

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Metcalf

H.B. No. 4580

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 202; 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 8051 to read as follows:

CHAPTER 8051. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT

NO. 202

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8051.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Conroe, Texas.

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

(4) "Director" means a board member.

(5) "District" means the Montgomery County Municipal Utility District No. 202.

Sec. 8051.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8051.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to

1 confirm the creation of the district and to elect five permanent  
2 directors as provided by Section 49.102, Water Code.

3 Sec. 8051.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
4 temporary directors may not hold an election under Section  
5 8051.0103 until each municipality in whose corporate limits or  
6 extraterritorial jurisdiction the district is located has  
7 consented by ordinance or resolution to the creation of the  
8 district and to the inclusion of land in the district.

9 Sec. 8051.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

18 Sec. 8051.0106. INITIAL DISTRICT TERRITORY. (a) The  
19 district is initially composed of the territory described by  
20 Section 2 of the Act enacting this chapter.

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

25 (1) organization, existence, or validity;

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

1 interest on a bond;

2 (3) right to impose a tax; or

3 (4) legality or operation.

4 Sec. 8051.0107. EFFECT OF ANNEXATION. Notwithstanding any  
5 other law, if all or part of the territory of the district is  
6 annexed by the city into the city's corporate limits, the district:

7 (1) retains all of the district's outstanding debt and  
8 obligations; and

9 (2) is not dissolved.

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 8051.0201. GOVERNING BODY; TERMS. (a) The district is  
12 governed by a board of five elected directors.

13 (b) Except as provided by Section 8051.0202, directors  
14 serve staggered four-year terms.

15 Sec. 8051.0202. TEMPORARY DIRECTORS. (a) On or after the  
16 effective date of the Act enacting this chapter, the owner or owners  
17 of a majority of the assessed value of the real property in the  
18 district may submit a petition to the commission requesting that  
19 the commission appoint as temporary directors the five persons  
20 named in the petition. The commission shall appoint as temporary  
21 directors the five persons named in the petition.

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

23 (1) the date permanent directors are elected under  
24 Section 8051.0103; or

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

27 (c) If permanent directors have not been elected under

1 Section 8051.0103 and the terms of the temporary directors have  
2 expired, successor temporary directors shall be appointed or  
3 reappointed as provided by Subsection (d) to serve terms that  
4 expire on the earlier of:

5 (1) the date permanent directors are elected under  
6 Section 8051.0103; or

7 (2) the fourth anniversary of the date of the  
8 appointment or reappointment.

9 (d) If Subsection (c) applies, the owner or owners of a  
10 majority of the assessed value of the real property in the district  
11 may submit a petition to the commission requesting that the  
12 commission appoint as successor temporary directors the five  
13 persons named in the petition. The commission shall appoint as  
14 successor temporary directors the five persons named in the  
15 petition.

16 SUBCHAPTER C. POWERS AND DUTIES

17 Sec. 8051.0301. GENERAL POWERS AND DUTIES. The district  
18 has the powers and duties necessary to accomplish the purposes for  
19 which the district is created.

20 Sec. 8051.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
21 DUTIES. The district has the powers and duties provided by the  
22 general law of this state, including Chapters 49 and 54, Water Code,  
23 applicable to municipal utility districts created under Section 59,  
24 Article XVI, Texas Constitution.

25 Sec. 8051.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
26 52, Article III, Texas Constitution, the district may design,  
27 acquire, construct, finance, issue bonds for, improve, operate,

1 maintain, and convey to this state, a county, or a municipality for  
2 operation and maintenance macadamized, graveled, or paved roads, or  
3 improvements, including storm drainage, in aid of those roads.

4 Sec. 8051.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
5 road project must meet all applicable construction standards,  
6 zoning and subdivision requirements, and regulations of each  
7 municipality in whose corporate limits or extraterritorial  
8 jurisdiction the road project is located.

9 (b) If a road project is not located in the corporate limits  
10 or extraterritorial jurisdiction of a municipality, the road  
11 project must meet all applicable construction standards,  
12 subdivision requirements, and regulations of each county in which  
13 the road project is located.

14 (c) If the state will maintain and operate the road, the  
15 Texas Transportation Commission must approve the plans and  
16 specifications of the road project.

17 Sec. 8051.0305. MAINTENANCE OF ROADS IN TERRITORY OUTSIDE  
18 CORPORATE LIMITS OF CITY. If district territory, or a portion of  
19 district territory, is located outside the corporate limits of the  
20 city, the district shall maintain any road the district constructs  
21 located in that territory.

22 Sec. 8051.0306. COMPLIANCE WITH MUNICIPAL CONSENT  
23 ORDINANCE OR RESOLUTION. The district shall comply with all  
24 applicable requirements of any ordinance or resolution that is  
25 adopted under Section 54.016 or 54.0165, Water Code, and that  
26 consents to the creation of the district or to the inclusion of land  
27 in the district.

1       Sec. 8051.0307. DIVISION OF DISTRICT. (a) The district may  
2 be divided into two or more new districts only if the district:

3           (1) has no outstanding bonded debt; and

4           (2) is not imposing ad valorem taxes.

5       (b) This chapter applies to any new district created by the  
6 division of the district, and a new district has all the powers and  
7 duties of the district.

8       (c) Any new district created by the division of the district  
9 may not, at the time the new district is created, contain any land  
10 outside the area described by Section 2 of the Act enacting this  
11 chapter.

12       (d) The board, on its own motion or on receipt of a petition  
13 signed by the owner or owners of a majority of the assessed value of  
14 the real property in the district, may adopt an order dividing the  
15 district.

16       (e) The board may adopt an order dividing the district  
17 before or after the date the board holds an election under Section  
18 8051.0103 to confirm the district's creation.

19       (f) An order dividing the district shall:

20           (1) name each new district;

21           (2) include the metes and bounds description of the  
22 territory of each new district;

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

24 and

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

27       (g) On or before the 30th day after the date of adoption of

1 an order dividing the district, the district shall file the order  
2 with the commission and record the order in the real property  
3 records of each county in which the district is located.

4 (h) Any new district created by the division of the district  
5 shall hold a confirmation and directors' election as required by  
6 Section 8051.0103. If the voters of a new district do not confirm  
7 the creation of the new district, the assets, obligations,  
8 territory, and governance of the new district revert to the  
9 original district.

10 (i) Municipal consent to the creation of the district and to  
11 the inclusion of land in the district granted under Section  
12 8051.0104 acts as municipal consent to the creation of any new  
13 district created by the division of the district and to the  
14 inclusion of land in the new district.

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

19 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

20 Sec. 8051.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
21 The district may issue, without an election, bonds and other  
22 obligations secured by:

23 (1) revenue other than ad valorem taxes; or

24 (2) contract payments described by Section 8051.0403.

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

1 payable from ad valorem taxes.

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

6 Sec. 8051.0402. OPERATION AND MAINTENANCE TAX. (a) If  
7 authorized at an election held under Section 8051.0401, the  
8 district may impose an operation and maintenance tax on taxable  
9 property in the district in accordance with Section 49.107, Water  
10 Code.

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

13 Sec. 8051.0403. CONTRACT TAXES. (a) In accordance with  
14 Section 49.108, Water Code, the district may impose a tax other than  
15 an operation and maintenance tax and use the revenue derived from  
16 the tax to make payments under a contract after the provisions of  
17 the contract have been approved by a majority of the district voters  
18 voting at an election held for that purpose.

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

22 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

23 Sec. 8051.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
24 OBLIGATIONS. The district may issue bonds or other obligations  
25 payable wholly or partly from ad valorem taxes, impact fees,  
26 revenue, contract payments, grants, or other district money, or any  
27 combination of those sources, to pay for any authorized district



1 purpose.

2 Sec. 8051.0502. TAXES FOR BONDS. At the time the district  
3 issues bonds payable wholly or partly from ad valorem taxes, the  
4 board shall provide for the annual imposition of a continuing  
5 direct ad valorem tax, without limit as to rate or amount, while all  
6 or part of the bonds are outstanding as required and in the manner  
7 provided by Sections 54.601 and 54.602, Water Code.

8 Sec. 8051.0503. BONDS FOR ROAD PROJECTS. At the time of  
9 issuance, the total principal amount of bonds or other obligations  
10 issued or incurred to finance road projects and payable from ad  
11 valorem taxes may not exceed one-fourth of the assessed value of the  
12 real property in the district.

13 SECTION 2. The Montgomery County Municipal Utility District  
14 No. 202 initially includes all the territory contained in the  
15 following area:

16 Fieldnotes for 106.040 acre tract in the William Starrock Survey,  
17 A-486

18 Being 106.040 acres out of the William Starrock Survey, A-486,  
19 Montgomery County, Texas, and being out of and a part of that  
20 certain called 1,932.293 acre tract described in deed from Judy C.  
21 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
22 dated December 15, 2011, as recorded in Montgomery County Clerk's  
23 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
24 Texas, and being more particularly described by metes and bounds as  
25 follows:

26 The bearings in this description are based on The Texas State Plane  
27 Coordinate System, NAD 83, Central Zone.

1 COMMENCING at the easternmost corner of the William Starrock  
2 Survey, A-486, said point being a 3/4" iron pipe found in the west  
3 line of the Jonathan C. Pitts Survey, A-28, and the northwesterly  
4 line of the John Montgomery Survey, A-349;  
5 THENCE S42°17'06"W along the south line of the Starrock Survey a  
6 distance of 767.10 feet to a disturbed iron pipe found for the  
7 BEGINNING corner of the tract herein described;  
8 THENCE S42°17'06"W continuing along the common line to the Starrock  
9 and Montgomery surveys a distance of 2,546.55 feet to a 5/8" iron  
10 rod stamped "JNS ENGINEERS" was found in the east line of that  
11 certain called 32.4713 acre tract conveyed to Montgomery County in  
12 MCCF 8842541;  
13 THENCE along the east line of the called 32.4713 acre tract  
14 N48°22'15"W a distance of 666.24 feet to the southeastern corner of  
15 that certain called 29.4157 acre tract conveyed to Montgomery  
16 County as recorded in MCCF 2009109715 and a 5/8" iron rod with cap  
17 stamped "W E SMITH 1982" found for corner;  
18 THENCE N28°31'44"W along the east line of the called 29.4157 acre  
19 tract 705.32 feet to a 5/8" iron rod stamped "W E SMITH 1982" was  
20 found for corner at the northeast corner of the called 29.4157 acre  
21 tract and the southeast line of that certain called 20.0872 acre  
22 tract conveyed to Montgomery County as recorded in MCCF 2009109716;  
23 THENCE N37°02'56"W along the east line of the called 20.0872 acre  
24 tract, at a distance of 500.03 feet pass the northeast corner of the  
25 called 20.0872 acre tract, same being the southeast corner of that  
26 certain called 20.0872 acre tract conveyed to Montgomery County in  
27 MCCF 2010003943, and continuing along the east line of the second

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1 called 20.0872 acre tract at a distance of 1,000.06 feet pass the  
2 northeast corner of said second called 20.0872 acre tract and  
3 continuing for a total distance of 1,163.71 feet to a 5/8" iron rod  
4 with plastic cap stamped "W E SMITH 1982" found for corner in the  
5 south line of FM 1484, a variable width right of way;

6 THENCE along the southeastern right of way of FM 1484 as follows:

7 THENCE N60°14'59"E a distance of 23.87 feet to a TXDOT Monument  
8 found for corner;

9 THENCE N33°56'50"E a distance of 81.35 feet to a 5/8" iron rod with  
10 plastic cap stamped "PAPE-DAWSON" set for corner;

11 THENCE along a curve to the right, said curve having a radius of  
12 1,829.86 feet, a central angle of 26°18'42", an arc length of 840.32  
13 feet, and a chord bearing N76°26'04"E a distance of 832.96 feet to a  
14 5/8" iron rod with plastic cap stamped "PAPE-DAWSON" set for  
15 corner;

16 THENCE N89°37'22"E a distance of 251.48 feet to a 5/8" iron rod with  
17 plastic cap stamped "PAPE-DAWSON" set for corner;

18 THENCE S60°22'35"E a distance of 160.00 feet to a 5/8" iron rod with  
19 plastic cap stamped "PAPE-DAWSON" set for corner;

20 THENCE N89°37'22"E a distance of 182.87 feet to a TXDOT Monument  
21 found for corner;

22 THENCE N59°37'19"E a distance of 160.00 feet to a 5/8" iron rod found  
23 for corner;

24 THENCE N89°37'22"E a distance of 140.98 feet to a 5/8" iron rod with  
25 plastic cap stamped "PAPE-DAWSON" found for corner;

26 THENCE along a curve to the left, said curve having a radius of  
27 1,989.00 feet, a central angle of 21°34'42", an arc length of 749.08

1 feet, and a chord bearing N78°50'01"E a distance of 744.66 feet to a  
2 5/8" iron rod found for corner;  
3 THENCE S81°57'27"E along the south right of way line a distance of  
4 96.57 feet to a 5/8" iron rod with plastic cap stamped "PAPE-DAWSON"  
5 found for corner;  
6 THENCE along a curve to the left, said curve having a radius of  
7 2,039.00, a central angle of 3°24'08", an arc distance of 121.08'  
8 and a chord bearing N63°59'33"E a distance of 121.06 feet to a TXDOT  
9 Monument found for corner;  
10 THENCE N29°56'31"E a distance of 96.57 feet to a TXDOT Monument  
11 found for corner;  
12 THENCE along a curve to the left, said curve having a radius of  
13 1,989.00 feet, a central angle of 20°23'02", an arc length of 707.62  
14 feet, and a chord bearing N49°44'56"E a distance of 703.89 feet to a  
15 5/8" iron rod with plastic cap stamped "PAPE-DAWSON" set for  
16 corner;  
17 THENCE N87°26'42"E a distance of 52.98 feet to a 5/8" iron rod with  
18 plastic cap stamped "PAPE-DAWSON" set for corner;  
19 THENCE along a curve to the right, said curve having a radius of  
20 170.00 feet, a central angle of 43°38'56", an arc length of 129.51  
21 feet, and a chord which bears S15°27'26"E a distance of 126.40 feet  
22 to a TXDOT Disk for corner;  
23 THENCE S83°33'23"E a distance of 20.05 feet to a TXDOT Disk for  
24 corner;  
25 THENCE S06°08'31"W a distance of 993.19 feet to the place of  
26 BEGINNING, containing 106.040 acres of land, more or less.  
27 Fieldnotes for 92.255 acre tract in the William Starrock Survey,

1 A-486

2 Being 92.255 acres out of the William Starrock Survey, A-486,  
3 Montgomery County, Texas, and being out of and a part of that  
4 certain called 1,932.293 acre tract described in deed from Judy C.  
5 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
6 dated December 15, 2011, as recorded in Montgomery County Clerk's  
7 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
8 Texas, and being more particularly described by metes and bounds as  
9 follows:

10 The bearings in this description are based on The Texas State Plane  
11 Coordinate System, NAD 83, Central Zone.

12 BEGINNING at a 5/8" iron rod with cap stamped "PAPE-DAWSON" set for  
13 the northernmost corner of Restricted Reserve "A", Block 3, of R A  
14 Deison Technology Park, the map of which is recorded in Cabinet Z,  
15 Sheets 2332-2336 of the Map Records of Montgomery County, Texas,  
16 said point falling in the southwest line of Technology Park Drive,  
17 based on a width of 120 feet;

18 THENCE S37°42'35"W along the northwesterly line of said Restricted  
19 Reserve "A" a distance of 354.47 feet to a 1/2" iron rod with cap  
20 found for corner;

21 THENCE S03°25'17"W continuing along the northwesterly line of said  
22 Restricted Reserve "A" a distance of 1,319.73 feet to a 1/2" iron  
23 rod with cap stamped "JONES & CARTER" found for corner at the  
24 southwest corner of said Restricted Reserve "A", said point also  
25 being in the north line of that certain called 60.000 acre tract  
26 conveyed Montgomery County as recorded in MCCF 99012455;

27 THENCE S75°22'50"W along the north line of said called 60.000 acre

1 tract a distance of 1,431.77 feet to a 5/8" iron rod with plastic  
2 cap stamped "PAPE-DAWSON" set for corner in the easterly line of FM  
3 1484, a variable width right of way;

4 THENCE along the easterly line of said FM 1484 as follows:

5 N03°26'27"E a distance of 61.50 feet to a 5/8" iron rod  
6 with plastic cap stamped "PAPEDAWSON";

7 N33°26'32"E a distance of 60.61 feet to a TXDOT  
8 Monument;

9 N03°29'58"E a distance of 56.09 feet to a TXDOT  
10 Monument;

11 N26°33'35"W a distance of 60.72 feet to a 5/8" iron rod  
12 with plastic cap stamped "PAPEDAWSON";

13 N03°26'27"E a distance of 479.16 feet a 5/8" iron rod  
14 with plastic cap stamped "PAPEDAWSON";

15 N33°26'32"E a distance of 40.26 feet to a TXDO  
16 Monument;

17 N03°26'27"E a distance of 180.92 feet to a 5/8" iron rod  
18 with plastic cap stamped "PAPEDAWSON";

19 N26°41'45"W a distance of 40.10 feet to a 5/8" iron rod;

20 N03°26'27"E a distance of 1,416.78 feet to a TXDOT  
21 Monument marking a point of curve of a curve to the  
22 right;

23 THENCE along said curve to the right, a radius of 2,920.00 feet, a  
24 central angle of 26°42'33", an arc length of 1,361.20 feet, and a  
25 chord bearing N16°47'43"E a distance of 1,348.91 feet to a 5/8" iron  
26 rod found for corner at a cutback corner to the intersection with  
27 the southwesterly line of Technology Park Drive;

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1 THENCE along said cutback N76°07'24"E a distance of 34.90 feet to a  
2 5/8" iron rod with plastic cap stamped "PAPE-DAWSON" set for  
3 corner;

4 THENCE continuing along the southwesterly line of Technology Park  
5 Drive S58°08'54"E a distance of 124.35 feet to a 1/2" iron rod with  
6 cap stamped "MOON" set at the point of curve of a curve to the right;  
7 THENCE along said curve to the right, having a radius of 930.00  
8 feet, a central angle of 36°23'11", an arc length of 590.61 feet, and  
9 a chord bearing S39°57'19"E a distance of 580.73 feet to a 1/2" iron  
10 rod with cap stamped "MOON" found at the point of tangency of said  
11 curve;

12 THENCE continuing along the southwesterly line of Technology Park  
13 Drive S21°45'43"E a distance of 801.94 feet to a 5/8" iron rod with  
14 plastic cap stamped "PAPE-DAWSON" set at the point of curve of a  
15 curve to the left;

16 THENCE along the southwesterly line of Technology Park Drive, along  
17 a curve to the left, said curve having a radius of 1,070.00 feet, a  
18 central angle of 30°31'41", an arc length of 570.11 feet, and a chord  
19 bearing S37°01'34"E a distance of 563.39 feet to the place of  
20 BEGINNING, containing 92.255 acres of land, more or less.

21 Fieldnotes for 311.056 acre tract in the William Starrock Survey,  
22 A-486

23 Being 311.056 acres out of the William Starrock Survey, A-486,  
24 Montgomery County, Texas, and being out of and a part of that  
25 certain called 1,932.293 acre tract described in deed from Judy C.  
26 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
27 dated December 15, 2011, as recorded in Montgomery County Clerk's

1 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
2 Texas, and being more particularly described by metes and bounds as  
3 follows:

4 The bearings in this description are based on The Texas State Plane  
5 Coordinate System, NAD 83, Central Zone.

6 BEGINNING at a 5/8" iron rod stamped "Moyer", said point being the  
7 intersection of the southwesterly line of the Starrock Survey and  
8 the northeasterly line of the Lewis Neal Survey, A395, with the east  
9 line of Conroe Park North, Section 6, the map of which is recorded  
10 in Cabinet Z, sheets 1691 to 1705 of the map records of Montgomery  
11 County, Texas, and being the southwest corner of the called  
12 1,932.293 acre tract;

13 THENCE N05°42'06"W along the east line of Conroe Park North, Section  
14 6, a distance of 3,592.66 feet to a 5/8" iron rod with cap stamped  
15 "Arborleaf" found for corner at the intersection of said line and  
16 the southerly line of Proposed League Line Road Extension;

17 THENCE along the southerly line of Proposed League Line Road  
18 Extension as follows:

19 N84°34'39"E a distance of 285.69 feet to a 5/8" iron rod with plastic  
20 cap stamped "Arborleaf found for corner at the point of curve of a  
21 curve to the right:

22 THENCE along said curve to the right, having a radius of 4,935.00  
23 feet, a central angle of 9°51'51", an arc length of 849.62 feet, and a  
24 chord bearing N89°30'34"E 848.57 feet to a 5/8" iron rod with  
25 plastic cap stamped "Arborleaf" found for corner;

26 THENCE S87°53'02"E a distance of 98.88 feet to a 5/8" iron rod with  
27 plastic cap stamped "Arborleaf" found for corner;



1 THENCE along a curve to the right, said curve having a radius of  
2 4,940.00 feet, central angle of 5°43'47", an arc length of 494.00  
3 feet, and a chord bearing S81°32'52"E 493.80 feet to a 5/8" iron rod  
4 with plastic cap stamped "Arborleaf" found for corner;  
5 THENCE S75°12'41"E a distance of 98.87 feet to a 5/8" iron rod with  
6 plastic cap stamped "Arborleaf" found for corner;  
7 THENCE along a curve to the right, said curve having a radius of  
8 4,935.00 feet, central angle of 10°18'48", an arc length of 888.30  
9 feet, and a chord bearing S72°22'49"E 887.10 feet to a 5/8" iron rod  
10 with plastic cap stamped "Arborleaf" found for corner;  
11 THENCE S69°32'57"E a distance of 98.87 feet to a 5/8" iron rod with  
12 plastic cap stamped "Arborleaf" found for corner;  
13 THENCE along a curve to the right, said curve having a radius of  
14 4,940.00 feet, a central angle of 7°53'38", an arc length of 680.61  
15 feet and a chord bearing S62°07'51"E 680.07 feet to a 5/8" iron rod  
16 with plastic cap stamped "Arborleaf" found for corner;  
17 THENCE S58°11'02"E a distance of 227.95 feet to a 5/8" iron rod with  
18 plastic cap stamped "Arborleaf" found for corner at the cutback  
19 with the intersection of the southerly line of the Proposed  
20 Extension of League Line Road and the westerly line of FM 1484;  
21 THENCE along said cutback S13°51'27"E a distance of 35.77 feet to a  
22 5/8" iron rod with plastic cap stamped "Arborleaf" found in the  
23 westerly line of FM 1484;  
24 THENCE along the westerly line of FM 1484 along a curve to the left,  
25 said curve having a radius of 3,080.00 feet, an central angle of  
26 26°47'39", an arc length of 1,440.35 feet and a chord bearing  
27 S16°50'16"W a distance of 1,427.26 feet to a TxDOT Aluminum Disk

1 found for corner;  
2 THENCE continuing along the west line of FM 1484 as follows:  
3 S03°25'57"W a distance of 1436.77 feet to a to a 5/8"  
4 iron rod found for corner;  
5 S33°20'39"W a distance of 40.06 feet to a TxDOT  
6 Aluminum Disk found for corner;  
7 S03°25'25"W a distance of 110.86 feet to a TxDOT  
8 Aluminum Disk found for corner;  
9 S26°43'05"E a distance of 39.84 feet to a TxDOT  
10 Aluminum Disk found for corner;  
11 S03°26'27"W a distance of 570.00 feet to 5/8" iron rod  
12 found for corner;  
13 S33°26'31"W a distance of 60.00 feet to a TxDOT  
14 Aluminum Disk found for corner;  
15 S03°26'28"W a distance of 91.44 feet to a TxDOT  
16 Aluminum Disk found for corner;  
17 S26°33'35"E a distance of 99.43 feet to a TxDOT  
18 Aluminum Disk found for corner;  
19 S03°26'27"W a distance of 183.03 feet to a 5/8" iron rod  
20 with plastic cap stamped "PAPEDAWSON" set for corner;  
21 THENCE continuing along the west line of FM 1484, along a curve to  
22 the right, said curve having a radius of 1,940.00 feet, a central  
23 angle of 23°50'05", an arc length of 807.03 feet, and a chord bearing  
24 S15°21'29"W a distance of 801.22 feet to a TxDOT Aluminum Disk found  
25 for corner;  
26 THENCE S55°51'13"W a distance of 63.92 feet to a TxDOT Aluminum Disk  
27 found for corner;

1 THENCE along a curve to the right, said curve having a radius of  
2 1,910.00 feet, a central angle of  $01^{\circ}45'17''$ , an arc length of 58.50  
3 feet, and a chord bearing  $S29^{\circ}47'27''W$  a distance of 58.50 feet to a  
4  $5/8''$  iron rod with plastic cap stamped "PAPE-DAWSON" set for  
5 corner;

6 THENCE  $S02^{\circ}09'03''W$  a distance of 48.99 feet to a  $5/8''$  iron rod with  
7 plastic cap stamped "PAPE-DAWSON" set for corner in the  
8 southwesterly line of the called 1,932.293 acre tract and the  
9 common line to the William Starrock Surey and the Lewis Neal Survey;  
10 THENCE  $N47^{\circ}45'37''W$  along said common line a distance of 3,180.95  
11 feet to the place of BEGINNING, containing 311.056 acres of land,  
12 more or less.

13 Fieldnotes for 192.043 acre tract in the William Starrock Survey,  
14 A-486

15 Being 192.043 acres out of the William Starrock Survey, A-486,  
16 Montgomery County, Texas, and being out of and a part of that  
17 certain called 1,932.293 acre tract described in deed from Judy C.  
18 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
19 dated December 15, 2011, as recorded in Montgomery County Clerk's  
20 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
21 Texas, and being more particularly described by metes and bounds as  
22 follows:

23 The bearings in this description are based on The Texas State Plane  
24 Coordinate System, NAD 83, Central Zone.

25 BEGINNING at a railroad rail marking the southernmost corner of  
26 that certain called 347.029 acre tract conveyed to Dameon M. Doyle  
27 by Donald Dosedlo as recorded in MCCF 2013 012364, said point being

1 an interior corner of the above said called 1,932.293 acre tract;  
2 THENCE N43°06'54"E along the southeasterly line of said Doyle tract  
3 a distance of 1,994.22 feet (called N43°06'29"E 1,992.88 feet) to an  
4 axle found for corner at an easterly corner of said Doyle tract,  
5 same being an interior corner of the called 1,932.293 acre tract;  
6 THENCE N46°56'45"W (called N46°53'41"W) along the interior line of  
7 the called 1,932.292 acre tract and an easterly line of the Doyle  
8 Tract, a distance of 936.83 feet (called 937.04 feet) to a 5/8" iron  
9 rod with cap stamped "1535 4035" to a point for corner at an angle  
10 point in the called 1,932.292 acre tract and the Doyle tract;  
11 THENCE N42°54'27"E (called N42°54'43"E) along the south line of the  
12 Doyle tract a distance of 1,398.90 feet (called 1,397.59 feet) to a  
13 5/8" iron rod with cap stamped "1535 4035" found at the easternmost  
14 corner of the Doyle tract and being in the common line to the  
15 William Starrock Survey, A-486, and the Jonathan C. Pitts Survey,  
16 A-28;  
17 THENCE S48°41'56"E (called S48°43'41"E) along the common line to the  
18 Starrock and Pitts Surveys, along the west line of an unrecorded  
19 subdivision known as Northridge a distance of 2,948.84 feet to a  
20 5/8" iron rod marked "JNS ENGINEERS" for corner;  
21 THENCE a jog in said common line N62°21'02"E (called N63°26'58"E  
22 16.59 feet) a distance of 16.99 feet to a 5/8" iron rod marked "JNS  
23 ENGINEERS";  
24 THENCE S48°47'46"E (called S48°43'41"E) along the common line to the  
25 Starrock and Pitts Surveys, and along the northeasterly line of the  
26 called 1,932.293 acre tract a distance of 816.33 feet to a Bent 5/8"  
27 Iron Rod found for corner in the northerly line of FM 1484;

1 THENCE along the northerly line of FM 1484 the following:  
2 THENCE along a curve to the right, said curve having a radius of  
3 1,829.00 feet, a central angle of 17°10'58", an arc length of 548.51  
4 feet, and a chord which bears S43°32'27"W 546.45 feet to a 5/8" Iron  
5 Rod with Plastic Cap Marked "PAPE-DAWSON" set for corner;  
6 THENCE S82°08'06"W a distance of 61.58 feet to a 5/8" Iron Rod with  
7 Plastic Cap Marked "PAPE-DAWSON" set for corner;  
8 THENCE along a curve to the right, said curve having a radius of  
9 1,799.00 feet, a central angle of 4°24'21", an arc length of 138.33  
10 feet, and a chord bearing S56°02'01"W a distance of 138.30 feet to a  
11 5/8" Iron Rod with Plastic Cap Marked "PAPE-DAWSON" set for corner;  
12 THENCE S29°56'32"W a distance of 61.59 feet to a 5/8" Iron Rod with  
13 Plastic Cap Marked "PAPE-DAWSON" set for corner;  
14 THENCE along a curve to the right, said curve having a radius of  
15 1,829.00 feet, a central angle of 24°36'38", an arc length of 785.62  
16 feet, and a chord which bears S72°14'28"W 779.59 feet to a TxDOT  
17 Aluminum Disk found for corner;  
18 THENCE N65°29'19"W a distance of 173.06 feet to a TxDOT Aluminum  
19 Disk found for corner;  
20 THENCE along a curve to the right, said curve having a radius of  
21 1,749.00 feet, a central angle of 00°09'14", an arc length of 4.70'  
22 and a chord bearing S89°32'27"W 4.70' feet to a TxDOT Aluminum disk  
23 found for corner;  
24 THENCE S89°30'43"W a distance of 132.46 feet to a TxDOT Aluminum  
25 disk found for corner;  
26 THENCE S59°44'14"W a distance of 160.04 feet to a 5/8" iron rod with  
27 plastic cap stamped "PAPE-DAWSON" set for corner;

1 THENCE S89°37'22"W a distance of 581.48 feet to a 5/8" iron rod found  
2 for corner;  
3 THENCE along a curve to the left, said curve having a central angle  
4 of 28°34'16", a radius of 1,989.86 feet, an arc length of 992.26  
5 feet, and a chord bearing S75°18'17"W 982.01 feet to a TxDOT  
6 Aluminum disk found for corner;  
7 THENCE S61°03'31"W a distance of 46.39 feet to a 5/8" iron rod found  
8 for corner;  
9 THENCE N88°35'54"W a distance of 79.77 feet to a 5/8" iron rod with  
10 plastic cap stamped "PAPE-DAWSON" set for corner;  
11 THENCE S61°03'31"W a distance of 161.43 feet to a TxDOT Aluminum  
12 Disk found for corner;  
13 THENCE S31°16'32"W a distance of 79.86 feet to a 5/8" iron rod with  
14 plastic cap stamped "PAPE-DAWSON" found for corner;  
15 THENCE S61°03'31"W a distance of 502.02 feet to a 5/8" iron rod with  
16 cap stamped "ARBORLEAF" found for corner  
17 THENCE N28°56'29"W a distance of 916.40 feet to the place of  
18 BEGINNING, containing 192.043 acres, more or less.  
19 Fieldnotes for 577.557 acre tract in the William Starrock Survey,  
20 A-486  
21 Being 577.557 acres out of the William Starrock Survey, A-486,  
22 Montgomery County, Texas, and being out of and a part of that  
23 certain called 1,932.293 acre tract described in deed from Judy C.  
24 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
25 dated December 15, 2011, as recorded in Montgomery County Clerk's  
26 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
27 Texas, and being more particularly described by metes and bounds as

1 follows:

2 The bearings in this description are based on The Texas State Plane  
3 Coordinate System, NAD 83, Central Zone.

4 BEGINNING at the most westerly corner of that certain called  
5 347.029 acre tract conveyed to Dameon M. Doyle as recorded in MCCF  
6 2013012364, said point being a corner of that certain called  
7 610.2467 acre tract conveyed to Conroe Industrial Development  
8 Corporation as recorded in MCCF 2018035428;

9 THENCE S10°25'27"E (called S10°18'59"E) along the southwesterly line  
10 of the called 347.029 acre tract a distance of 146.95 feet (called  
11 147.20 feet) to a 5/8" iron rod with plastic cap stamped "JNS  
12 ENGINEERS" found for an angle point;

13 THENCE S02°42'53"W (called S02°41'01"W) along the southwesterly line  
14 of said called 347.029 acre tract a distance of 388.94 (called  
15 388.90 feet) to a 5/8" iron rod with plastic cap stamped  
16 "PAPE-DAWSON" set for an angle point;

17 THENCE S47°04'56"E (called S47°13'51"E along the southwesterly line  
18 of the called 347.029 acre tract a distance of 3,614.37 feet (called  
19 4,541.87 feet) to a railroad iron found for angle point in said  
20 line;

21 THENCE S47°34'35"E continuing along the southwesterly line of the  
22 called 347.029 acre tract a distance of 927.08 feet to a railroad  
23 iron found for the most southerly corner of the called 347.029 acre  
24 tract;

25 THENCE S28°56'29"E a distance of 916.40 feet to a 5/8" iron rod found  
26 for corner in the northwesterly line of FM 1484 a variable width  
27 right of way;

1 THENCE along the northwesterly line of FM 1484 as follows:  
2 THENCE S61°03'31"W a distance of 557.98 feet to a TxDOT Aluminum  
3 disk found for corner;  
4 THENCE N89°15'07"W a distance of 39.98 feet to a 5/8" iron rod found  
5 for corner;  
6 THENCE S61°18'07"W a distance of 70.63 feet to a 5/8" iron rod found  
7 for corner:  
8 THENCE S30°45'56"W a distance of 40.11 feet to a 5/8" iron rod found  
9 for corner; THENCE S61°07'54"W a distance of 609.29 feet to a 5/8"  
10 iron rod found for corner;  
11 THENCE N88°56'26"W a distance of 60.00 feet to a 5/8" iron rod with  
12 plastic cap stamped "PAPE-DAWSON" found for corner;  
13 THENCE S61°03'31"W a distance of 96.08 feet to a 5/8" iron rod found  
14 for corner;  
15 THENCE S31°18'57"W a distance of 61.14 feet to a 5/8" iron rod found  
16 for corner;  
17 THENCE S61°02'09"W a distance of 816.02 feet to a 5/8" iron rod with  
18 plastic cap stamped "PAPE-DAWSON" set for the point of curve of a  
19 curve to the left:  
20 THENCE along said curve to the left, a radius of 3,080.00 feet, a  
21 central angle of 27°40'15", an arc length of 1,487.47 feet, and a  
22 chord bearing S47°13'58"W 1,473.06 feet to a 5/8" iron rod with  
23 plastic cap stamped "Arborleaf found for corner at a cutback corner  
24 at the intersection of the northwesterly line of FM 1484 and the  
25 extension of League Line Road;  
26 THENCE along the northerly line of the extension of League Line Road  
27 S77°29'29"W a distance of 35.77 feet to a 5/8" iron rod found for



1 corner;  
2 THENCE N58°11'02"W a distance of 227.95 feet to a 5/8" iron rod found  
3 for corner at the point of curve of a curve to the left;  
4 THENCE along said curve, a radius of 5,060.00 feet, a central angle  
5 of 07°53'38", an arc length of 697.14 feet, and a chord which bears  
6 N62°07'51"W a distance of 696.59 feet to a 5/8" iron rod found for  
7 corner;  
8 THENCE N63°49'26"W a distance of 101.37 feet to a 5/8" iron rod found  
9 for corner;  
10 THENCE along a curve to the left, said curve having a radius of  
11 5,065.00 feet, a central angle of 10°18'48", an arc length of 911.70  
12 feet, and a chord bearing N72°22'49"W a distance of 910.47 feet to a  
13 5/8" iron rod found for corner;  
14 THENCE N80°56'13"W a distance of 101.37 feet to a 5/8" iron rod found  
15 for corner;  
16 THENCE along a curve to the left, said curve having a radius of  
17 5,060.00 feet, a central angle of 05°43'46", an arc length of 506.00  
18 feet, and a chord bearing N81°32'52"W a distance of 505.79 feet to a  
19 5/8" iron rod found for corner;  
20 THENCE N82°09'30"W a distance of 101.37 feet to a 5/8" iron rod found  
21 for corner;  
22 THENCE along a curve to the left, said curve having a radius of  
23 5,065.00 feet, a central angle of 09°51'51", an arc length of 872.00  
24 feet and a chord bearing S89°30'34"W a distance of 870.92 feet to a  
25 5/8" iron rod found for corner;  
26 THENCE S84°34'39"W a distance of 286.32 feet to a 5/8" iron rod found  
27 for corner in the east line of Conroe Park North, Section 6, the map

1 of which is recorded in Cab Z, Sheets 1691 to 1705 of the Map Records  
2 of Montgomery County, Texas;  
3 THENCE N05°42'06"W along the east line of Conroe Park North, Section  
4 6, at a distance of 2,386.07 feet to a 5/8" iron rod with plastic cap  
5 stamped "Moyer" found for the northeast corner of Conroe Park  
6 North, Section 6, said point marking the southernmost corner of the  
7 previously referenced called 610.2467 acre tract conveyed to Conroe  
8 Industrial Development Corporation as recorded in MCCF 2018035428;  
9 THENCE N43°59'58"E along the southeasterly line of said called  
10 610.2467 acre tract a distance of 4,649.21 feet to the place of  
11 BEGINNING, containing 577.557 acres of land, more or less.  
12 Fieldnotes for 12.979 acre tract in the William Starrock Survey,  
13 A-486  
14 Being 12.979 acres out of the William Starrock Survey, A-486,  
15 Montgomery County, Texas, and being out of and a part of that  
16 certain called 1,932.293 acre tract described in deed from Judy C.  
17 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
18 dated December 15, 2011, as recorded in Montgomery County Clerk's  
19 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
20 Texas, and being more particularly described by metes and bounds as  
21 follows:  
22 The bearings in this description are based on The Texas State Plane  
23 Coordinate System, NAD 83, Central Zone.  
24 BEGINNING at a 5/8" iron rod with plastic cap marked "W E SMITH  
25 1982" found at the northeasterly corner of that certain called  
26 20.0872 acre tract conveyed to Montgomery County in deed recorded  
27 in MCCF 2010-003943 of the deed records of Montgomery County,

1 Texas;

2 THENCE S52°57'04"W along the northwesterly line of said called  
3 20.0872 acre tract a distance of 1,750.11 feet to a 5/8" iron rod  
4 with plastic cap marked "W E SMITH 1982" found for corner at the  
5 northwesterly corner of said called 20.0872 acre tract, same being  
6 in the northeasterly line of that called 284.006 acre tract  
7 conveyed to Conroe Industrial Development Corporation by Judy C.  
8 Campbell as recorded in MCCF 2010111233;

9 THENCE along the northeasterly line of said called 284.006 acre  
10 tract N37°02'56"W a distance of 451.88 feet to a 1/2" iron rod with  
11 plastic cap marked "JEFF MOON RPLS 4936" found for corner in the  
12 southeasterly line of FM 1484, a variable width right of way;

13 THENCE along the southeasterly line of FM 1484 as follows:

14 N61°09'07"E a distance of 180.52 feet to a 1/2" iron rod  
15 found for corner;

16 S88°56'26"E a distance of 40.00 feet to a TxDOT  
17 Aluminum Disc found for corner;

18 N61°09'07"E a distance of 70.72 feet to a TxDOT  
19 Aluminum Disc found for corner;

20 N31°03'28"E a distance of 40.00 feet to a 5/8" iron rod  
21 with plastic cap marked "PAPEDAWSON" set for corner;

22 N61°03'31"E a distance of 1,300.00 feet to a 5/8" iron  
23 rod with plastic cap marked "PAPEDAWSON" set for  
24 corner;

25 S89°08'33"E a distance of 80.27 feet to a 5/8" iron rod  
26 with plastic cap marked "PAPE-DAWSON" set for corner;

27 N60°14'59"E a distance of 83.18 feet to a 5/8" iron rod

1 with plastic cap marked "ARBORLEAF RPLS 1982";  
2 THENCE S37°02'56"E a distance of 163.05 feet to the place of  
3 BEGINNING, containing 12.979 acres of land, more or less.  
4 Fieldnotes for 18.933 acre tract in the William Starrock Survey,  
5 A-486  
6 Being 18.933 acres out of the William Starrock Survey, A-486,  
7 Montgomery County, Texas, and being out of and a part of that  
8 certain called 1,932.293 acre tract described in deed from Judy C.  
9 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
10 dated December 15, 2011, as recorded in Montgomery County Clerk's  
11 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
12 Texas, and being more particularly described by metes and bounds as  
13 follows:  
14 The bearings in this description are based on The Texas State Plane  
15 Coordinate System, NAD 83, Central Zone.  
16 BEGINNING at a 5/8" iron rod found at the northern end of a cutback  
17 corner for the intersection of the southeasterly line of FM 1484, a  
18 variable width right of way, and the northeasterly line of  
19 Technology Parkway (League Line Road), the donation deed of which  
20 is recorded in MCCF 2011017945;  
21 THENCE along the southeasterly line of FM 1484 along a curve to the  
22 right, said curve having a radius of 2,920.00, a central angle of  
23 27°34'56", an arc length of 1,405.69 feet, and a chord bearing  
24 N47°16'37"E a distance of 1,392.16 feet to a 5/8" iron rod with cap  
25 stamped "PAPEDAWSON" set for corner;  
26 THENCE N60°59'31"E a distance of 390.88 feet to a 5/8" iron rod with  
27 cap stamped "MOON" found for corner at the most northerly northwest

1 corner of Restricted Reserve "C", Block 1 of R A Deison Technology  
2 Park, the map of which is recorded in Cabinet Z, Sheets 2332-2336 of  
3 the Map Records of Montgomery County, Texas;  
4 THENCE S28°54'30"E along the southwesterly line of said Restricted  
5 Reserve "C" a distance of 350.00 feet to a 1/2" iron rod with cap  
6 found for corner;  
7 THENCE S61°05'30"W continuing along the northwest line of  
8 Restricted Reserve "C" a distance of 816.24 feet to a 1/2" iron rod  
9 with cap found for corner;  
10 THENCE S04°28'01" continuing along the northwesterly line of  
11 Restricted Reserve "C" a distance of 418.29 feet to a 1/2" iron rod  
12 with cap found for corner;  
13 THENCE S37°54'03"W continuing along the northwesterly line of  
14 Restricted Reserve "C" a distance of 618.87 feet to a 5/8" iron rod  
15 with cap stamped "PAPE-DAWSON" set corner in the northeasterly line  
16 of Technology Parkway;  
17 THENCE along the northeasterly line of Technology Parkway, along a  
18 curve to the left, said curve having a radius of 1,050.00 feet, a  
19 central angle of 28°30'04", an arc length of 522.31 feet, and a chord  
20 bearing N43°53'52"W a distance of 516.94 feet to a 5/8" iron rod with  
21 cap stamped "PAPE-DAWSON" set for corner;  
22 THENCE N58°08'54"W along the northeasterly line of Technology  
23 Parkway a distance of 124.42 feet to a 5/8" iron rod found for the  
24 beginning of a cutback corner to FM 1484;  
25 THENCE N12°27'14"W along said cutback a distance of 34.92 feet to  
26 the place of BEGINNING, containing 18.933 acres of land, more or  
27 less.

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

8 (b) The governor, one of the required recipients, has  
9 submitted the notice and Act to the Texas Commission on  
10 Environmental Quality.

11 (c) The Texas Commission on Environmental Quality has filed  
12 its recommendations relating to this Act with the governor, the  
13 lieutenant governor, and the speaker of the house of  
14 representatives within the required time.

15 (d) All requirements of the constitution and laws of this  
16 state and the rules and procedures of the legislature with respect  
17 to the notice, introduction, and passage of this Act are fulfilled  
18 and accomplished.

19 SECTION 4. (a) If this Act does not receive a two-thirds  
20 vote of all the members elected to each house, Subchapter C, Chapter  
21 8051, Special District Local Laws Code, as added by Section 1 of  
22 this Act, is amended by adding Section 8051.0308 to read as follows:

23 Sec. 8051.0308. NO EMINENT DOMAIN POWER. The district may  
24 not exercise the power of eminent domain.

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

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

ADOPTED

MAY 27 2021

By: Bruce Ceyntlor

Substitute the following for H.B. No. 4580:

By: [Signature]

Lacey Spaw  
Secretary of the Senate

H.B. No. 4580

C.S. H.B. No. 4580

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 202; 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 8051 to read as follows:

CHAPTER 8051. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT

NO. 202

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8051.0101. 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. 202.

Sec. 8051.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8051.0103. 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. 8051.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
3 temporary directors may not hold an election under Section  
4 8051.0103 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. 8051.0105. 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. 8051.0106. 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. 8051.0201. GOVERNING BODY; TERMS. (a) The district is  
5 governed by a board of five elected directors.

6           (b) Except as provided by Section 8051.0202, directors  
7 serve staggered four-year terms.

8           Sec. 8051.0202. 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 8051.0103; or

18           (2) September 1, 2025.

19           (c) If permanent directors have not been elected under  
20 Section 8051.0103 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 8051.0103; 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. 8051.0301. 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. 8051.0302. 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. 8051.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
18 52, Article III, Texas Constitution, the district may design,  
19 acquire, construct, finance, issue bonds for, improve, operate,  
20 maintain, and convey to this state, a county, or a municipality for  
21 operation and maintenance macadamized, graveled, or paved roads, or  
22 improvements, including storm drainage, in aid of those roads.

23        Sec. 8051.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
24 road project must meet all applicable construction standards,  
25 zoning and subdivision requirements, and regulations of each  
26 municipality in whose corporate limits or extraterritorial  
27 jurisdiction the road project is located.

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

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

9       Sec. 8051.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
10 ORDINANCE OR RESOLUTION. The district shall comply with all  
11 applicable requirements of any ordinance or resolution that is  
12 adopted under Section 54.016 or 54.0165, Water Code, and that  
13 consents to the creation of the district or to the inclusion of land  
14 in the district.

15       Sec. 8051.0306. DIVISION OF DISTRICT. (a) The district may  
16 be divided into two or more new districts only if the district:

17               (1) has no outstanding bonded debt; and

18               (2) is not imposing ad valorem taxes.

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

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

26       (d) The board, on its own motion or on receipt of a petition  
27 signed by the owner or owners of a majority of the assessed value of

1 the real property in the district, may adopt an order dividing the  
2 district.

3 (e) The board may adopt an order dividing the district  
4 before or after the date the board holds an election under Section  
5 8051.0103 to confirm the district's creation.

6 (f) An order dividing the district shall:

7 (1) name each new district;

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

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

11 and

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

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

18 (h) Any new district created by the division of the district  
19 shall hold a confirmation and directors' election as required by  
20 Section 8051.0103. If the voters of a new district do not confirm  
21 the creation of the new district, the assets, obligations,  
22 territory, and governance of the new district revert to the  
23 original district.

24 (i) Municipal consent to the creation of the district and to  
25 the inclusion of land in the district granted under Section  
26 8051.0104 acts as municipal consent to the creation of any new  
27 district created by the division of the district and to the

1 inclusion of land in the new district.

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

6 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

7 Sec. 8051.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
8 The district may issue, without an election, bonds and other  
9 obligations secured by:

10 (1) revenue other than ad valorem taxes; or

11 (2) contract payments described by Section 8051.0403.

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

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

20 Sec. 8051.0402. OPERATION AND MAINTENANCE TAX. (a) If  
21 authorized at an election held under Section 8051.0401, the  
22 district may impose an operation and maintenance tax on taxable  
23 property in the district in accordance with Section 49.107, Water  
24 Code.

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

27 Sec. 8051.0403. CONTRACT TAXES. (a) In accordance with

1 Section 49.108, Water Code, the district may impose a tax other than  
2 an operation and maintenance tax and use the revenue derived from  
3 the tax to make payments under a contract after the provisions of  
4 the contract have been approved by a majority of the district voters  
5 voting at an election held for that purpose.

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

9 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

10 Sec. 8051.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
11 OBLIGATIONS. The district may issue bonds or other obligations  
12 payable wholly or partly from ad valorem taxes, impact fees,  
13 revenue, contract payments, grants, or other district money, or any  
14 combination of those sources, to pay for any authorized district  
15 purpose.

16 Sec. 8051.0502. TAXES FOR BONDS. At the time the district  
17 issues bonds payable wholly or partly from ad valorem taxes, the  
18 board shall provide for the annual imposition of a continuing  
19 direct ad valorem tax, without limit as to rate or amount, while all  
20 or part of the bonds are outstanding as required and in the manner  
21 provided by Sections 54.601 and 54.602, Water Code.

22 Sec. 8051.0503. BONDS FOR ROAD PROJECTS. At the time of  
23 issuance, the total principal amount of bonds or other obligations  
24 issued or incurred to finance road projects and payable from ad  
25 valorem taxes may not exceed one-fourth of the assessed value of the  
26 real property in the district.

27 SECTION 2. The Montgomery County Municipal Utility District

1 No. 202 initially includes all the territory contained in the  
2 following area:  
3 Fieldnotes for 106.040 acre tract in the William Starrock Survey,  
4 A-486  
5 Being 106.040 acres out of the William Starrock Survey, A-486,  
6 Montgomery County, Texas, and being out of and a part of that  
7 certain called 1,932.293 acre tract described in deed from Judy C.  
8 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
9 dated December 15, 2011, as recorded in Montgomery County Clerk's  
10 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
11 Texas, and being more particularly described by metes and bounds as  
12 follows:  
13 The bearings in this description are based on The Texas State Plane  
14 Coordinate System, NAD 83, Central Zone.  
15 COMMENCING at the easternmost corner of the William Starrock  
16 Survey, A-486, said point being a 3/4" iron pipe found in the west  
17 line of the Jonathan C. Pitts Survey, A-28, and the northwesterly  
18 line of the John Montgomery Survey, A-349;  
19 THENCE S42°17'06"W along the south line of the Starrock Survey a  
20 distance of 767.10 feet to a disturbed iron pipe found for the  
21 BEGINNING corner of the tract herein described;  
22 THENCE S42°17'06"W continuing along the common line to the Starrock  
23 and Montgomery surveys a distance of 2,546.55 feet to a 5/8" iron  
24 rod stamped "JNS ENGINEERS" was found in the east line of that  
25 certain called 32.4713 acre tract conveyed to Montgomery County in  
26 MCCF 8842541;  
27 THENCE along the east line of the called 32.4713 acre tract



1 N48°22'15"W a distance of 666.24 feet to the southeastern corner of  
2 that certain called 29.4157 acre tract conveyed to Montgomery  
3 County as recorded in MCCF 2009109715 and a 5/8" iron rod with cap  
4 stamped "W E SMITH 1982" found for corner;  
5 THENCE N28°31'44"W along the east line of the called 29.4157 acre  
6 tract 705.32 feet to a 5/8" iron rod stamped "W E SMITH 1982" was  
7 found for corner at the northeast corner of the called 29.4157 acre  
8 tract and the southeast line of that certain called 20.0872 acre  
9 tract conveyed to Montgomery County as recorded in MCCF 2009109716;  
10 THENCE N37°02'56"W along the east line of the called 20.0872 acre  
11 tract, at a distance of 500.03 feet pass the northeast corner of the  
12 called 20.0872 acre tract, same being the southeast corner of that  
13 certain called 20.0872 acre tract conveyed to Montgomery County in  
14 MCCF 2010003943, and continuing along the east line of the second  
15 called 20.0872 acre tract at a distance of 1,000.06 feet pass the  
16 northeast corner of said second called 20.0872 acre tract and  
17 continuing for a total distance of 1,163.71 feet to a 5/8" iron rod  
18 with plastic cap stamped "W E SMITH 1982" found for corner in the  
19 south line of FM 1484, a variable width right of way;  
20 THENCE along the southeastern right of way of FM 1484 as follows:  
21 THENCE N60°14'59"E a distance of 23.87 feet to a TXDOT Monument  
22 found for corner;  
23 THENCE N33°56'50"E a distance of 81.35 feet to a 5/8" iron rod with  
24 plastic cap stamped "PAPE-DAWSON" set for corner;  
25 THENCE along a curve to the right, said curve having a radius of  
26 1,829.86 feet, a central angle of 26°18'42", an arc length of 840.32  
27 feet, and a chord bearing N76°26'04"E a distance of 832.96 feet to a

1 5/8" iron rod with plastic cap stamped "PAPE-DAWSON" set for  
2 corner;  
3 THENCE N89°37'22"E a distance of 251.48 feet to a 5/8" iron rod with  
4 plastic cap stamped "PAPE-DAWSON" set for corner;  
5 THENCE S60°22'35"E a distance of 160.00 feet to a 5/8" iron rod with  
6 plastic cap stamped "PAPE-DAWSON" set for corner;  
7 THENCE N89°37'22"E a distance of 182.87 feet to a TXDOT Monument  
8 found for corner;  
9 THENCE N59°37'19"E a distance of 160.00 feet to a 5/8" iron rod found  
10 for corner;  
11 THENCE N89°37'22"E a distance of 140.98 feet to a 5/8" iron rod with  
12 plastic cap stamped "PAPE-DAWSON" found for corner;  
13 THENCE along a curve to the left, said curve having a radius of  
14 1,989.00 feet, a central angle of 21°34'42", an arc length of 749.08  
15 feet, and a chord bearing N78°50'01"E a distance of 744.66 feet to a  
16 5/8" iron rod found for corner;  
17 THENCE S81°57'27"E along the south right of way line a distance of  
18 96.57 feet to a 5/8" iron rod with plastic cap stamped "PAPE-DAWSON"  
19 found for corner;  
20 THENCE along a curve to the left, said curve having a radius of  
21 2,039.00, a central angle of 3°24'08", an arc distance of 121.08'  
22 and a chord bearing N63°59'33"E a distance of 121.06 feet to a TXDOT  
23 Monument found for corner;  
24 THENCE N29°56'31"E a distance of 96.57 feet to a TXDOT Monument  
25 found for corner;  
26 THENCE along a curve to the left, said curve having a radius of  
27 1,989.00 feet, a central angle of 20°23'02", an arc length of 707.62

1 feet, and a chord bearing N49°44'56"E a distance of 703.89 feet to a  
2 5/8" iron rod with plastic cap stamped "PAPE-DAWSON" set for  
3 corner;  
4 THENCE N87°26'42"E a distance of 52.98 feet to a 5/8" iron rod with  
5 plastic cap stamped "PAPE-DAWSON" set for corner;  
6 THENCE along a curve to the right, said curve having a radius of  
7 170.00 feet, a central angle of 43°38'56", an arc length of 129.51  
8 feet, and a chord which bears S15°27'26"E a distance of 126.40 feet  
9 to a TXDOT Disk for corner;  
10 THENCE S83°33'23"E a distance of 20.05 feet to a TXDOT Disk for  
11 corner;  
12 THENCE S06°08'31"W a distance of 993.19 feet to the place of  
13 BEGINNING, containing 106.040 acres of land, more or less.  
14 Fieldnotes for 92.255 acre tract in the William Starrock Survey,  
15 A-486  
16 Being 92.255 acres out of the William Starrock Survey, A-486,  
17 Montgomery County, Texas, and being out of and a part of that  
18 certain called 1,932.293 acre tract described in deed from Judy C.  
19 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
20 dated December 15, 2011, as recorded in Montgomery County Clerk's  
21 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
22 Texas, and being more particularly described by metes and bounds as  
23 follows:  
24 The bearings in this description are based on The Texas State Plane  
25 Coordinate System, NAD 83, Central Zone.  
26 BEGINNING at a 5/8" iron rod with cap stamped "PAPE-DAWSON" set for  
27 the northernmost corner of Restricted Reserve "A", Block 3, of R A

1 Deison Technology Park, the map of which is recorded in Cabinet Z,  
2 Sheets 2332-2336 of the Map Records of Montgomery County, Texas,  
3 said point falling in the southwest line of Technology Park Drive,  
4 based on a width of 120 feet;  
5 THENCE S37°42'35"W along the northwesterly line of said Restricted  
6 Reserve "A" a distance of 354.47 feet to a 1/2" iron rod with cap  
7 found for corner;  
8 THENCE S03°25'17"W continuing along the northwesterly line of said  
9 Restricted Reserve "A" a distance of 1,319.73 feet to a 1/2" iron  
10 rod with cap stamped "JONES & CARTER" found for corner at the  
11 southwest corner of said Restricted Reserve "A", said point also  
12 being in the north line of that certain called 60.000 acre tract  
13 conveyed Montgomery County as recorded in MCCF 99012455;  
14 THENCE S75°22'50"W along the north line of said called 60.000 acre  
15 tract a distance of 1,431.77 feet to a 5/8" iron rod with plastic  
16 cap stamped "PAPE-DAWSON" set for corner in the easterly line of FM  
17 1484, a variable width right of way;  
18 THENCE along the easterly line of said FM 1484 as follows:  
19       N03°26'27"E a distance of 61.50 feet to a 5/8" iron rod  
20       with plastic cap stamped "PAPEDAWSON";  
21       N33°26'32"E a distance of 60.61 feet to a TXDOT  
22       Monument;  
23       N03°29'58"E a distance of 56.09 feet to a TXDOT  
24       Monument;  
25       N26°33'35"W a distance of 60.72 feet to a 5/8" iron rod  
26       with plastic cap stamped "PAPEDAWSON";  
27       N03°26'27"E a distance of 479.16 feet a 5/8" iron rod

1 with plastic cap stamped "PAPEDAWSON";  
2 N33°26'32"E a distance of 40.26 feet to a TXDO  
3 Monument;  
4 N03°26'27"E a distance of 180.92 feet to a 5/8" iron rod  
5 with plastic cap stamped "PAPEDAWSON";  
6 N26°41'45"W a distance of 40.10 feet to a 5/8" iron rod;  
7 N03°26'27"E a distance of 1,416.78 feet to a TXDOT  
8 Monument marking a point of curve of a curve to the  
9 right;  
10 THENCE along said curve to the right, a radius of 2,920.00 feet, a  
11 central angle of 26°42'33", an arc length of 1,361.20 feet, and a  
12 chord bearing N16°47'43"E a distance of 1,348.91 feet to a 5/8" iron  
13 rod found for corner at a cutback corner to the intersection with  
14 the southwesterly line of Technology Park Drive;  
15 THENCE along said cutback N76°07'24"E a distance of 34.90 feet to a  
16 5/8" iron rod with plastic cap stamped "PAPE-DAWSON" set for  
17 corner;  
18 THENCE continuing along the southwesterly line of Technology Park  
19 Drive S58°08'54"E a distance of 124.35 feet to a 1/2" iron rod with  
20 cap stamped "MOON" set at the point of curve of a curve to the right;  
21 THENCE along said curve to the right, having a radius of 930.00  
22 feet, a central angle of 36°23'11", an arc length of 590.61 feet, and  
23 a chord bearing S39°57'19"E a distance of 580.73 feet to a 1/2" iron  
24 rod with cap stamped "MOON" found at the point of tangency of said  
25 curve;  
26 THENCE continuing along the southwesterly line of Technology Park  
27 Drive S21°45'43"E a distance of 801.94 feet to a 5/8" iron rod with

1 plastic cap stamped "PAPE-DAWSON" set at the point of curve of a  
2 curve to the left;  
3 THENCE along the southwesterly line of Technology Park Drive, along  
4 a curve to the left, said curve having a radius of 1,070.00 feet, a  
5 central angle of 30°31'41", an arc length of 570.11 feet, and a chord  
6 bearing S37°01'34"E a distance of 563.39 feet to the place of  
7 BEGINNING, containing 92.255 acres of land, more or less.  
8 Fieldnotes for 311.056 acre tract in the William Starrock Survey,  
9 A-486  
10 Being 311.056 acres out of the William Starrock Survey, A-486,  
11 Montgomery County, Texas, and being out of and a part of that  
12 certain called 1,932.293 acre tract described in deed from Judy C.  
13 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
14 dated December 15, 2011, as recorded in Montgomery County Clerk's  
15 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
16 Texas, and being more particularly described by metes and bounds as  
17 follows:  
18 The bearings in this description are based on The Texas State Plane  
19 Coordinate System, NAD 83, Central Zone.  
20 BEGINNING at a 5/8" iron rod stamped "Moyer", said point being the  
21 intersection of the southwesterly line of the Starrock Survey and  
22 the northeasterly line of the Lewis Neal Survey, A395, with the east  
23 line of Conroe Park North, Section 6, the map of which is recorded  
24 in Cabinet Z, sheets 1691 to 1705 of the map records of Montgomery  
25 County, Texas, and being the southwest corner of the called  
26 1,932.293 acre tract;  
27 THENCE N05°42'06"W along the east line of Conroe Park North, Section

1 6, a distance of 3,592.66 feet to a 5/8" iron rod with cap stamped  
2 "Arborleaf" found for corner at the intersection of said line and  
3 the southerly line of Proposed League Line Road Extension;  
4 THENCE along the southerly line of Proposed League Line Road  
5 Extension as follows:  
6 N84°34'39"E a distance of 285.69 feet to a 5/8" iron rod with plastic  
7 cap stamped "Arborleaf found for corner at the point of curve of a  
8 curve to the right:  
9 THENCE along said curve to the right, having a radius of 4,935.00  
10 feet, a central angle of 9°51'51", an arc length of 849.62 feet, and a  
11 chord bearing N89°30'34"E 848.57 feet to a 5/8" iron rod with  
12 plastic cap stamped "Arborleaf" found for corner;  
13 THENCE S87°53'02"E a distance of 98.88 feet to a 5/8" iron rod with  
14 plastic cap stamped "Arborleaf" found for corner;  
15 THENCE along a curve to the right, said curve having a radius of  
16 4,940.00 feet, central angle of 5°43'47", an arc length of 494.00  
17 feet, and a chord bearing S81°32'52"E 493.80 feet to a 5/8" iron rod  
18 with plastic cap stamped "Arborleaf" found for corner;  
19 THENCE S75°12'41"E a distance of 98.87 feet to a 5/8" iron rod with  
20 plastic cap stamped "Arborleaf" found for corner;  
21 THENCE along a curve to the right, said curve having a radius of  
22 4,935.00 feet, central angle of 10°18'48", an arc length of 888.30  
23 feet, and a chord bearing S72°22'49"E 887.10 feet to a 5/8" iron rod  
24 with plastic cap stamped "Arborleaf" found for corner;  
25 THENCE S69°32'57"E a distance of 98.87 feet to a 5/8" iron rod with  
26 plastic cap stamped "Arborleaf" found for corner;  
27 THENCE along a curve to the right, said curve having a radius of

1 4,940.00 feet, a central angle of 7°53'38", an arc length of 680.61  
2 feet and a chord bearing S62°07'51"E 680.07 feet to a 5/8" iron rod  
3 with plastic cap stamped "Arborleaf" found for corner;  
4 THENCE S58°11'02"E a distance of 227.95 feet to a 5/8" iron rod with  
5 plastic cap stamped "Arborleaf" found for corner at the cutback  
6 with the intersection of the southerly line of the Proposed  
7 Extension of League Line Road and the westerly line of FM 1484;  
8 THENCE along said cutback S13°51'27"E a distance of 35.77 feet to a  
9 5/8" iron rod<sup>oo</sup> with plastic cap stamped "Arborleaf" found in the  
10 westerly line of FM 1484;  
11 THENCE along the westerly line of FM 1484 along a curve to the left,  
12 said curve having a radius of 3,080.00 feet, an central angle of  
13 26°47'39", an arc length of 1,440.35 feet and a chord bearing  
14 S16°50'16"W a distance of 1,427.26 feet to a TxDOT Aluminum Disk  
15 found for corner;  
16 THENCE continuing along the west line of FM 1484 as follows:  
17       S03°25'57"W a distance of 1436.77 feet to a to a 5/8"  
18       iron rod found for corner;  
19       S33°20'39"W a distance of 40.06 feet to a TxDOT  
20       Aluminum Disk found for corner;  
21       S03°25'25"W a distance of 110.86 feet to a TxDOT  
22       Aluminum Disk found for corner;  
23       S26°43'05"E a distance of 39.84 feet to a TxDOT  
24       Aluminum Disk found for corner;  
25       S03°26'27"W a distance of 570.00 feet to 5/8" iron rod  
26       found for corner;  
27       S33°26'31"W a distance of 60.00 feet to a TxDOT



1 Aluminum Disk found for corner;  
2 S03°26'28"W a distance of 91.44 feet to a TxDOT  
3 Aluminum Disk found for corner;  
4 S26°33'35"E a distance of 99.43 feet to a TxDOT  
5 Aluminum Disk found for corner;  
6 S03°26'27"W a distance of 183.03 feet to a 5/8" iron rod  
7 with plastic cap stamped "PAPEDAWSON" set for corner;  
8 THENCE continuing along the west line of FM 1484, along a curve to  
9 the right, said curve having a radius of 1,940.00 feet, a central  
10 angle of 23°50'05", an arc length of 807.03 feet, and a chord bearing  
11 S15°21'29"W a distance of 801.22 feet to a TxDOT Aluminum Disk found  
12 for corner;  
13 THENCE S55°51'13"W a distance of 63.92 feet to a TxDOT Aluminum Disk  
14 found for corner;  
15 THENCE along a curve to the right, said curve having a radius of  
16 1,910.00 feet, a central angle of 01°45'17", an arc length of 58.50  
17 feet, and a chord bearing S29°47'27"W a distance of 58.50 feet to a  
18 5/8" iron rod with plastic cap stamped "PAPE-DAWSON" set for  
19 corner;  
20 THENCE S02°09'03"W a distance of 48.99 feet to a 5/8" iron rod with  
21 plastic cap stamped "PAPE-DAWSON" set for corner in the  
22 southwesterly line of the called 1,932.293 acre tract and the  
23 common line to the William Starrock Surey and the Lewis Neal Survey;  
24 THENCE N47°45'37"W along said common line a distance of 3,180.95  
25 feet to the place of BEGINNING, containing 311.056 acres of land,  
26 more or less.  
27 Fieldnotes for 192.043 acre tract in the William Starrock Survey,

1 A-486

2 Being 192.043 acres out of the William Starrock Survey, A-486,  
3 Montgomery County, Texas, and being out of and a part of that  
4 certain called 1,932.293 acre tract described in deed from Judy C.  
5 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
6 dated December 15, 2011, as recorded in Montgomery County Clerk's  
7 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
8 Texas, and being more particularly described by metes and bounds as  
9 follows:

10 The bearings in this description are based on The Texas State Plane  
11 Coordinate System, NAD 83, Central Zone.

12 BEGINNING at a railroad rail marking the southernmost corner of  
13 that certain called 347.029 acre tract conveyed to Dameon M. Doyle  
14 by Donald Dosedlo as recorded in MCCF 2013 012364, said point being  
15 an interior corner of the above said called 1,932.293 acre tract;

16 THENCE N43°06'54"E along the southeasterly line of said Doyle tract  
17 a distance of 1,994.22 feet (called N43°06'29"E 1,992.88 feet) to an  
18 axle found for corner at an easterly corner of said Doyle tract,  
19 same being an interior corner of the called 1,932.293 acre tract;

20 THENCE N46°56'45"W (called N46°53'41"W) along the interior line of  
21 the called 1,932.292 acre tract and an easterly line of the Doyle  
22 Tract, a distance of 936.83 feet (called 937.04 feet) to a 5/8" iron  
23 rod with cap stamped "1535 4035" to a point for corner at an angle  
24 point in the called 1,932.292 acre tract and the Doyle tract;

25 THENCE N42°54'27"E (called N42°54'43"E) along the south line of the  
26 Doyle tract a distance of 1,398.90 feet (called 1,397.59 feet) to a  
27 5/8" iron rod with cap stamped "1535 4035" found at the easternmost

1 corner of the Doyle tract and being in the common line to the  
2 William Starrock Survey, A-486, and the Jonathan C. Pitts Survey,  
3 A-28;  
4 THENCE S48°41'56"E (called S48°43'41"E) along the common line to the  
5 Starrock and Pitts Surveys, along the west line of an unrecorded  
6 subdivision known as Northridge a distance of 2,948.84 feet to a  
7 5/8" iron rod marked "JNS ENGINEERS" for corner;  
8 THENCE a jog in said common line N62°21'02"E (called N63°26'58"E  
9 16.59 feet) a distance of 16.99 feet to a 5/8" iron rod marked "JNS  
10 ENGINEERS";  
11 THENCE S48°47'46"E (called S48°43'41"E) along the common line to the  
12 Starrock and Pitts Surveys, and along the northeasterly line of the  
13 called 1,932.293 acre tract a distance of 816.33 feet to a Bent 5/8"  
14 Iron Rod found for corner in the northerly line of FM 1484;  
15 THENCE along the northerly line of FM 1484 the following:  
16 THENCE along a curve to the right, said curve having a radius of  
17 1,829.00 feet, a central angle of 17°10'58", an arc length of 548.51  
18 feet, and a chord which bears S43°32'27"W 546.45 feet to a 5/8" Iron  
19 Rod with Plastic Cap Marked "PAPE-DAWSON" set for corner;  
20 THENCE S82°08'06"W a distance of 61.58 feet to a 5/8" Iron Rod with  
21 Plastic Cap Marked "PAPE-DAWSON" set for corner;  
22 THENCE along a curve to the right, said curve having a radius of  
23 1,799.00 feet, a central angle of 4°24'21", an arc length of 138.33  
24 feet, and a chord bearing S56°02'01"W a distance of 138.30 feet to a  
25 5/8" Iron Rod with Plastic Cap Marked "PAPE-DAWSON" set for corner;  
26 THENCE S29°56'32"W a distance of 61.59 feet to a 5/8" Iron Rod with  
27 Plastic Cap Marked "PAPE-DAWSON" set for corner;

1 THENCE along a curve to the right, said curve having a radius of  
2 1,829.00 feet, a central angle of 24°36'38", an arc length of 785.62  
3 feet, and a chord which bears S72°14'28"W 779.59 feet to a TxDOT  
4 Aluminum Disk found for corner;  
5 THENCE N65°29'19"W a distance of 173.06 feet to a TxDOT Aluminum  
6 Disk found for corner;  
7 THENCE along a curve to the right, said curve having a radius of  
8 1,749.00 feet, a central angle of 00°09'14", an arc length of 4.70'  
9 and a chord bearing S89°32'27"W 4.70' feet to a TxDOT Aluminum disk  
10 found for corner;  
11 THENCE S89°30'43"W a distance of 132.46 feet to a TxDOT Aluminum  
12 disk found for corner;  
13 THENCE S59°44'14"W a distance of 160.04 feet to a 5/8" iron rod with  
14 plastic cap stamped "PAPE-DAWSON" set for corner;  
15 THENCE S89°37'22"W a distance of 581.48 feet to a 5/8" iron rod found  
16 for corner;  
17 THENCE along a curve to the left, said curve having a central angle  
18 of 28°34'16", a radius of 1,989.86 feet, an arc length of 992.26  
19 feet, and a chord bearing S75°18'17"W 982.01 feet to a TxDOT  
20 Aluminum disk found for corner;  
21 THENCE S61°03'31"W a distance of 46.39 feet to a 5/8" iron rod found  
22 for corner;  
23 THENCE N88°35'54"W a distance of 79.77 feet to a 5/8" iron rod with  
24 plastic cap stamped "PAPE-DAWSON" set for corner;  
25 THENCE S61°03'31"W a distance of 161.43 feet to a TxDOT Aluminum  
26 Disk found for corner;  
27 THENCE S31°16'32"W a distance of 79.86 feet to a 5/8" iron rod with

1 plastic cap stamped "PAPE-DAWSON" found for corner;  
2 THENCE S61°03'31"W a distance of 502.02 feet to a 5/8" iron rod with  
3 cap stamped "ARBORLEAF" found for corner  
4 THENCE N28°56'29"W a distance of 916.40 feet to the place of  
5 BEGINNING, containing 192.043 acres, more or less.  
6 Fieldnotes for 577.557 acre tract in the William Starrock Survey,  
7 A-486  
8 Being 577.557 acres out of the William Starrock Survey, A-486,  
9 Montgomery County, Texas, and being out of and a part of that  
10 certain called 1,932.293 acre tract described in deed from Judy C.  
11 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
12 dated December 15, 2011, as recorded in Montgomery County Clerk's  
13 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
14 Texas, and being more particularly described by metes and bounds as  
15 follows:  
16 The bearings in this description are based on The Texas State Plane  
17 Coordinate System, NAD 83, Central Zone.  
18 BEGINNING at the most westerly corner of that certain called  
19 347.029 acre tract conveyed to Dameon M. Doyle as recorded in MCCF  
20 2013012364, said point being a corner of that certain called  
21 610.2467 acre tract conveyed to Conroe Industrial Development  
22 Corporation as recorded in MCCF 2018035428;  
23 THENCE S10°25'27"E (called S10°18'59"E) along the southwesterly line  
24 of the called 347.029 acre tract a distance of 146.95 feet (called  
25 147.20 feet) to a 5/8" iron rod with plastic cap stamped "JNS  
26 ENGINEERS" found for an angle point;  
27 THENCE S02°42'53"W (called S02°41'01"W) along the southwesterly line

1 of said called 347.029 acre tract a distance of 388.94 (called  
2 388.90 feet) to a 5/8" iron rod with plastic cap stamped  
3 "PAPE-DAWSON" set for an angle point;  
4 THENCE S47°04'56"E (called S47°13'51"E along the southwesterly line  
5 of the called 347.029 acre tract a distance of 3,614.37 feet (called  
6 4,541.87 feet) to a railroad iron found for angle point in said  
7 line;  
8 THENCE S47°34'35"E continuing along the southwesterly line of the  
9 called 347.029 acre tract a distance of 927.08 feet to a railroad  
10 iron found for the most southerly corner of the called 347.029 acre  
11 tract;  
12 THENCE S28°56'29"E a distance of 916.40 feet to a 5/8" iron rod found  
13 for corner in the northwesterly line of FM 1484 a variable width  
14 right of way;  
15 THENCE along the northwesterly line of FM 1484 as follows:  
16 THENCE S61°03'31"W a distance of 557.98 feet to a TxDOT Aluminum  
17 disk found for corner;  
18 THENCE N89°15'07"W a distance of 39.98 feet to a 5/8" iron rod found  
19 for corner;  
20 THENCE S61°18'07"W a distance of 70.63 feet to a 5/8" iron rod found  
21 for corner:  
22 THENCE S30°45'56"W a distance of 40.11 feet to a 5/8" iron rod found  
23 for corner; THENCE S61°07'54"W a distance of 609.29 feet to a 5/8"  
24 iron rod found for corner;  
25 THENCE N88°56'26"W a distance of 60.00 feet to a 5/8" iron rod with  
26 plastic cap stamped "PAPE-DAWSON" found for corner;  
27 THENCE S61°03'31"W a distance of 96.08 feet to a 5/8" iron rod found

1 for corner;  
2 THENCE S31°18'57"W a distance of 61.14 feet to a 5/8" iron rod found  
3 for corner;  
4 THENCE S61°02'09"W a distance of 816.02 feet to a 5/8" iron rod with  
5 plastic cap stamped "PAPE-DAWSON" set for the point of curve of a  
6 curve to the left:  
7 THENCE along said curve to the left, a radius of 3,080.00 feet, a  
8 central angle of 27°40'15", an arc length of 1,487.47 feet, and a  
9 chord bearing S47°13'58"W 1,473.06 feet to a 5/8" iron rod with  
10 plastic cap stamped "Arborleaf found for corner at a cutback corner  
11 at the intersection of the northwesterly line of FM 1484 and the  
12 extension of League Line Road;  
13 THENCE along the northerly line of the extension of League Line Road  
14 S77°29'29"W a distance of 35.77 feet to a 5/8" iron rod found for  
15 corner;  
16 THENCE N58°11'02"W a distance of 227.95 feet to a 5/8" iron rod found  
17 for corner at the point of curve of a curve to the left;  
18 THENCE along said curve, a radius of 5,060.00 feet, a central angle  
19 of 07°53'38", an arc length of 697.14 feet, and a chord which bears  
20 N62°07'51"W a distance of 696.59 feet to a 5/8" iron rod found for  
21 corner;  
22 THENCE N63°49'26"W a distance of 101.37 feet to a 5/8" iron rod found  
23 for corner;  
24 THENCE along a curve to the left, said curve having a radius of  
25 5,065.00 feet, a central angle of 10°18'48", an arc length of 911.70  
26 feet, and a chord bearing N72°22'49"W a distance of 910.47 feet to a  
27 5/8" iron rod found for corner;

1 THENCE N80°56'13"W a distance of 101.37 feet to a 5/8" iron rod found  
2 for corner;  
3 THENCE along a curve to the left, said curve having a radius of  
4 5,060.00 feet, a central angle of 05°43'46", an arc length of 506.00  
5 feet, and a chord bearing N81°32'52"W a distance of 505.79 feet to a  
6 5/8" iron rod found for corner;  
7 THENCE N82°09'30"W a distance of 101.37 feet to a 5/8" iron rod found  
8 for corner;  
9 THENCE along a curve to the left, said curve having a radius of  
10 5,065.00 feet, a central angle of 09°51'51", an arc length of 872.00  
11 feet and a chord bearing S89°30'34"W a distance of 870.92 feet to a  
12 5/8" iron rod found for corner;  
13 THENCE S84°34'39"W a distance of 286.32 feet to a 5/8" iron rod found  
14 for corner in the east line of Conroe Park North, Section 6, the map  
15 of which is recorded in Cab Z, Sheets 1691 to 1705 of the Map Records  
16 of Montgomery County, Texas;  
17 THENCE N05°42'06"W along the east line of Conroe Park North, Section  
18 6, at a distance of 2,386.07 feet to a 5/8" iron rod with plastic cap  
19 stamped "Moyer" found for the northeast corner of Conroe Park  
20 North, Section 6, said point marking the southernmost corner of the  
21 previously referenced called 610.2467 acre tract conveyed to Conroe  
22 Industrial Development Corporation as recorded in MCCF 2018035428;  
23 THENCE N43°59'58"E along the southeasterly line of said called  
24 610.2467 acre tract a distance of 4,649.21 feet to the place of  
25 BEGINNING, containing 577.557 acres of land, more or less.  
26 Fieldnotes for 12.979 acre tract in the William Starrock Survey,  
27 A-486



1 Being 12.979 acres out of the William Starrock Survey, A-486,  
2 Montgomery County, Texas, and being out of and a part of that  
3 certain called 1,932.293 acre tract described in deed from Judy C.  
4 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
5 dated December 15, 2011, as recorded in Montgomery County Clerk's  
6 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
7 Texas, and being more particularly described by metes and bounds as  
8 follows:

9 The bearings in this description are based on The Texas State Plane  
10 Coordinate System, NAD 83, Central Zone.

11 BEGINNING at a 5/8" iron rod with plastic cap marked "W E SMITH  
12 1982" found at the northeasterly corner of that certain called  
13 20.0872 acre tract conveyed to Montgomery County in deed recorded  
14 in MCCF 2010-003943 of the deed records of Montgomery County,  
15 Texas;

16 THENCE S52°57'04"W along the northwesterly line of said called  
17 20.0872 acre tract a distance of 1,750.11 feet to a 5/8" iron rod  
18 with plastic cap marked "W E SMITH 1982" found for corner at the  
19 northwesterly corner of said called 20.0872 acre tract, same being  
20 in the northeasterly line of that called 284.006 acre tract  
21 conveyed to Conroe Industrial Development Corporation by Judy C.  
22 Campbell as recorded in MCCF 2010111233;

23 THENCE along the northeasterly line of said called 284.006 acre  
24 tract N37°02'56"W a distance of 451.88 feet to a 1/2" iron rod with  
25 plastic cap marked "JEFF MOON RPLS 4936" found for corner in the  
26 southeasterly line of FM 1484, a variable width right of way;

27 THENCE along the southeasterly line of FM 1484 as follows:

1 N61°09'07"E a distance of 180.52 feet to a 1/2" iron rod  
2 found for corner;  
3 S88°56'26"E a distance of 40.00 feet to a TxDOT  
4 Aluminum Disc found for corner;  
5 N61°09'07"E a distance of 70.72 feet to a TxDOT  
6 Aluminum Disc found for corner;  
7 N31°03'28"E a distance of 40.00 feet to a 5/8" iron rod  
8 with plastic cap marked "PAPEDAWSON" set for corner;  
9 N61°03'31"E a distance of 1,300.00 feet to a 5/8" iron  
10 rod with plastic cap marked "PAPEDAWSON" set for  
11 corner;  
12 S89°08'33"E a distance of 80.27 feet to a 5/8" iron rod  
13 with plastic cap marked "PAPE-DAWSON" set for corner;  
14 N60°14'59"E a distance of 83.18 feet to a 5/8" iron rod  
15 with plastic cap marked "ARBORLEAF RPLS 1982";  
16 THENCE S37°02'56"E a distance of 163.05 feet to the place of  
17 BEGINNING, containing 12.979 acres of land, more or less.  
18 Fieldnotes for 18.933 acre tract in the William Starrock Survey,  
19 A-486  
20 Being 18.933 acres out of the William Starrock Survey, A-486,  
21 Montgomery County, Texas, and being out of and a part of that  
22 certain called 1,932.293 acre tract described in deed from Judy C.  
23 Campbell to Judy Carol Campbell, as Trustee of the JCC Living Trust  
24 dated December 15, 2011, as recorded in Montgomery County Clerk's  
25 File (MCCF) 2012031320 of the Deed Records of Montgomery County,  
26 Texas, and being more particularly described by metes and bounds as  
27 follows:

1 The bearings in this description are based on The Texas State Plane  
2 Coordinate System, NAD 83, Central Zone.  
3 BEGINNING at a 5/8" iron rod found at the northern end of a cutback  
4 corner for the intersection of the southeasterly line of FM 1484, a  
5 variable width right of way, and the northeasterly line of  
6 Technology Parkway (League Line Road), the donation deed of which  
7 is recorded in MCCF 2011017945;  
8 THENCE along the southeasterly line of FM 1484 along a curve to the  
9 right, said curve having a radius of 2,920.00, a central angle of  
10 27°34'56", an arc length of 1,405.69 feet, and a chord bearing  
11 N47°16'37"E a distance of 1,392.16 feet to a 5/8" iron rod with cap  
12 stamped "PAPEDAWSON" set for corner;  
13 THENCE N60°59'31.7E a distance of 390.88 feet to a 5/8" iron rod with  
14 cap stamped "MOON" found for corner at the most northerly northwest  
15 corner of Restricted Reserve "C", Block 1 of R A Deison Technology  
16 Park, the map of which is recorded in Cabinet Z, Sheets 2332-2336 of  
17 the Map Records of Montgomery County, Texas;  
18 THENCE S28°54'30"E along the southwesterly line of said Restricted  
19 Reserve "C" a distance of 350.00 feet to a 1/2" iron rod with cap  
20 found for corner;  
21 THENCE S61°05'30"W continuing along the northwest line of  
22 Restricted Reserve "C" a distance of 816.24 feet to a 1/2" iron rod  
23 with cap found for corner;  
24 THENCE S04°28'01" continuing along the northwesterly line of  
25 Restricted Reserve "C" a distance of 418.29 feet to a 1/2" iron rod  
26 with cap found for corner;  
27 THENCE S37°54'03"W continuing along the northwesterly line of

1 Restricted Reserve "C" a distance of 618.87 feet to a 5/8" iron rod  
2 with cap stamped "PAPE-DAWSON" set corner in the northeasterly line  
3 of Technology Parkway;  
4 THENCE along the northeasterly line of Technology Parkway, along a  
5 curve to the left, said curve having a radius of 1,050.00 feet, a  
6 central angle of 28°30'04", an arc length of 522.31 feet, and a chord  
7 bearing N43°53'52"W a distance of 516.94 feet to a 5/8" iron rod with  
8 cap stamped "PAPE-DAWSON" set for corner;  
9 THENCE N58°08'54"W along the northeasterly line of Technology  
10 Parkway a distance of 124.42 feet to a 5/8" iron rod found for the  
11 beginning of a cutback corner to FM 1484;  
12 THENCE N12°27'14"W along said cutback a distance of 34.92 feet to  
13 the place of BEGINNING, containing 18.933 acres of land, more or  
14 less.

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

22 (b) The governor, one of the required recipients, has  
23 submitted the notice and Act to the Texas Commission on  
24 Environmental Quality.

25 (c) The Texas Commission on Environmental Quality has filed  
26 its recommendations relating to this Act with the governor, the  
27 lieutenant governor, and the speaker of the house of

1 representatives within the required time.

2 (d) All requirements of the constitution and laws of this  
3 state and the rules and procedures of the legislature with respect  
4 to the notice, introduction, and passage of this Act are fulfilled  
5 and accomplished.

6 SECTION 4. (a) If this Act does not receive a two-thirds  
7 vote of all the members elected to each house, Subchapter C, Chapter  
8 8051, Special District Local Laws Code, as added by Section 1 of  
9 this Act, is amended by adding Section 8051.0307 to read as follows:

10 Sec. 8051.0307. NO EMINENT DOMAIN POWER. The district may  
11 not exercise the power of eminent domain.

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

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

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 27, 2021**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB4580** by Metcalf (Relating to the creation of the Montgomery County Municipal Utility District No. 202; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Special District Local Laws Code to create a certain municipal utility district and establish its powers and duties.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, SD, AF, CMA, DPE, AJL

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 21, 2021**

**TO:** Honorable Paul Bettencourt, Chair, Senate Committee on Local Government

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB4580** by Metcalf (Relating to the creation of the Montgomery County Municipal Utility District No. 202; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **Committee Report 2nd House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Special District Local Laws Code to create a certain municipal utility district and establish its powers and duties.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AF, CMA, DPE, AJL

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 21, 2021**

**TO:** Honorable Paul Bettencourt, Chair, Senate Committee on Local Government

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** **HB4580** by Metcalf (Relating to the creation of the Montgomery County Municipal Utility District No. 202; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Special District Local Laws Code to create a certain municipal utility district and establish its powers and duties.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AF, CMA, DPE, AJL



**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 12, 2021**

**TO:** Honorable Joe Deshotel, Chair, House Committee on Land & Resource Management

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB4580** by Metcalf (Relating to the creation of the Montgomery County Municipal Utility District No. 202; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Special District Local Laws Code to create a certain municipal utility district and establish its powers and duties.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AJL, CMA, DPE

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**WATER DEVELOPMENT POLICY IMPACT STATEMENT**

**87TH LEGISLATIVE REGULAR SESSION**

**April 12, 2021**

**TO:** Honorable Joe Deshotel, Chair, House Committee on Land & Resource Management

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB4580** by Metcalf (Relating to the creation of the Montgomery County Municipal Utility District No. 202; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **As Introduced**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

This bill creates Montgomery County Municipal Utility District No. 202 (District) with the powers and duties of a standard municipal utility district under Water Code Chapters 49 and 54.

**Population:** The very specific description of the proposed boundaries does not allow staff to develop precise population estimates.

Population growth in the specific area since the 2010 census is unknown. The 2010 population estimate for areas of Montgomery County served by small water systems or private wells ('County-Other') was 108,679. The Montgomery County-Other population projections adopted for the 2022 State Water Plan projects the population to grow to 286,757 in 2030 and 425,330 in 2040.

**Location:** The proposed district's initial boundaries are described with a combination of Original Texas Land Surveys, Deed Records of Montgomery County, and metes and bounds. Due to the complexity of these boundaries for the various subareas of the district, staff is only able to determine the general location of the proposed district.

The proposed district's area is approximately 2.05 square miles in central Montgomery County, located north of the City of Conroe, and southeast of the City of Willis. The proposed boundary appears to be near the intersection of Farm to Market Road 1484 and Technology Parkway.

**Comments on Powers/Duties Different from Similar Types of Districts:** The District must receive consent to the creation of the District from each municipality in whose corporate limits or extraterritorial jurisdiction the District is located prior to holding a confirmation election. The bill specifies that if all or part of the territory of the District is annexed by the City of Conroe into the city's corporate limits, the District retains all of the District's outstanding debt and obligations and is not dissolved. The bill requires the TCEQ to appoint the five initial temporary directors upon receipt of a petition from the owners of a majority of the assessed value of the real property in the district. The bill grants the District authority for road projects. The bill states that if District territory, or a portion of District territory, is located outside the corporate limits of the City of Conroe, the District shall maintain any road the District constructs located in that territory. The bill allows the District to divide. The bill specifies that at the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of real property in the District. If the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

**Overlapping Services:** TCEQ does not have mapping information for water and/or wastewater providers because

this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

TCEQ's Supervision: As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

Water Use: Within Montgomery County, 88% of the total water use was supplied by groundwater (Gulf Coast Aquifer), and municipal was the largest volume water use category comprising 90% of the county total water use in 2018. The water source the proposed district might pursue is unknown.

**Source** 580 Water Development Board, 582 Commission on Environmental Quality  
**Agencies:**

**LBB Staff:** JMc, AJL