

1-1 By: Creighton S.B. No. 2571
 1-2 (In the Senate - Filed March 21, 2023; March 23, 2023, read
 1-3 first time and referred to Committee on Local Government;
 1-4 April 24, 2023, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; April 24, 2023, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|-----------------|-----|-----|--------|-----|
| 1-7 Bettencourt | X | | | |
| 1-8 Springer | X | | | |
| 1-9 Eckhardt | X | | | |
| 1-10 Gutierrez | | | X | |
| 1-11 Hall | X | | | |
| 1-12 Nichols | X | | | |
| 1-13 Parker | X | | | |
| 1-14 Paxton | X | | | |
| 1-15 West | X | | | |

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the creation of the Montgomery County Municipal Utility
 1-20 District No. 225; granting a limited power of eminent domain;
 1-21 providing authority to issue bonds; providing authority to impose
 1-22 assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-24 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-25 Code, is amended by adding Chapter 8074 to read as follows:

1-26 CHAPTER 8074. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 225
 1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 8074.0101. DEFINITIONS. In this chapter:

1-29 (1) "Board" means the district's board of directors.
 1-30 (2) "Commission" means the Texas Commission on
 1-31 Environmental Quality.

1-32 (3) "Director" means a board member.
 1-33 (4) "District" means the Montgomery County Municipal
 1-34 Utility District No. 225.

1-35 Sec. 8074.0102. NATURE OF DISTRICT. The district is a
 1-36 municipal utility district created under Section 59, Article XVI,
 1-37 Texas Constitution.

1-38 Sec. 8074.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-39 REQUIRED. The temporary directors shall hold an election to
 1-40 confirm the creation of the district and to elect five permanent
 1-41 directors as provided by Section 49.102, Water Code.

1-42 Sec. 8074.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-43 temporary directors may not hold an election under Section
 1-44 8074.0103 until each municipality in whose corporate limits or
 1-45 extraterritorial jurisdiction the district is located has
 1-46 consented by ordinance or resolution to the creation of the
 1-47 district and to the inclusion of land in the district.

1-48 Sec. 8074.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
 1-49 (a) The district is created to serve a public purpose and benefit.

1-50 (b) The district is created to accomplish the purposes of:
 1-51 (1) a municipal utility district as provided by
 1-52 general law and Section 59, Article XVI, Texas Constitution; and
 1-53 (2) Section 52, Article III, Texas Constitution, that
 1-54 relate to the construction, acquisition, improvement, operation,
 1-55 or maintenance of macadamized, graveled, or paved roads, or
 1-56 improvements, including storm drainage, in aid of those roads.

1-57 Sec. 8074.0106. INITIAL DISTRICT TERRITORY. (a) The
 1-58 district is initially composed of the territory described by
 1-59 Section 2 of the Act enacting this chapter.

1-60 (b) The boundaries and field notes contained in Section 2 of
 1-61 the Act enacting this chapter form a closure. A mistake made in the

2-1 field notes or in copying the field notes in the legislative process
2-2 does not affect the district's:

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

2-9 SUBCHAPTER B. BOARD OF DIRECTORS

2-10 Sec. 8074.0201. GOVERNING BODY; TERMS. (a) The district is
2-11 governed by a board of five elected directors.

2-12 (b) Except as provided by Section 8074.0202, directors
2-13 serve staggered four-year terms.

2-14 Sec. 8074.0202. TEMPORARY DIRECTORS. (a) On or after the
2-15 effective date of the Act enacting this chapter, the owner or owners
2-16 of a majority of the assessed value of the real property in the
2-17 district may submit a petition to the commission requesting that
2-18 the commission appoint as temporary directors the five persons
2-19 named in the petition. The commission shall appoint as temporary
2-20 directors the five persons named in the petition.

2-21 (b) Temporary directors serve until the earlier of:

2-22 (1) the date permanent directors are elected under
2-23 Section 8074.0103; or

2-24 (2) the fourth anniversary of the effective date of
2-25 the Act enacting this chapter.

2-26 (c) If permanent directors have not been elected under
2-27 Section 8074.0103 and the terms of the temporary directors have
2-28 expired, successor temporary directors shall be appointed or
2-29 reappointed as provided by Subsection (d) to serve terms that
2-30 expire on the earlier of:

2-31 (1) the date permanent directors are elected under
2-32 Section 8074.0103; or

2-33 (2) the fourth anniversary of the date of the
2-34 appointment or reappointment.

2-35 (d) If Subsection (c) applies, the owner or owners of a
2-36 majority of the assessed value of the real property in the district
2-37 may submit a petition to the commission requesting that the
2-38 commission appoint as successor temporary directors the five
2-39 persons named in the petition. The commission shall appoint as
2-40 successor temporary directors the five persons named in the
2-41 petition.

2-42 SUBCHAPTER C. POWERS AND DUTIES

2-43 Sec. 8074.0301. GENERAL POWERS AND DUTIES. The district
2-44 has the powers and duties necessary to accomplish the purposes for
2-45 which the district is created.

2-46 Sec. 8074.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
2-47 DUTIES. The district has the powers and duties provided by the
2-48 general law of this state, including Chapters 49 and 54, Water Code,
2-49 applicable to municipal utility districts created under Section 59,
2-50 Article XVI, Texas Constitution.

2-51 Sec. 8074.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
2-52 52, Article III, Texas Constitution, the district may design,
2-53 acquire, construct, finance, issue bonds for, improve, operate,
2-54 maintain, and convey to this state, a county, or a municipality for
2-55 operation and maintenance macadamized, graveled, or paved roads, or
2-56 improvements, including storm drainage, in aid of those roads.

2-57 Sec. 8074.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
2-58 road project must meet all applicable construction standards,
2-59 zoning and subdivision requirements, and regulations of each
2-60 municipality in whose corporate limits or extraterritorial
2-61 jurisdiction the road project is located.

2-62 (b) If a road project is not located in the corporate limits
2-63 or extraterritorial jurisdiction of a municipality, the road
2-64 project must meet all applicable construction standards,
2-65 subdivision requirements, and regulations of each county in which
2-66 the road project is located.

2-67 (c) If the state will maintain and operate the road, the
2-68 Texas Transportation Commission must approve the plans and
2-69 specifications of the road project.

3-1 Sec. 8074.0305. COMPLIANCE WITH MUNICIPAL CONSENT
3-2 ORDINANCE OR RESOLUTION. The district shall comply with all
3-3 applicable requirements of any ordinance or resolution that is
3-4 adopted under Section 54.016 or 54.0165, Water Code, and that
3-5 consents to the creation of the district or to the inclusion of land
3-6 in the district.

3-7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-8 Sec. 8074.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
3-9 The district may issue, without an election, bonds and other
3-10 obligations secured by:

3-11 (1) revenue other than ad valorem taxes; or
3-12 (2) contract payments described by Section 8074.0403.

3-13 (b) The district must hold an election in the manner
3-14 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-15 before the district may impose an ad valorem tax or issue bonds
3-16 payable from ad valorem taxes.

3-17 (c) The district may not issue bonds payable from ad valorem
3-18 taxes to finance a road project unless the issuance is approved by a
3-19 vote of a two-thirds majority of the district voters voting at an
3-20 election held for that purpose.

3-21 Sec. 8074.0402. OPERATION AND MAINTENANCE TAX. (a) If
3-22 authorized at an election held under Section 8074.0401, the
3-23 district may impose an operation and maintenance tax on taxable
3-24 property in the district in accordance with Section 49.107, Water
3-25 Code.

3-26 (b) The board shall determine the tax rate. The rate may not
3-27 exceed the rate approved at the election.

3-28 Sec. 8074.0403. CONTRACT TAXES. (a) In accordance with
3-29 Section 49.108, Water Code, the district may impose a tax other than
3-30 an operation and maintenance tax and use the revenue derived from
3-31 the tax to make payments under a contract after the provisions of
3-32 the contract have been approved by a majority of the district voters
3-33 voting at an election held for that purpose.

3-34 (b) A contract approved by the district voters may contain a
3-35 provision stating that the contract may be modified or amended by
3-36 the board without further voter approval.

3-37 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-38 Sec. 8074.0501. AUTHORITY TO ISSUE BONDS AND OTHER
3-39 OBLIGATIONS. The district may issue bonds or other obligations
3-40 payable wholly or partly from ad valorem taxes, impact fees,
3-41 revenue, contract payments, grants, or other district money, or any
3-42 combination of those sources, to pay for any authorized district
3-43 purpose.

3-44 Sec. 8074.0502. TAXES FOR BONDS. At the time the district
3-45 issues bonds payable wholly or partly from ad valorem taxes, the
3-46 board shall provide for the annual imposition of a continuing
3-47 direct ad valorem tax, without limit as to rate or amount, while all
3-48 or part of the bonds are outstanding as required and in the manner
3-49 provided by Sections 54.601 and 54.602, Water Code.

3-50 Sec. 8074.0503. BONDS FOR ROAD PROJECTS. At the time of
3-51 issuance, the total principal amount of bonds or other obligations
3-52 issued or incurred to finance road projects and payable from ad
3-53 valorem taxes may not exceed one-fourth of the assessed value of the
3-54 real property in the district.

3-55 SECTION 2. The Montgomery County Municipal Utility District
3-56 No. 225 initially includes all the territory contained in the
3-57 following area:

3-58 Those certain tracts or parcels of land situated in
3-59 Montgomery County, Texas, described as follows, to-wit:

3-60 TRACT 1

3-61 Being a portion of a 298.473 acre tract, conveyed to DJS Land
3-62 Company, LTD et al, as recorded under Clerk's File No. 8916747 of
3-63 the Official Public Records of Real Property Montgomery County
3-64 (O.P.R.R.P.M.C.), and all of Tract 5, 0.1914 acre, as recorded
3-65 under Clerk's File No. 2000108801 of the O.P.R.R.P.M.C., the basis
3-66 of bearing is the north right-of-way line of FM 2854 as shown on
3-67 right-of-way map, September 27, 1968:

3-68 BEGINNING at the southeast corner of a 0.0046 acre tract as
3-69 recorded under Clerk's File No. 2017098941 of the Official Public

4-1 Records Montgomery County, Texas (O.P.R.M.C.), lying in a southerly
4-2 line of said 28.473 acre tract, and a northerly line of State
4-3 Highway 2854 as recorded in Volume 630, Page 609 of the Montgomery
4-4 County Deed Records (M.C.D.R.),
4-5 THENCE (from the 2017098941 deed) NORTH 39 degrees 44 minutes
4-6 08 seconds WEST, 28.29 feet, to a westerly corner of the herein
4-7 described tract, lying in an easterly right-of-way line of
4-8 Southwest Drive as shown on the replat of Southwest Center as
4-9 recorded in Cabinet "I", Sheet 169 of M.R.M.C.;

4-10 THENCE NORTHERLY along the easterly right-of-way line
4-11 Southwest Drive the following calls, based on the replat of said
4-12 Southwest Center:
4-13 NORTH 07 degrees 32 minutes 17 seconds EAST, 179.20 feet;
4-14 NORTHERLY along a curve to the right, through a central angle
4-15 of 24 degrees 26 minutes 31 seconds, to a point of tangency, said
4-16 curve having a radius of 303.02 feet, an arc length of 129.27 feet;
4-17 NORTH 31 degrees 56 minutes 48 seconds EAST, 317.57 feet;
4-18 NORTHEASTERLY along a curve to the right, through a central
4-19 angle of 06 degrees 08 minutes 31 seconds, to a point of, said curve
4-20 having a radius of 1,793.94 feet, an arc length of 192.31 feet;
4-21 NORTH 36 degrees 07 minutes 19 seconds EAST, 17.54 feet; to
4-22 the north corner of the herein described tract, also being the west
4-23 corner of a 2.273 acre tract and shown on the plat of Southwest
4-24 Center Section 1, as recorded on Cabinet "H" Sheet 126A of the
4-25 M.C.M.R.;

4-26 Thence (from the Southwest Center Section 1) SOUTH 51 degrees
4-27 52 minutes 41 seconds EAST, 484.63 feet, to an easterly corner of
4-28 the herein described tract, lying in a westerly line of Reserve "A"
4-29 of said Southwest Center;

4-30 THENCE (from the Southwest Center Section 1 replat) SOUTH 16
4-31 degrees 14 minutes 36 seconds EAST, 269.68 feet (calculated), with
4-32 and adjoining said westerly line of Reserve "A", to a southerly line
4-33 of said 298.473 acre tract;

4-34 THENCE (from the Southwest Center Section 1 replat) SOUTH 73
4-35 degrees 32 minutes 51 seconds WEST, 131.63 feet (calculated), with
4-36 and adjoining said southerly line of the 298.473 acre tract;

4-37 THENCE SOUTH 72 degrees 17 minutes 44 seconds WEST, 375.97
4-38 feet (calculated), with and adjoining said southerly line of the
4-39 289.473 acre tract, also being the northeast corner of said 0.1914
4-40 acre tract;

4-41 THENCE (from the 2000-108801 deed) SOUTH 21 degrees 17
4-42 minutes 12 seconds EAST, 80.76 feet, (SOUTH 16 degrees 44 minutes 06
4-43 seconds EAST rotated) with and adjoining the east line of said
4-44 0.1914 acre tract, in the northerly right-of-way line of FM 2854
4-45 (100 feet wide) for the southeast corner of this tract;

4-46 THENCE (from the 2000-108801 deed) SOUTH 89 degrees 13
4-47 minutes 30 seconds WEST, 220.49 feet, (NORTH 86 degrees 13 minutes
4-48 24 seconds WEST rotated), along the northerly right-of-way line of
4-49 FM 2854, to a southerly corner of said 298.473 acre tract;

4-50 THENCE (from the 8916747 deed) NORTH 85 degrees 12 minutes 47
4-51 seconds WEST, 88.59 feet, along a southerly line of said 298.473
4-52 acre tract;

4-53 THENCE NORTH 82 degrees 27 minutes 43 seconds WEST, 26.52
4-54 feet (calculated), along a southerly line of said 298.473 acre
4-55 tract, to the POINT OF BEGINNING, and containing 8.59 acres of land.

4-56 TRACT 2
4-57 Being 178.42 acres of land in the Denward James Survey,
4-58 A-289, Montgomery County, Texas, and being a portion of a 298.473
4-59 acre tract conveyed to DJS Land Company, LTD. A Texas limited
4-60 partnership described in a deed recorded under Clerk's File No.
4-61 8916747 of the Official Public Records of Real Property, Montgomery
4-62 County, Texas (O.P.R.R.P.M.C.), more fully described as follows:
4-63 BEGINNING at the southwest corner of a 0.0046 acre tract as
4-64 described in Clerk's File No. 201800316 of the Official Public
4-65 Records of Montgomery County, Texas (O.P.R.M.C.), lying in the
4-66 northerly right-of-way line of FM 2854 as recorded in Volume 630,
4-67 Page 609 of the Montgomery County Deed Records (M.C.D.R.) also
4-68 being a southerly line of said 298.473 acre tract;

4-69 THENCE N 50° 15' 52" E, 28.28 feet, to a point lying in a

5-1 westerly right-of-way line of Southwest Drive. (width varies), as
5-2 shown on the replat of Southwest Center, as recorded in Cabinet "I",
5-3 Sheet 169 of the Montgomery County Map Records (M.C.M.R.);
5-4 THENCE along the westerly line of said Southwest Drive the
5-5 following calls:
5-6 N 07° 32' 17" E, 178.18 feet;
5-7 NORTHERLY along a curve to the right, through a central angle
5-8 of 24° 26' 31", and a radius of 373.02 feet, an arc length of 159.13
5-9 feet, and having a long chord bearing and distance of N 19° 44' 27"
5-10 E, 157.92 feet;
5-11 N 31° 58' 48" E, 317.57 feet;
5-12 NORTHEASTERLY along a curve to the right, through a central
5-13 angle of 06° 08' 31", and a radius of 1,863.94 feet, an arc length of
5-14 199.81 feet, and having a long chord bearing and distance of N 35°
5-15 01' 58" E, 199.71 feet;
5-16 N 38° 07' 19" E, 317.57 feet;
5-17 Northeasterly along a curve to the right, through a central
5-18 angle of 37° 32' 21", and a radius of 833.88 feet, an arc length of
5-19 546.34 feet, and having a long chord bearing and distance of N 56°
5-20 52' 21" E, 536.63 feet;
5-21 N 75° 25' 55" E, 1,017.29 feet;
5-22 Northeasterly along a curve to the left, through a central
5-23 angle of 49° 10' 22", to a point of tangency, said curve having a
5-24 radius of 901.06 feet, an arc length of 773.32 feet, and having a
5-25 long chord bearing and distance of N 50° 48' 41" E, 749.80 feet;
5-26 N 26° 13' 30" E, 289.81 feet, to the southeast corner of
5-27 Unrestricted Reserve "A" as shown on the plat of Towne Center as
5-28 recorded in Cabinet "J", Sheet 67 of the M.C.M.R.
5-29 Along the north and west lines according to the deed recorded
5-30 under File No. 8916747, the following calls:
5-31 THENCE N 63° 29' 31" W, 139.16 feet, with and adjoining the
5-32 southerly line of said Unrestricted Reserve "A", to a northerly
5-33 corner of the herein described tract;
5-34 THENCE: N 63° 41' 09" W, 812.35 ft. along the Southwest line
5-35 of the Moran tract to a 3/8" iron rod for corner in the South line of
5-36 the B. M. Hill tract;
5-37 THENCE: S 74° 09' 16" W, 217.47 ft. to a concrete monument for
5-38 the Hill Southwest corner and the southeast corner of the Parkwest
5-39 Subdivision;
5-40 THENCE: S 73° 59' 37" W, 179.31 ft. and S 73° 59' 47" W, 1185.0
5-41 ft. along the South line of Parkwest Subdivision to its Southwest
5-42 corner and the Southeast corner of Woodbranch Subdivision, an axle
5-43 found for corner;
5-44 THENCE: S 74° 29' 30" W, 506.30 ft. to a 1/2" iron pipe found
5-45 in the South line of the Parkwest Subdivision;
5-46 THENCE S 74° 18' 28" W, 249.66 ft. to a concrete monument
5-47 found in the South line of the Parkwest Subdivision;
5-48 THENCE: S 74° 11' 06" W, 374.74 ft. along the South line of the
5-49 Parkwest Subdivision to a stake for corner;
5-50 THENCE: S 73° 43' 55" W, 1607.01 ft. to an angle iron found for
5-51 the Southwest corner of the W. F. Newton tract;
5-52 THENCE: S 76° 39' 39" W, 275.49 ft. to a 3/4" iron pipe for
5-53 the Southwest corner of the Abe Brown tract and the Southeast corner
5-54 of the C. Brown tract;
5-55 THENCE: S 74° 54' 18" W, 181.95 ft. to a broken concrete
5-56 monument;
5-57 THENCE: S 74° 23' 44" W, 185.32 ft. to a 1/2" iron rod found
5-58 for corner;
5-59 THENCE: S 15° 45' 29" E, 1167.80 ft along the Madeley East
5-60 line to a 5/8" iron rod for corner in the North right of way line of
5-61 F. M. Highway 2854;
5-62 THENCE: Along the North line of F. M. 2854:
5-63 1) S 81° 45' 48" E, 469.90 ft;
5-64 2) S 85° 16' 23" E, 769.62 ft.;
5-65 3) S 79° 32' 37" E, 201.0 ft.;
5-66 4) S 85° 15' 15" E, 699.03 ft.;
5-67 5) S 88° 04' 37" E, 201.22 ft.;
5-68 6) S 85° 18' 46" E, 199.38 ft.;
5-69 7) S 82° 27' 43" E, 63.06 ft, to the place of beginning and

6-1 containing a calculated 178.42 acres of land.

6-2 TRACT 3

6-3 Approximately 57.15 acres of land out of the north one-half
6-4 of the Denward James Survey, Montgomery County, Texas, more
6-5 particularly described by metes and bounds, as follows:

6-6 BEGINNING at a 1/2 inch iron pipe on the south right-of-way
6-7 line of the GC&SF Railway, being 100 feet at right angles from the
6-8 center line of said railroad and being also at the northeast corner
6-9 of the 75 acre tract formerly belonging to J. Smith;

6-10 THENCE down the south line of said right-of-way on a curve to
6-11 the left with chords as follows: s. 78 degrees, 03 minutes East
6-12 450.9 feet; South 82 degrees, 33 minutes East 432.6 feet to the
6-13 approximate P.T.;

6-14 THENCE continuing down the said right-of-way South 85
6-15 degrees, 05 minutes East 2855.3 feet to a point on the middle line
6-16 of the said D. James survey, a point for corner;

6-17 THENCE South 74 degrees, 39 minutes West along the said
6-18 middle line of the D. James survey 3818.5 feet to the Southeast
6-19 corner of the said Smith tract;

6-20 THENCE North 1 degree, 20 minutes West along the East line of
6-21 the said Smith tract 1405.3 feet to the PLACE OF BEGINNING and
6-22 containing 57.15 acres of land, more or less.

6-23 TRACT 4

6-24 The surface estate and only the surface estate of 12.74
6-25 acres, more or less, in the Denward James Survey, Abstract 289,
6-26 Montgomery County, Texas, and being the same land described in the
6-27 Deed executed by Doyle Tow dated July 24, 1963, recorded in Volume
6-28 546, Page 67, Deed Records, Montgomery County, Texas, as shown
6-29 below.

6-30 BEGINNING at the N.W. corner of the Dan Madeley 10 acre tract
6-31 for the most westerly S. W. corner of this tract, and situated in
6-32 the E.B.L. of the C. J. Cartwright tract 1-1/21" I. pipe for corner;

6-33 THENCE N. 00° 181 E. 174.0 ft. with the dividing line of this
6-34 tract and the Cartwright tract to a 211 I. Rod for the most westerly
6-35 N.W. corner of this tract;

6-36 THENCE N. 74° 22' E., 437.0 ft. with the dividing line of this
6-37 tract and the Keppler tract to fence post for corner and situated in
6-38 the South R.O.W. line of the A.C. & S.F. R.R.;

6-39 THENCE 100 ft. South of and parallel with the South R.O.W.
6-40 line of A.C. & S. F. R.R. with the following calls, to-wit:

6-41 S. 62° 59' E., 203.5 ft.;

6-42 S. 65° 09' E., 203.5 ft.;

6-43 S. 67° 05' E., 203.5 ft.

6-44 S. 69° 07' E., 203.5 ft.;

6-45 S. 71° 13' E., 203.5 ft.;

6-46 S. 72° 59' E., 203.5 ft.

6-47 S. 75° 33' E., 111.8 ft. for an over all distance of 1332.8 ft.

6-48 to fence post for the N.E. corner of this tract and situated in the
6-49 W.B.L. of a County Road;

6-50 THENCE S.00° 52' W., 198.7 ft. with the dividing line of this
6-51 tract and the West R.O.W. line of a County Road to I. Pipe for the
6-52 S.E. corner of this tract;

6-53 THENCE N. 89° 08' W., 940.0 ft. with the dividing line of this
6-54 tract and the J. W. Dinkins 16.00 acre tract to an I. Pipe for the
6-55 most Easterly s.w. corner of this tract, same being the N. W. corner
6-56 of the Dinkins 16.00 acre tract and situated in the E.B.L. of the
6-57 Madeley 10. acre tract;

6-58 THENCE N. 00° 321 W., 188.5 ft. with the dividing line of this
6-59 tract and the said Madeley tract to a 1-1/2" I.P. for an inner
6-60 corner of this tract, same being the N.E. corner of the Madeley
6-61 tract;

6-62 THENCE N. 75° 171 W. 747 ft. with the dividing line of this
6-63 tract and the Madeley tract to the place of beginning, and to
6-64 contain 12.74 acres of land, more or less, being the same property
6-65 described in that certain Deed dated May 15, 1963, from J. W.
6-66 Dinkins to Doyle Tow, recorded in Volume 542, Page 20, Deed Records,
6-67 Montgomery County, Texas.

6-68 This document was prepared under 22 Texas Administrative Code
6-69 §138.95, does not reflect the results of an on the ground survey,

7-1 and is not to be used to convey or establish interests in real
 7-2 property except those rights and interests implied or established
 7-3 by the creation or reconfiguration of the boundary of the political
 7-4 subdivision for which it was prepared.

7-5 TRACT 5

7-6 BEING a 10.09 acre tract of land situated in the Denward James
 7-7 Survey, Abstract No. 289, Montgomery County, Texas, and being that
 7-8 same called 10-acre tract described in deed to Etta Margaret
 7-9 Madeley Hill and Billy Sue Henna recorded under Clerk's File No.
 7-10 9809486 of the Real Property Records of Montgomery County, Texas,
 7-11 said 10.09 acre tract of land being more particularly described as
 7-12 follows:

7-13 BEGINNING at a 1-1/2 inch iron pipe found for the
 7-14 northwesterly corner of the herein described tract and
 7-15 southwesterly corner of a called 12.74 acre Tract 1 described in
 7-16 deed to HAMARCO LTD. recorded under Clerk's File No. 9625877 of said
 7-17 Real Property Records;

7-18 THENCE with the upper 'southerly line of said HAMARCO 12.47
 7-19 acre tract South 75° 27' 33" East a distance of 743.98 feet to a
 7-20 1-1/2 inch iron pipe found for corner;

7-21 THENCE with the lower westerly line of said 12.74 acre tract
 7-22 South 01° 36' 15" East a distance of 189.3ff feet to a 1/2 inch iron
 7-23 pipe found for the northwesterly corner of a 15.955 acre tract
 7-24 described in deed to Larry Steve Taylor recorded under Clerk's File
 7-25 No., 8013113 of said Real Property Records;

7-26 THENCE with the interior westerly line of said 15.955 acre
 7-27 tract South 00° 39' 02" East a distance of 319.07 feet to a 3/4 inch
 7-28 iron pipe found for corner;

7-29 THENCE with a northerly line of said 15.955 acre tract South
 7-30 88°18' 37" West a distance of 716.88 feet to a 1 inch iron pipe found
 7-31 in the easterly line of a called 131.71 acre Tract 3 described in
 7-32 said deed to HAMARCO INC. recorded under Clerk's File No. 9625877;

7-33 THENCE with the easterly line of said 131.71 acre Tract 3
 7-34 North 01°00' 00" West a distance of 716.39 feet to the POINT OF
 7-35 BEGINNING, and containing a computed area of 10.09 acres of land
 7-36 within this Field Note Description.

7-37 TRACT 6

7-38 A tract or parcel of land containing 64.52 acres out of the
 7-39 Denward James Survey, Abstract No. 289, Montgomery County, Texas,
 7-40 being a portion of a 131.71 acre tract, conveyed to DJS Land
 7-41 Company, LTD et al, as recorded under Clerk's File No. 2000108801 of
 7-42 the Official Public Records of Real Property Montgomery County
 7-43 (O.P.R.R.P.M.C.), said 64.52 acres being more particularly
 7-44 described by metes and bounds as follows, the basis of bearing is
 7-45 the deed call for the northerly line said 131.71 acre tract:

7-46 THENCE South 1 degree 00 minute 00 second East, 832.9 varas
 7-47 (2,313.62 feet called), (2,281.10 feet calculated), along the
 7-48 common boundary line with the John Smith Tract to the southwest
 7-49 corner of the John Smith Tract;

7-50 THENCE South 75 degrees 15 minutes 13 seconds West, 1,631.85
 7-51 feet, along the south line of said 131.71 acre tract, to the
 7-52 easterly right-of-way line of Loop 336 acquisition, as recorded
 7-53 under Clerk's File No. 8645929 of the Official Public Records of
 7-54 Real Property Montgomery County, Texas (O.P.R.R.P.M.C.), and being
 7-55 the southwest corner of the herein described tract, and the
 7-56 southeast corner of the 1.339 acre right-of-way description;

7-57 THENCE along the easterly line of Loop 336 based on deed
 7-58 recorded under Clerk's File No. 8645929 of the O.P.R.R.P.M.C. the
 7-59 following calls:

7-60 Northerly along a curve to the right, through a central angle
 7-61 of 34 degrees 12 minutes 12 seconds, to a westerly corner of the
 7-62 herein described tract, said curve having a radius of 2,764.93
 7-63 feet, an arc length of 1,650.56 feet, and a long chord bearing and
 7-64 distance of North 12 degrees 19 minutes 56 seconds East, 1,626.16
 7-65 feet;

7-66 North 29 degrees 47 minutes 36 seconds EAST (called), (North
 7-67 32 degrees 25 minutes 21 seconds East calculated), 290.92 feet
 7-68 along said easterly right-of-way line of Loop 336, to a westerly
 7-69 corner of the herein described tract;

8-1 Northeasterly along a curve to the left, with and adjoining
8-2 said easterly right-of-way line of Loop 336, through a central
8-3 angle of 01 degree 41 minutes 42 seconds, to a westerly corner of
8-4 the herein described tract, said curve having a radius of 5,180.38
8-5 feet, an arc length of 153.26 feet, and a long chord bearing and
8-6 distance of North 25 degrees 22 minutes 02 seconds East (called),
8-7 (North 27 degrees 59 minutes 47 seconds East (calculated), 153.25
8-8 feet;

8-9 North 65 degrees 28 minutes 49 seconds West (called), (North
8-10 62 degrees 51 minutes 04 seconds West calculated), 15.00 feet,
8-11 along easterly right-of-way line of Loop 336, to a non-tangent
8-12 curve and westerly corner of the herein described tract;

8-13 Northeasterly along a curve to the left, through a central
8-14 angle of 01 degree 16 minutes 06 seconds, to a westerly corner of
8-15 the herein described tract, also being the southerly corner of a
8-16 0.657 acre Loop 336 right-of-way acquisition as recorded under
8-17 Clerk's File No 9007438 of the O.P.R.R.P.M.C., said curve having a
8-18 radius of 5,126.33 feet, an arc length of 113.48 feet, and a long
8-19 chord bearing and distance of North 26 degrees 31 minutes 01 seconds
8-20 East (calculated), 113.48 feet;

8-21 THENCE along the easterly line of Loop 336 based on deed
8-22 recorded under Clerk's File No. 90074389 of the O.P.R.R.P.M.C. the
8-23 following calls

8-24 North 26 degrees 57 minutes 15 seconds East (called), (North
8-25 29 degrees 35 minutes 24 seconds East calculated), 5.27 feet, along
8-26 said easterly right-of-way line of Loop 336, to a westerly corner of
8-27 the herein described tract;

8-28 Northeasterly along a curve to the left, with and adjoining
8-29 said easterly right-of-way line of Loop 336, through a central
8-30 angle of 04 degrees 12 minutes 19 seconds, to a westerly corner of
8-31 the herein described tract, said curve having a radius of 2,822.59
8-32 feet, an arc length of 207.17 feet, and having a long chord bearing
8-33 and distance of North 31 degrees 41 minutes 34 seconds East, 207.12
8-34 feet;

8-35 North 31 degrees 09 minutes 34 seconds E (called), North 33
8-36 degrees 47 minutes 43 seconds East calculated), 186.70 feet, with
8-37 and adjoining said easterly line of Loop 3366, to a non-tangent
8-38 curve and westerly corner of the herein described tract;

8-39 Northeasterly along a curve to the left, through a central
8-40 angle of 03 degrees 22 minutes 56 seconds, to the northwest corner
8-41 of the herein described tract, also being the northeast corner of
8-42 said 0.657 acre acquisition tract, said curve having a radius of
8-43 2,922.59 feet, an arc length of 172.52, and having a long chord
8-44 bearing an distance of North 32 degrees 06 minutes 15 seconds East,
8-45 172.50 feet;

8-46 THENCE North 74 degrees 17 minutes 00 second East, 567.51
8-47 feet, to the POINT OF BEGINNING, and containing 64.52 acres of land,
8-48 more or less. Based on an on-the-ground survey conducted on October
8-49 20, 2022.

8-50 TRACT 7

8-51 A tract or parcel of land containing 48.0 acres out of the
8-52 Denward James Survey, Abstract No. 289, Montgomery County, Texas,
8-53 being a portion of a 131.71 acre tract, conveyed to DJS Land
8-54 Company, LTD et al, as recorded under Clerk's File No. 2000108801 of
8-55 the Official Public Records of Real Property Montgomery County
8-56 (O.P.R.R.P.M.C.), said 48.0 acres being more particularly
8-57 described by metes and bounds as follows, the basis of bearing is
8-58 the deed call for the northerly line said 131.71 acre tract:

8-59 COMMENCING at the northeast corner of said 131.71 acre tract,
8-60 lying in the north line of the Denward James Survey;

8-61 THENCE South 74 degrees 17 minutes 00 second West, with and
8-62 adjoining the north line of said 131.71 acre tract also being the
8-63 north line of the Denward James Survey, at 567.51 feet, passing the
8-64 east right-of-way line of Loop 336 as recorded under Clerk's File
8-65 No. 9007438 of the O.P.R.R.P.M.C., and continuing a total distance
8-66 of 1,025.45 feet (calculated), to the POINT OF BEGINNING and
8-67 northeast corner of the herein described tract, also being the
8-68 northwest corner of a loop 336, 0.738 ac acquisition parcel as
8-69 recorded under Clerk's File No. 9007438 of the O.P.R.R.P.M.C.;

9-1 THENCE along the westerly line of Loop 336 based on deed
9-2 recorded under Clerk's File No. 9007438 of the O.P.R.R.P.M.C. the
9-3 following calls:
9-4 South 15 degrees 19 minutes 54 seconds West, 292.67 feet, to a
9-5 found TxDOT monument;
9-6 Southerly along a curve to the right, through a central angle
9-7 of 05 degrees 06 minutes 38 seconds, to the south corner of said
9-8 0.738ac acquisition tract, lying in a westerly line of a 1.664 acre
9-9 right-of-way acquisition tract as recorded under Clerk's File No.
9-10 8645929 of the O.P.R.R.P.M.C., said curve having a radius of
9-11 2,822.83 feet, an arc length of 251.79 feet, and a long chord
9-12 bearing and distance of South 20 degrees 31 minutes 48 seconds West,
9-13 251.70 feet;
9-14 THENCE along the westerly line of Loop 336 based on deed
9-15 recorded under Clerk's File No. 8645929 of the O.P.R.R.P.M.C. the
9-16 following calls:
9-17 South 25 degrees 46 minutes 19 seconds West 255.96 feet;
9-18 Southwesterly along a curve to the left, through a central
9-19 angle of 14 degrees 47 minutes 00 second, to a found 5/8-inch iron
9-20 rod for an easterly corner of the herein described tract, said curve
9-21 having a radius of 2,964.93 feet, an arc length of 765.01 feet, and
9-22 having a long chord bearing and distance of South 24 degrees 41
9-23 minutes 21 seconds West, 762.89 feet;
9-24 North 75 degrees 20 minutes 59 seconds West, 10.00 feet, to a
9-25 found 5/8-inch iron rod;
9-26 Southerly along a curve to the left, through a central angle
9-27 of 20 degrees 16 minutes 31 seconds to the southeast corner of said
9-28 1.664 acre acquisition tract, said curve having a radius of
9-29 2,974.93 feet, an arc length of 1,052.73 feet, and having a long
9-30 chord bearing and distance of South 07 degrees 09 minutes 35 seconds
9-31 West, 1,047.25 feet;
9-32 THENCE South 74 degrees 50 minutes 24 seconds West, 1,330.16
9-33 feet, at 1,058.77 feet, passing a found 5/8-inch iron rod, along the
9-34 southerly line of said 131.31 acre tract, to a southwest corner of
9-35 the herein described tract;
9-36 THENCE North 27 degrees 54 minutes 46 seconds East, 279.89
9-37 feet, to a westerly corner of the herein described tract;
9-38 THENCE North 66 degrees 31 minutes 59 seconds East, 465.28
9-39 feet, to a westerly corner of the herein described tract;
9-40 THENCE North 41 degrees 46 minutes 54 seconds East, 404.13
9-41 feet, to a westerly corner of the herein described tract;
9-42 THENCE North 00 degree 11 minutes 45 seconds West, 293.64
9-43 feet, to a westerly corner of the herein described tract;
9-44 THENCE North 34 degrees 26 minutes 10 seconds West, 139.65
9-45 feet, to a westerly corner of the herein described tract;
9-46 THENCE North 45 degrees 40 minutes 37 seconds West, 317.65
9-47 feet, to a westerly corner of the herein described tract;
9-48 THENCE North 78 degrees 31 minutes 11 seconds West, 135.42
9-49 feet, to a westerly corner of the herein described tract;
9-50 THENCE North 37 degrees 54 minutes 16 seconds West, 102.05
9-51 feet, to a westerly corner of the herein described tract;
9-52 THENCE North 13 degrees 54 minutes 22 seconds East, 113.49
9-53 feet, to a westerly corner of the herein described tract;
9-54 THENCE North 60 degrees 27 minutes 57 seconds East, 190.37
9-55 feet, to a westerly corner of the herein described tract;
9-56 THENCE North 44 degrees 31 minutes 09 seconds East, 371.18
9-57 feet, to a westerly corner of the herein described tract;
9-58 THENCE North 25 degrees 01 minute 17 seconds East, 208.41
9-59 feet, to a westerly corner of the herein described tract;
9-60 THENCE North 07 degrees 59 minutes 22 seconds West, 92.95
9-61 feet, to a westerly corner of the herein described tract;
9-62 THENCE North 07 degrees 53 minutes 51 seconds East, 272.81
9-63 feet, to a westerly corner of the herein described tract, lying in
9-64 said northerly of the 131.41 acre tract and the northerly line of
9-65 the Denward James Survey;
9-66 THENCE North 74 degrees 17 minutes 00 second East, 1,197.41
9-67 feet, with and adjoining said northerly line of the 131.41 acre
9-68 tract, to the POINT OF BEGINNING, and containing 47.92 acres more or
9-69 less. Based on an on-the-ground survey conducted on October 20,

10-1 2022.

10-2 SECTION 3. (a) The legal notice of the intention to
10-3 introduce this Act, setting forth the general substance of this
10-4 Act, has been published as provided by law, and the notice and a
10-5 copy of this Act have been furnished to all persons, agencies,
10-6 officials, or entities to which they are required to be furnished
10-7 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
10-8 Government Code.

10-9 (b) The governor, one of the required recipients, has
10-10 submitted the notice and Act to the Texas Commission on
10-11 Environmental Quality.

10-12 (c) The Texas Commission on Environmental Quality has filed
10-13 its recommendations relating to this Act with the governor, the
10-14 lieutenant governor, and the speaker of the house of
10-15 representatives within the required time.

10-16 (d) All requirements of the constitution and laws of this
10-17 state and the rules and procedures of the legislature with respect
10-18 to the notice, introduction, and passage of this Act are fulfilled
10-19 and accomplished.

10-20 SECTION 4. (a) If this Act does not receive a two-thirds
10-21 vote of all the members elected to each house, Subchapter C, Chapter
10-22 8074, Special District Local Laws Code, as added by Section 1 of
10-23 this Act, is amended by adding Section 8074.0306 to read as follows:

10-24 Sec. 8074.0306. NO EMINENT DOMAIN POWER. The district may
10-25 not exercise the power of eminent domain.

10-26 (b) This section is not intended to be an expression of a
10-27 legislative interpretation of the requirements of Section 17(c),
10-28 Article I, Texas Constitution.

10-29 SECTION 5. This Act takes effect immediately if it receives
10-30 a vote of two-thirds of all the members elected to each house, as
10-31 provided by Section 39, Article III, Texas Constitution. If this
10-32 Act does not receive the vote necessary for immediate effect, this
10-33 Act takes effect September 1, 2023.

10-34

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