

By: Lalani

H.B. No. 5656

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Fort Bend County Municipal Utility District No. 263; 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 8018A to read as follows:

CHAPTER 8018A. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 263

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8018A.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 Municipal Utility District No. 263.

Sec. 8018A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8018A.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.

1 Sec. 8018A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 8018A.0103 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district as required by
7 applicable law.

8 Sec. 8018A.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. 8018A.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. 8018A.0201. GOVERNING BODY; TERMS. (a) The district
5 is governed by a board of five elected directors.

6 (b) Except as provided by Section 8018A.0202, directors
7 serve staggered four-year terms.

8 Sec. 8018A.0202. TEMPORARY DIRECTORS. (a) On or after the
9 effective date of the Act enacting this chapter, the owner or owners
10 of a majority of the assessed value of the real property in the
11 district may submit a petition to the commission requesting that
12 the commission appoint as temporary directors the five persons
13 named in the petition. The commission shall appoint as temporary
14 directors the five persons named in the petition.

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

16 (1) the date permanent directors are elected under
17 Section 8018A.0103; or

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

20 (c) If permanent directors have not been elected under
21 Section 8018A.0103 and the terms of the temporary directors have
22 expired, successor temporary directors shall be appointed or
23 reappointed as provided by Subsection (d) to serve terms that
24 expire on the earlier of:

25 (1) the date permanent directors are elected under
26 Section 8018A.0103; or

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

1 appointment or reappointment.

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

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 8018A.0301. GENERAL POWERS AND DUTIES. The district
11 has the powers and duties necessary to accomplish the purposes for
12 which the district is created.

13 Sec. 8018A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
14 DUTIES. The district has the powers and duties provided by the
15 general law of this state, including Chapters 49 and 54, Water Code,
16 applicable to municipal utility districts created under Section 59,
17 Article XVI, Texas Constitution.

18 Sec. 8018A.0303. AUTHORITY FOR ROAD PROJECTS. Under
19 Section 52, Article III, Texas Constitution, the district may
20 design, acquire, construct, finance, issue bonds for, improve,
21 operate, maintain, and convey to this state, a county, or a
22 municipality for operation and maintenance macadamized, graveled,
23 or paved roads, or improvements, including storm drainage, in aid
24 of those roads.

25 Sec. 8018A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
26 road project must meet all applicable construction standards,
27 zoning and subdivision requirements, and regulations of each

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

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

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

Sec. 8018A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 8018A.0306. DIVISION OF DISTRICT. This chapter applies to any new district created by the division of the district under Section 49.316, Water Code, and a new district has all the powers and duties of the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8018A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

- (1) revenue other than ad valorem taxes; or
- (2) contract payments described by Section 8018A.0403.

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

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

9 Sec. 8018A.0402. OPERATION AND MAINTENANCE TAX. (a) If
10 authorized at an election held under Section 8018A.0401, the
11 district may impose an operation and maintenance tax on taxable
12 property in the district in accordance with Section 49.107, Water
13 Code.

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

16 Sec. 8018A.0403. CONTRACT TAXES. (a) In accordance with
17 Section 49.108, Water Code, the district may impose a tax other than
18 an operation and maintenance tax and use the revenue derived from
19 the tax to make payments under a contract after the provisions of
20 the contract have been approved by a majority of the district voters
21 voting at an election held for that purpose.

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

25 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

26 Sec. 8018A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
27 OBLIGATIONS. The district may issue bonds or other obligations

1 payable wholly or partly from ad valorem taxes, impact fees,
2 revenue, contract payments, grants, or other district money, or any
3 combination of those sources, to pay for any authorized district
4 purpose.

5 Sec. 8018A.0502. TAXES FOR BONDS. At the time the district
6 issues bonds payable wholly or partly from ad valorem taxes, the
7 board shall provide for the annual imposition of a continuing
8 direct ad valorem tax, without limit as to rate or amount, while all
9 or part of the bonds are outstanding as required and in the manner
10 provided by Sections [54.601](#) and [54.602](#), Water Code.

11 Sec. 8018A.0503. BONDS FOR ROAD PROJECTS. At the time of
12 issuance, the total principal amount of bonds or other obligations
13 issued or incurred to finance road projects and payable from ad
14 valorem taxes may not exceed one-fourth of the assessed value of the
15 real property in the district.

16 SECTION 2. The Fort Bend County Municipal Utility District
17 No. 263 initially includes all the territory contained in the
18 following area:

19 Being all of the following tracts of land: a 721.9 acre tract
20 of land (Tract A) located in the W. Morton Survey, A-62, an 812.1
21 acre tract of land (Tract B), a 79.97 acre tract of land (Tract C)
22 and a 3.019 acre tract of land (Tract D) located in the J. Wilkins
23 Survey, A-96 and the J.H. Cartwright Survey, A-16 in Fort Bend
24 County, Texas; said 721.9 acre tract being all of the remainder of
25 "TRACT 3" (called 575.744 acres) and all of "TRACT 4" (called
26 49.1434 acres) recorded in Clerk's File Number 9632563 of the
27 Official Records of Fort Bend County (O.R.F.B.C.), all of a called

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1 103.039 acre tract of land recorded as "TRACT THREE" in Clerk's File
2 Number 2018058651 of the O.R.F.B.C., and all of the remainder of a
3 called 19.4224 acre tract of land recorded in Clerk's File Number
4 2002071030 of the O.R.F.B.C.; said 812.1 acre tract being all of a
5 called 317.812 acre tract of land and all of a called 186.183 acre
6 tract of land recorded in Clerk's File Number 2018058651 of the
7 O.R.F.B.C., and all of "TRACT 9" (called 307.968 acres) recorded in
8 Clerks File Number 9632563 of the O.R.F.B.C., said 79.97 acre tract
9 being all of a called 79.967 acre tract of land recorded in Clerk's
10 File Number 2018058651 of the O.R.F.B.C., and said 3.019 acre tract
11 being all of a called 3.019 acre tract of land recorded in Clerk's
12 File Number 2018058651 of the O.R.F.B.C.; said tracts being more
13 particularly described by metes and bounds as follows (all bearings
14 are based on the Texas Coordinate System, South Central Zone):

15 TRACT "A": 721.9 ACRES

16 BEGINNING at a 5/8-inch iron rod found for the northwest
17 corner of said 575.744 acre tract and the southwest corner of
18 Plantation Crossing, a subdivision recorded in Slide Number 2047A
19 of the Fort Bend County Plat Records (F.B.C.P.R.), same being on the
20 east line of the Replat of Pecan Grove Plantation Section 5, a
21 subdivision recorded in Slide Number 685A of the F.B.C.P.R.;

22 THENCE: N 87°38'06" E, along and with the common line of said
23 575.744 acre tract and said Plantation Crossing and the south line
24 of Reserve "B-2" of Plantation Crossing Subdivision Partial Replat
25 No. 1 of Unrestricted Reserve "B", a subdivision recorded in Plat
26 Number 20100032 of the F.B.C.P.R., a distance of 1,888.98 feet to a
27 5/8-inch iron rod (bent) found at the northeast corner of said

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1 575.744 acre tract and the southeast corner of said Plantation
2 Crossing, same being on the west Right-of-Way (R.O.W.) line of
3 Harlem Road (width varies-minimum 140-feet wide) as recorded in
4 Volume 63, Page 203 of the Fort Bend County Deed Records
5 (F.B.C.D.R.) and in Clerk's File Numbers 2010100611, 2011015402 and
6 2011015403 of the O.R.F.B.C.;

7 THENCE: Along and with said west R.O.W. line, the following
8 four (4) courses and distances:

9 S 03°26'34" E, a distance of 1,780.95 feet to a point,

10 S 02°54'24" E, a distance of 599.47 feet to a 5/8-inch iron rod
11 with cap stamped "LANDTECH" found,

12 S 02°21'25" E, a distance of 329.14 feet to a 5/8-inch iron rod
13 with cap stamped "LANDTECH" found, and

14 S 02°07'07" E, a distance of 2,791.77 feet to a 3/4-inch iron
15 rod with cap stamped "WEISSER ENG" found at the northeast corner of
16 a called 2.817 acre tract of land recorded in Clerk's File Number
17 2021161425 of the O.R.F.B.C.;

18 THENCE: S 87°51'34" W, along and with the north line of said
19 2.817 acre tract, a distance of 875.94 feet to a 3/4-inch iron rod
20 with cap stamped "WEISSER ENG" found at the northwest corner of said
21 2.817 acre tract, same being on the east line of aforesaid 103.039
22 acre tract;

23 THENCE: S 01°46'00" E, along and with the common line of said
24 2.817 acre tract and said 103.039 acre tract, a distance of 139.87
25 feet to a 1/2-inch iron rod found at the southwest corner of said
26 2.817 acre tract and the northwest corner of a called 10.00 acre
27 tract of land recorded in Volume 2491, Page 256 of the F.B.C.D.R.;

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1 THENCE: S 01°53'54" E, along and with the common line of said
2 103.039 acre tract and said 10.00 acre tract, a distance of 496.44
3 feet to a 1-inch iron pipe found at the southwest corner of said
4 10.00 acre tract and the northwest corner of aforesaid 49.1434 acre
5 tract;

6 THENCE: N 87°52'26" E, along and with the common line of said
7 10.00 acre tract and said 49.1434 acre tract, a distance of 878.71
8 feet to a 5/8-inch iron rod found at the southeast corner of said
9 10.00 acre tract and the northeast corner of said 49.1434 acre
10 tract, same being on the west R.O.W. line of aforesaid Harlem Road;

11 THENCE: S 02°07'07" E, along and with said west R.O.W. line, a
12 distance of 2,470.38 feet to a 5/8-inch iron rod with cap stamped
13 "WINDROSE" found at the southeast corner of said 49.1434 acre tract
14 and the northeast corner of a called 6.170 acre tract of land
15 recorded in Clerk's File Number 2013073107 of the O.R.F.B.C.;

16 THENCE: S 87°54'25" W, along and with the common line of said
17 49.1434 acre tract and said 6.170 acre tract and with the north line
18 of the remainder of a called 6.555 acre tract of land recorded in
19 Clerk's File Number 2008022579 of the O.R.F.B.C., a distance of
20 887.56 feet to a 3-inch iron pipe found at the southwest corner of
21 said 49.1434 acre tract and the northwest corner of said 6.555 acre
22 tract, same being on the east line of aforesaid 103.039 acre tract;

23 THENCE: S 01°54'40" E, along and with the common line of said
24 103.039 acre tract and said 6.555 acre tract and with the west line
25 of said 6.170 acre tract, a distance of 372.49 feet to a 3/4-inch
26 iron rod found at the southeast corner of said 103.039 acre tract
27 and the southwest corner of said 6.170 acre tract, same being on the

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1 north line of the Union Pacific Railroad tract (100-feet wide) as
2 recorded in Volume 15, Page 218, Volume 59, Page 315, Volume 64,
3 Page 182 and Volume 95, Page 24 of the F.B.C.D.R;

4 THENCE: S 81°27'29" W, along and with the common line of said
5 Railroad tract and said 103.039 acre tract and with the south line
6 of aforesaid 575.744 acre tract, a distance of 5,473.20 feet to a
7 1-inch iron pipe found on the east R.O.W. line of Pitts Road (width
8 varies) as recorded in Clerk's File Number 9509356 of the
9 O.R.F.B.C.;

10 THENCE: N 02°09'49" W, along and with said east R.O.W. line, a
11 distance of 3,187.67 feet to a 1-inch iron pipe (bent) found on the
12 common line of aforesaid 575.744 acre tract and a called 39.8846
13 acre tract of land recorded in Volume 2166, Page 1939 of the
14 O.R.F.B.C.;

15 THENCE: N 89°03'34" E, along and with said common line, a
16 distance of 1,465.14 feet to a 1-inch iron pipe found at the
17 southeast corner of said 39.8846 acre tract and the southwest
18 corner of a called 4.6051 acre tract of land recorded in Clerk's
19 File Number 2005101569 of the O.R.F.B.C.;

20 THENCE: N 88°53'30" E, along and with the common line of said
21 575.744 acre tract and said 4.6051 acre tract and with the south
22 line of a called 3.7506 acre tract of land and a called 3.7803 acre
23 tract of land also recorded in Clerk's File Number 2005101569 of the
24 O.R.F.B.C., a distance of 759.44 feet to a 1-inch iron pipe found at
25 the southeast corner of said 3.7803 acre tract and the southwest
26 corner of The Grove Section 5, a subdivision recorded in Slide
27 Number 554A of the F.B.C.P.R.;

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1 THENCE: N 88°51'35" E, along and with the common line of said
2 subdivision and said 575.744 acre tract and with the south line of a
3 called 22.0959 acre tract of land recorded in Clerk's File Number
4 2015102372 of the O.R.F.B.C., a distance of 1,637.79 feet to a
5 5/8-inch iron rod with cap stamped "COTTON SURVEYING" found at the
6 southeast corner of said 22.0959 acre tract;

7 THENCE: Along and with the east line of said 22.0959 acre
8 tract, the following three (3) courses and distances:

9 N 02°37'41" W, a distance of 4,075.39 feet to a point,

10 N 87°13'51" E, a distance of 599.62 feet to a 5/8-inch iron rod
11 with cap found, and

12 N 03°14'20" W, a distance of 513.53 feet to a 1/2-inch iron
13 pipe found at the northeast corner of said 22.0959 acre tract and
14 the southeast corner of Pecan Grove Plantation Section 4, a
15 subdivision recorded in Volume 27, Page 6 of the F.B.C.P.R., same
16 being on the west line of aforesaid 575.744 acre tract;

17 THENCE: N 02°52'04" W, along and with the common line of said
18 575.744 acre tract and said subdivision and with the east line of
19 aforesaid Pecan Grove Plantation Section 5, a distance of 1,872.48
20 feet to the Point of Beginning and containing 721.9 acres of land.

21 TRACT B: 812.1 ACRES

22 BEGINNING: At a 5/8-inch iron rod found for the northwest
23 corner of aforesaid 317.812 acre tract and the southwest corner of a
24 called 145.368 acre tract of land recorded in Clerk's File Number
25 2017087205 of the O.R.F.B.C., same being on the east R.O.W. line of
26 aforesaid Harlem Road;

27 THENCE: N 86°48'57" E, along and with the north line of said

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1 317.812 acre tract, the north line of aforesaid 307.968 acre tract,
2 the north line of aforesaid 186.183 acre tract, the south line of
3 said 145.368 acre tract and the south line of a called 143.287 acre
4 tract recorded in said Clerk's File Number 2017087205 of the
5 O.R.F.B.C., a distance of 6,884.55 feet to a 5/8-inch iron rod found
6 at the northeast corner of said 186.183 acre tract and the southeast
7 corner of said 143.287 acre tract, same being on the west R.O.W.
8 line of the Grand Parkway (Highway 99) (width varies) as recorded
9 in Clerk's File Number 9830483 of the O.R.F.B.C.;

10 THENCE: Along and with said west R.O.W. line, the following
11 six (6) courses and distances:

12 S 42°12'55" E, a distance of 228.10 feet to a found TXDOT Disk,
13 Southeasterly along the arc of a curve to the right, having a
14 radius of 5,579.59 feet, a central angle of 16°01' 18", a chord
15 bearing and distance of S 34°12'17" E, 1,555.13 feet, for an arc
16 length of, 1,560.21 feet to a found TXDOT Disk,

17 S 26°11'38" E, a distance of 788.16 feet to a found 1/2-iron
18 rod,

19 S 88°31'13" W, a distance of 66.04 feet to a found TXDOT Disk,

20 S 26°12'25" E, a distance of 1,235.45 feet to a found TXDOT
21 Disk, and

22 S 17°52'00" E, at a distance of 560.55 feet passing a 5/8-inch
23 iron rod with cap found and continuing for a total distance of
24 621.35 feet to the southeast corner of aforesaid 186.183 acre
25 tract, same being on the north line of aforesaid Union Pacific
26 Railroad (75-feet wide) as recorded in Volume 15, Page 218, Volume
27 59, Page 315, Volume 59, Page 183 and Volume 95, Page 24 of the

1 F.B.C.D.R;

2 THENCE: S 81°27'54" W, along and with the common line of said
3 186.183 acre tract and said Railroad tract and with the south line
4 of aforesaid 307.968 acre tract and aforesaid 317.812 acre tract, a
5 distance of 8,839.89 feet to the southwest corner of said 317.812
6 acre tract, being on the east R.O.W. line of aforesaid Harlem Road;

7 THENCE: N 02°07'07" W, along and with said east R.O.W. line, a
8 distance of 4,796.72 feet to the Point of Beginning and containing
9 812.1 acres of land.

10 TRACT C: 79.97 ACRES

11 BEGINNING: At the northwest corner of aforesaid called 79.967
12 acre tract and the southwest corner of Windsor Estates Sec 3, a
13 subdivision recorded in Plat Number 20140040 of the F.B.C.P.R.,
14 same being on the northeasterly R.O.W. line of aforesaid Grand
15 Parkway, from which a 5/8-inch iron rod found bears S58°28'30"E, a
16 distance of 0.60 feet;

17 THENCE: N 86°48'57" E, along and with the north line of said
18 79.967 acre tract, the south line of said Sec 3 and the south line of
19 Windsor Estates Sec 1, a subdivision recorded in Plat Number
20 20130085 of the F.B.C.P.R., a distance of 2,061.83 feet to the
21 northeast corner of said 79.967 acre tract, same being on the west
22 R.O.W. line of F.M. 1464 (width varies) as recorded in Clerk's File
23 Numbers 2010065925, 2010067366 and 2010054458 of the O.R.F.B.C.;

24 THENCE: Along and with said west R.O.W. line, the following
25 eight (8) courses and distances:

26 S 02°29'10" E, a distance of 1,931.46 feet to a found 5/8-inch
27 iron rod,

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1 S 87°34'52" W, a distance of 238.37 feet to a found 5/8-inch
2 iron rod (bent),
3 S 02°28'00" E, a distance of 373.47 feet to a found TXDOT Disk,
4 S 58°47'14" E, a distance of 204.28 feet to a found 5/8-inch
5 iron rod with cap (bent),
6 S 02°27'37" E, a distance of 318.23 feet to a found 5/8-inch
7 iron rod,
8 S 25°12'50" E, a distance of 137.03 feet to a point,
9 S 02°27'37" E, a distance of 64.38 feet to a found 5/8-inch
10 iron rod that bears S61°52'50"E, a distance of 1.00 feet, and
11 Southwesterly, along the arc of a curve to the right, having a
12 radius of 425.00 feet, a central angle of 65°11' 24", a chord bearing
13 and distance of S 48°38'51" W, 457.89 feet, for an arc length of
14 483.56 feet to the east R.O.W. line of aforesaid Grand Parkway, from
15 which a TXDOT Disk found bears N77°48'02"E, a distance of 0.7 feet;
16 THENCE: Along and with the east R.O.W. line of said Grand
17 Parkway, the following four (4) courses and distances:
18 N 26°12'25" W, a distance of 1,046.40 feet to a TXDOT Disk
19 found,
20 S 88°31'13" W, a distance of 44.09 feet to a TXDOT Disk found,
21 N 26°11'38" W, a distance of 926.23 feet to a TXDOT Disk found,
22 and
23 Northwesterly, along a curve to the left, having a radius of
24 5,879.59 feet, a central angle of 15°52' 28", a chord bearing and
25 distance of
26 N 34°07'52" W, 1,623.81 feet for an arc length of 1,629.01
27 feet to the Point of Beginning and containing 79.97 acres of land.

TRACT D: 3.019 ACRES

BEGINNING: At a TXDOT Disk found for at north end of a cutback at the intersection of the southeast R.O.W. line of aforesaid F.M. 1464 with the east R.O.W. line of aforesaid Grand Parkway and being a northwest corner of aforesaid 3.019 acre tract;

THENCE: Along and with the southeast R.O.W. line of said F.M. 1464, the following seven (7) courses and distances:

Northeasterly, along a curve to the left having a radius of 548.22 feet, a central angle of $30^{\circ}46'40''$, a chord bearing and distance of $N\ 66^{\circ}01'51''\ E$, 290.96 feet for an arc length of 294.49 feet to a found TXDOT Disk,

$S\ 89^{\circ}19'20''\ E$, a distance of 44.86 feet to a found TXDOT Disk,

$S\ 47^{\circ}43'32''\ E$, a distance of 33.66 feet to a found 5/8-inch iron rod that bears $N75^{\circ}36'31''W$, a distance of 1.5 feet,

$S\ 02^{\circ}21'21''\ E$, a distance of 204.21 feet to a found 5/8-inch iron rod,

$S\ 04^{\circ}43'36''\ E$, a distance of 239.96 feet to a found TXDOT Disk,

$S\ 38^{\circ}30'36''\ W$, a distance of 87.66 feet to a found TXDOT Disk, and

$S\ 81^{\circ}19'35''\ W$, a distance of 89.98 feet to a found 5/8-inch iron rod in concrete at the east R.O.W. line of aforesaid Grand Parkway;

THENCE: $N\ 32^{\circ}31'32''\ W$, along and with said east R.O.W. line, a distance of 451.59 feet to the south end of aforesaid cutback line;

THENCE: $N\ 24^{\circ}27'31''\ E$, along and with said cutback line, a distance of 54.43 feet to the Point of Beginning and containing 3.019 acres of land.

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 8018A, Special District Local Laws Code, as added by Section 1 of
22 this Act, is amended by adding Section 8018A.0307 to read as
23 follows:

24 Sec. 8018A.0307. NO EMINENT DOMAIN POWER. The district may
25 not exercise the power of eminent domain.

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

1 Article I, Texas Constitution.

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