

By: Bell

H.B. No. 4170

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Valley Ranch Town Center Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3941 to read as follows:

CHAPTER 3941. VALLEY RANCH TOWN CENTER MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3941.001. DEFINITIONS. In this chapter:

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

(2) "County" means Montgomery County.

(3) "Director" means a board member.

(4) "District" means the Valley Ranch Town Center Management District.

Sec. 3941.002. NATURE OF DISTRICT. The Valley Ranch Town Center Management District is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3941.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the county and other political subdivisions to contract with the district, the

1 legislature has established a program to accomplish the public  
2 purposes set out in Section 52-a, Article III, Texas Constitution.

3 (b) The creation of the district is necessary to promote,  
4 develop, encourage, and maintain employment, commerce,  
5 transportation, housing, tourism, recreation, the arts,  
6 entertainment, economic development, safety, and the public  
7 welfare in the district.

8 (c) This chapter and the creation of the district may not be  
9 interpreted to relieve the county from providing the level of  
10 services provided as of the effective date of the Act enacting this  
11 chapter to the area in the district. The district is created to  
12 supplement and not to supplant county services provided in the  
13 district.

14 Sec. 3941.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

16 (b) All land and other property included in the district  
17 will benefit from the improvements and services to be provided by  
18 the district under powers conferred by Sections 52 and 52-a,  
19 Article III, and Section 59, Article XVI, Texas Constitution, and  
20 other powers granted under this chapter.

21 (c) The creation of the district is in the public interest  
22 and is essential to further the public purposes of:

23 (1) developing and diversifying the economy of the  
24 state;

25 (2) eliminating unemployment and underemployment; and

26 (3) developing or expanding transportation and  
27 commerce.

1        (d) The district will:

2                (1) promote the health, safety, and general welfare of  
3 residents, employers, potential employees, employees, visitors,  
4 and consumers in the district, and of the public;

5                (2) provide needed funding for the district to  
6 preserve, maintain, and enhance the economic health and vitality of  
7 the district territory as a community and business center;

8                (3) promote the health, safety, welfare, and enjoyment  
9 of the public by providing pedestrian ways and by landscaping and  
10 developing certain areas in the district, which are necessary for  
11 the restoration, preservation, and enhancement of scenic beauty;  
12 and

13                (4) provide for water, wastewater, drainage, road, and  
14 recreational facilities for the district.

15        (e) Pedestrian ways along or across a street, whether at  
16 grade or above or below the surface, and street lighting, street  
17 landscaping, parking, and street art objects are parts of and  
18 necessary components of a street and are considered to be a street  
19 or road improvement.

20        (f) The district will not act as the agent or  
21 instrumentality of any private interest even though the district  
22 will benefit many private interests as well as the public.

23        Sec. 3941.005. INITIAL DISTRICT TERRITORY. (a) The  
24 district is initially composed of the territory described by  
25 Section 2 of the Act enacting this chapter.

26        (b) The boundaries and field notes contained in Section 2 of  
27 the Act enacting this chapter form a closure. A mistake 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 bonds for the purposes  
for which the district is created or to pay the principal of and  
interest on the bonds;

(3) right to impose or collect an assessment or tax; or

(4) legality or operation.

Sec. 3941.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

All or any part of the area of the district is eligible to be  
included in:

(1) a tax increment reinvestment zone created under  
Chapter 311, Tax Code;

(2) a tax abatement reinvestment zone created under  
Chapter 312, Tax Code;

(3) an enterprise zone created under Chapter 2303,  
Government Code; or

(4) an industrial district created under Chapter 42,  
Local Government Code.

Sec. 3941.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
DISTRICTS LAW. Except as otherwise provided by this chapter,  
Chapter 375, Local Government Code, applies to the district.

Sec. 3941.008. CONSTRUCTION OF CHAPTER. This chapter shall  
be liberally construed in conformity with the findings and purposes  
stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3941.051. GOVERNING BODY; TERMS. (a) The district is

1 governed by a board of five voting directors who serve staggered  
2 terms of four years, with two or three directors' terms expiring  
3 June 1 of each odd-numbered year.

4 (b) The board by resolution may change the number of voting  
5 directors on the board if the board determines that the change is in  
6 the best interest of the district. The board may not consist of  
7 fewer than five or more than nine voting directors.

8 Sec. 3941.052. APPOINTMENT OF VOTING DIRECTORS. The Texas  
9 Commission on Environmental Quality shall appoint voting directors  
10 from persons recommended by the board.

11 Sec. 3941.053. NONVOTING DIRECTORS. The board may appoint  
12 nonvoting directors to serve at the pleasure of the voting  
13 directors.

14 Sec. 3941.054. QUORUM. For purposes of determining the  
15 requirements for a quorum of the board, the following are not  
16 counted:

17 (1) a board position vacant for any reason, including  
18 death, resignation, or disqualification;

19 (2) a director who is abstaining from participation in  
20 a vote because of a conflict of interest; or

21 (3) a nonvoting director.

22 Sec. 3941.055. COMPENSATION. A director is entitled to  
23 receive fees of office and reimbursement for actual expenses as  
24 provided by Section 49.060, Water Code. Sections 375.069 and  
25 375.070, Local Government Code, do not apply to the board.

26 Sec. 3941.056. INITIAL VOTING DIRECTORS. (a) The initial  
27 board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Jason Tramonte</u>
<u>2</u>	<u>Temple Brown</u>
<u>3</u>	<u>Steve Sample</u>
<u>4</u>	<u>Melissa Fitzgerald</u>
<u>5</u>	<u>Adam Cohen</u>

(b) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2017, and the terms of directors appointed for positions four and five expire June 1, 2019.

(c) Section 3941.052 does not apply to this section.

#### SUBCHAPTER C. POWERS AND DUTIES

Sec. 3941.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3941.102. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using any money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. 3941.103. DEVELOPMENT CORPORATION POWERS. The district, using money available to the district, may exercise the powers given to a development corporation under Chapter 505, Local Government Code, including the power to own, operate, acquire,

1 construct, lease, improve, or maintain a project under that  
2 chapter.

3 Sec. 3941.104. NONPROFIT CORPORATION. (a) The board by  
4 resolution may authorize the creation of a nonprofit corporation to  
5 assist and act for the district in implementing a project or  
6 providing a service authorized by this chapter.

7 (b) The nonprofit corporation:

8 (1) has each power of and is considered to be a local  
9 government corporation created under Subchapter D, Chapter 431,  
10 Transportation Code; and

11 (2) may implement any project and provide any service  
12 authorized by this chapter.

13 (c) The board shall appoint the board of directors of the  
14 nonprofit corporation. The board of directors of the nonprofit  
15 corporation shall serve in the same manner as the board of directors  
16 of a local government corporation created under Subchapter D,  
17 Chapter 431, Transportation Code, except that a board member is not  
18 required to reside in the district.

19 Sec. 3941.105. AGREEMENTS; GRANTS. (a) As provided by  
20 Chapter 375, Local Government Code, the district may make an  
21 agreement with or accept a gift, grant, or loan from any person.

22 (b) The implementation of a project is a governmental  
23 function or service for the purposes of Chapter 791, Government  
24 Code.

25 Sec. 3941.106. LAW ENFORCEMENT SERVICES. To protect the  
26 public interest, the district may contract with a qualified party,  
27 including the county, to provide law enforcement services in the

1 district for a fee.

2 Sec. 3941.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
3 district may join and pay dues to a charitable or nonprofit  
4 organization that performs a service or provides an activity  
5 consistent with the furtherance of a district purpose.

6 Sec. 3941.108. ECONOMIC DEVELOPMENT PROGRAMS. (a) The  
7 district may engage in activities that accomplish the economic  
8 development purposes of the district.

9 (b) The district may establish and provide for the  
10 administration of one or more programs to promote state or local  
11 economic development and to stimulate business and commercial  
12 activity in the district, including programs to:

13 (1) make loans and grants of public money; and

14 (2) provide district personnel and services.

15 (c) The district may create economic development programs  
16 and exercise the economic development powers provided to  
17 municipalities by:

18 (1) Chapter 380, Local Government Code; and

19 (2) Subchapter A, Chapter 1509, Government Code.

20 Sec. 3941.109. PARKING FACILITIES. (a) The district may  
21 acquire, lease as lessor or lessee, construct, develop, own,  
22 operate, and maintain parking facilities or a system of parking  
23 facilities, including lots, garages, parking terminals, or other  
24 structures or accommodations for parking motor vehicles off the  
25 streets and related appurtenances.

26 (b) The district's parking facilities serve the public  
27 purposes of the district and are owned, used, and held for a public



purpose even if leased or operated by a private entity for a term of years.

(c) The district's parking facilities are parts of and necessary components of a street and are considered to be a street or road improvement.

(d) The development and operation of the district's parking facilities may be considered an economic development program.

Sec. 3941.110. ANNEXATION OF LAND. The district may annex land as provided by Subchapter J, Chapter 49, Water Code.

Sec. 3941.111. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3941.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. 3941.152. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain any improvement or service authorized under this chapter or Chapter 375, Local Government Code, using any money available to the district.

Sec. 3941.153. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) A petition filed under Subsection (a) must be signed by

1 the owners of a majority of the assessed value of real property in  
2 the district subject to assessment according to the most recent  
3 certified tax appraisal roll for the county.

4 Sec. 3941.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

5 (a) The board by resolution may impose and collect an assessment  
6 for any purpose authorized by this chapter in all or any part of the  
7 district.

8 (b) An assessment, a reassessment, or an assessment  
9 resulting from an addition to or correction of the assessment roll  
10 by the district, penalties and interest on an assessment or  
11 reassessment, an expense of collection, and reasonable attorney's  
12 fees incurred by the district:

13 (1) are a first and prior lien against the property  
14 assessed;

15 (2) are superior to any other lien or claim other than  
16 a lien or claim for county, school district, or municipal ad valorem  
17 taxes; and

18 (3) are the personal liability of and a charge against  
19 the owners of the property even if the owners are not named in the  
20 assessment proceedings.

21 (c) The lien is effective from the date of the board's  
22 resolution imposing the assessment until the date the assessment is  
23 paid. The board may enforce the lien in the same manner that the  
24 board may enforce an ad valorem tax lien against real property.

25 (d) The board may make a correction to or deletion from the  
26 assessment roll that does not increase the amount of assessment of  
27 any parcel of land without providing notice and holding a hearing in

1 the manner required for additional assessments.

2 Sec. 3941.155. TAX AND ASSESSMENT ABATEMENTS. The district  
3 may designate reinvestment zones and may grant abatements of  
4 district taxes or assessments on property in the zones.

5 SUBCHAPTER E. TAXES AND BONDS

6 Sec. 3941.201. ELECTIONS REGARDING TAXES AND BONDS.

7 (a) The district may issue, without an election, bonds, notes, and  
8 other obligations secured by:

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

10 (2) contract payments described by Section 3941.203.

11 (b) The district must hold an election in the manner  
12 provided by Subchapter L, Chapter 375, Local Government Code, to  
13 obtain voter approval before the district may impose an ad valorem  
14 tax or issue bonds payable from ad valorem taxes.

15 (c) Section 375.243, Local Government Code, does not apply  
16 to the district.

17 (d) All or any part of any facilities or improvements that  
18 may be acquired by a district by the issuance of its bonds may be  
19 submitted as a single proposition or as several propositions to be  
20 voted on at the election.

21 Sec. 3941.202. OPERATION AND MAINTENANCE TAX. (a) If  
22 authorized by a majority of the district voters voting at an  
23 election held in accordance with Section 3941.201, the district may  
24 impose an operation and maintenance tax on taxable property in the  
25 district in accordance with Section 49.107, Water Code, for any  
26 district purpose, including to:

27 (1) maintain and operate the district;

1           (2) construct or acquire improvements; or

2           (3) provide a service.

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

5           (c) Section 49.107(h), Water Code, does not apply to the  
6 district.

7           Sec. 3941.203. CONTRACT TAXES. (a) In accordance with  
8 Section 49.108, Water Code, the district may impose a tax other than  
9 an operation and maintenance tax and use the revenue derived from  
10 the tax to make payments under a contract after the provisions of  
11 the contract have been approved by a majority of the district voters  
12 voting at an election held for that purpose.

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

16           Sec. 3941.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS  
17 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms  
18 determined by the board. Section 375.205, Local Government Code,  
19 does not apply to a loan, line of credit, or other borrowing from a  
20 bank or financial institution secured by revenue other than ad  
21 valorem taxes.

22           (b) The district may issue bonds, notes, or other  
23 obligations payable wholly or partly from ad valorem taxes,  
24 assessments, impact fees, revenue, contract payments, grants, or  
25 other district money, or any combination of those sources of money,  
26 to pay for any authorized district purpose.

27           (c) The limitation on the outstanding principal amount of

bonds, notes, and other obligations provided by Section 49.4645, Water Code, does not apply to the district.

Sec. 3941.205. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct annual ad valorem tax, without limit as to rate or amount, for each year that all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

SUBCHAPTER F. DISSOLUTION AND MUNICIPAL ANNEXATION

Sec. 3941.251. MUNICIPAL ANNEXATION; DISSOLUTION. (a) The district is a "water or sewer district" under Section 43.071, Local Government Code.

(b) Section 43.075, Local Government Code, applies to the district.

(c) Section 375.264, Local Government Code, does not apply to the dissolution of the district by a municipality.

SECTION 2. The Valley Ranch Town Center Management District initially includes all territory contained in the following area:

Being a 210.64 acres tract of land out of the William Massey Survey, Abstract Number 387, and the William Smith Survey (WM. S. Beaty), Abstract Number 540, Montgomery County, Texas; and being out of and a portion of that certain called 548.300 acre tract of land conveyed to Sig-Valley Ranch, LTD., by Warranty Deed executed December 23, 2003, as recorded in File No. 2003-157058 in the Official Public Records of Real Property, Montgomery County, Texas; also being all of that certain called 57.24 acre tract of land

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1 conveyed to Sig-Valley Ranch, LTD., by Warranty deed executed June  
2 30, 2005, as recorded in File No. 2005-070741 in the Official  
3 Public Records of Real Property, Montgomery County Texas; also  
4 being all of that certain called 0.7389 acres tract of land conveyed  
5 to Valley Ranch Town Center, LTD., as recorded in File Number  
6 2008-043809 in the Official Public Records of Real Property,  
7 Montgomery County, Texas; and being all of that certain called  
8 71.727 acres tract of land conveyed to Valley Ranch Town Center,  
9 LTD., as recorded in File Number 2007-047721 in the Official Public  
10 Records of Real Property, Montgomery County, Texas; and being all  
11 of that certain called 3.5714 acres tract of land conveyed to A-S 96  
12 HWY 59 North-Grand Parkway, L.P. as recorded in File Number  
13 2007-087020 in the Official Public Records of Real Property,  
14 Montgomery County, Texas; said 210.64 acres tract of land being  
15 more particularly described by metes and bounds as follows, with  
16 all bearings being referenced to Texas Coordinate System, Central  
17 Zone, North American Datum of 1983 (NAD 83), CORS96, EPOCH 2002.00;

18 BEGINNING at a found 4-inch aluminum disc stamped "TxDOT" for  
19 the Northeast corner of said 3.5714 acres tract, the Southeast  
20 corner of that certain called 1.37 acres tract of land conveyed to E  
21 & K Investments as recorded in File Number 99076562 in the Official  
22 Public Records of Real Property, Montgomery County, Texas; also  
23 being in the Northwest right-of-way of U.S. 59 (320-feet  
24 right-of-way) as recorded in Volume 516, Pg. 341 in the Montgomery  
25 County Deed Records;

26 THENCE South 12° 02' 45" West, with the Northwest right-of-way  
27 of said U.S. 59, 493.05 feet to a found 4-inch aluminum disc stamped

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1 "TxDOT" for the Southeast corner of said 3.5714 acres tract and the  
2 Northeast corner of that certain called 2.155 acres tract of land  
3 conveyed to Martha S. Baker, as recorded in File Number 2001-109901  
4 in the Official Public Records of Real Property, Montgomery County,  
5 Texas;

6       THENCE South 86° 40' 34" West, with the North line of said  
7 2.155 acres tract and the South line of said 3.5714 acres tract,  
8 262.78 feet to a set 3/4-inch iron rod with cap stamped "DANNENBAUM  
9 ENGINEERING" for the Southwest corner of said 3.5714 acres tract  
10 and the Northwest corner of said 2.155 acres tract, and being in the  
11 East line of said 57.24 acres tract;

12       THENCE South 03° 15' 06" East with the East line of said 57.24  
13 acres tract and the West line of said 2.155 acres tract, 477.39 feet  
14 to set 3/4-inch iron rod with cap stamped "DANNENBAUM ENGINEERING"  
15 for the Southwest corner of said 2.155 acres tract and the Northwest  
16 corner of said 0.7389 acres tract;

17       THENCE North 86° 07' 44" East, with the South line of said  
18 2.155 acres tract and the North line of said 0.7389 acres tract,  
19 133.19 feet to a found 4-inch aluminum disc stamped "TxDOT" for the  
20 Southeast corner of said 2.155 acres tract and the Northeast corner  
21 of said 0.7389 acres tract, and being in the Northwest right-of-way  
22 of said U.S. 59;

23       THENCE South 12° 06' 38" West, with the Northwest right-of-way  
24 of said U.S. 59, 502.74 feet to a found 4-inch aluminum disc stamped  
25 "TxDOT" for the South corner of said 0.7389 acres tract and a  
26 Southwest corner of said 57.24 acres tract;

27       THENCE South 11° 54' 13" West, with the Northwest right-of-way

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1 of said U.S. 59, 246.19 feet to a found concrete monument for corner  
2 and the beginning of a tangent curve to the right;

3       THENCE continuing with the Northwest right-of-way of said  
4 U.S. 59, along said curve to the right having a radius of 523.97  
5 feet, an arc length of 475.27 feet, a central angle of  $51^{\circ} 58' 16''$ ,  
6 and a chord bearing South  $37^{\circ} 56' 17''$  West, 459.15 feet to a found  
7 concrete monument for corner;

8       THENCE South  $63^{\circ} 56' 06''$  West, continuing with the Northwest  
9 right-of-way of said U.S. 59, 392.73 feet to a set 3/4-inch iron rod  
10 with cap stamped "DANNENBAUM ENGINEERING" for corner and the  
11 beginning of a tangent curve to the left;

12       THENCE continuing with the Northwest right-of-way of said  
13 U.S. 59, along said curve to the left having a radius of 335.48  
14 feet, an arc length of 133.24 feet, a central angle of  $22^{\circ} 45' 20''$ ,  
15 and a chord bearing South  $52^{\circ} 45' 51''$  West, 132.36 feet to a set  
16 3/4-inch iron rod with cap stamped "DANNENBAUM ENGINEERING" for the  
17 southeast corner of said 71.727 acres tract and being in the  
18 Proposed North right-of-way of Grand Parkway;

19       THENCE South  $85^{\circ} 28' 53''$  West, with the Proposed North  
20 right-of-way of Grand Parkway and the South line of said 71.727  
21 acres tract, 2497.13 feet to a point for corner and the beginning of  
22 a tangent curve to the right;

23       THENCE along said curve to the right, having a radius of  
24 1886.00 feet, an arc length of 339.44 feet, a central angle of  $10^{\circ}$   
25  $18' 43''$ , and a chord bearing North  $89^{\circ} 21' 46''$  West, 338.98 feet to a  
26 point for corner being in the centerline of White Oak Bayou;

27       THENCE with the meanders of the centerline of White Oak Bayou



1 and the Southwesterly lines of the herein described tract, the  
2 following courses and distances:

- 3 - THENCE North  $12^{\circ} 45' 20''$  West, 43.40 feet to a point for corner;
- 4 - THENCE North  $23^{\circ} 29' 16''$  East, 51.25 feet to a point for corner;
- 5 - THENCE North  $33^{\circ} 14' 49''$  West, 41.90 feet to a point for corner;
- 6 - THENCE North  $62^{\circ} 47' 32''$  West, 14.97 feet to a point for corner;
- 7 - THENCE North  $35^{\circ} 00' 17''$  West, 33.24 feet to a point for corner;
- 8 - THENCE North  $77^{\circ} 36' 34''$  West, 42.16 feet to a point for corner;
- 9 - THENCE North  $42^{\circ} 17' 25''$  West, 53.80 feet to a point for corner;
- 10 - THENCE North  $45^{\circ} 18' 16''$  West, 53.91 feet to a point for corner;
- 11 - THENCE North  $55^{\circ} 39' 35''$  West, 35.08 feet to a point for corner;
- 12 - THENCE North  $76^{\circ} 24' 26''$  West, 37.08 feet to a point for corner;
- 13 - THENCE North  $48^{\circ} 59' 11''$  West, 106.48 feet to a point for corner;
- 14 - THENCE North  $34^{\circ} 24' 21''$  West, 30.40 feet to a point for corner;
- 15 - THENCE North  $56^{\circ} 21' 38''$  West, 66.27 feet to a point for corner;
- 16 - THENCE North  $85^{\circ} 31' 21''$  West, 26.27 feet to a point for corner;
- 17 - THENCE North  $36^{\circ} 15' 31''$  West, 109.67 feet to a point for corner;
- 18 - THENCE North  $75^{\circ} 49' 44''$  West, 24.85 feet to a point for corner;
- 19 - THENCE South  $80^{\circ} 56' 52''$  West, 41.81 feet to a point for corner;
- 20 - THENCE North  $83^{\circ} 19' 45''$  West, 67.67 feet to a point for corner;
- 21 - THENCE North  $66^{\circ} 30' 42''$  West, 35.69 feet to a point for corner;
- 22 - THENCE North  $31^{\circ} 35' 01''$  West, 41.52 feet to a point for corner;
- 23 - THENCE North  $53^{\circ} 03' 12''$  West, 37.58 feet to a point for corner;
- 24 - THENCE North  $10^{\circ} 36' 32''$  East, 22.99 feet to a point for corner;
- 25 - THENCE North N  $40^{\circ} 09' 07''$  West, 18.26 feet to a point for corner;
- 26 - THENCE North  $64^{\circ} 15' 33''$  West, 36.09 feet to a point for corner;
- 27 - THENCE South  $89^{\circ} 32' 37''$  West, 22.93 feet to a point for corner;

1 - THENCE North 04° 18' 58" East, 40.40 feet to a point for corner;  
2 - THENCE North 51° 29' 10" West, 21.95 feet to a point for corner;  
3 - THENCE North 74° 46' 16" West, 24.92 feet to a point for corner;  
4 - THENCE South 68° 05' 35" West, 26.22 feet to a point for corner;  
5 - THENCE South 04° 28' 48" East, 49.05 feet to a point for corner;  
6 - THENCE South 39° 20' 23" West, 33.30 feet to a point for corner;  
7 - THENCE North 80° 06' 29" West, 29.12 feet to a point for corner;  
8 - THENCE North 54° 19' 38" West, 66.25 feet to a point for corner;  
9 - THENCE North 44° 00' 07" West, 67.67 feet to a point for corner;  
10 - THENCE North 72° 28' 15" West, 58.48 feet to a point for corner;  
11 - THENCE North 53° 00' 58" West, 113.50 feet to a point for corner;  
12 - THENCE North 58° 32' 21" West, 105.66 feet to a point for corner;  
13 - THENCE North 80° 46' 30" West, 42.17 feet to a point for corner;  
14 - THENCE North 27° 39' 25" West, 16.86 feet to a point for corner;  
15 - THENCE North 82° 42' 23" West, 43.55 feet to a point for corner at  
16 the Southwest corner of the herein described tract;

17       THENCE North 04° 31' 09" West, 1299.57 feet to a set 3/4-inch  
18 iron rod with cap stamped "DANNENBAUM ENGINEERING" for corner at  
19 the Northwest corner of the herein described tract; also being in  
20 the South line of a certain called 0.275 acre tract of land conveyed  
21 to Montgomery County, Texas as recorded in File Number 2008-111022  
22 in the Official Public Records of Real Property, Montgomery County,  
23 Texas;

24       THENCE North 86° 31' 04" East with the South line of said 0.275  
25 acres tract, 492.66 feet to a set 3/4-inch iron rod with cap stamped  
26 "DANNENBAUM ENGINEERING" for the southeast corner of said 0.275  
27 acres tract, and being in the West line of that certain called 3.003

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1 acres tract of land conveyed to Montgomery County, Texas as  
2 recorded in File Number 2008-111021 of the Official Public Records  
3 of Real Property, Montgomery County, Texas;

4       THENCE South 03° 28' 56" East with the West line of said 3.003  
5 acres tract, 100.00 feet to a set 3/4-inch iron rod with cap stamped  
6 "DANNENBAUM ENGINEERING" for the Southwest corner of said 3.003  
7 acres tract;

8       THENCE North 86° 31' 04" East with the South line of said 3.003  
9 acres tract, 2,290.00 feet to a set 3/4 with cap stamped "DANNENBAUM  
10 ENGINEERING" for the Southeast corner of said 3.003 acres tract,  
11 and being the Southwest corner of that certain called 0.165 acres  
12 tract conveyed to Montgomery County, Texas as recorded in File  
13 Number 2008-111022 of the Official Public Records of Real Property,  
14 Montgomery County, Texas;

15       THENCE North 86° 32' 59" East with the South line of said 0.165  
16 acres tract, 60.00 feet to a set 3/4-inch iron rod with cap stamped  
17 "DANNENBAUM ENGINEERING" for the Southeast corner of said 0.165  
18 acres tract;

19       THENCE North 03° 28' 56" West with the East line of said 0.165  
20 acres tract, 120.00 feet to a set 3/4-inch iron rod with cap stamped  
21 "DANNENBAUM ENGINEERING" in the North line of said 548.300 acres  
22 tract, also being in the South line of that certain called 32.645  
23 acres tract of land conveyed to Montgomery County, as recorded in  
24 File Number 2007-102058 of the Official Public Records of Real  
25 Property, Montgomery County, Texas;

26       THENCE North 86° 32' 59" East with the North line of said  
27 548.300 acres tract and the South line of said 32.645 acres tract of

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land, 94.65 feet to a set 3/4-iron rod with cap stamped "DANNENBAUM ENGINEERING" for the Southeast corner of said 7.479 acres tract, and being the beginning of a non-tangent curve to the right;

THENCE along said curve to the right, having a radius of 312.28, an arc length of 141.43 feet, a central angle of 25° 56' 53", and a chord bearing South 17° 28' 08" East, 140.22 feet to found 1/2-inch iron rod with cap stamped "JEFF MOON RPLS 4639" for corner;

THENCE South 04° 30' 58" East, 690.96 feet to found 1/2-inch iron rod with cap stamped "JEFF MOON RPLS 4639" for corner;

THENCE North 85° 29' 02" East, 812.68 feet to found 1/2-inch iron rod with cap stamped "JEFF MOON RPLS 4639" for corner and the beginning of a tangent curve to the left;

THENCE along said curve to the left, having a radius of 250.00, an arc length of 312.69 feet, a central angle of 71° 39' 45", and a chord bearing North 49° 39' 08" East, 292.70 feet to found 1/2-inch iron rod with cap stamped "JEFF MOON RPLS 4639" for corner;

THENCE North 13° 49' 15" East, 580.62 feet to found 1/2-inch iron rod with cap stamped "JEFF MOON RPLS 4639" for corner and the beginning of a tangent curve to the left;

THENCE along said curve to the left, having a radius of 270.00, an arc length of 84.42 feet, a central angle of 17° 54' 53", and a chord bearing North 04° 51' 48" East, 84.08 feet to found 1/2-inch iron rod with cap stamped "JEFF MOON RPLS 4639" for corner

being in the North line of said 57.24 acres tract and the South line of that certain called 33.22 acres tract of land conveyed to Joseph Popowitz as recorded in File Number 2001-007697 in the Official Public Records of Real Property, Montgomery County, Texas;

1       THENCE North 86° 27' 53" East, with the North line of said  
2 57.24 acre tract and the South line of said 33.22 acres tract,  
3 723.29 feet to a set 3/4-inch iron rod with cap stamped "DANNENBAUM  
4 ENGINEERING" for the Northeast corner of said 57.24 acres tract,  
5 also being the Northwest corner of said 3.5714 acres tract of land;

6       THENCE North 86° 27' 53" East, with the North line of said  
7 3.5714 acres tract, 392.87 feet to POINT OF BEGINNING; containing  
8 210.64 acres of land, more or less.

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

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

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

23       (d) The general law relating to consent by political  
24 subdivisions to the creation of districts with conservation,  
25 reclamation, and road powers and the inclusion of land in those  
26 districts has been complied with.

27       (e) All requirements of the constitution and laws of this

1 state and the rules and procedures of the legislature with respect  
2 to the notice, introduction, and passage of this Act have been  
3 fulfilled and accomplished.

4       SECTION 4. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2015.