By: Kolkhorst S.B. No. 2036

A BILL TO BE ENTITLED

| 1 | AN ACT |
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| 2 | relating to the creation of the Fort Bend County Municipal Utility |
| 3 | District No. 218; granting a limited power of eminent domain; |
| 4 | providing authority to issue bonds; providing authority to impose |
| 5 | assessments, fees, and taxes. |
| 6 | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: |
| 7 | SECTION 1. Subtitle F, Title 6, Special District Local Laws |
| 8 | Code, is amended by adding Chapter 7927 to read as follows: |
| 9 | CHAPTER 7927. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 218 |
| 10 | SUBCHAPTER A. GENERAL PROVISIONS |
| 11 | Sec. 7927.001. DEFINITIONS. In this chapter: |
| 12 | (1) "Board" means the district's board of directors. |
| 13 | (2) "Commission" means the Texas Commission on |
| 14 | Environmental Quality. |
| 15 | (3) "Director" means a board member. |
| 16 | (4) "District" means the Fort Bend County Municipal |
| 17 | Utility District No. 218. |
| 18 | Sec. 7927.002. NATURE OF DISTRICT. The district is a |
| 19 | municipal utility district created under Section 59, Article XVI, |
| 20 | Texas Constitution. |
| 21 | Sec. 7927.003. CONFIRMATION AND DIRECTORS' ELECTION |
| 22 | REQUIRED. The temporary directors shall hold an election to |
| 23 | confirm the creation of the district and to elect five permanent |
| 24 | directors as provided by Section 49.102, Water Code. |

- Sec. 7927.004. CONSENT OF MUNICIPALITY REQUIRED. 1 temporary directors may not hold an election under Section 7927.003 2 until each municipality in whose corporate limits or 3 extraterritorial jurisdiction the district is located 4 has consented by ordinance or resolution to the creation of the 5 district and to the inclusion of land in the district. 6 7 Sec. 7927.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) 8 The district is created to serve a public purpose and benefit. (b) The district is created to accomplish the purposes of: 9 (1) a municipal utility district as provided by 10 general law and Section 59, Article XVI, Texas Constitution; and 11 12 (2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, 13 or maintenance of macadamized, graveled, or paved roads, or 14 15 improvements, including storm drainage, in aid of those roads. Sec. 7927.006. INITIAL DISTRICT TERRITORY. (a) The 16 17 district is initially composed of the territory described by Section 2 of the Act enacting this chapter. 18 19 (b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake made in the 20 21 field notes or in copying the field notes in the legislative process 22 does not affect the district's:
- 23 (1) organization, existence, or validity;
- 24 (2) right to issue any type of bond for the purposes
- for which the district is created or to pay the principal of and 25
- 26 interest on a bond;
- 27 (3) right to impose a tax; or

1 (4) legality or operation. 2 SUBCHAPTER B. BOARD OF DIRECTORS Sec. 7927.051. GOVERNING BODY; TERMS. (a) The district is 3 governed by a board of five elected directors. 4 5 (b) Except as provided by Section 7927.052, directors serve staggered four-year terms. 6 7 Sec. 7927.052. TEMPORARY DIRECTORS. (a) On or after 8 September 1, 2015, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to 9 the commission requesting that the commission appoint as temporary 10 directors the five persons named in the petition. The commission 11 12 shall appoint as temporary directors the five persons named in the 13 petition. 14 (b) Temporary directors serve until the earlier of: 15 (1) the date permanent directors are elected under Section 7927.003; or 16 17 (2) September 1, 2019. (c) If permanent directors have not been elected under 18 19 Section 7927.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or 20 reappointed as provided by Subsection (d) to serve terms that 21 expire on the earlier of: 22 23 (1) the date permanent directors are elected under 24 Section 7927.003; or 25 (2) the fourth anniversary of the date of the 26 appointment or reappointment. (d) If Subsection (c) applies, the owner or owners of a

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- 1 majority of the assessed value of the real property in the district
- 2 may submit a petition to the commission requesting that the
- 3 commission appoint as successor temporary directors the five
- 4 persons named in the petition. The commission shall appoint as
- 5 successor temporary directors the five persons named in the
- 6 petition.
- 7 <u>SUBCHAPTER C. POWERS AND DUTIES</u>
- 8 Sec. 7927.101. GENERAL POWERS AND DUTIES. The district has
- 9 the powers and duties necessary to accomplish the purposes for
- 10 which the district is created.
- 11 Sec. 7927.102. MUNICIPAL UTILITY DISTRICT POWERS AND
- 12 DUTIES. The district has the powers and duties provided by the
- 13 general law of this state, including Chapters 49 and 54, Water Code,
- 14 applicable to municipal utility districts created under Section 59,
- 15 Article XVI, Texas Constitution.
- Sec. 7927.103. AUTHORITY FOR ROAD PROJECTS. Under Section
- 17 52, Article III, Texas Constitution, the district may design,
- 18 acquire, construct, finance, issue bonds for, improve, operate,
- 19 maintain, and convey to this state, a county, or a municipality for
- 20 operation and maintenance macadamized, graveled, or paved roads, or
- 21 improvements, including storm drainage, in aid of those roads.
- Sec. 7927.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
- 23 project must meet all applicable construction standards, zoning and
- 24 subdivision requirements, and regulations of each municipality in
- 25 whose corporate limits or extraterritorial jurisdiction the road
- 26 project is located.
- 27 (b) If a road project is not located in the corporate limits

- 1 or extraterritorial jurisdiction of a municipality, the road
- 2 project must meet all applicable construction standards,
- 3 subdivision requirements, and regulations of each county in which
- 4 the road project is located.
- 5 (c) If the state will maintain and operate the road, the
- 6 Texas Transportation Commission must approve the plans and
- 7 specifications of the road project.
- 8 Sec. 7927.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
- 9 OR RESOLUTION. The district shall comply with all applicable
- 10 requirements of any ordinance or resolution that is adopted under
- 11 Section 54.016 or 54.0165, Water Code, and that consents to the
- 12 creation of the district or to the inclusion of land in the
- 13 district.
- 14 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
- Sec. 7927.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
- 16 <u>district may issue</u>, without an election, bonds and other
- 17 obligations secured by:
- 18 (1) revenue other than ad valorem taxes; or
- 19 (2) contract payments described by Section 7927.153.
- 20 (b) The district must hold an election in the manner
- 21 provided by Chapters 49 and 54, Water Code, to obtain voter approval
- 22 before the district may impose an ad valorem tax or issue bonds
- 23 payable from ad valorem taxes.
- (c) The district may not issue bonds payable from ad valorem
- 25 taxes to finance a road project unless the issuance is approved by a
- 26 vote of a two-thirds majority of the district voters voting at an
- 27 election held for that purpose.

- 1 Sec. 7927.152. OPERATION AND MAINTENANCE TAX. (a) If
- 2 authorized at an election held under Section 7927.151, the district
- 3 may impose an operation and maintenance tax on taxable property in
- 4 the district in accordance with Section 49.107, Water Code.
- 5 (b) The board shall determine the tax rate. The rate may not
- 6 exceed the rate approved at the election.
- 7 Sec. 7927.153. 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.
- SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS
- 17 Sec. 7927.201. AUTHORITY TO ISSUE BONDS AND OTHER
- 18 OBLIGATIONS. The district may issue bonds or other obligations
- 19 payable wholly or partly from ad valorem taxes, impact fees,
- 20 revenue, contract payments, grants, or other district money, or any
- 21 <u>combination of those sources, to pay for any authorized district</u>
- 22 purpose.
- Sec. 7927.202. TAXES FOR BONDS. At the time the district
- 24 issues bonds payable wholly or partly from ad valorem taxes, the
- 25 board shall provide for the annual imposition of a continuing
- 26 direct ad valorem tax, without limit as to rate or amount, while all
- 27 or part of the bonds are outstanding as required and in the manner

- 1 provided by Sections 54.601 and 54.602, Water Code.
- 2 Sec. 7927.203. BONDS FOR ROAD PROJECTS. At the time of
- 3 <u>issuance</u>, the total principal amount of bonds or other obligations
- 4 issued or incurred to finance road projects and payable from ad
- 5 valorem taxes may not exceed one-fourth of the assessed value of the
- 6 real property in the district.
- 7 SECTION 2. The Fort Bend County Municipal Utility District
- 8 No. 218 initially includes all the territory contained in the
- 9 following area:
- 10 A 232.215 acre, or 10,115,268 square feet more or less tract of
- 11 land, being all of that 250 acre tract of land conveyed to Frank
- 12 Chalupa and described in a deed recorded in Volume 182, Page 194 of
- 13 the Deed Records of Fort Bend County, Texas, subsequently divided
- 14 into seven parcels and conveyed as follows: 41.58 acres conveyed to
- 15 Edwin G. Chalupa et al in a deed recorded in Volume 708, Page 5,
- 16 corrected in document recorded in Volume 753, Page 746, Deed
- 17 Records of Fort Bend County, Texas, subsequently conveyed to
- 18 Patrick B. Chalupa, Melissa K. Chalupa aka Melissa Chalupa Gonzalez
- 19 by deeds recorded in Document Numbers 9621563, 2007000110,
- 20 2007061950, 2014005282, and 2014005283 of the Official Public
- 21 Records of Fort Bend County, Texas; 41.58 acres conveyed to Robert
- 22 E. Chalupa et al by deed recorded in Volume 708, Page 9, corrected
- 23 in Document recorded in Volume 753, Page 746, Deed Records of Fort
- 24 Bend County, Texas; 41.58 acres conveyed to Bessie R. Polasek,
- 25 Jerry William Polasek and Bessie R. Polasek as Trustee for Jerry
- 26 Wayne Polasek, Michael Polasek and Deborah Renee Polasek, by deed
- 27 recorded in Volume 708, Page 16, corrected in document recorded in

Volume 753, Page 746, Deed Records of Fort Bend County, Texas, and 1 being the same tract subsequently conveyed to Michael Polasek, 2 3 Jerry Wayne Polasek and Deborah Renee Polasek Macha by deeds recorded in Document Numbers 9468263, 9468264, 946826, 09468266, 4 9468267, 8468268, 9459082, 9469083, and 9469084 of the Official 5 Public Records of Fort Bend County, Texas; 41.58 acres conveyed to 6 Anastazie M. Stasney, et al by deed recorded in Volume 705, Page 1, 7 8 corrected in document recorded in Volume 753, Page 746, Deed Records of Fort Bend County, Texas, and being the same tract 9 10 subsequently conveyed to Alan Wayne Stasney by deeds recorded in Document Numbers 9504686, 2006162504, and 2013128230 of the 11 Official Public Records of Fort Bend County, Texas; 41.58 acres 12 conveyed to John J. Chalupa, Trustee for the benefit of Delores 13 14 Chalupa in accordance with the Frank and Amalie Chalupa Trust III, 15 by deed recorded in Volume 707, Page 932, corrected in document recorded in Volume 753, Page 748, Deed Records of Fort Bend County, 16 17 Texas; 20.2239 acres being a portion of 41.58 acres conveyed to John J. Chalupa by deed recorded in Volume 708 Page 13, corrected in 18 document recorded in Volume 753, Page 746, Deed Records of Fort Bend 19 County, Texas, and being the same tract of land conveyed by deed 20 recorded in Document Number 9468272, Official Public Records of 21 Fort Bend County, Texas, to Bessie Polasek and Anastazie Stasney, 22 23 Co-Trustees for Bessie Polasek pursuant to Testamentary Trust 24 created by the Last Will and Testament of John J. Chalupa, admitted to probate on August 10, 1992, in Cause No. 12,545, in the Probate 25 26 Court of Fort Bend County, Texas; and 21.4413 acre portion of 41.58 27 acres conveyed to John J. Chalupa by deed recorded in Volume 708,

- 1 Page 13, corrected in document recorded in Volume 753, Page 746, Deed Records of Fort Bend County, Texas, and being the same tract of 2
- 3 land conveyed by deed recorded in Document Number 9468271, Official
- Public Records of Fort Bend County, Texas, to Bessie Polasek and 4
- 5 Anastazie Stasney, Co-Trustees for Anastazie Stasney pursuant to
- Testamentary Trust created by the Last Will and Testament of John J. 6
- Chalupa, admitted to probate on August 10, 1992, 7
- 8 No. 12,545, in the Probate Court of Fort Bend County, Texas, all
- situated in the W. Lusk Survey, Abstract 276, and the E. Wheat 9
- 10 Survey, Abstract 396, partially in the City of Rosenberg and
- partially in the Rosenberg Extra-Territorial Jurisdiction, Fort 11
- 12 Bend County, Texas. Said 232.215 acre tract of land being more fully
- described as follows, with bearings based on the Texas State Plane 13
- 14 Coordinate System, established for the South Central Zone, from the
- 15 North American Datum of 1983 (NA2011), epoch 2010.00:

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17 "Pape Dawson" at the northwest corner of said 250 acre tract of land described in Volume 182, Page 194 of the Deed Records of Fort Bend 18 19 County, Texas, also being the northwest corner of said 41.58 acres conveyed to Edwin G. Chalupa et al in a deed recorded in Volume 708, 20

BEGINNING: At a set 5/8 inch iron rod with yellow cap marked

page 5 of the Deed Records of Fort Bend County, Texas, and the 21

northwest corner of a 0.476 acre right-of-way easement conveyed to

- 23 the State of Texas and described in Volume 522, Page 45 of the Deed
- 24 Records of Fort Bend County, Texas for Minonite Road (also known as
- 2977), a 100-foot wide right-of-way as 25 shown on the
- 26 right-of-way map prepared for the Texas Department
- Transportation under CSJ 3048-1-4, also being the southwest corner 27

of a 0.977 acre tract of land conveyed to NGR Texas Power LLC in a document recorded in Clerk's File No. 2007089660 and described in Clerk's File No. 2007019710 of the Official Public Records of Fort

4 Bend County, Texas, and the southwest corner of a 0.093 of an acre

5 right-of-way easement conveyed to the State of Texas for said

6 Minonite Road and described in Volume 522, Page 36 of the Deed

7 Records of Fort Bend County, Texas;

THENCE: S67°37'36"E, along and with the northeast line of said 8 250 acre tract, the southwest line of said 0.977 acre tract, passing 9 10 the northeast corner of said 0.476 acre right-of-way easement and southeast corner of said 0.093 acre right-of-way easement at a 11 12 distance of 9.00 feet, from which a found 3/4 inch iron pipe bears N67°37'36"W, a distance of 0.28 feet, passing the southeast corner 13 of said 0.977 acre tract, the southwest corner of a 4.1687 acre 14 tract of land conveyed to HV Asset, LLC and described in Clerk's 15 File No. 2014072568 of the Official Public Records Fort Bend 16 County, Texas, at an additional distance of 91.00 feet, passing the 17 southeast corner of said 4.1687 acre tract, the southwest corner of 18 19 a 27.550 acre tract of land conveyed to Community Focus Foundation, A Texas Foundation and described in Clerk's File No. 2013053843 of 20 the Official Public Records of Fort Bend County, Texas at an 21 additional distance of 368.89 feet, from which a found 3/4 inch iron 22 pipe bears S22°22'24"W, a distance of 0.23 feet, passing the 23 24 southeast corner of said 27.550 acre tract, the southwest corner of a 16.313 acre tract of land conveyed to Community Focus Foundation, 25 26 a Texas Nonprofit Corporation in Clerk's File No. 2013054877 of the Official Public Records of Fort Bend County, Texas at an additional 27

distance of 779.25 feet, from which a found iron rod with cap marked 1 "Kalkomey Surveying" bears N22°22'24"E, a distance of 0.27 feet, 2 3 passing the southeast corner of said 16.313 acre tract of land conveyed to Community Focus Foundation, a Texas 4 5 Corporation, the southwest corner of a 16.313 acre tract of land conveyed to Michael and Madeleine Ghosn, and described in Clerk's 6 File No. 2011016213 of the Official Public Records of Fort Bend 7 8 County, Texas at an additional distance of 449.82 feet, from which a found iron rod with cap marked "Kalkomey Surveying" bears 9 10 N22°22'24"E, a distance of 0.57 feet, passing the southeast corner of said 16.313 acre tract conveyed to Michael and Madeleine Ghosn, 11 the southwest corner of a 23.425 acre tract of land conveyed to 12 Niranjan and Jasmin Patel and described in Clerk's 13 14 No. 2013077203 of the Official Public Records of Fort Bend County, 15 Texas at an additional distance of 449.73 feet, passing the southeast corner of said 23.425 acre tract, the southwest corner of 16 17 a 32.626 acre tract of land conveyed to Vertical Capital Holdings, LLC and described in Clerk's File No. 2014024505 of the Official 18 Public Records of Fort Bend County, Texas, at an additional 19 distance of 646.32 feet, passing the southeast corner of said 20 32.626 acre tract, the southwest corner of a 32.63 acre tract of 21 land conveyed to Zion Hill Baptist Church in Crabb, Texas and 22 described in Clerk's File No. 2010105939 of the Official Public 23 24 Records of Fort Bend County, Texas at an additional distance of 900.72 feet, passing the southeast corner of said 32.63 acre tract, 25 26 the southwest corner of a 33.450 acre tract of land conveyed to 27 Wilbert Ulrich and described in Volume 2236, Page 2080 of the Deed

1 Records of Fort Bend County, Texas at an additional distance of 901.24 feet, along and with the south line of said 33.450 acre 2 3 tract, and additional distance of 926.55 feet, for a total distance of 5522.52 feet to a set MAG nail with shiner marked "Pape-Dawson" 4 5 on the east line of a 30-foot wide right-of-way easement conveyed to Fort Bend County and described in Volume 181, Page 611 of the Deed 6 Records of Fort Bend County, Texas for the creation of Benton Road, 7 a 60-foot wide right-of-way, at the southeast corner of said 33.450 8 acre tract, the northeast corner of said 250 acre tract and the 9 10 northeast corner of said 20.2239 acre portion of a 41.58 acre tract conveyed to John J. Chalupa by deed recorded in Volume 708, Page 13 11 12 of the Deed Records of Fort Bend County, Texas, from which a found Mag nail bears NOO°14'41"W, a distance of 3.79 feet; 13

14 THENCE: S22°21'30"W, along and with centerline of said Benton 15 Road, also being the east line of said 250 acre tract, the east line of said 30-foot wide right-of-way easement, and the east line of 16 17 said 20.2239 acre and said 21.4413 acre portion of the 41.58 acre tract of land conveyed to John J. Chalupa, passing a found MAG nail 18 at a distance of 750.63 feet, from which another found MAG nail 19 bears N17°20'04"E, a distance of 5.27 feet, continuing along said 20 east line and centerline, an additional distance of 1222.50 feet 21 for a total distance of 1973.13 feet to a set 5/8 inch iron rod with 22 yellow cap marked "Pape-Dawson" on the north line of a 30.71 acre 23 24 land conveyed to Lennar Homes of Texas Land and Construction, Ltd. and described in Clerk's File No. 2005142966 of 25 26 the Official Public Records of Fort Bend County, Texas, at the southeast corner of said 250 acres tract, the southeast corner of 27

1 said 21.4413 acre tract, and the southeast corner of said 30-foot

2 wide right-of-way easement;

3 THENCE: N67°37'36"W, departing the centerline of said Benton Road, also being the east line of said 250 acre tract, the east line 4 of said 30-foot wide right-of-way easement, and the east line of 5 said 20.2239 acre and 21.4413 acre portions of the 41.58 acre tract 6 of land conveyed to John J. Chalupa, along and with the south line 7 8 of said 250 acre tract of land, the north line of said 30.71 acre tract, now partially platted as Walnut Creek Section Four, recorded 9 10 in Clerk's File No. 20140011 of the Official Public Records of Fort Bend County, Texas and Walnut Creek Section Nine, recorded in 11 Clerk's File No. 20120064 of the Official Public Records of Fort 12 Bend County, Texas, passing a found iron rod with cap marked "IDS" 13 14 at the common corner between Lot 16, Block 1 and Lot 26, Block 1 of said Walnut Creek Section Four at a distance of 1899.49 feet, 15 passing a found iron rod with illegible cap at the common corner 16 between Lot 14, Block 1 of said Walnut Creek Section Four and Lot 17 18, Block 1 of said Walnut Creek Section Nine at an additional 18 19 distance of 327.00 feet, continuing along the south line of said 250 acres, now being the north line of said Walnut Creek Section Nine, 20 passing the northwest corner of said Walnut Creek Section Nine, the 21 northeast corner of Walnut Creek Section Three, recorded in Clerk's 22 File No. 20090032 of the Official Public Records of Fort Bend 23 County, Texas at an additional distance of 917.38 feet, passing the 24 northwest corner of said Walnut Creek Section Three, the northeast 25 26 corner of Rosehaven Section 2, recorded in Clerk's File No. 20050172 of the Official Public Records of Fort Bend County, 27

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- 1 Texas at an additional distance of 259.13 feet, passing the
- 2 northwest corner of said Rosehaven Sec. 2, the northeast corner of
- 3 Restricted Reserve "A", Walnut Creek Recreational Reserve,
- 4 recorded in Clerk's File No. 20100086 of the Official Public
- 5 Records of Fort Bend County, Texas, at an additional distance of
- 6 1,290.33, for a total distance of 4989.24 feet, to a point, said
- 7 point being located S67°37'36"E a distance of 16.07 feet from the
- 8 northwest corner of said Rosehaven Sec. 2, the northeast corner of
- 9 Restricted Reserve "A", Walnut Creek Recreational Reserve,
- 10 recorded in Clerk's File No. 20100086 of the Official Public
- 11 Records of Fort Bend County, Texas;
- 12 THENCE: Over and across the said 250 acre tract of land the
- 13 following courses and distances:
- 14 N22°22'24"E, a distance of 129.84 feet to a point,
- $N20^{\circ}01'13''E$, a distance of 59.92 feet to a point,
- N22°28'53"E, a distance of 358.51 feet to a point,
- N18 $^{\circ}$ 09'34"E, a distance of 60.26 feet to a point,
- 18 N22°24'27"E, a distance of 129.92 feet to a point,
- $N22^{\circ}48'47''E$, a distance of 152.32 feet to a point,
- N17°28'20"E, a distance of 190.00 feet to a point,
- $S72^{\circ}54'19''E$, a distance of 23.20 feet to a point,
- Northeasterly, along a non-tangent curve to the left, having
- 23 a radial bearing of N 17°05'41" E, a radius of 24.84 feet, a central
- 24 angle of 92°12'15", a chord bearing and distance of N 60°59'33" E,
- 25 35.80 feet, for an arc length of 39.98 feet to a point,
- Southeasterly, along the arc of a reverse curve to the right
- 27 with a radius of 780.39 feet, an interior angle of $12^{\circ}35'14"$, and a

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- 1 chord bearing and distance of N 21°11'03" E, 171.10 feet; for an arc
- 2 length of 171.44 feet to a point,
- N 27°06'01" E, a distance of 59.97 feet to a point,
- 4 Northwesterly, along a tangent curve to the left with a
- 5 radius of 2280.00 feet, a central angle of 02°47'20", and a chord
- 6 bearing and distance of N $25^{\circ}42'20''$ E, 110.97 feet, for an arc length
- 7 of 110.98 feet to a point,
- N 67°30'19" W, a distance of 260.14 feet to a point,
- 9 N $54^{\circ}51'39''$ W, a distance of 61.08 feet to a point, and
- N $67^{\circ}21'55''$ W, a distance of 247.25 feet to a point;
- 11 THENCE: N 22°29'41" E, along and with the west line of said
- 12 0.476 acre right-of-way easement and west line of said 250 acre
- 13 tract, a distance of 506.41 feet to the POINT OF BEGINNING and
- 14 containing 232.215 acres in the Extra-Territorial Jurisdiction of
- 15 Rosenberg, Fort Bend County, Texas. Said tract being described in
- 16 accordance with a survey made on the ground and a survey description
- 17 and map prepared under job number 49077-14 by Pape-Dawson
- 18 Engineers, Inc.
- 19 SECTION 3. (a) The legal notice of the intention to
- 20 introduce this Act, setting forth the general substance of this
- 21 Act, has been published as provided by law, and the notice and a
- 22 copy of this Act have been furnished to all persons, agencies,
- 23 officials, or entities to which they are required to be furnished
- 24 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
- 25 Government Code.
- 26 (b) The governor, one of the required recipients, has
- 27 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) If this Act does not receive a two-thirds
- 11 vote of all the members elected to each house, Subchapter C, Chapter
- 12 7927, Special District Local Laws Code, as added by Section 1 of
- 13 this Act, is amended by adding Section 7927.106 to read as follows:
- 14 Sec. 7927.106. NO EMINENT DOMAIN POWER. The district may
- 15 not exercise the power of eminent domain.
- 16 (b) This section is not intended to be an expression of a
- 17 legislative interpretation of the requirements of Section 17(c),
- 18 Article I, Texas Constitution.
- 19 SECTION 5. This Act takes effect September 1, 2015.