

1 AN ACT

2 relating to the creation of the Montgomery County Municipal Utility  
3 District No. 208; granting a limited power of eminent domain;  
4 providing authority to issue bonds; providing authority to impose  
5 assessments, fees, and taxes.

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

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
8 Code, is amended by adding Chapter 7939A to read as follows:

9 CHAPTER 7939A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT

10 NO. 208

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 7939A.0101. DEFINITIONS. In this chapter:

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

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

16 (3) "Director" means a board member.

17 (4) "District" means the Montgomery County Municipal  
18 Utility District No. 208.

19 Sec. 7939A.0102. NATURE OF DISTRICT. The district is a  
20 municipal utility district created under Section 59, Article XVI,  
21 Texas Constitution.

22 Sec. 7939A.0103. CONFIRMATION AND DIRECTOR ELECTION  
23 REQUIRED. The temporary directors shall hold an election to  
24 confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 7939A.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
3 temporary directors may not hold an election under Section  
4 7939A.0103 until each municipality in whose corporate limits or  
5 extraterritorial jurisdiction the district is located has  
6 consented by ordinance or resolution to the creation of the  
7 district and to the inclusion of land in the district.

8 Sec. 7939A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

17 Sec. 7939A.0106. INITIAL DISTRICT TERRITORY. (a) The  
18 district is initially composed of the territory described by  
19 Section 2 of the Act enacting this chapter.

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

24 (1) organization, existence, or validity;

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

1           (3) right to impose a tax; or

2           (4) legality or operation.

3                   SUBCHAPTER B. BOARD OF DIRECTORS

4           Sec. 7939A.0201. GOVERNING BODY; TERMS. (a) The district  
5 is governed by a board of five elected directors.

6           (b) Except as provided by Section 7939A.0202, directors  
7 serve staggered four-year terms.

8           Sec. 7939A.0202. TEMPORARY DIRECTORS. (a) On or after  
9 September 1, 2021, the owner or owners of a majority of the assessed  
10 value of the real property in the district may submit a petition to  
11 the commission requesting that the commission appoint as temporary  
12 directors the five persons named in the petition. The commission  
13 shall appoint as temporary directors the five persons named in the  
14 petition.

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

16                   (1) the date permanent directors are elected under  
17 Section 7939A.0103; or

18                   (2) September 1, 2025.

19           (c) If permanent directors have not been elected under  
20 Section 7939A.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 7939A.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. 7939A.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. 7939A.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. 7939A.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. 7939A.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. 7939A.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
11 ORDINANCE OR RESOLUTION. The district shall comply with all  
12 applicable requirements of any ordinance or resolution that is  
13 adopted under Section 54.016 or 54.0165, Water Code, and that  
14 consents to the creation of the district or to the inclusion of land  
15 in the district.

16 Sec. 7939A.0306. DIVISION OF DISTRICT. (a) The district  
17 may be divided into two or more new districts only if the district:

18 (1) has no outstanding bonded debt; and

19 (2) is not imposing ad valorem taxes.

20 (b) This chapter applies to any new district created by the  
21 division of the district, and a new district has all the powers and  
22 duties of the district.

23 (c) Any new district created by the division of the district  
24 may not, at the time the new district is created, contain any land  
25 outside the area described by Section 2 of the Act enacting this  
26 chapter.

27 (d) The board, on its own motion or on receipt of a petition

1 signed by the owner or owners of a majority of the assessed value of  
2 the real property in the district, may adopt an order dividing the  
3 district.

4 (e) The board may adopt an order dividing the district  
5 before or after the date the board holds an election under Section  
6 7939A.0103 to confirm the district's creation.

7 (f) An order dividing the district shall:

8 (1) name each new district;

9 (2) include the metes and bounds description of the  
10 territory of each new district;

11 (3) appoint temporary directors for each new district;

12 and

13 (4) provide for the division of assets and liabilities  
14 between or among the new districts.

15 (g) On or before the 30th day after the date of adoption of  
16 an order dividing the district, the district shall file the order  
17 with the commission and record the order in the real property  
18 records of each county in which the district is located.

19 (h) Any new district created by the division of the district  
20 shall hold a confirmation and directors' election as required by  
21 Section 7939A.0103. If the voters of a new district do not confirm  
22 the creation of the new district, the assets, obligations,  
23 territory, and governance of the new district revert to the  
24 original district.

25 (i) Municipal consent to the creation of the district and to  
26 the inclusion of land in the district granted under Section  
27 7939A.0104 acts as municipal consent to the creation of any new

1 district created by the division of the district and to the  
2 inclusion of land in the new district.

3 (j) Any new district created by the division of the district  
4 must hold an election as required by this chapter to obtain voter  
5 approval before the district may impose a maintenance tax or issue  
6 bonds payable wholly or partly from ad valorem taxes.

7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

8 Sec. 7939A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)

9 The district may issue, without an election, bonds and other  
10 obligations secured by:

- 11 (1) revenue other than ad valorem taxes; or  
12 (2) contract payments described by Section  
13 7939A.0403.

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

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

22 Sec. 7939A.0402. OPERATION AND MAINTENANCE TAX. (a) If

23 authorized at an election held under Section 7939A.0401, the  
24 district may impose an operation and maintenance tax on taxable  
25 property in the district in accordance with Section 49.107, Water  
26 Code.

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

1 exceed the rate approved at the election.

2 Sec. 7939A.0403. CONTRACT TAXES. (a) In accordance with  
3 Section 49.108, Water Code, the district may impose a tax other than  
4 an operation and maintenance tax and use the revenue derived from  
5 the tax to make payments under a contract after the provisions of  
6 the contract have been approved by a majority of the district voters  
7 voting at an election held for that purpose.

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

11 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

12 Sec. 7939A.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
13 OBLIGATIONS. The district may issue bonds or other obligations  
14 payable wholly or partly from ad valorem taxes, impact fees,  
15 revenue, contract payments, grants, or other district money, or any  
16 combination of those sources, to pay for any authorized district  
17 purpose.

18 Sec. 7939A.0502. TAXES FOR BONDS. At the time the district  
19 issues bonds payable wholly or partly from ad valorem taxes, the  
20 board shall provide for the annual imposition of a continuing  
21 direct ad valorem tax, without limit as to rate or amount, while all  
22 or part of the bonds are outstanding as required and in the manner  
23 provided by Sections 54.601 and 54.602, Water Code.

24 Sec. 7939A.0503. BONDS FOR ROAD PROJECTS. At the time of  
25 issuance, the total principal amount of bonds or other obligations  
26 issued or incurred to finance road projects and payable from ad  
27 valorem taxes may not exceed one-fourth of the assessed value of the



1 real property in the district.

2 SECTION 2. The Montgomery County Municipal Utility District  
3 No. 208 initially includes all the territory contained in the  
4 following area:

5 Those four (4) tracts of land described as follows:

6 (a) CONROE TRACT ONE.

7 Being forty-seven and nine hundred thirty-two-thousandths  
8 (47.932) acres of land in the James Edwards Survey, A-190,  
9 Montgomery County, Texas, also being a part of the J. W. Spiller  
10 tract in same and being more particularly described by metes and  
11 bounds as follows, to-wit.

12 Beginning on the South boundary line of White Oak Manor  
13 Subdivision as shown in Volume 9, Page 46, Map Records, and being at  
14 a point S. 61° 32' 50" W. 655.3 ft. and N. 76° 32' 45" W. 218.03 ft.  
15 from the most Easterly corner of said Subdivision, an iron pipe for  
16 corner in fence;

17 Thence N. 76° 32' 45" W. 1383.23 ft. along the South line of  
18 White Oak Manor Subdivision to an iron pipe for corner;

19 Thence S. 13° 27' 15" W. 1094.77 ft. to an iron pipe for  
20 corner;

21 Thence S. 76° 32' 45" E. 1601.26 ft. to an iron pipe for  
22 corner;

23 Thence N. 61° 32' 50" E. 1371.02 ft to an iron pipe for corner  
24 in the West line of Longmire Road;

25 Thence N. 27° 21' 50" W. 339.35 ft. along the West line of  
26 Longmire Road to an iron pipe for corner;

27 Thence S. 88° 52' 05" W. 600.17 ft. to an iron pipe for corner;

1 Thence S. 21° 02' 10" E. 126.31 ft. to an iron pipe for corner;  
2 Thence S. 72° 28' 26" W. 552.9 ft. to an iron pipe for corner;  
3 Thence N. 3° 00' 24" E. 662.55 ft. to the place of beginning.

4 (b) CONROE TRACT TWO:

5 All that certain tract or parcel of land out of the Robert  
6 Marsh Survey A-355, and James Edwards Survey A-189, in Montgomery  
7 County, Texas being a portion of that certain tract of land conveyed  
8 to J. W. Spiller and wife by deed recorded in Volume 488, Page 309,  
9 of the deed records of Montgomery County, Texas, said tract of land  
10 being more particularly described by metes and bounds as follows:

11 Beginning at a 3/4" iron pipe in the North line of the B. D.  
12 Griffin 424.53 acre tract and at the Southwest corner of that  
13 certain tract of land conveyed to W. S. Lampton Jr by deed recorded  
14 in Volume 665, Page 538, for the Southeast corner hereof, from which  
15 a 12" Elm marked X bears N 45° 00' W, 26.8 ft. and a 14" Ash marked X  
16 bears N 10° 30' E, 36.8 ft.;

17 THENCE: Along the B. D. Griffin North line S 74° 49' 52" W, for  
18 a distance of 1624.6 ft. to a 1/2" iron rod for the Southeast corner  
19 of a 10.15 acre San Jacinto River Authority tract and the Southwest  
20 corner hereof;

21 THENCE: Along the West line of the said San Jacinto River  
22 Authority tract N 25° 06' 20" W. for a distance of 1186.30 ft. to a  
23 yellow painted stake on the East bank of the San Jacinto River;

24 THENCE: Along the East bank of the San Jacinto River the  
25 following courses:

26 (1) N 4° 07' E, 67.38 ft. to a yellow stake;

27 (2) N 25° 34' 17" E 59.58 ft. to a yellow stake;

1 (3) N 59° 49' 55" E, 117.87 ft. to a yellow stake;

2 (4) N 26° 41' 17" E, 191.76 ft. to a yellow stake;

3 (5) N. 23° 46' 46" W, 50.44 ft. to a 1/2" iron stake in the  
4 North line hereof;

5 THENCE: N 62° 01' 12" E, along the North line hereof for a  
6 distance of 1573.79 ft. to a 3/4" iron pipe at the Northwest corner  
7 of the aforementioned W. S. Lampton tract and the Northeast corner  
8 hereof, from which a 14" Sweet Gum marked X bears S 66° 45" E, 197.5  
9 ft. and a 10" Red Oak marked X bears S 75° 30' E, 212.9 ft.;

10 THENCE: Along the West line of the said Lampton tract S 15° 08'  
11 51" E. for a distance of 1849.4 ft. to the place of beginning and  
12 containing 65.153 acres of land.

13 (c) CONROE TRACT THREE:

14 Being 7.5 acres of land in the James Edwards Survey, Abstract  
15 No. 190 in Montgomery County, Texas, and being the North 1/2 of that  
16 certain 15 acre tract described in Volume 646, Page 52 of the Deed  
17 Records of Montgomery County, Texas, and being more particularly  
18 described by metes and bounds as follows, to-wit:

19 BEGINNING at the northwest corner of the above mentioned 15  
20 acre tract a stake for corner in the center of a 60 foot roadway from  
21 which a 5/8" iron rod bears South 15° 09' East 30 feet;

22 THENCE North 74° 56' East 705.6 feet along the center line of  
23 the above mentioned 60 foot roadway and the North line of said 15  
24 acre tract to the Northeast corner of said 15 acre tract being the  
25 northeast corner of the tract here described;

26 THENCE South 27° 37' East 444.0 feet along the East line of  
27 said 15 acre tract and the West line of Longmire Road to the 5/8"

1 iron rod for the Southeast corner of the tract here described;

2           THENCE South 74° 56' West 802.5 feet to a 5/8" iron rod for  
3 corner in the West line of said 15 acre tract for the Southwest  
4 corner of the tract here described;

5           THENCE North 15° 04 West 433.4 feet along the West line of  
6 said 15 acre tract to the PLACE OF BEGINNING.

7           (d) CONROE TRACT FOUR:

8           All that certain tract or parcel of land in the JAMES EDWARDS  
9 SURVEY, ABSTRACT 190, the JAMES EDWARDS SURVEY, ABSTRACT 189, and  
10 the ROBERT MARSH SURVEY, ABSTRACT 355, Montgomery County, Texas,  
11 and being the same premises conveyed by J. W. Spiller, et ux. to W.  
12 S. Lampton, Jr., Trustee, by Deed dated July 8, 1968, recorded in  
13 Volume 665, Page 538, Deed Records of Montgomery County, Texas, and  
14 being more particularly described by metes and bounds as follows,  
15 to-wit.

16           BEGINNING at the most Northeasterly corner of a 625 acre  
17 tract of land conveyed by J. W. Spiller to John Ben Williamson, by  
18 Deed dated September 22, 1960, recorded in Volume 488, Page 313,  
19 Deed Records of Montgomery County, Texas, said corner being in the  
20 center of Longmire Road;

21           THENCE South 74 degrees 54 minutes West 2378.8 feet along the  
22 North line of above mentioned 625 acre tract to the North Boundary  
23 Line of the Robert Marsh Survey, an iron pipe for corner from which  
24 a 12 inch Pine bears South 51 degrees 30 minutes West 8.4 feet, a 5  
25 inch Red Oak bears South 11 degrees 30 minutes East 3.0 Feet, and an  
26 11 inch Red Oak bears South 82 degrees 30 minutes East 19.0 feet;

27           THENCE North 74 degrees 35 minutes 15 seconds West 2222.6

1 feet along the North boundary of the Marsh and the South Line of the  
2 upper James Edwards Survey, to an iron pipe for corner from which a  
3 34 inch Pine bears South 37 degrees 30 minutes West 55 4 feet and a  
4 10 inch Pine bears North 37 degrees East 64.4 feet, this corner also  
5 being a corner of a 625 acre tract;

6       THENCE South 75 degrees 00 minutes West 5363.8 feet along the  
7 North boundary of 625 acre tract to a 3/4 inch iron pipe for corner  
8 at a point North 75 degrees East 2090.98 feet from the Northwest  
9 corner of 625 acre tract, a 10 inch Elm bears North 47 degrees West  
10 26.0 feet and a 12 inch Ash bears North 10 degrees East 36.8 feet;

11       THENCE North 15 degrees 02 minutes 30 seconds West 1849.6  
12 feet to a 3/4 inch iron pipe for corner from which a 40 inch Pin Oak  
13 bears South 44 degrees 37 minutes East 214.0 feet and a 14 inch  
14 Sweet Gum bears South 36 degrees 36 minutes East 197.7 feet, this  
15 corner being in the Southeast Line of the San Jacinto River  
16 Authority 87.22 acre tract;

17       THENCE North 62 degrees 08 minutes 50 seconds East 1669.22  
18 feet along the South line of 87.22 acre tract to the East Corner of  
19 same, a 3/4 inch iron pipe for corner from which a 36 inch Pin Oak  
20 bears North 86 degrees West 19.5 feet;

21       THENCE South 73 degrees 24 minutes 40 seconds East 1665.34  
22 feet along the South line of the M. E. Paddock 226 acres and the  
23 South line of the M. L. Duke 27 acres to an axle for the Southeast  
24 Corder of the Duke track;

25       THENCE North 16 degrees 09 minutes East 2027.2 feet along  
26 Duke a East line to an axle for corner;

27       THENCE North 82 degrees 23 minutes 15 seconds East 1716.09

1 feet along the South line of the Calfee 22.8 acre tract to a stake  
2 for the Southeast Corner of same. an old axle bears South 82 degrees  
3 25 minutes West 1.5 feet;

4       THENCE South 13 degrees 23 minutes West 778.43 feet along the  
5 West line of the Al Goode 88.356 acre tract to a 10 inch creosote  
6 post for the Southwest Corner of same. a 10 inch Hickory bears North  
7 05 degrees East 22.0 feet and a 6 inch Red Oak bears South 65 degrees  
8 West 14.0 feet.

9       THENCE South 76 degrees 32 minutes 45 seconds East 2033.39  
10 feet along Goode's South Line to a 3/4 inch iron pipe for the  
11 Northwest Corner of the Spiller 59.195 acre tract.

12       THENCE South 13 degrees 27 minutes 15 seconds West 1094.77  
13 feet to a 3/4 inch iron pipe for the Southwest Corder of the Spiller  
14 59 195 acre tract.

15       THENCE South 76 degrees 32 minutes 45 seconds East 1601.26  
16 feet to a 3/4 inch iron pipe for the most Southerly corner of the  
17 Spiller 59.195 acre tract;

18       THENCE North 61 degrees 32 minutes 50 seconds East at 1370.97  
19 feet pass a 2 inch iron pipe in the West side of a blacktop road and  
20 continue in all 1395.57 feet to a point in center of said blacktop  
21 road for the Southeast corner of Spiller 59.195 acre tract;

22       THENCE South 27 degrees 21 minutes 50 seconds East 950.52  
23 feet along center of said blacktop road to the place of BEGINNING,  
24 and containing 410.539 acres of land.

25                                   Less and Except  
26 Pine Valley Drive, a subdivision of 14.684 acres of land in the  
27 James Edwards Survey A-190, Montgomery County, Texas as per the

1 dedication plat dated February 28, 2017, Document #2017016271,  
2 Cabinet 00Z, Sheet 4409.

3 Less and Except

4 20.000 ACRES

5 871,200 SQUARE FEET

6 JAMES EDWARDS SURVEY

7 ABSTRACT NO. 190

8 MONTGOMERY COUNTY, TEXAS

9 FIELD NOTE DESCRIPTION of a 20.000 acre (871,200 square foot)  
10 tract of land located in the James Edwards Survey, Abstract Number  
11 190, Montgomery County, Texas and said 20.000 acre tract of land  
12 being out of and a part of the southerly remainder of Conroe Tract  
13 One, a called 47.932 acre tract and the remainder of Conroe Tract  
14 Four, a called 410.539 acre tract described in the deed to Conroe  
15 Venture, Ltd., recorded under Montgomery County Clerk's File Number  
16 (M.C.C.F. No.) 9149317, said 20.000 acre tract being more  
17 particularly described by metes and bounds as follows: (The  
18 bearings described herein are oriented to the Texas Coordinate  
19 System, South Central Zone, NAD 1983.)

20 COMMENCING at the easterly end of a curved cut-back for the  
21 southwest corner of the intersection of the southwesterly  
22 Right-of-Way (R.O.W.) line of Longmire Road (based on a variable  
23 width) recorded under Volume (Vol.) 665, Page (Pg.) 538 of the  
24 Montgomery County Deed Records (M.C.D.R.), Cabinet "N", Sheet 65 of  
25 the Montgomery County Plat Records (M.C.P.R.) and M.C.C.F. Nos.  
26 2002-051191, 2009-013167, 2012-011629, 2012-0116630 and  
27 2012-011632 and the southerly R.O.W. line of Pine Valley Drive

1 (based on a variable width) recorded under File No. 2017016271  
2 M.C.P.R., from which a 5/8-inch iron rod with cap stamped "Jeff Moon  
3 RPLS 4639" found bears, South 80 degrees 52 minutes West, 1.31 feet;

4       THENCE, in a northwesterly direction, along a curve to the  
5 left, along said curved cut-back, having a radius of 25.00 feet, a  
6 central angle of 91 degrees 06 minutes 39 seconds (chord bears,  
7 North 75 degrees 11 minutes 42 seconds West, 35.70 feet) and an arc  
8 distance of 39.75 feet, to the westerly end of said curved cut-back;

9       THENCE, South 59 degrees 14 minutes 58 seconds West,  
10 departing the southwesterly R.O.W. line of aforesaid Longmire Road  
11 and along the southerly R.O.W. line of aforesaid Pine Valley Drive,  
12 a distance of 289.13 feet, to the beginning of a tangent curve to  
13 the right in said southerly R.O.W. line of said Pine Valley Drive;

14       THENCE, in a southwesterly direction, along a curve said the  
15 right, continuing along the southerly R.O.W. line of said Pine  
16 Valley Drive, having a radius of 1,254.00 feet, a central angle of  
17 10 degrees 02 minutes 54 seconds (chord bears, South 64 degrees 16  
18 minutes 25 seconds West, 219.64 feet) and an arc distance of 219.92  
19 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West  
20 Belt Surveying Inc" set marking the POINT OF BEGINNING and the  
21 northeast corner of the herein described tract;

22       THENCE, South 18 degrees 32 minutes 04 seconds East,  
23 departing the southerly R.O.W. line of said Pine Valley Drive and  
24 over and across aforesaid remainder of a called 410.539 acre tract,  
25 a distance of 620.93 feet, to a 1/2-inch iron rod found in the  
26 southerly line of said remainder of a called 410.539 acre tract and  
27 marking the northwest corner of Conroe Tract Three, a called 7.5



1 acre tract described in the deed to Conroe Venture, Ltd., recorded  
2 under M.C.C.F. No. 9149317, and the northeast corner of the called  
3 3.979 acre tract described in the deed to Charles P. Peters, III and  
4 wife, Judith S. Peters, recorded under M.C.C.F. No. 9143598 and the  
5 southeast corner of the herein described tract;

6       THENCE, South 71 degrees 30 minutes 55 seconds West, along  
7 the southerly line of said remainder of a called 410.539 acre tract,  
8 a distance of 1,225.27 feet, to a 5/8-inch iron rod with orange  
9 plastic cap stamped "West Belt Surveying Inc" set in the northerly  
10 line of the called 7.4806 acre tract described in the deed to  
11 William Lewis Pattillo, III and wife, Theresa Marcelle Pattillo  
12 recorded under M.C.C.F. No. 2005-137433 common with the northerly  
13 line of said remainder of a called 410.539 acre tract and marking  
14 the southwest corner of the herein described tract;

15       THENCE, North 18 degrees 29 minutes 05 seconds West,  
16 departing said common line and over and across said remainder of a  
17 called 410.539 acre tract, a distance of 504.76 feet, to a 5/8-inch  
18 iron rod with orange plastic cap stamped "West Belt Surveying Inc"  
19 set marking an angle in the westerly line of the herein described  
20 tract;

21       THENCE, North 22 degrees 10 minutes 43 seconds East,  
22 continuing over and across said remainder of a called 410.539 acre  
23 tract and over and across aforesaid southerly remainder of a called  
24 47.932 acre tract, a distance of 551.06 feet, to a 5/8-inch iron rod  
25 with orange plastic cap stamped "West Belt Surveying Inc" set in the  
26 southerly R.O.W. line of aforesaid Pine Valley Drive and marking an  
27 the beginning of a non-tangent curve to the left and the northwest

1 corner of the herein described tract;

2       THENCE, in an easterly direction, along said curve to the  
3 left, having a radius of 1,254.00 feet, a central angle of 42  
4 degrees 52 minutes 51 seconds (chord bears, South 89 degrees 15  
5 minutes 42 seconds East, 916.76 feet) and an arc distance of 938.51  
6 feet, to the POINT OF BEGINNING and containing a computed area of  
7 20.000 acres (871,200 square feet) of land as depicted on the Land  
8 Title Survey dated: August 2, 2019, prepared by West Belt  
9 Surveying, Inc., Project No. S945-0004A.

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

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

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

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

1           SECTION 4. (a) If this Act does not receive a two-thirds  
2 vote of all the members elected to each house, Subchapter C, Chapter  
3 7939A, Special District Local Laws Code, as added by Section 1 of  
4 this Act, is amended by adding Section 7939A.0307 to read as  
5 follows:

6           Sec. 7939A.0307. NO EMINENT DOMAIN POWER. The district may  
7 not exercise the power of eminent domain.

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

11           SECTION 5. This Act takes effect September 1, 2021.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 4652 was passed by the House on May 14, 2021, by the following vote: Yeas 106, Nays 39, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4652 on May 28, 2021, by the following vote: Yeas 87, Nays 53, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 4652 was passed by the Senate, with amendments, on May 27, 2021, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor