  
 3-22 (d) The board, on its own motion or on receipt of a petition  
 3-23 signed by the owner or owners of a majority of the assessed value of  
 3-24 the real property in the district, may adopt an order dividing the  
 3-25 district.  
 3-26 (e) The board may adopt an order dividing the district  
 3-27 before or after the date the board holds an election under Section  
 3-28 7917A.0103 to confirm the district's creation.  
 3-29 (f) An order dividing the district shall:  
 3-30 (1) name each new district;  
 3-31 (2) include the metes and bounds description of the  
 3-32 territory of each new district;  
 3-33 (3) appoint temporary directors for each new district;  
 3-34 and  
 3-35 (4) provide for the division of assets and liabilities  
 3-36 between the new districts.  
 3-37 (g) On or before the 30th day after the date of adoption of  
 3-38 an order dividing the district, the district shall file the order  
 3-39 with the commission and record the order in the real property  
 3-40 records of each county in which the district is located.  
 3-41 (h) A new district created by the division of the district  
 3-42 shall hold a confirmation and directors' election as required by  
 3-43 Section 7917A.0103. If the voters of a new district do not confirm  
 3-44 the creation of the new district, the assets, obligations,  
 3-45 territory, and governance of the new district revert to the  
 3-46 original district.  
 3-47 (i) If the creation of the new district is confirmed, the  
 3-48 new district shall provide the election date and results to the  
 3-49 commission.  
 3-50 (j) Any new district created by the division of the district  
 3-51 must hold an election as required by this chapter to obtain voter  
 3-52 approval before the district may impose a maintenance tax or issue  
 3-53 bonds payable wholly or partly from ad valorem taxes.  
 3-54 (k) Municipal consent to the creation of the district and to  
 3-55 the inclusion of land in the district granted under Section  
 3-56 7917A.0104 acts as municipal consent to the creation of any new  
 3-57 district created by the division of the district and to the  
 3-58 inclusion of land in the new district.  
 3-59 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
 3-60 Sec. 7917A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
 3-61 The district may issue, without an election, bonds and other  
 3-62 obligations secured by:  
 3-63 (1) revenue other than ad valorem taxes; or  
 3-64 (2) contract payments described by Section  
 3-65 7917A.0403.  
 3-66 (b) The district must hold an election in the manner  
 3-67 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
 3-68 before the district may impose an ad valorem tax or issue bonds  
 3-69 payable from ad valorem taxes.

4-1 (c) The district may not issue bonds payable from ad valorem  
4-2 taxes to finance a road project unless the issuance is approved by a  
4-3 vote of a two-thirds majority of the district voters voting at an  
4-4 election held for that purpose.

4-5 Sec. 7917A.0402. OPERATION AND MAINTENANCE TAX. (a) If  
4-6 authorized at an election held under Section 7917A.0401, the  
4-7 district may impose an operation and maintenance tax on taxable  
4-8 property in the district in accordance with Section 49.107, Water  
4-9 Code.

4-10 (b) The board shall determine the tax rate. The rate may not  
4-11 exceed the rate approved at the election.

4-12 Sec. 7917A.0403. CONTRACT TAXES. (a) In accordance with  
4-13 Section 49.108, Water Code, the district may impose a tax other than  
4-14 an operation and maintenance tax and use the revenue derived from  
4-15 the tax to make payments under a contract after the provisions of  
4-16 the contract have been approved by a majority of the district voters  
4-17 voting at an election held for that purpose.

4-18 (b) A contract approved by the district voters may contain a  
4-19 provision stating that the contract may be modified or amended by  
4-20 the board without further voter approval.

4-21 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-22 Sec. 7917A.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
4-23 OBLIGATIONS. The district may issue bonds or other obligations  
4-24 payable wholly or partly from ad valorem taxes, impact fees,  
4-25 revenue, contract payments, grants, or other district money, or any  
4-26 combination of those sources, to pay for any authorized district  
4-27 purpose.

4-28 Sec. 7917A.0502. TAXES FOR BONDS. At the time the district  
4-29 issues bonds payable wholly or partly from ad valorem taxes, the  
4-30 board shall provide for the annual imposition of a continuing  
4-31 direct ad valorem tax, without limit as to rate or amount, while all  
4-32 or part of the bonds are outstanding as required and in the manner  
4-33 provided by Sections 54.601 and 54.602, Water Code.

4-34 Sec. 7917A.0503. BONDS FOR ROAD PROJECTS. At the time of  
4-35 issuance, the total principal amount of bonds or other obligations  
4-36 issued or incurred to finance road projects and payable from ad  
4-37 valorem taxes may not exceed one-fourth of the assessed value of the  
4-38 real property in the district.

4-39 SECTION 2. The Montgomery County Municipal Utility District  
4-40 No. 203 initially includes all the territory contained in the  
4-41 following area:

4-42 Being 46.673 acres (2,033,071 square feet) of land situated  
4-43 in the Montgomery County School Land Survey, A-350, Montgomery  
4-44 County, Texas and being all of a called 29.201 acre tract conveyed  
4-45 to Bali Real Estate, LLC, by Warranty Deed recorded under Clerk's  
4-46 File No. 2019110268 of the Official Public Records of Montgomery  
4-47 County, Texas (O.P.R. M.C.T.), and all of the called 18.2958 acre  
4-48 tract conveyed to Bali Real Estate, LLC, by Warranty Deed recorded  
4-49 under Clerk's File No. 2019078899 O.P.R. M.C.T., said 46.673 acres  
4-50 being more particularly described by metes and bounds as follows:

4-51 BEGINNING at a 1/2 inch iron pipe found in the west line of  
4-52 Lot 14B, Block 2, of Chateau Woods, Section Six, according to the  
4-53 Plat of same, recorded in Volume 7, Page 275, of the Map Records of  
4-54 Montgomery County, Texas (M.R. M.C.T.), for the southeast corner of  
4-55 Chateau Woods, according to the Plat of same, recorded in Cabinet Z,  
4-56 Sheet 536 M.R. M.C.T., and the northeast corner of said 18.2958 acre  
4-57 tract;

4-58 THENCE South 04°24'53" East, with the west line of said  
4-59 Section Six, a distance of 329.67 feet to a 5/8 inch iron rod with  
4-60 cap marked "Landpoint 10194172" set for the southwest corner of Lot  
4-61 15C, of said Section Six, and an interior corner of the herein  
4-62 described tract;

4-63 THENCE North 85°44'01" East, with the south line of said Lot  
4-64 15C, a distance of 155.60 feet to a 5/8 inch iron rod found in the  
4-65 west right of way (R.O.W.) line of Fairview Drive (60 foot wide  
4-66 R.O.W.) for the southeast corner of said Lot 15C, and an easterly  
4-67 northeast corner of the herein described tract;

4-68 THENCE South 03°49'04" East, with said west right of way line,  
4-69 a distance of 70.00 feet to a 5/8 inch iron rod with cap marked

5-1 "Landpoint 10194172" set for the northeast corner of Lot 16B, of  
5-2 said Section Six and an easterly southeast corner of the herein  
5-3 described tract;

5-4 THENCE South 85°44'01" West, with the north line of said Lot  
5-5 16B, a distance of 154.87 feet to a 5/8 inch iron rod with cap marked  
5-6 "Landpoint 10194172" set in the east line of the called 1.902 acre  
5-7 tract conveyed to Dennis E. Roach and Yvonne Roach by Warranty Deed  
5-8 recorded under Clerk's File No. 936940 O.P.R. M.C.T., for an  
5-9 interior southwest corner of the herein described tract;

5-10 THENCE North 04°24'49" West, with the east line of said 1.902  
5-11 acre tract, a distance of 5.75 feet to a 5/8 inch iron rod found for  
5-12 the northeast corner of said 1.902 acre tract, and an interior  
5-13 corner of the herein described tract;

5-14 THENCE South 84°35'28" West, with the easterly north line of  
5-15 said 1.902 acre tract, a distance of 167.56 feet to a 5/8 inch iron  
5-16 rod found for the northerly northwest corner of said 1.902 acre  
5-17 tract, and an interior corner of the herein described tract;

5-18 THENCE South 00°23'18" East, with a northerly west line of  
5-19 said 1.902 acre tract a distance of 127.62 feet to a 5/8 inch iron  
5-20 rod found for an interior corner of said 1.902 acre tract;

5-21 THENCE South 89°36'42" West, with the westerly north line of  
5-22 said 1.902 acre tract, a distance of 114.45 feet to a 5/8 inch iron  
5-23 rod found for the westerly northwest corner of said 1.902 acre tract  
5-24 and an interior corner of the herein described tract;

5-25 THENCE South 02°14'20" East, with the west line of said 1.902  
5-26 acre tract, a distance of 122.73 feet to a 1/2 inch iron rod found  
5-27 for the southwest corner of said 1.902 acre tract;

5-28 THENCE North 84°40'17" East, with the south line of said 1.902  
5-29 acre tract, a distance of 295.36 feet to a 5/8 inch iron rod with cap  
5-30 marked "Landpoint 10194172" set in the west line of Lot 17B, of said  
5-31 Section Six, for a northeast corner of the herein described tract;

5-32 THENCE South 04°25'53" East, with the west line of said  
5-33 Section Six, a distance of 254.24 feet to a 5/8 inch iron rod with  
5-34 cap marked "Landpoint 10194172" set for the southwest corner of Lot  
5-35 18B of said Section Six, and an interior corner of the herein  
5-36 described tract;

5-37 THENCE North 85°44'23" East, with the south line of said Lot  
5-38 18B, a distance of 149.71 feet to a 5/8 inch iron rod found in the  
5-39 west right of way line of said Fairview Drive for the southeast  
5-40 corner of said Lot 18B, and a northeast corner of the herein  
5-41 described;

5-42 THENCE South 03°49'03" East, with said west right of way line,  
5-43 a distance of 70.00 feet to a 1/2 iron rod found for the northeast  
5-44 corner of Lot 19A, of said Section Six, and an easterly southeast  
5-45 corner of the herein described tract;

5-46 THENCE South 85°44'23" West, with the north line of said Lot  
5-47 19A a distance of 148.96 feet to a 5/8 inch iron rod with cap marked  
5-48 "Landpoint 10194172" set for the northwest corner of said Lot 19A  
5-49 and an interior corner of the herein described tract;

5-50 THENCE South 04°25'53" East, with the west line of said  
5-51 Section Six, a distance of 600.26 feet to a 5/8 inch iron rod with  
5-52 cap marked "Landpoint 10194172" set for the northeast corner of the  
5-53 called 0.2784 acre Tract 4 conveyed to William Dana Fulton, by  
5-54 Warranty Deed recorded under Clerk's File No. 2007-143377 O.P.R.  
5-55 M.C.T., for the southeast corner said 29.201 acre tract and the  
5-56 herein described tract, from which a found 1/2 inch iron rod bears  
5-57 North 87°05'51" East, a distance of 1.60 feet;

5-58 THENCE South 87°05'51" West, with the south line of said  
5-59 29.201 acre tract, a distance of 2110.00 feet to a 5/8 inch iron rod  
5-60 with cap marked "Landpoint 10194172" set for the northwest corner  
5-61 of the remainder of a called 19.6 acre tract conveyed to Juanita Ann  
5-62 Stedman Crisp by Warranty Deed recorded in Volume 994, Page 33 of  
5-63 the Deed Records of Montgomery County, Texas (D.R. M.C.T.), and an  
5-64 interior corner of the herein described tract, from which a found 2  
5-65 inch iron rod bears North 39°42'57" West, a distance of 0.89 feet;

5-66 THENCE North 02°54'09" West, a distance of 34.49 feet to a  
5-67 point for an interior corner of the herein described tract;

5-68 THENCE South 86°54'05" West, a distance of 15.07 feet to a 1/2  
5-69 inch iron rod found for the southeast corner of said 3.00 acre tract

6-1 and a southwest corner of the herein described tract;

6-2       THENCE North 04°24'02" West, with the east line of said 3.00  
6-3 acre tract, a distance of 105.68 feet to a 5/8 inch iron rod found  
6-4 for the southwest corner of the called 2.0 acre tract conveyed to  
6-5 Julio E. Ortiz and Edgar S. Ortiz by Warranty Deed recorded under  
6-6 Clerk's File No. 2010102118 O.P.R. M.C.T. and the most westerly  
6-7 northwest corner of the herein described 1.705 acre tract conveyed  
6-8 to tract;

6-9       THENCE North 87°05'51" East, with the south line of said 2.0  
6-10 acre tract, a distance of 152.29 feet to a 5/8 inch iron rod found  
6-11 for the southeast corner of said 2.0 acre tract and an interior  
6-12 corner of the herein described tract ;

6-13       THENCE North 02°59'46" West, with the east line of said 2.0  
6-14 acre tract, a distance of 286.50 feet to a 5/8 inch iron rod found  
6-15 for the southwest corner of the called 1.705 acre tract conveyed to  
6-16 Julio E. Ortiz and Edgar S. Ortiz by Warranty Deed recorded under  
6-17 Clerk's File No. 2010102117 O.P.R. M.C.T., and a northwest corner  
6-18 of the herein described tract;

6-19       THENCE North 87°05'51" East, with the south line of said 1.705  
6-20 acre tract, a distance of 458.27 feet to a 5/8 inch iron rod with cap  
6-21 marked "Landpoint 10194172" set for the southeast corner of said  
6-22 1.705 acre tract and an interior corner of the herein described  
6-23 tract;

6-24       THENCE North 03°54'02" West, with the east line of said 1.705  
6-25 acre tract, a distance of 165.76 feet to a 5/8 inch iron rod found  
6-26 for the northeast corner of same, and a northwest corner of the  
6-27 herein described tract;

6-28       THENCE North 86°10'26" East, at 40.03 feet passing a 5/8 inch  
6-29 iron rod found for the southwest corner of a called 0.61 acre tract  
6-30 of land (Tract 10), recorded under Volume 814, Page 553 of the  
6-31 O.P.R. M.C.T., and continuing for a total distance of 279.28 feet to  
6-32 a 5/8 inch iron rod found for the southeast corner of said 0.61 acre  
6-33 tract and an interior corner of the herein described tract;

6-34       THENCE North 03°49'30" West, with the west lines of said 0.61  
6-35 acre Tract 10, the called 0.61 acre tract conveyed to Reina Fuentes  
6-36 by Warranty Deed recorded under Clerk's File No. 2009049510  
6-37 O.P.R.M.C.T., and the called 0.61 acre tract conveyed to Jonathan  
6-38 R. Farkasofsky, by Warranty Deed recorded under Clerk's File  
6-39 No. 2009041278 O.P.R. M.C.T., a distance of 337.20 feet to a 5/8  
6-40 inch iron rod found in the south right of way line of Springwood  
6-41 Drive (60 foot wide private R.O.W.), for a northwest corner of the  
6-42 herein described tract;

6-43       THENCE North 86°10'33" East, with the south line of said  
6-44 Springwood Drive, a distance of 473.19 feet to a 5/8 inch iron rod  
6-45 with cap marked "Landpoint 10194172" set for an interior corner of  
6-46 the herein described tract;

6-47       THENCE North 03°49'30" West, with the east right of way line  
6-48 of said Springwood Drive, a distance of 59.97 feet to a 5/8 inch  
6-49 iron rod found in the south line of the called 0.6017 acre tract  
6-50 conveyed to Luis Martinez and Liana I. Martinez by Warranty Deed  
6-51 recorded under Clerk's File No. 2012038147 O.P.R. M.C.T., for a  
6-52 northwest corner of the herein described tract;

6-53       THENCE North 86°09'32" East, with the south line of said  
6-54 0.6017 acre tract, a distance of 25.90 feet to a 5/8 inch iron rod  
6-55 found for the southeast corner of said 0.6017 acre tract and an  
6-56 interior corner of the herein described tract;

6-57       THENCE North 03°49'30" West, with the east line of said 0.6017  
6-58 acre tract, a distance of 250.02 feet to a 5/8 inch iron rod with cap  
6-59 marked "Landpoint 10194172" set for the northeast corner of said  
6-60 0.6017 acre tract and an interior corner of the herein described  
6-61 tract, from which a found 5/8 inch iron rod bears South 80°23'42"  
6-62 West, a distance of 1.39 feet;

6-63       THENCE South 86°10'34" West, with the north lines of said  
6-64 0.6017 acre tract, the called 0.61 acre tract conveyed to Rigoberto  
6-65 Ruiz and Beatriz Ruiz, by Warranty Deed recorded under Clerk's File  
6-66 No. 2010015437 O.P.R. M.C.T., and the called 0.61 acre tract  
6-67 conveyed to Luis Martinez and Liana I. Martinez, by Warranty Deed  
6-68 recorded under Clerk's File No. 2012038147 O.P.R. M.C.T. a distance  
6-69 of 314.69 feet to a 5/8 inch iron rod found in the east line of the

7-1 called 7.3167 acre tract conveyed to James H. Giammatteo by  
7-2 Warranty Deed recorded under Clerk's File No. 2001008111 O.P.R.  
7-3 M.C.T., for the northwest corner of said 0.61 acre Martinez tract,  
7-4 and a southwest corner of the herein described tract;

7-5 THENCE North 03°49'30" West, with the east line of said 7.3167  
7-6 acre tract, a distance of 196.49 feet to a 1 inch iron pipe found in  
7-7 the south line of the called 1.580 acre tract conveyed to James H.  
7-8 Giammatteo, Jr., by Warranty Deed recorded under Clerk's File  
7-9 No. 2008037058 O.P.R. M.C.T. for the northeast corner of said  
7-10 called 7.3167 acre tract and a northwest corner of the herein  
7-11 described tract;

7-12 THENCE North 86°09'41" East, with the south line of said 1.580  
7-13 acre tract, a distance of 30.70 feet to a 5/8 inch iron rod found for  
7-14 the southeast corner of said 1.580 acre tract and an interior corner  
7-15 of the herein described tract;

7-16 THENCE North 03°49'30" West, with the east line of said 1.580  
7-17 acre tract, a distance of 97.99 feet to a 1/2 inch iron pipe found in  
7-18 the south line of Block 1 of said Chateau Woods, for the northeast  
7-19 corner of said 1.580 acre tract and the most northerly northwest  
7-20 corner of said 18.2958 acre tract and the herein described tract;

7-21 THENCE North 86°10'30" East, with the south line of said  
7-22 Chateau Woods, a distance of 1000.19 feet to the POINT OF BEGINNING,  
7-23 containing 46.673 acres (2,033,071 square feet) of land in  
7-24 Montgomery County, Texas.

7-25 SECTION 3. (a) The legal notice of the intention to  
7-26 introduce this Act, setting forth the general substance of this  
7-27 Act, has been published as provided by law, and the notice and a  
7-28 copy of this Act have been furnished to all persons, agencies,  
7-29 officials, or entities to which they are required to be furnished  
7-30 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
7-31 Government Code.

7-32 (b) The governor, one of the required recipients, has  
7-33 submitted the notice and Act to the Texas Commission on  
7-34 Environmental Quality.

7-35 (c) The Texas Commission on Environmental Quality has filed  
7-36 its recommendations relating to this Act with the governor, the  
7-37 lieutenant governor, and the speaker of the house of  
7-38 representatives within the required time.

7-39 (d) All requirements of the constitution and laws of this  
7-40 state and the rules and procedures of the legislature with respect  
7-41 to the notice, introduction, and passage of this Act are fulfilled  
7-42 and accomplished.

7-43 SECTION 4. (a) If this Act does not receive a two-thirds  
7-44 vote of all the members elected to each house, Subchapter C, Chapter  
7-45 7917A, Special District Local Laws Code, as added by Section 1 of  
7-46 this Act, is amended by adding Section 7917A.0307 to read as  
7-47 follows:

7-48 Sec. 7917A.0307. NO EMINENT DOMAIN POWER. The district may  
7-49 not exercise the power of eminent domain.

7-50 (b) This section is not intended to be an expression of a  
7-51 legislative interpretation of the requirements of Section 17(c),  
7-52 Article I, Texas Constitution.

7-53 SECTION 5. This Act takes effect September 1, 2021.

7-54 \* \* \* \* \*