

By: Creighton

S.B. No. 2234

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 210; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7949A to read as follows:

CHAPTER 7949A. MONTGOMERY COUNTY MUNICIPAL UTILITY

DISTRICT NO. 210

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7949A.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Montgomery County Municipal Utility District No. 210.

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

Sec. 7949A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 7949A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
3 temporary directors may not hold an election under Section
4 7949A.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. 7949A.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. 7949A.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. 7949A.0201. GOVERNING BODY; TERMS. (a) The district
5 is governed by a board of five elected directors.

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

8 Sec. 7949A.0202. TEMPORARY DIRECTORS. (a) On or after the
9 effective date of the Act enacting this chapter, the owner or owners
10 of a majority of the assessed value of the real property in the
11 district may submit a petition to the commission requesting that
12 the commission appoint as temporary directors the five persons
13 named in the petition. The commission shall appoint as temporary
14 directors the five persons named in the petition.

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

16 (1) the date permanent directors are elected under
17 Section 7949A.0103; or

18 (2) the fourth anniversary of the effective date of
19 the Act enacting this chapter.

20 (c) If permanent directors have not been elected under
21 Section 7949A.0103 and the terms of the temporary directors have
22 expired, successor temporary directors shall be appointed or
23 reappointed as provided by Subsection (d) to serve terms that
24 expire on the earlier of:

25 (1) the date permanent directors are elected under
26 Section 7949A.0103; or

27 (2) the fourth anniversary of the date of the

1 appointment or reappointment.

2 (d) If Subsection (c) applies, the owner or owners of a
3 majority of the assessed value of the real property in the district
4 may submit a petition to the commission requesting that the
5 commission appoint as successor temporary directors the five
6 persons named in the petition. The commission shall appoint as
7 successor temporary directors the five persons named in the
8 petition.

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 7949A.0301. GENERAL POWERS AND DUTIES. The district
11 has the powers and duties necessary to accomplish the purposes for
12 which the district is created.

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

18 Sec. 7949A.0303. AUTHORITY FOR ROAD PROJECTS. Under
19 Section 52, Article III, Texas Constitution, the district may
20 design, acquire, construct, finance, issue bonds for, improve,
21 operate, maintain, and convey to this state, a county, or a
22 municipality for operation and maintenance macadamized, graveled,
23 or paved roads, or improvements, including storm drainage, in aid
24 of those roads.

25 Sec. 7949A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
26 road project must meet all applicable construction standards,
27 zoning and subdivision requirements, and regulations of each

1 municipality in whose corporate limits or extraterritorial
2 jurisdiction the road project is located.

3 (b) If a road project is not located in the corporate limits
4 or extraterritorial jurisdiction of a municipality, the road
5 project must meet all applicable construction standards,
6 subdivision requirements, and regulations of each county in which
7 the road project is located.

8 (c) If the state will maintain and operate the road, the
9 Texas Transportation Commission must approve the plans and
10 specifications of the road project.

11 Sec. 7949A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
12 ORDINANCE OR RESOLUTION. The district shall comply with all
13 applicable requirements of any ordinance or resolution that is
14 adopted under Section 54.016 or 54.0165, Water Code, and that
15 consents to the creation of the district or to the inclusion of land
16 in the district.

17 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

18 Sec. 7949A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
19 The district may issue, without an election, bonds and other
20 obligations secured by:

- 21 (1) revenue other than ad valorem taxes; or
22 (2) contract payments described by Section
23 7949A.0403.

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

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

5 Sec. 7949A.0402. OPERATION AND MAINTENANCE TAX. (a) If
6 authorized at an election held under Section 7949A.0401, the
7 district may impose an operation and maintenance tax on taxable
8 property in the district in accordance with Section 49.107, Water
9 Code.

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

12 Sec. 7949A.0403. CONTRACT TAXES. (a) In accordance with
13 Section 49.108, Water Code, the district may impose a tax other than
14 an operation and maintenance tax and use the revenue derived from
15 the tax to make payments under a contract after the provisions of
16 the contract have been approved by a majority of the district voters
17 voting at an election held for that purpose.

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

21 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

22 Sec. 7949A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
23 OBLIGATIONS. The district may issue bonds or other obligations
24 payable wholly or partly from ad valorem taxes, impact fees,
25 revenue, contract payments, grants, or other district money, or any
26 combination of those sources, to pay for any authorized district
27 purpose.

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

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

12 SECTION 2. The Montgomery County Municipal Utility District
13 No. 210 initially includes all the territory contained in the
14 following area:

15 A METES & BOUNDS description of a calculated 473.5 acre tract
16 of land situated in the Owen Shannon Survey, Abstract Number 36, and
17 the John H. Wood Survey, Abstract Number 603, in Montgomery County,
18 Texas, being all of a called 345.548 acre tract (Tract I) conveyed
19 to Scott 2012 Trust by deed recorded in Clerk's File
20 No. 2013001327, Montgomery County Official Public Records, being
21 all of a called 125.758 acre tract, conveyed to Roger Scott and
22 wife, Leigh Scott by deed recorded in Clerk's File No. 2006-032563,
23 Montgomery County Official Public Records of Real Property, being
24 all of a called 7.846 acre tract, conveyed to Roger Scott and wife,
25 Leigh Scott by deed recorded in Clerk's File No. 2008-032591,
26 Montgomery County Official Public Records of Real Property, and
27 being all of a called 1.1319 acre tract conveyed to Scott 2012 Trust

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1 by deed recorded in Clerk's File No. 2013001327, Montgomery County
2 Official Public Records, said 473.5 acre tract being more
3 particularly described as follows with all bearings being based on
4 the recorded west line of called 345.548 acre tract (Tract 1) as
5 recorded under Clerk's File No. 2013001327, Montgomery County
6 Official Public Records:

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

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

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

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

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

27 THENCE, North 89°40'28" West, 2,756.64 feet to a point for

1 corner being the northwest corner of above said 51.03 acre tract in
2 the east line of a 34.28 acre tract recorded in Film Code
3 No. 061-01-0271, Real Property Records;

4 THENCE, North 00°00'02" East, 206.69 feet to a point for
5 corner in the south line of a 14.0 acre tract recorded in Volume
6 441, Page 361, Deed Records, Montgomery County, Texas;

7 THENCE, South 89°44'43" East, 458.78 feet to a point for
8 corner being the southeast corner of above said 14.0 acre tract and
9 the southwest corner of a 33.00 acre tract;

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

14 THENCE, South 89°56'18" East, 1,485.56 feet to a point for
15 corner;

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

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

22 THENCE, North 00°47'32" East, at 820.20 feet passing the
23 northeast corner of above said 27.82 acre tract and continuing in
24 all a total distance of 911.80 feet to a point for corner in the
25 centerline of Little Lake Creek;

26 THENCE, with the centerline of above said creek, the
27 following fifty (50) courses and distances:

- 1 1. South 46°32'00" East, 25.00 feet to a point for corner;
- 2 2. North 00°57'00" East, 281.10 feet to a point for corner;
- 3 3. South 85°51'07" East, 187.59 feet to a point for corner;
- 4 4. South 75°26'00" East, 76.50 feet to a point for corner;
- 5 5. South 63°20'00" East, 86.10 feet to a point for corner;
- 6 6. North 73°18'00" East, 76.90 feet to a point for corner;
- 7 7. North 81°41'00" East, 78.10 feet to a point for corner;
- 8 8. South 00°51'00" West, 50.90 feet to a point for corner;
- 9 9. South 56°38'00" West, 126.70 feet to a point for corner;
- 10 10. South 06°56'00" West, 185.50 feet to a point for corner;
- 11 11. South 70°50'00" East, 164.90 feet to a point for corner;
- 12 12. South 48°29'00" East, 35.00 feet to a point for corner;
- 13 13. South 47°41'00" East, 94.60 feet to a point for corner;
- 14 14. South 60°18'00" West, 71.90 feet to a point for corner;
- 15 15. South 18°04'00" West, 32.60 feet to a point for corner;
- 16 16. South 81°53'00" West, 105.00 feet to a point for corner;
- 17 17. South 61°38'00" West, 93.10 feet to a point for corner;
- 18 18. South 47°34'00" East, 138.10 feet to a point for corner;
- 19 19. South 85°49'00" East, 23.90 feet to a point for corner;
- 20 20. South 37°54'00" East, 42.50 feet to a point for corner;
- 21 21. South 06°50'00" West, 74.80 feet to a point for corner;
- 22 22. South 64°49'00" East, 73.30 feet to a point for corner;
- 23 23. South 19°23'00" West, 159.50 feet to a point for corner;
- 24 24. South 16°08'00" East, 235.90 feet to a point for corner;
- 25 25. North 65°12'00" East, 156.10 feet to a point for corner;
- 26 26. South 52°44'00" East, 32.10 feet to a point for corner;
- 27 27. South 17°20'00" West, 31.70 feet to a point for corner;

- 1 28. South 55°10'00" West, 31.90 feet to a point for corner;
- 2 29. South 27°49'00" West, 37.70 feet to a point for corner;
- 3 30. South 49°18'00" East, 59.10 feet to a point for corner;
- 4 31. South 76°46'00" East, 59.10 feet to a point for corner;
- 5 32. North 71°46'00" East, 131.80 feet to a point for corner;
- 6 33. North 48°49'00" West, 67.30 feet to a point for corner;
- 7 34. North 66°26'00" West, 68.20 feet to a point for corner;
- 8 35. North 02°53'00" East, 103.90 feet to a point for corner;
- 9 36. North 59°28'00" East, 129.30 feet to a point for corner;
- 10 37. North 66°53'00" East, 41.60 feet to a point for corner;
- 11 38. South 16°36'00" East, 99.80 feet to a point for corner;
- 12 39. South 29°58'00" East, 62.00 feet to a point for corner;
- 13 40. South 60°31'00" East, 95.70 feet to a point for corner;
- 14 41. North 00°15'00" West, 39.40 feet to a point for corner;
- 15 42. North 42°01'00" East, 134.10 feet to a point for corner;
- 16 43. North 80°53'00" East, 65.10 feet to a point for corner;
- 17 44. South 05°21'00" East, 144.90 feet to a point for corner;
- 18 45. South 01°21'00" West, 55.60 feet to a point for corner;
- 19 46. South 46°03'00" East, 47.60 feet to a point for corner;
- 20 47. North 72°10'00" East, 61.10 feet to a point for corner;
- 21 48. South 87°48'00" East, 61.60 feet to a point for corner;
- 22 49. South 13°42'00" East, 35.00 feet to a point for corner;
- 23 50. South 65°36'00" West, 41.80 feet to a point for corner in the
- 24 201 contour of Lake Conroe (as called for in Clerk's File
- 25 No. 2013001327, Montgomery County Official Public Records);

26 THENCE, with the 201 contour of Lake Conroe, the following
27 fifty-four (54) courses and distances:

- 1 1. North 46°17'00" West, 13.60 feet to a point for corner;
- 2 2. South 53°50'00" West, 37.60 feet to a point for corner;
- 3 3. South 42°08'00" West, 47.50 feet to a point for corner;
- 4 4. South 26°24'00" West, 76.70 feet to a point for corner;
- 5 5. South 48°35'00" West, 90.00 feet to a point for corner;
- 6 6. South 20°18'00" East, 108.60 feet to a point for corner;
- 7 7. South 05°44'00" East, 97.20 feet to a point for corner;
- 8 8. South 27°14'00" East, 171.90 feet to a point for corner;
- 9 9. South 47°12'00" East, 79.00 feet to a point for corner;
- 10 10. South 54°07'00" East, 93.20 feet to a point for corner;
- 11 11. South 65°12'00" East, 144.00 feet to a point for corner;
- 12 12. South 48°27'00" East, 189.30 feet to a point for corner;
- 13 13. South 29°45'00" East, 70.10 feet to a point for corner;
- 14 14. South 38°05'00" West, 92.30 feet to a point for corner;
- 15 15. South 08°01'00" West, 131.40 feet to a point for corner;
- 16 16. South 70°13'00" East, 54.10 feet to a point for corner;
- 17 17. South 63°03'00" East, 58.50 feet to a point for corner;
- 18 18. North 71°48'00" East, 80.50 feet to a point for corner;
- 19 19. North 41°21'00" East, 74.20 feet to a point for corner;
- 20 20. North 32°02'00" East, 70.00 feet to a point for corner;
- 21 21. South 82°00'00" East, 88.00 feet to a point for corner;
- 22 22. North 56°19'00" East, 50.40 feet to a point for corner;
- 23 23. South 41°56'00" East, 44.40 feet to a point for corner;
- 24 24. South 10°47'00" East, 58.40 feet to a point for corner;
- 25 25. South 83°04'00" West, 112.60 feet to a point for corner;
- 26 26. South 25°03'00" West, 49.20 feet to a point for corner;
- 27 27. South 52°09'00" East, 80.20 feet to a point for corner;

- 1 28. South $46^{\circ}54'00''$ East, 50.20 feet to a point for corner;
- 2 29. South $18^{\circ}30'00''$ East, 130.60 feet to a point for corner;
- 3 30. South $80^{\circ}17'00''$ West, 70.60 feet to a point for corner;
- 4 31. South $58^{\circ}20'00''$ West, 57.90 feet to a point for corner;
- 5 32. South $56^{\circ}08'00''$ East, 185.90 feet to a point for corner;
- 6 33. South $46^{\circ}12'00''$ East, 198.90 feet to a point for corner;
- 7 34. South $65^{\circ}04'00''$ East, 125.40 feet to a point for corner;
- 8 35. South $29^{\circ}05'00''$ East, 96.50 feet to a point for corner;
- 9 36. South $04^{\circ}52'00''$ East, 218.60 feet to a point for corner;
- 10 37. South $16^{\circ}36'00''$ East, 130.40 feet to a point for corner;
- 11 38. South $04^{\circ}28'00''$ East, 212.40 feet to a point for corner;
- 12 39. South $07^{\circ}36'00''$ West, 143.30 feet to a point for corner;
- 13 40. South $00^{\circ}44'00''$ West, 127.00 feet to a point for corner;
- 14 41. South $05^{\circ}01'00''$ West, 98.10 feet to a point for corner;
- 15 42. South $12^{\circ}43'00''$ East, 195.20 feet to a point for corner;
- 16 43. South $23^{\circ}24'00''$ East, 177.00 feet to a point for corner;
- 17 44. South $56^{\circ}38'17''$ East, 131.37 feet to a point for corner;
- 18 45. South $58^{\circ}15'45''$ East, 37.80 feet to a point for corner;
- 19 46. South $19^{\circ}27'45''$ East, 78.90 feet to a point for corner;
- 20 47. South $51^{\circ}53'45''$ East, 92.70 feet to a point for corner;
- 21 48. South $44^{\circ}23'45''$ East, 111.00 feet to a point for corner;
- 22 49. South $75^{\circ}33'45''$ East, 102.40 feet to a point for corner;
- 23 50. South $63^{\circ}58'45''$ East, 155.10 feet to a point for corner;
- 24 51. South $53^{\circ}48'45''$ East, 156.60 feet to a point for corner;
- 25 52. South $29^{\circ}16'45''$ East, 188.00 feet to a point for corner;
- 26 53. South $19^{\circ}12'45''$ East, 95.10 feet to a point for corner;
- 27 54. South $50^{\circ}28'56''$ East, 42.74 feet to a point for corner in the

1 west line of F.M. 1097;

2 THENCE, with the west line of above said road, the following
3 seven (7) courses and distances:

4 1. South 31°50'46" West, 300.73 feet to a point for corner;

5 2. South 25°46'07" West, 102.95 feet to a point for corner;

6 3. South 24°43'00" West, 103.80 feet to a point for corner;

7 4. South 11°51'26" West, 314.47 feet to a point for corner;

8 5. South 19°21'33" West, 398.89 feet to a point for corner;

9 6. South 72°49'24" East, 44.03 feet to a point for corner;

10 7. South 16°05'24" West, 579.11 feet to a point for corner being
11 the northeast corner of a 10.00 acre tract recorded in File
12 No. 8406528, Real Property Records, Montgomery County, Texas;

13 THENCE, North 89°40'06" West, 955.80 feet to a point for
14 corner being the northwest corner of above said 10.00 acre tract;

15 THENCE, South 41°53'13" West, 576.96 feet to a point for
16 corner being the northwest corner of a 4.9325 acre tract recorded
17 under File No. 9232857, Real Property Records, Montgomery County,
18 Texas, being the southwest corner of above said 10.00 acre tract;

19 THENCE, South 41°58'16" West, 203.49 feet to a point for
20 corner being the southwest corner of above said 4.9325 acre tract,
21 the northwest corner of a residue 9.789 acre tract recorded in Film
22 Code No. 253-01-1898, Real Property Records, Montgomery County,
23 Texas;

24 THENCE, South 42°02'16" West, 171.89 feet to a point for
25 corner being the northwest corner of a 12.38 acre tract recorded in
26 Film Code No. 402-01-1786, Real Property Records, Montgomery
27 County, Texas and the southwest corner of above said residue tract;

1 THENCE, South 42°04'26" West, 607.87 feet to a point for
2 corner in the north line of a 150.00 acre tract recorded in Volume
3 233, Page 142, Deed Records, Montgomery County, Texas;

4 THENCE, North 88°29'18" West, 339.86 feet to a point for
5 corner being the northwest corner of above said 150.00 acre tract
6 and a corner of above said 345.548 acre tract;

7 THENCE, South 01°25'00" West, 1,433.98 feet to a point for
8 corner in the northwest line of F.M. 1097;

9 THENCE, with the northwest line of F.M. 1097, the following
10 two (2) courses and distances:

11 1. South 52°24'11" West, 132.30 feet to a point for corner in the
12 northerly line of that certain called 81.23 acre (80.72 net acres)
13 tract described in instrument to Sarah Anne Peel Mabry, recorded in
14 Volume 683, Page 279 of the Deed Records of Montgomery County,
15 Texas, for the southerly southeasterly corner of above said 345.548
16 acre tract;

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

23 THENCE, North 01°43'03" East, at 347.69 feet passing the
24 common westerly corner of said 81.23 acre tract and said above said
25 345.548 acre tract and continuing in all a total distance of
26 1,236.98 feet to a point for corner, being the northeast corner of a
27 14.81 acre tract recorded in Volume 596, Page 81, Deed Records

1 Montgomery County, Texas;

2 THENCE, North 88°57'34" West, 233.73 feet to a point for
3 corner;

4 THENCE, North 88°55'24" West, 187.44 feet to a point for
5 corner being the northwest corner of above said 14.81 acre tract and
6 the northeast corner of above said 74.145 acre tract;

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

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

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

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

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

1 and accomplished.

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

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

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

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