

1-1 By: Metcalf (Senate Sponsor - Creighton) H.B. No. 4654
 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 6, 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 Montgomery County Municipal Utility
 1-20 District No. 210; 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 7949A to read as follows:

1-26 CHAPTER 7949A. MONTGOMERY COUNTY MUNICIPAL UTILITY
 1-27 DISTRICT NO. 210

1-28 SUBCHAPTER A. GENERAL PROVISIONS

1-29 Sec. 7949A.0101. DEFINITIONS. In this chapter:

1-30 (1) "Board" means the district's board of directors.

1-31 (2) "Commission" means the Texas Commission on
 1-32 Environmental Quality.

1-33 (3) "Director" means a board member.

1-34 (4) "District" means the Montgomery County Municipal
 1-35 Utility District No. 210.

1-36 Sec. 7949A.0102. NATURE OF DISTRICT. The district is a
 1-37 municipal utility district created under Section 59, Article XVI,
 1-38 Texas Constitution.

1-39 Sec. 7949A.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-40 REQUIRED. The temporary directors shall hold an election to
 1-41 confirm the creation of the district and to elect five permanent
 1-42 directors as provided by Section 49.102, Water Code.

1-43 Sec. 7949A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-44 temporary directors may not hold an election under Section
 1-45 7949A.0103 until each municipality in whose corporate limits or
 1-46 extraterritorial jurisdiction the district is located has
 1-47 consented by ordinance or resolution to the creation of the
 1-48 district and to the inclusion of land in the district.

1-49 Sec. 7949A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-50 (a) The district is created to serve a public purpose and benefit.

1-51 (b) The district is created to accomplish the purposes of:

1-52 (1) a municipal utility district as provided by
 1-53 general law and Section 59, Article XVI, Texas Constitution; and

1-54 (2) Section 52, Article III, Texas Constitution, that
 1-55 relate to the construction, acquisition, improvement, operation,
 1-56 or maintenance of macadamized, graveled, or paved roads, or
 1-57 improvements, including storm drainage, in aid of those roads.

1-58 Sec. 7949A.0106. INITIAL DISTRICT TERRITORY. (a) The
 1-59 district is initially composed of the territory described by
 1-60 Section 2 of the Act enacting this chapter.

1-61 (b) The boundaries and field notes contained in Section 2 of

2-1 the Act enacting this chapter form a closure. A mistake made in the
 2-2 field notes or in copying the field notes in the legislative process
 2-3 does not affect the district's:

- 2-4 (1) organization, existence, or validity;
- 2-5 (2) right to issue any type of bond for the purposes
 2-6 for which the district is created or to pay the principal of and
 2-7 interest on a bond;
- 2-8 (3) right to impose a tax; or
- 2-9 (4) legality or operation.

2-10 SUBCHAPTER B. BOARD OF DIRECTORS

2-11 Sec. 7949A.0201. GOVERNING BODY; TERMS. (a) The district
 2-12 is governed by a board of five elected directors.

2-13 (b) Except as provided by Section 7949A.0202, directors
 2-14 serve staggered four-year terms.

2-15 Sec. 7949A.0202. TEMPORARY DIRECTORS. (a) On or after the
 2-16 effective date of the Act enacting this chapter, the owner or owners
 2-17 of a majority of the assessed value of the real property in the
 2-18 district may submit a petition to the commission requesting that
 2-19 the commission appoint as temporary directors the five persons
 2-20 named in the petition. The commission shall appoint as temporary
 2-21 directors the five persons named in the petition.

2-22 (b) Temporary directors serve until the earlier of:

2-23 (1) the date permanent directors are elected under
 2-24 Section 7949A.0103; or

2-25 (2) the fourth anniversary of the effective date of
 2-26 the Act enacting this chapter.

2-27 (c) If permanent directors have not been elected under
 2-28 Section 7949A.0103 and the terms of the temporary directors have
 2-29 expired, successor temporary directors shall be appointed or
 2-30 reappointed as provided by Subsection (d) to serve terms that
 2-31 expire on the earlier of:

2-32 (1) the date permanent directors are elected under
 2-33 Section 7949A.0103; or

2-34 (2) the fourth anniversary of the date of the
 2-35 appointment or reappointment.

2-36 (d) If Subsection (c) applies, the owner or owners of a
 2-37 majority of the assessed value of the real property in the district
 2-38 may submit a petition to the commission requesting that the
 2-39 commission appoint as successor temporary directors the five
 2-40 persons named in the petition. The commission shall appoint as
 2-41 successor temporary directors the five persons named in the
 2-42 petition.

2-43 SUBCHAPTER C. POWERS AND DUTIES

2-44 Sec. 7949A.0301. GENERAL POWERS AND DUTIES. The district
 2-45 has the powers and duties necessary to accomplish the purposes for
 2-46 which the district is created.

2-47 Sec. 7949A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-48 DUTIES. The district has the powers and duties provided by the
 2-49 general law of this state, including Chapters 49 and 54, Water Code,
 2-50 applicable to municipal utility districts created under Section 59,
 2-51 Article XVI, Texas Constitution.

2-52 Sec. 7949A.0303. AUTHORITY FOR ROAD PROJECTS. Under
 2-53 Section 52, Article III, Texas Constitution, the district may
 2-54 design, acquire, construct, finance, issue bonds for, improve,
 2-55 operate, maintain, and convey to this state, a county, or a
 2-56 municipality for operation and maintenance macadamized, graveled,
 2-57 or paved roads, or improvements, including storm drainage, in aid
 2-58 of those roads.

2-59 Sec. 7949A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-60 road project must meet all applicable construction standards,
 2-61 zoning and subdivision requirements, and regulations of each
 2-62 municipality in whose corporate limits or extraterritorial
 2-63 jurisdiction the road project is located.

2-64 (b) If a road project is not located in the corporate limits
 2-65 or extraterritorial jurisdiction of a municipality, the road
 2-66 project must meet all applicable construction standards,
 2-67 subdivision requirements, and regulations of each county in which
 2-68 the road project is located.

2-69 (c) If the state will maintain and operate the road, the

3-1 Texas Transportation Commission must approve the plans and
 3-2 specifications of the road project.

3-3 Sec. 7949A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
 3-4 ORDINANCE OR RESOLUTION. The district shall comply with all
 3-5 applicable requirements of any ordinance or resolution that is
 3-6 adopted under Section 54.016 or 54.0165, Water Code, and that
 3-7 consents to the creation of the district or to the inclusion of land
 3-8 in the district.

3-9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-10 Sec. 7949A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
 3-11 The district may issue, without an election, bonds and other
 3-12 obligations secured by:

3-13 (1) revenue other than ad valorem taxes; or
 3-14 (2) contract payments described by Section
 3-15 7949A.0403.

3-16 (b) The district must hold an election in the manner
 3-17 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 3-18 before the district may impose an ad valorem tax or issue bonds
 3-19 payable from ad valorem taxes.

3-20 (c) The district may not issue bonds payable from ad valorem
 3-21 taxes to finance a road project unless the issuance is approved by a
 3-22 vote of a two-thirds majority of the district voters voting at an
 3-23 election held for that purpose.

3-24 Sec. 7949A.0402. OPERATION AND MAINTENANCE TAX. (a) If
 3-25 authorized at an election held under Section 7949A.0401, the
 3-26 district may impose an operation and maintenance tax on taxable
 3-27 property in the district in accordance with Section 49.107, Water
 3-28 Code.

3-29 (b) The board shall determine the tax rate. The rate may not
 3-30 exceed the rate approved at the election.

3-31 Sec. 7949A.0403. CONTRACT TAXES. (a) In accordance with
 3-32 Section 49.108, Water Code, the district may impose a tax other than
 3-33 an operation and maintenance tax and use the revenue derived from
 3-34 the tax to make payments under a contract after the provisions of
 3-35 the contract have been approved by a majority of the district voters
 3-36 voting at an election held for that purpose.

3-37 (b) A contract approved by the district voters may contain a
 3-38 provision stating that the contract may be modified or amended by
 3-39 the board without further voter approval.

3-40 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-41 Sec. 7949A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
 3-42 OBLIGATIONS. The district may issue bonds or other obligations
 3-43 payable wholly or partly from ad valorem taxes, impact fees,
 3-44 revenue, contract payments, grants, or other district money, or any
 3-45 combination of those sources, to pay for any authorized district
 3-46 purpose.

3-47 Sec. 7949A.0502. TAXES FOR BONDS. At the time the district
 3-48 issues bonds payable wholly or partly from ad valorem taxes, the
 3-49 board shall provide for the annual imposition of a continuing
 3-50 direct ad valorem tax, without limit as to rate or amount, while all
 3-51 or part of the bonds are outstanding as required and in the manner
 3-52 provided by Sections 54.601 and 54.602, Water Code.

3-53 Sec. 7949A.0503. BONDS FOR ROAD PROJECTS. At the time of
 3-54 issuance, the total principal amount of bonds or other obligations
 3-55 issued or incurred to finance road projects and payable from ad
 3-56 valorem taxes may not exceed one-fourth of the assessed value of the
 3-57 real property in the district.

3-58 SECTION 2. The Montgomery County Municipal Utility District
 3-59 No. 210 initially includes all the territory contained in the
 3-60 following area:

3-61 A METES & BOUNDS description of a calculated 473.5 acre tract
 3-62 of land situated in the Owen Shannon Survey, Abstract Number 36, and
 3-63 the John H. Wood Survey, Abstract Number 603, in Montgomery County,
 3-64 Texas, being all of a called 345.548 acre tract (Tract I) conveyed
 3-65 to Scott 2012 Trust by deed recorded in Clerk's File
 3-66 No. 2013001327, Montgomery County Official Public Records, being
 3-67 all of a called 125.758 acre tract, conveyed to Roger Scott and
 3-68 wife, Leigh Scott by deed recorded in Clerk's File No. 2006-032563,
 3-69 Montgomery County Official Public Records of Real Property, being

4-1 all of a called 7.846 acre tract, conveyed to Roger Scott and wife,
 4-2 Leigh Scott by deed recorded in Clerk's File No. 2008-032591,
 4-3 Montgomery County Official Public Records of Real Property, and
 4-4 being all of a called 1.1319 acre tract conveyed to Scott 2012 Trust
 4-5 by deed recorded in Clerk's File No. 2013001327, Montgomery County
 4-6 Official Public Records, said 473.5 acre tract being more
 4-7 particularly described as follows with all bearings being based on
 4-8 the recorded west line of called 345.548 acre tract (Tract 1) as
 4-9 recorded under Clerk's File No. 2013001327, Montgomery County
 4-10 Official Public Records:

4-11 BEGINNING at a point for corner in the north line of a 74.146
 4-12 acre tract recorded in Film Code No. 603-01-1804, Montgomery
 4-13 County, Texas and the southeast corner of a residue of a 24.8 acre
 4-14 tract recorded in Volume 546, Page 336, Deed Records, Montgomery
 4-15 County, Texas;

4-16 THENCE, North 00°20'47" East, 753.89 feet (bearing basis) to a
 4-17 point for corner being the northeast corner of above said residue
 4-18 tract and the southeast corner of a 17.75 acre tract recorded in
 4-19 Film Code No. 270-01-0530, Real Property Records, Montgomery
 4-20 County, Texas;

4-21 THENCE, North 00°19'04" East, 2,066.22 feet to a point for
 4-22 corner being the northeast corner of above said 17.75 acre tract and
 4-23 in the south line of a 74.057 acre tract recorded in Volume 757,
 4-24 Page 948, Deed Records, Montgomery County, Texas;

4-25 THENCE, North 89°06'24" East, 613.86 feet to a point for
 4-26 corner being the southeast corner of above said 74.507 acre tract;

4-27 THENCE, North 00°38'16" East, 1,613.60 feet to a point for
 4-28 corner being the northeast corner of a 51.030 acre tract recorded in
 4-29 Film Code No. 302-01-1436, Real Property Records, Montgomery
 4-30 County, Texas;

4-31 THENCE, North 89°40'28" West, 2,756.64 feet to a point for
 4-32 corner being the northwest corner of above said 51.03 acre tract in
 4-33 the east line of a 34.28 acre tract recorded in Film Code
 4-34 No. 061-01-0271, Real Property Records;

4-35 THENCE, North 00°00'02" East, 206.69 feet to a point for
 4-36 corner in the south line of a 14.0 acre tract recorded in Volume
 4-37 441, Page 361, Deed Records, Montgomery County, Texas;

4-38 THENCE, South 89°44'43" East, 458.78 feet to a point for
 4-39 corner being the southeast corner of above said 14.0 acre tract and
 4-40 the southwest corner of a 33.00 acre tract;

4-41 THENCE, South 88°54'44" East, 813.81 feet to a point for
 4-42 corner being the southeast corner of above said 33.00 acre tract and
 4-43 the southwest corner of a 4.50 acre tract recorded in Film Code
 4-44 No. 111-01-0656, Real Property Records, Montgomery County, Texas;

4-45 THENCE, South 89°56'18" East, 1,485.56 feet to a point for
 4-46 corner;

4-47 THENCE, North 89°45'51" East, 132.59 feet to a point for
 4-48 corner being the southeast corner of a 27.82 acre tract recorded in
 4-49 Film Code No. 207-01-0901, Real Property Records, Montgomery
 4-50 County, Texas;

4-51 THENCE, North 00°07'47" East, 2,736.90 feet to a point for
 4-52 corner in the east line of above said 27.82 acre tract;

4-53 THENCE, North 00°47'32" East, at 820.20 feet passing the
 4-54 northeast corner of above said 27.82 acre tract and continuing in
 4-55 all a total distance of 911.80 feet to a point for corner in the
 4-56 centerline of Little Lake Creek;

4-57 THENCE, with the centerline of above said creek, the
 4-58 following fifty (50) courses and distances:

- 4-59 1. South 46°32'00" East, 25.00 feet to a point for corner;
- 4-60 2. North 00°57'00" East, 281.10 feet to a point for corner;
- 4-61 3. South 85°51'07" East, 187.59 feet to a point for corner;
- 4-62 4. South 75°26'00" East, 76.50 feet to a point for corner;
- 4-63 5. South 63°20'00" East, 86.10 feet to a point for corner;
- 4-64 6. North 73°18'00" East, 76.90 feet to a point for corner;
- 4-65 7. North 81°41'00" East, 78.10 feet to a point for corner;
- 4-66 8. South 00°51'00" West, 50.90 feet to a point for corner;
- 4-67 9. South 56°38'00" West, 126.70 feet to a point for corner;
- 4-68 10. South 06°56'00" West, 185.50 feet to a point for corner;
- 4-69 11. South 70°50'00" East, 164.90 feet to a point for corner;

- 5-1 12. South 48°29'00" East, 35.00 feet to a point for corner;
5-2 13. South 47°41'00" East, 94.60 feet to a point for corner;
5-3 14. South 60°18'00" West, 71.90 feet to a point for corner;
5-4 15. South 18°04'00" West, 32.60 feet to a point for corner;
5-5 16. South 81°53'00" West, 105.00 feet to a point for corner;
5-6 17. South 61°38'00" West, 93.10 feet to a point for corner;
5-7 18. South 47°34'00" East, 138.10 feet to a point for corner;
5-8 19. South 85°49'00" East, 23.90 feet to a point for corner;
5-9 20. South 37°54'00" East, 42.50 feet to a point for corner;
5-10 21. South 06°50'00" West, 74.80 feet to a point for corner;
5-11 22. South 64°49'00" East, 73.30 feet to a point for corner;
5-12 23. South 19°23'00" West, 159.50 feet to a point for corner;
5-13 24. South 16°08'00" East, 235.90 feet to a point for corner;
5-14 25. North 65°12'00" East, 156.10 feet to a point for corner;
5-15 26. South 52°44'00" East, 32.10 feet to a point for corner;
5-16 27. South 17°20'00" West, 31.70 feet to a point for corner;
5-17 28. South 55°10'00" West, 31.90 feet to a point for corner;
5-18 29. South 27°49'00" West, 37.70 feet to a point for corner;
5-19 30. South 49°18'00" East, 59.10 feet to a point for corner;
5-20 31. South 76°46'00" East, 59.10 feet to a point for corner;
5-21 32. North 71°46'00" East, 131.80 feet to a point for corner;
5-22 33. North 48°49'00" West, 67.30 feet to a point for corner;
5-23 34. North 66°26'00" West, 68.20 feet to a point for corner;
5-24 35. North 02°53'00" East, 103.90 feet to a point for corner;
5-25 36. North 59°28'00" East, 129.30 feet to a point for corner;
5-26 37. North 66°53'00" East, 41.60 feet to a point for corner;
5-27 38. South 16°36'00" East, 99.80 feet to a point for corner;
5-28 39. South 29°58'00" East, 62.00 feet to a point for corner;
5-29 40. South 60°31'00" East, 95.70 feet to a point for corner;
5-30 41. North 00°15'00" West, 39.40 feet to a point for corner;
5-31 42. North 42°01'00" East, 134.10 feet to a point for corner;
5-32 43. North 80°53'00" East, 65.10 feet to a point for corner;
5-33 44. South 05°21'00" East, 144.90 feet to a point for corner;
5-34 45. South 01°21'00" West, 55.60 feet to a point for corner;
5-35 46. South 46°03'00" East, 47.60 feet to a point for corner;
5-36 47. North 72°10'00" East, 61.10 feet to a point for corner;
5-37 48. South 87°48'00" East, 61.60 feet to a point for corner;
5-38 49. South 13°42'00" East, 35.00 feet to a point for corner;
5-39 50. South 65°36'00" West, 41.80 feet to a point for corner in the
5-40 201 contour of Lake Conroe (as called for in Clerk's File
5-41 No. 2013001327, Montgomery County Official Public Records);
5-42 THENCE, with the 201 contour of Lake Conroe, the following
5-43 fifty-four (54) courses and distances:
5-44 1. North 46°17'00" West, 13.60 feet to a point for corner;
5-45 2. South 53°50'00" West, 37.60 feet to a point for corner;
5-46 3. South 42°08'00" West, 47.50 feet to a point for corner;
5-47 4. South 26°24'00" West, 76.70 feet to a point for corner;
5-48 5. South 48°35'00" West, 90.00 feet to a point for corner;
5-49 6. South 20°18'00" East, 108.60 feet to a point for corner;
5-50 7. South 05°44'00" East, 97.20 feet to a point for corner;
5-51 8. South 27°14'00" East, 171.90 feet to a point for corner;
5-52 9. South 47°12'00" East, 79.00 feet to a point for corner;
5-53 10. South 54°07'00" East, 93.20 feet to a point for corner;
5-54 11. South 65°12'00" East, 144.00 feet to a point for corner;
5-55 12. South 48°27'00" East, 189.30 feet to a point for corner;
5-56 13. South 29°45'00" East, 70.10 feet to a point for corner;
5-57 14. South 38°05'00" West, 92.30 feet to a point for corner;
5-58 15. South 08°01'00" West, 131.40 feet to a point for corner;
5-59 16. South 70°13'00" East, 54.10 feet to a point for corner;
5-60 17. South 63°03'00" East, 58.50 feet to a point for corner;
5-61 18. North 71°48'00" East, 80.50 feet to a point for corner;
5-62 19. North 41°21'00" East, 74.20 feet to a point for corner;
5-63 20. North 32°02'00" East, 70.00 feet to a point for corner;
5-64 21. South 82°00'00" East, 88.00 feet to a point for corner;
5-65 22. North 56°19'00" East, 50.40 feet to a point for corner;
5-66 23. South 41°56'00" East, 44.40 feet to a point for corner;
5-67 24. South 10°47'00" East, 58.40 feet to a point for corner;
5-68 25. South 83°04'00" West, 112.60 feet to a point for corner;
5-69 26. South 25°03'00" West, 49.20 feet to a point for corner;

- 6-1 27. South 52°09'00" East, 80.20 feet to a point for corner;
6-2 28. South 46°54'00" East, 50.20 feet to a point for corner;
6-3 29. South 18°30'00" East, 130.60 feet to a point for corner;
6-4 30. South 80°17'00" West, 70.60 feet to a point for corner;
6-5 31. South 58°20'00" West, 57.90 feet to a point for corner;
6-6 32. South 56°08'00" East, 185.90 feet to a point for corner;
6-7 33. South 46°12'00" East, 198.90 feet to a point for corner;
6-8 34. South 65°04'00" East, 125.40 feet to a point for corner;
6-9 35. South 29°05'00" East, 96.50 feet to a point for corner;
6-10 36. South 04°52'00" East, 218.60 feet to a point for corner;
6-11 37. South 16°36'00" East, 130.40 feet to a point for corner;
6-12 38. South 04°28'00" East, 212.40 feet to a point for corner;
6-13 39. South 07°36'00" West, 143.30 feet to a point for corner;
6-14 40. South 00°44'00" West, 127.00 feet to a point for corner;
6-15 41. South 05°01'00" West, 98.10 feet to a point for corner;
6-16 42. South 12°43'00" East, 195.20 feet to a point for corner;
6-17 43. South 23°24'00" East, 177.00 feet to a point for corner;
6-18 44. South 56°38'17" East, 131.37 feet to a point for corner;
6-19 45. South 58°15'45" East, 37.80 feet to a point for corner;
6-20 46. South 19°27'45" East, 78.90 feet to a point for corner;
6-21 47. South 51°53'45" East, 92.70 feet to a point for corner;
6-22 48. South 44°23'45" East, 111.00 feet to a point for corner;
6-23 49. South 75°33'45" East, 102.40 feet to a point for corner;
6-24 50. South 63°58'45" East, 155.10 feet to a point for corner;
6-25 51. South 53°48'45" East, 156.60 feet to a point for corner;
6-26 52. South 29°16'45" East, 188.00 feet to a point for corner;
6-27 53. South 19°12'45" East, 95.10 feet to a point for corner;
6-28 54. South 50°28'56" East, 42.74 feet to a point for corner in the
6-29 west line of F.M. 1097;
6-30 THENCE, with the west line of above said road, the following
6-31 seven (7) courses and distances:
6-32 1. South 31°50'46" West, 300.73 feet to a point for corner;
6-33 2. South 25°46'07" West, 102.95 feet to a point for corner;
6-34 3. South 24°43'00" West, 103.80 feet to a point for corner;
6-35 4. South 11°51'26" West, 314.47 feet to a point for corner;
6-36 5. South 19°21'33" West, 398.89 feet to a point for corner;
6-37 6. South 72°49'24" East, 44.03 feet to a point for corner;
6-38 7. South 16°05'24" West, 579.11 feet to a point for corner being
6-39 the northeast corner of a 10.00 acre tract recorded in File
6-40 No. 8406528, Real Property Records, Montgomery County, Texas;
6-41 THENCE, North 89°40'06" West, 955.80 feet to a point for
6-42 corner being the northwest corner of above said 10.00 acre tract;
6-43 THENCE, South 41°53'13" West, 576.96 feet to a point for
6-44 corner being the northwest corner of a 4.9325 acre tract recorded
6-45 under File No. 9232857, Real Property Records, Montgomery County,
6-46 Texas, being the southwest corner of above said 10.00 acre tract;
6-47 THENCE, South 41°58'16" West, 203.49 feet to a point for
6-48 corner being the southwest corner of above said 4.9325 acre tract,
6-49 the northwest corner of a residue 9.789 acre tract recorded in Film
6-50 Code No. 253-01-1898, Real Property Records, Montgomery County,
6-51 Texas;
6-52 THENCE, South 42°02'16" West, 171.89 feet to a point for
6-53 corner being the northwest corner of a 12.38 acre tract recorded in
6-54 Film Code No. 402-01-1786, Real Property Records, Montgomery
6-55 County, Texas and the southwest corner of above said residue tract;
6-56 THENCE, South 42°04'26" West, 607.87 feet to a point for
6-57 corner in the north line of a 150.00 acre tract recorded in Volume
6-58 233, Page 142, Deed Records, Montgomery County, Texas;
6-59 THENCE, North 88°29'18" West, 339.86 feet to a point for
6-60 corner being the northwest corner of above said 150.00 acre tract
6-61 and a corner of above said 345.548 acre tract;
6-62 THENCE, South 01°25'00" West, 1,433.98 feet to a point for
6-63 corner in the northwest line of F.M. 1097;
6-64 THENCE, with the northwest line of F.M. 1097, the following
6-65 two (2) courses and distances:
6-66 1. South 52°24'11" West, 132.30 feet to a point for corner in the
6-67 northerly line of that certain called 81.23 acre (80.72 net acres)
6-68 tract described in instrument to Sarah Anne Peel Mabry, recorded in
6-69 Volume 683, Page 279 of the Deed Records of Montgomery County,

7-1 Texas, for the southerly southeasterly corner of above said 345.548
7-2 acre tract;

7-3 2. South 44°23'30" West, 473.59 feet severing said 81.23 acre tract
7-4 to a point for corner in the westerly line of said 81.23 acre tract
7-5 for the easterly southeast corner of a called 13.5 acre tract
7-6 described as "Tract 29" in instrument to Joda Mize and Rexina Mize,
7-7 recorded in Clerk's File No. 2015010982, Official Public Records of
7-8 Real Property, Montgomery County, Texas;

7-9 THENCE, North 01°43'03" East, at 347.69 feet passing the
7-10 common westerly corner of said 81.23 acre tract and said above said
7-11 345.548 acre tract and continuing in all a total distance of
7-12 1,236.98 feet to a point for corner, being the northeast corner of a
7-13 14.81 acre tract recorded in Volume 596, Page 81, Deed Records
7-14 Montgomery County, Texas;

7-15 THENCE, North 88°57'34" West, 233.73 feet to a point for
7-16 corner;

7-17 THENCE, North 88°55'24" West, 187.44 feet to a point for
7-18 corner being the northwest corner of above said 14.81 acre tract and
7-19 the northeast corner of above said 74.145 acre tract;

7-20 THENCE, North 88°56'36" West, 556.24 feet to the POINT OF
7-21 BEGINNING, CONTAINING 473.5 acres (20,624,272 square feet) of land
7-22 in Montgomery County, Texas, filed in the office of Manhard
7-23 Consulting, Ltd. in The Woodlands, Texas.

7-24 SECTION 3. (a) The legal notice of the intention to
7-25 introduce this Act, setting forth the general substance of this
7-26 Act, has been published as provided by law, and the notice and a
7-27 copy of this Act have been furnished to all persons, agencies,
7-28 officials, or entities to which they are required to be furnished
7-29 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-30 Government Code.

7-31 (b) The governor, one of the required recipients, has
7-32 submitted the notice and Act to the Texas Commission on
7-33 Environmental Quality.

7-34 (c) The Texas Commission on Environmental Quality has filed
7-35 its recommendations relating to this Act with the governor, the
7-36 lieutenant governor, and the speaker of the house of
7-37 representatives within the required time.

7-38 (d) All requirements of the constitution and laws of this
7-39 state and the rules and procedures of the legislature with respect
7-40 to the notice, introduction, and passage of this Act are fulfilled
7-41 and accomplished.

7-42 SECTION 4. (a) If this Act does not receive a two-thirds
7-43 vote of all the members elected to each house, Subchapter C, Chapter
7-44 7949A, Special District Local Laws Code, as added by Section 1 of
7-45 this Act, is amended by adding Section 7949A.0306 to read as
7-46 follows:

7-47 Sec. 7949A.0306. NO EMINENT DOMAIN POWER. The district may
7-48 not exercise the power of eminent domain.

7-49 (b) This section is not intended to be an expression of a
7-50 legislative interpretation of the requirements of Section 17(c),
7-51 Article I, Texas Constitution.

7-52 SECTION 5. This Act takes effect immediately if it receives
7-53 a vote of two-thirds of all the members elected to each house, as
7-54 provided by Section 39, Article III, Texas Constitution. If this
7-55 Act does not receive the vote necessary for immediate effect, this
7-56 Act takes effect September 1, 2021.

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