

By: Gates

H.B. No. 5655

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Fort Bend County Water Control and Improvement District No. 13; 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 I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9095 to read as follows:

CHAPTER 9095. FORT BEND COUNTY WATER CONTROL AND IMPROVEMENT

DISTRICT NO. 13

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9095.0101. 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 Fort Bend County Water Control and Improvement District No. 13.

Sec. 9095.0102. NATURE OF DISTRICT. The district is a water control and improvement district created under Section 59, Article XVI, Texas Constitution.

Sec. 9095.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent

directors as provided by Section 49.102, Water Code.

Sec. 9095.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 9095.0103 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district as required by applicable law.

Sec. 9095.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

(1) a water control and improvement district as provided by general law and Section 59, Article XVI, Texas Constitution, including the collection, transportation, processing, disposal, and control of domestic, industrial, or communal waste and the gathering, conducting, diverting, and control of local storm water or other harmful excesses of water; and

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

Sec. 9095.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process

does not affect the district's:

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 9095.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 9095.0202, directors serve staggered four-year terms.

Sec. 9095.0202. TEMPORARY DIRECTORS. (a) The temporary board consists of:

(1) Amanda Flynt;

(2) Jason Scholtz;

(3) Carlos Bujosa;

(4) Regina Landreneau; and

(5) Stephen Pheigaru.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 9095.0103; or

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

(c) If permanent directors have not been elected under Section 9095.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or

reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 9095.0103; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 9095.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 9095.0302. WATER CONTROL AND IMPROVEMENT DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state applicable to water control and improvement districts created under Section 59, Article XVI, Texas Constitution, including Chapters 49 and 51, Water Code, and specifically including the powers and duties authorized under Subchapter H, Chapter 51, Water Code.

Sec. 9095.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, 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. 9095.0304. 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. 9095.0305. COMPLIANCE WITH MUNICIPAL CONSENT
18 ORDINANCE OR RESOLUTION. The district shall comply with all
19 applicable requirements of any ordinance or resolution that is
20 adopted under Section 42.042 or 42.0425, Local Government Code, and
21 consents to the creation of the district or to the inclusion of land
22 in the district.

23 Sec. 9095.0306. LIMITATION ON USE OF EMINENT DOMAIN. The
24 district may not exercise the power of eminent domain outside the
25 district boundaries to acquire a site or easement for:

- 26 (1) a road project authorized by Section 9095.0303; or
27 (2) a recreational facility as defined by Section

1 49.462, Water Code.

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3 Sec. 9095.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)

4 The district may issue, without an election, bonds and other
5 obligations secured by:

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

7 (2) contract payments described by Section 9095.0403.

8 (b) The district must hold an election in the manner
9 provided by Chapters 49 and 51, Water Code, to obtain voter approval
10 before the district may impose an ad valorem tax or issue bonds
11 payable from ad valorem taxes.

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

16 Sec. 9095.0402. OPERATION AND MAINTENANCE TAX. (a) If
17 authorized at an election held under Section 9095.0401, the
18 district may impose an operation and maintenance tax on taxable
19 property in the district in accordance with Section 49.107, Water
20 Code.

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

23 Sec. 9095.0403. CONTRACT TAXES. (a) In accordance with
24 Section 49.108, Water Code, the district may impose a tax other than
25 an operation and maintenance tax and use the revenue derived from
26 the tax to make payments under a contract after the provisions of
27 the contract have been approved by a majority of the district voters

1 voting at an election held for that purpose.

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

5 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

6 Sec. 9095.0501. AUTHORITY TO ISSUE BONDS AND OTHER
7 OBLIGATIONS. The district may issue bonds or other obligations
8 payable wholly or partly from ad valorem taxes, impact fees,
9 revenue, contract payments, grants, or other district money, or any
10 combination of those sources, to pay for any authorized district
11 purpose.

12 Sec. 9095.0502. TAXES FOR BONDS. At the time the district
13 issues bonds payable wholly or partly from ad valorem taxes, the
14 board shall provide for the annual imposition of a continuing
15 direct ad valorem tax, without limit as to rate or amount, while all
16 or part of the bonds are outstanding as required and in the manner
17 provided by Chapter 51, Water Code.

18 Sec. 9095.0503. BONDS FOR ROAD PROJECTS. At the time of
19 issuance, the total principal amount of bonds or other obligations
20 issued or incurred to finance road projects and payable from ad
21 valorem taxes may not exceed one-fourth of the assessed value of the
22 real property in the district.

23 Sec. 9095.0504. BONDS FOR RECREATIONAL FACILITIES. (a)
24 The district may develop recreational facilities and issue bonds
25 for recreational facilities as provided by Chapter 49, Water Code,
26 regardless of whether the district's territory overlaps with the
27 territory of a political subdivision that is authorized to develop

recreational facilities and issue bonds for recreational facilities under Chapter 49, Water Code.

(b) The authority of the district to develop recreational facilities and issue bonds for recreational facilities under this section does not limit the authority of another political subdivision whose territory the territory of the district may overlap, wholly or partly, to develop recreational facilities and issue bonds for recreational facilities under Chapter 49, Water Code.

SECTION 2. The Fort Bend County Water Control and Improvement District No. 13 initially includes all the territory contained in the following area:

Being 911.580 acre (39,708,433 square feet) of land located in the William Andrews Survey, Abstract 3 and the Samuel Isaacs Survey, Abstract 35, Fort Bend County, Texas, more particularly being all of that certain called 606.445 acre tract conveyed to TPHTL Hatcher, LLC by an instrument of record under File Number 2024096632 of the Official Public Records of Fort Bend County, Texas (F.B.C.O.P.R.), all of that certain called 3.494 acre tract conveyed to Tri Pointe Homes Texas, Inc by an instrument of record under File Number 2024112084, F.B.C.O.P.R., all of that certain called 259.343 acre tract conveyed to TPHTL Hatcher, LLC by an instrument of record under File Number 2024096642, F.B.C.O.P.R., all of that certain called 9.980 acre tract conveyed to TPHTL Hatcher, LLC by an instrument of record under File Number 2024096679, F.B.C.O.P.R., all of that certain called 35.203 acre tract conveyed to TPHTL Hatcher, LLC by an instrument of record

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1 under File Number 2024096653, F.B.C.O.P.R. a portion of which being
2 all of PECAN HOLLOW SUBDIVISION, a subdivision of record under
3 Slide No. 1960A of the Fort Bend County Plat Records (F.B.C.P.R.),
4 all of that certain called 10.4577 acre tract conveyed to TPHTL
5 Hatcher, LLC by an instrument of record under File Number
6 20240996640, F.B.C.O.P.R., said 911.580 acre tract being more
7 particularly described by metes and bounds as follows (all bearings
8 referenced to the Texas Coordinate System, South Central Zone,
9 NAD83 (NA2011) Epoch 2010.00):

10 BEGINNING at a 5/8-inch iron rod with cap stamped "1535-4035"
11 found for the southwest corner of that certain called 355.322 acre
12 conveyed to the Henderson-Wessendorff Foundation by an instrument
13 of record under File Number 2012006686, F.B.C.O.P.R., same being an
14 interior corner on the north line of said 606.445 acre tract, said
15 corner being an angle point on a boundary line agreement of record
16 in Volume 603, Page 13, of the Deed Records of Fort Bend County,
17 Texas, (F.B.C.D.R.), and on the apparent east line of said William
18 Andrews Survey and the apparent west line of the Samuel Isaacs
19 Survey;

20 Thence, South 79° 25' 45" East, along the northerly line of
21 said 606.445 acre tract and the southerly line of said 355.322 acre
22 tract, 721.43 feet to a 5/8-inch iron rod found for an angle point
23 of said boundary line agreement;

24 Thence, South 88° 14' 00" East, continuing along the northerly
25 line of said 606.445 acre tract and the southerly line of said
26 355.322 acre tract, 1,138.98 feet to a 5/8-inch iron rod with cap
27 stamped "MILLER SURVEY SURVEY" found marking an angle point of said

1 boundary line agreement;

2 Thence, South 64° 49' 13" East, continuing along the northerly
3 line of said 606.445 acre tract and the southerly line of said
4 355.322 acre tract, 2,465.21 feet to a 5/8-inch iron rod found
5 marking an angle point of said boundary line agreement and the
6 southeast corner of said 355.322 acre tract, same being the
7 southwest corner of that certain called 77.173 acre tract conveyed
8 to Joe C. Wessendorff by an instrument of record under Volume 1995,
9 Page 2003, F.B.C.D.R.;

10 Thence, North 69°40'27" East, continuing along the Northerly
11 line of said 606.445 acre tract and the southerly line of said
12 77.173 acre tract, a distance of 644.77 feet to a 5/8-inch iron rod
13 with cap stamped "1535-4035" found for corner, from which a found
14 leaning 1-inch iron bolt bears South 29°12'57" East, distance of
15 1.40 feet;

16 Thence, South 86°32'25" East, continuing along the Northerly
17 line of said 606.445 acre tract and the southerly line of said
18 77.173 acre tract, a distance of 1,341.27 feet to a 5/8-inch iron
19 rod found for the northeast corner of said 606.445 acre tract and
20 the southeast corner of said 77.173 acre tract, lying on the west
21 right-of-way line of Holmes Road (width varies) as shown on LAKES OF
22 MISSION GROVE SECTION ONE, a subdivision per plat recorded under
23 Slide Number 1945A, of the Plat Records of Fort Bend County, Texas,
24 (F.B.C.P.R.);

25 Thence, South 02°12'49" East, along the east line of said
26 606.445 acre tract and the West right-of-way line of said Holmes
27 Road, a distance of 383.77 feet to a 5/8-inch iron rod with cap

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1 stamped "1535/4035" found for an easterly corner of said 606.445
2 acre tract and the northeast corner of that certain called 2.265
3 acre tract conveyed to David H. Kendrick and Wife, Debra Kelly
4 Kendrick by an instrument of record under File Number 2018112388,
5 F.B.C.O.P.R.;

6 Thence, South 88°17'00" West, along and with a southerly line
7 of said 606.445 acre tract and the north lines of said 2.265 acre
8 tract and that certain called 2.0 acre tract conveyed to Ronald P.
9 Frawley and Wife, Suzanne L. Frawley by an instrument of record
10 under File Number 2018112392, F.B.C.O.P.R., a distance of 571.13
11 feet to an interior corner of said 606.445 acre tract and the
12 northwest corner of said 2.0 acre tract, from which a found 5/8-inch
13 iron rod with cap stamped "1535/4035" bears North 81°52'20" East, a
14 distance of 0.33 feet;

15 Thence, South 02°17'46" East, along an easterly line of the
16 said 606.445 acre tract and the west line of said 2.0 acre tract, a
17 distance of 325.02 feet to a 5/8-inch iron rod with cap stamped
18 "MILLER SURVEY" found for the southwest corner of said 2.0 acre
19 tract and an easterly corner of the said 606.445 acre tract, lying
20 on the north line of that certain called 7.9395 acre tract conveyed
21 to R. Steven Hicks & Wife Sondra Martin Hicks by an instrument of
22 record under File Number 1999014492, F.B.C.O.P.R.;

23 Thence, South 88°16'19" West, along a southerly line of the
24 said 606.445 acre tract and the north line of said 7.9395 acre
25 tract, a distance of 673.38 feet to a 5/8-inch iron rod with cap
26 stamped "MILLER SURVEY" found for an interior corner of said
27 606.445 acre tract and the northwest corner of said 7.9395 acre

1 tract;

2 Thence, South 02°16'13" East, along an easterly line of the
3 said 606.445 acre tract and the west line of said 7.9395 acre tract,
4 a distance of 281.02 feet to a 1/2-inch iron pipe found for an
5 interior corner of said 606.445 acre tract and the southwest corner
6 of said 7.9395 acre tract;

7 Thence, along the northerly lines of the said 606.445 acre
8 tract and the southerly lines of said 7.9395 acre tract, the
9 following five (5) courses and distances:

10 North 88°10'19" East, a distance of 389.40 feet to a 1/2-inch
11 iron pipe found for an interior corner of said 606.445 acre tract;

12 North 01°49'41" West, a distance of 19.00 feet to a 1/2-inch
13 iron pipe found for corner;

14 North 88°10'19" East, a distance of 140.64 feet to a point for
15 corner;

16 South 01°49'41" East, a distance of 19.00 feet to a 1/2-inch
17 iron pipe found for an interior corner of said 606.445 acre tract;

18 North 88°10'19" East, a distance of 714.81 feet to a mag nail
19 found for an easterly corner of said 606.445 acre tract and the
20 southeast corner of said 7.9395 acre tract, lying on the west
21 right-of-way line of said Holmes Road;

22 Thence, South 02°17'56" East, along an easterly line of said
23 606.445 acre tract and said 35.203 acre tract and the west
24 right-of-way line of said Holmes Road, a distance of 1,200.06 feet
25 to the most easterly southeast corner of said 35.203 acre tract and
26 the northeast corner of that certain called 15.00 acre tract
27 conveyed to R.M. Derden by an instrument of record under Volume 485,

1 Page 750, F.B.C.D.R.;

2 Thence, South 88°06'47" West, along a southerly line of said
3 35.203 acre tract and the north line of said 15.00 acre tract and
4 along the north line of that certain called 2.555 acre tract
5 conveyed to Janet Hennessey and Pat Hennessey by an instrument of
6 record in Volume 597, Page 33, F.B.C.D.R., a distance of 1,245.46
7 feet to the northwest corner of said 2.555 acre tract, same being an
8 interior corner of said 35.203 acre tract , and lying on the east
9 line of said PECAN HOLLOW SUBDIVISION;

10 Thence, South 02°20'08" East, along an easterly line of said
11 35.203 acre tract and said PECAN HOLLOW SUBDIVISION and the west
12 line of said 15.00 acre tract, a distance of 525.20 feet to a
13 1/2-inch iron pipe found for the most southerly southeast corner of
14 said 35.203 acre tract and the southeast corner of said PECAN HOLLOW
15 SUBDIVISION, same being the southwest corner of said 15.00 acre
16 tract, lying on the north right-of-way line of Wessendorff Road (60
17 feet wide) described in Volume 2349, Page 35, F.B.C.D.R.;

18 Thence, South 88°05'29" West, along a southerly line of said
19 35.203 acre tract and said PECAN HOLLOW SUBDIVISION and the north
20 right-of-way line of said Wessendorf Road distance of 700.19 feet
21 to a 1/2-inch iron pipe found for the southwest corner of said
22 35.203 acre tract and said PECAN HOLLOW SUBDIVISION, same being the
23 north end of the western terminus of said Wessendorf Road and an
24 easterly angle point of said 606.445 acre tract, from which a found
25 5/8-inch iron rod with cap stamped "1535" bears North 45°05'08"
26 West, a distance of 0.18 feet;

27 Thence, South 15°21'07" West, along an easterly line of said

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1 606.445 acre tract and the western terminus of said Wessendorf
2 Road, a distance of 63.00 feet to a 1-inch iron pipe found for an
3 interior corner of said 606.445 acre tract and the south end of the
4 western terminus of said Wessendorf Road;

5 Thence, North 88°04'25" East, along a northerly line of said
6 606.445 acre tract and the south right-of-way of said Wessendorf
7 Road, a distance of 260.89 feet to a 5/8-inch iron rod with cap
8 found for an easterly corner of said 606.445 acre tract and the
9 northwest corner of that certain called 10.25 acre tract conveyed
10 to Gregory J. Harris by an instrument of record under File Number
11 2000078502, F.B.C.O.P.R.;

12 Thence, South 02°41'49" East, along an easterly line of said
13 606.445 acre tract and the west line of said 10.25 acre tract, a
14 distance of 935.37 feet to a 5/8-inch iron rod with cap stamped
15 "1535/4035" found for an interior corner of said 606.445 acre tract
16 and the southwest corner of said 10.25 acre tract;

17 Thence, North 87°13'57" East, along a northerly line of said
18 606.445 acre tract and the south line of said 10.25 acre tract, a
19 distance of 305.37 feet to a 5/8-inch iron rod with cap stamped
20 "1535/4035" found for an easterly corner of said 606.445 acre tract
21 and the southeast corner of said 10.25 acre tract;

22 Thence, South 04°34'03" East, along an easterly line of said
23 606.445 acre tract, a distance of 69.88 feet to a 1-inch iron pipe
24 found for the southeast corner of said 606.445 acre tract, said
25 point lying on a northerly line of the aforementioned 259.343 acre
26 tract;

27 Thence, North 87°16'40" East, along a northerly line of the

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1 aforementioned 259.343 acre tract, a distance of 7.77 feet to a
2 5/8-inch iron rod with cap stamped "1535/4035" found for the
3 northeast corner of said 259.343 acre tract, said point being on the
4 west line of that certain called 1.3718 acre tract conveyed to
5 William Limner, Martin Dawson and Pamela M. Dawson by an instrument
6 of record under Document Number 9630713, F.B.C.O.P.R., said point
7 lying on the west right-of-way line of Robertson Road (Width
8 Varies)

9 Thence, South 03°29'38" East, along the east line of said
10 259.343 acre tract and the west lines of said 1.3718 acre tract,
11 that certain called 1.37 acre tract conveyed to David Wayne Green
12 and Janice Elaine Green by an instrument of record under Volume
13 2194. Page 280, F.B.C.D.R., that certain called 2.28 acre tract
14 conveyed to Michael Moore and Kimberly Moore by an instrument of
15 record under File Number 2003075085, F.B.C.O.P.R., that certain
16 called 2.0994 acre tract conveyed to James Arthur Marshall, Sr. and
17 Luella Jane Marshall by an instrument of record under File Number
18 2003145106, F.B.C.O.P.R., that certain called 2.0966 acre tract
19 conveyed to Colin Lauder by an instrument of record under File
20 Number 2009087267, F.B.C.O.P.R., that certain called 2.0583 acre
21 tract conveyed to Colin Lauder by an instrument of record under File
22 Number 2020022209, F.B.C.O.P.R., and that certain called 1.9817
23 acre tract conveyed to Johnathan K. Wiedenfeld and Sandra H.
24 Wiedenfeld by an instrument of record under File Number 2004097643,
25 F.B.C.O.P.R., a distance of 1,336.39 feet to a 1/2-inch iron pipe
26 found for the southeast corner of said 259.343 acre tract and the
27 southwest corner 1.9817 acre tract, lying on the north line of

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1 Meadow Forest Lane (60 feet wide), as described in Volume 636, Page
2 719, F.B.C.D.R., and the north line of MEADOW FOREST, an unplatted
3 subdivision;

4 Thence, South 87°22'54" West, along the north line of said
5 Meadow Forest, a distance of 597.20 feet to a point for the
6 northwest corner of that certain called 0.5116 acre tract conveyed
7 to James Hearn by an instrument of record under File Number
8 2022059390, F.B.C.O.P.R.;

9 Thence, South 02°39'35" West, along a west line of said Meadow
10 Forest and said 0.5116 acre tract, a distance of 102.03 feet to an
11 angle point on the west line of said 0.5116 acre tract and said
12 259.343 acre tract, said point being on the north line of Woods Edge
13 Estates Section Two, an unplatted subdivision;

14 Thence, South 87°10'44" West, along the south line of said
15 259.343 acre tract common to the north line of Woods Edge Estates
16 Section Two, a distance of 2,274.25 feet to the centerline of Jones
17 Creek (a variable width ROW easement granted to Brazos River
18 Authority by instruments of record under Volume 602, Page 694 and
19 Volume 602, Page 705, F.B.C.D.R.), said point lying on the
20 northeasterly line of Woods Edge Estates Section Three, an
21 unplatted subdivision;

22 Thence, along the centerline of Jones Creek, the south line
23 of said 253.343 acre tract, and the northeasterly line of Woods Edge
24 Estates Section Three, the following seventeen (17) courses and
25 distances:

26 North 09°44'16" West, a distance of 185.60 feet;

27 North 34°43'02" West, a distance of 210.93 feet;

1 North 65°42'06" West, a distance of 132.88 feet;
2 North 70°03'52" West, a distance of 208.72 feet;
3 North 81°33'27" West, a distance of 195.93 feet;
4 North 89°24'40" West, a distance of 162.61 feet;
5 South 87°34'08" West, a distance of 196.48 feet;
6 South 76°11'39" West, a distance of 127.07 feet;
7 South 61°47'37" West, a distance of 141.38 feet;
8 South 55°25'12" West, a distance of 422.62 feet;
9 South 67°02'38" West, a distance of 133.62 feet;
10 South 78°21'23" West, a distance of 134.93 feet;
11 South 84°36'34" West, a distance of 145.04 feet;
12 North 85°11'23" West, a distance of 167.79 feet;
13 North 80°52'38" West, a distance of 340.21 feet;
14 North 75°29'15" West, a distance of 845.82 feet;
15 North 58°06'51" West, a distance of 52.86 feet to the most
16 easterly southeast corner of the aforementioned 9.980 acre tract
17 and the northwest corner of said PECAN CREEK;

18 Thence, South 05°33'44" West, along an easterly line of said
19 9.980 acre tract and the west line of said PECAN CREEK, a distance
20 of 42.14 feet to a 1/2-inch iron rod with cap found for the most
21 southerly southeast corner of said 9.980 acre tract and the
22 northeast corner of that certain called 2.0000 acre tract described
23 as Tract 5 conveyed to Edward A. & Robyn M. Jacobson by an
24 instrument of record under File Number 2019049857, F.B.C.O.P.R.;

25 Thence, South 87°34'25" West, along the south line of said
26 9.980 acre tract and the north lines of said 2.0000 acre tract and
27 that certain called 10.4101 acre tract conveyed to Steven A. Kempke

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1 and Nancy K. Kempke by an instrument of record under File Number
2 2020119852, F.B.C.O.P.R., a distance of 1,525.48 feet to a 5/8-inch
3 iron rod with TxDOT aluminum right-of-way disk found on the arc of a
4 curve to the right on the east right-of-way line of F.M. 723 (120
5 feet wide) recorded under Volume 487, Page 842, Volume 491, Page 48,
6 and Volume 487, Page 836, F.B.C.D.R., and File Numbers 2021053461
7 and 2021053472, F.B.C.O.P.R.;

8 Thence, in a Northwesterly direction, along the west line of
9 the west right-of-way line of said F.M. 723, and with said curve to
10 the right, an arc distance of 208.68 feet, having a radius of
11 6,390.00 feet, a central angle of 01°52'16" and chord which bears
12 North 03°29'46" West, 208.67 feet to a 5/8-inch iron rod with TxDOT
13 aluminum right-of-way disk found for corner on the west line of said
14 9.980 acre tract;

15 Thence, North 02°37'52" West, continuing along the east
16 right-of-way line of said F.M. 723 and along the west line of said
17 9.980 acre tract, a distance of 107.49 feet to a 1/2-inch iron pipe
18 found the northwest corner of said 9.980 acre tract and the
19 southwest corner of Lot 14 of OLDE PECAN PLANTATION, a subdivision
20 of record under Slide Number 570B, F.B.C.P.R.;

21 Thence, North 87°37'22" East, along the north line of said
22 9.980 acre tract and the south line of said OLDE PECAN PLANTATION, a
23 distance of 1,266.31 feet to the northeast corner of said 9.980 acre
24 tract and the southeast corner of Lot 8 of OLDE PECAN PLANTATION, on
25 the centerline of the aforementioned Jones Creek and a
26 southwesterly line of the aforementioned 259.343 acre tract;

27 Thence, along the centerline of said Jones Creek, the

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1 westerly lines of said 259.343 acre tract, and the easterly lines of
2 said OLDE PECAN PLANTATION, that certain called 20.130 acre tract
3 conveyed to Brian L. Smith & Helen Smith by an instrument of record
4 under File Number 2014047226, F.B.C.O.P.R., and that certain called
5 2.616 acre tract conveyed to Judy Rene Lamb by an instrument of
6 record under File Number 2005022008, F.B.C.O.P.R., the following
7 eight (8) courses and distances:

8 North 37°24'50" West, a distance of 40.23 feet;
9 North 19°30'17" West, a distance of 116.27 feet;
10 North 05°11'43" West, a distance of 113.97 feet;
11 North 10°46'52" East, a distance of 114.83 feet;
12 North 20°02'20" East, a distance of 639.98 feet;
13 North 22°15'22" East, a distance of 279.22 feet;
14 North 38°50'59" East, a distance of 228.08 feet;
15 North 33°36'30" East, a distance of 218.53 feet to a
16 southwesterly corner of the aforementioned 606.445 acre tract;

17 Thence, along the westerly lines of the aforementioned
18 606.445 acre tract the following fifteen (15) courses:

19 North 64° 34' 10" West, 116.46 feet to a point for corner;
20 North 31° 18' 30" West, 71.03 feet to a point for corner;
21 North 39° 23' 58" West, 104.10 feet to a point for corner;
22 North 37° 18' 39" West, 217.83 feet to a 1/2-inch iron pipe
23 found for corner;

24 South 53° 21' 08" West, 66.88 feet to a 1/2-inch iron pipe
25 found for corner;

26 North 58° 20' 23" West, 86.95 feet to a 5/8-inch iron rod with
27 cap stamped "1535/4035" found for corner;

1 North 29° 50' 35" West, 61.73 feet to a point for corner;

2 North 41° 17' 48" West, 224.47 feet to a 1/2-inch iron pipe
3 found for corner;

4 North 81° 29' 22" West, 100.36 feet to a 5/8-inch iron rod with
5 illegible cap found for corner;

6 North 02° 49' 58" West, 196.85 feet to a 1/2-inch iron pipe
7 found for the southwest corner of that certain called 6.086 acre
8 tract conveyed to Sheri Lynn Macha by an instrument of record under
9 File Number 2007039254, F.B.C.O.P.R.;

10 North 87° 30' 20" East, along the south line of said 6.086 acre
11 tract, 360.26 feet to a 5/8-inch iron rod with cap stamped
12 "1535/4035" found for the southeast corner of said 6.086 acre tract
13 and an interior corner of said 606.445 acre tract;

14 North 03° 35' 31" West, along the east line of said 6.086 acre
15 tract, 747.88 feet to a 5/8-inch iron rod with illegible cap found
16 for the northeast corner of said 6.086 acre tract and an interior
17 corner of said 606.445 acre tract;

18 South 87° 07' 42" West, 1,504.51 feet to a 5/8-inch iron rod
19 with cap stamped "1535/4035" found for the most westerly southwest
20 corner of said 606.445 acre tract, said point being on the east
21 right-of-way line of FM 723 (called 120 feet wide) as described in
22 Volume 487, Page 836, Volume 487, Page 842, Volume 491, Page 48,
23 F.B.C.D.R.;

24 North 02° 37' 46" West, along the east right-of-way line of
25 said FM 723, 686.39 feet to a TxDOT concrete right-of-way monument
26 found for an angle point;

27 North 01° 51' 42" West, continuing along the east right-of-way

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1 line of said FM 723, 209.90 feet to a 5/8-inch iron rod with cap
2 stamped "1535/4035" found for most westerly northwest corner of
3 said 606.445 acre tract, said point also being the southwest corner
4 of that certain called 2.780 acre tract conveyed to Harriett
5 Peckham Geick, Trust by an instrument of record under File Number
6 9532533, F.B.C.O.P.R.;

7 Thence, North 87° 44' 04" East, along a north line of said
8 606.445 acre tract and along the south line said 2.780 acre tract,
9 the south line of that certain called 1.966 acre tract conveyed to
10 Harriett Peckham Geick, Trust by an instrument of record under File
11 Numbers 9532534, F.B.C.O.P.R., the south line of that certain
12 called 1.939 acre tract conveyed to Harriett Peckham Geick, Trust
13 by an instrument of record under File Number 9532536, F.B.C.O.P.R.,
14 and the south line of and 3.683 acre tract conveyed to Harriett
15 Peckham Geick, Trust by an instrument of record under File Number
16 9532533, F.B.C.O.P.R., 1,557.40 feet to a 1/2-inch iron pipe found
17 for the southeast corner of said 3.683 acre tract and an interior
18 corner of said 606.445 acre tract;

19 Thence, North 01° 13' 16" West, along the east line of said
20 3.683 acre tract and a west line of said 606.445 acre tract, 535.34
21 feet to a point in the centerline of said Jones Creek;

22 Thence, along the centerline of the aforementioned
23 Jones Creek the following nineteen (19) courses:

24 North 40° 09' 00" West, 64.68 feet;
25 North 19° 20' 07" West, 114.00 feet;
26 North 00° 48' 07" West, 110.60 feet;
27 North 17° 11' 53" East, 105.00 feet;

1 North 31° 01' 53" East, 128.80 feet;
2 North 42° 32' 53" East, 146.70 feet;
3 North 52° 02' 53" East, 164.50 feet;
4 North 57° 09' 53" East, 355.80 feet;
5 North 46° 32' 53" East, 194.18 feet;
6 North 36° 08' 58" East, 137.73 feet;
7 North 18° 09' 55" East, 133.20 feet;
8 North 15° 55' 14" East, 209.10 feet;
9 North 11° 03' 37" East, 264.90 feet;
10 North 03° 53' 53" East, 451.70 feet;
11 North 09° 25' 53" East, 318.40 feet;
12 North 21° 10' 53" East, 130.30 feet;
13 North 34° 04' 53" East, 240.10 feet;
14 North 30° 26' 13" East, 372.70 feet;
15 North 41° 41' 53" East, 156.20 feet to the north corner of the
16 aforementioned 606.445 acre tract, said point being on the west
17 line of the aforementioned 355.322 acre tract, the apparent east
18 line of said William Andrews Survey, the apparent west line of the
19 Samuel Isaacs Survey, and on the aforementioned boundary line
20 agreement;

21 Thence, South 02° 38' 33" East, along an east line of said
22 606.445 acre tract and the west line of said 355.322 acre tract, the
23 apparent east line of said William Andrews Survey, the apparent
24 west line of the Samuel Isaacs Survey, and said boundary line
25 agreement, 1,987.56 feet to the POINT OF BEGINNING and containing
26 956.942 gross acres (41,684,411 square feet) of land.

27 Save and Except the following tract of land:

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1 Being 45.362 acres (1,975,978 square feet) of land located in
2 the Samuel Isaacs Survey, Abstract 35, Fort Bend County, Texas,
3 more particularly being all of that certain called 16.76 acre tract
4 conveyed to Ambrose Gerner Jr. by an instrument of record under
5 Volume 1468, Page 455 of the Fort Bend County Deed Records
6 (F.B.C.D.R.), a portion of the remainder of that certain called 125
7 acre tract conveyed to by an instrument of record under Volume Z,
8 Page 365, F.B.C.D.R.,

9 BEGINNING at a 1-inch iron pipe found for the northeast
10 corner of the said 16.76 acre tract, said point being an interior
11 corner of the said 606.445 acre tract;

12 Thence, South 02° 19' 35" East, along the east line of said
13 16.76 acre tract and partially along the west line of the
14 aforementioned PECAN HOLLOW SUBDIVISION, 1,194.20 feet to a
15 5/8-inch iron rod with cap stamped "1535-4035" found for a
16 northeast corner of said 606.445 acre tract;

17 Thence, South 89° 01' 18" West, departing the west line of
18 said PECAN HOLLOW SUBDIVISION and along a north line of said 606.445
19 acre tract, 1,549.11 feet to a point for corner;

20 Thence, South 18° 46' 20" West, along a north line of said
21 606.445 acre tract 30.56 feet to a point for corner;

22 Thence, South 36° 46' 42" West, along a north line of said
23 606.445 acre tract 159.95 feet to a point for corner;

24 Thence, South 49° 47' 26" West, along a north line of said
25 606.445 acre tract 121.24 feet to a 5/8-inch iron rod with cap
26 stamped "1535-4035" found for corner;

27 Thence, North 11° 08' 37" West, along a north line of said

606.445 acre tract, 146.39 feet to the centerline of Jones Creek;

Thence, along the centerline of said Jones Creek and an easterly line of said 606.445 acre tract the following seven (7) courses and distances:

North 26° 03' 29" East, 46.74 feet;

North 23° 17' 33" East, 223.92 feet;

North 01° 15' 17" West, 300.30 feet;

North 03° 31' 37" West, 281.90 feet;

North 01° 10' 17" West, 281.00 feet;

North 08° 11' 37" West, 66.30 feet;

North 28° 20' 57" West, 65.54 feet to the northwest corner of said 16.76 acre tract;

Thence, North 87° 21' 33" East, along the north line of said 16.76 acre tract and a south line of said 606.445 acre tract, 1,689.85 feet to the POINT OF BEGINNING and containing 45.362 acres (1,975,978 square feet) of land.

Resulting in a total of 911.580 net acres (39,708,433, square feet) of land.

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

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on

1 Environmental Quality.

2 (c) The Texas Commission on Environmental Quality has filed
3 its recommendations relating to this Act with the governor, the
4 lieutenant governor, and the speaker of the house of
5 representatives within the required time.

6 (d) All requirements of the constitution and laws of this
7 state and the rules and procedures of the legislature with respect
8 to the notice, introduction, and passage of this Act are fulfilled
9 and accomplished.

10 SECTION 4. (a) Section 9095.0306, Special District Local
11 Laws Code, as added by Section 1 of this Act, takes effect only if
12 this Act receives a two-thirds vote of all the members elected to
13 each house.

14 (b) If this Act does not receive a two-thirds vote of all the
15 members elected to each house, Subchapter C, Chapter 9095, Special
16 District Local Laws Code, as added by Section 1 of this Act, is
17 amended by adding Section 9095.0306 to read as follows:

18 Sec. 9095.0306. NO EMINENT DOMAIN POWER. The district may
19 not exercise the power of eminent domain.

20 (c) This section is not intended to be an expression of a
21 legislative interpretation of the requirements of Section 17(c),
22 Article I, Texas Constitution.

23 SECTION 5. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2025.