

Chapter 673

S.B. No. 2286

AN ACT

relating to the powers, duties, and governance of the Westwood  
Magnolia Parkway Improvement District; authorizing assessments.

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

SECTION 1. Section 1(a), Chapter 323, Acts of the 78th  
Legislature, Regular Session, 2003, is amended to read as follows:

(a) The Westwood Magnolia Parkway [~~Southwest Montgomery  
County~~] Improvement District is created as a special district in  
Montgomery County under Section 59, Article XVI, Texas  
Constitution.

SECTION 2. Section 2, Chapter 323, Acts of the 78th  
Legislature, Regular Session, 2003, is amended to read as follows:

Sec. 2. DEFINITIONS. In this Act:

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

(2) "Commission" means the Texas Commission on  
Environmental Quality.

(3) "County" means Montgomery County, Texas.

(4) "District" means the Westwood Magnolia Parkway  
[~~Southwest Montgomery County~~] Improvement District.

(5) [(4)] "Planned community" means a planned  
community of 15,000 or more acres of land originally established  
under the federal Urban Growth and New Community Development Act of  
1970 (42 U.S.C. Section 4501 et seq.) that is subject to restrictive

1 covenants containing ad valorem based assessments.

2 SECTION 3. Sections 3(a) and (b), Chapter 323, Acts of the  
3 78th Legislature, Regular Session, 2003, are amended to read as  
4 follows:

5 (a) The creation of the district is essential to accomplish  
6 the purposes of Sections [Section] 52 and 52-a, Article III, and  
7 Section 59, Article XVI, Texas Constitution, and other public  
8 purposes stated in this Act.

9 (b) The creation of the district is necessary to promote,  
10 develop, encourage, and maintain employment, commerce, economic  
11 development, and the public welfare in a [the southwest] portion of  
12 Montgomery County.

13 SECTION 4. Chapter 323, Acts of the 78th Legislature,  
14 Regular Session, 2003, is amended by adding Section 4A to read as  
15 follows:

16 Sec. 4A. DISTRICT TERRITORY. The district's territory  
17 includes the following described territory:

18 Reserves "A" and "D" and Lots 39-92 of Block 1, Lots 55-79 of  
19 Block 5, Lot 4 of Block 7, and Lots 12-25 of Block 8 of Westwood One,  
20 a subdivision of record in Cabinet B, Sheets 62A-64B, Map Records of  
21 Montgomery County, Texas (M.C.M.R.);

22 Lots 1-48 and 69-81 of Block 1, Lots 1-3 of Block 3, Lots 1-4  
23 of Block 4, Lots 1-4 of Block 5, Lots 1-5 of Block 6, Lots 1-5,  
24 31-35, 38-39, and 65 of Block 7, Lots 1-6 of Block 8, Lots 1-6 of  
25 Block 9, Lots 30-57 of Block 10, Lots 13-33 of Block 11, and Lots  
26 1-15 of Block 12 of Westwood Two, a subdivision of record in Cabinet  
27 B, Sheets 103A-107A, M.C.M.R.;

1 Lots 38-85 of Block 1, Lots 38 and 39 of Block 6, Lots 1, 2,  
2 160, and 161 of Block 9, and Lots 1-33 of Block 12 of Westwood Three,  
3 a subdivision of record in Cabinet B, Sheets 157A-159A, M.C.M.R.;

4 Lots 1-18 of Block 1 and Lots 1-10 of Block 9 of Westwood  
5 Four, a subdivision of record in Cabinet C, Sheets 25A-25B,  
6 M.C.M.R.;

7 All of Reserves "A", "B", and "C" of Kroger Store No. 389, a  
8 subdivision of record under Cabinet V, Sheets 183 and 184,  
9 M.C.M.R.;

10 All of Reserves "A" through "I" of West Village, a  
11 subdivision of record in Cabinet Z, Sheets 594-597, M.C.M.R.;

12 Being all of the following tracts of land described as  
13 follows:

14 TRACT ONE

15 BEGINNING at the southwest corner of that certain called  
16 2.971 acre tract described as Tract I, in the deed from Hay S. Wong  
17 to Karen Lee Thornton, by instrument of record under File Number  
18 2003-148372, in the Official Public Records of Real Property of  
19 Montgomery County, Texas (M.C.O.P.R.R.P.), said point being on the  
20 north right-of-way line of FM 1488 (width varies);

21 Thence, Northerly along the west line of said 2.971 acre  
22 tract, to the northwest corner of said 2.971 acre tract;

23 Thence, Easterly along the north line of said 2.971 acre  
24 tract, the north line of the 2.926 acre tract described in the deed  
25 from Lillian F. Beaman, Trustee to Steven L. Crews, et ux., by  
26 instrument of record under File Number 2001-045818,  
27 M.C.O.P.R.R.P., the north line of the 0.975 acre tract described in

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1 the deed from Steven L. Crews, et al. to Thai Ocha, Inc., by  
2 instrument of record under File Number 2003-128027,  
3 M.C.O.P.R.R.P., the north line of the 1.72 acre tract described in  
4 the deed from Bow Toy to Daniel P. Morrison, M.D., by instrument of  
5 record under Volume 1163, Page 105, in the Deed Records of  
6 Montgomery County, Texas, the north line of the 2.897 acre tract  
7 described in the deed from Bow Toy, et ux., to Mary Anna Toy, by  
8 instrument of record under File Number 9110997, M.C.O.P.R.R.P., the  
9 north line of the 1.433 acre tract described as Tract I in the deed  
10 from Theresa C. Queng to See Yeut Ming, by instrument of record  
11 under File Number 2005-037291, M.C.O.P.R.R.P., the north line of  
12 the 0.5730 acre tract described in the deed from David Lee to 1488  
13 Del Sul Investments, by instrument of record under File Number  
14 2005-023510, M.C.O.P.R.R.P., the north line of the 0.5730 acre  
15 tract described in the deed from Mary Susan Botkin to 1488 Del Sul  
16 Investments, L.P., by instrument of record under File Number  
17 2004-123177, M.C.O.P.R.R.P., the north line of the 0.8626 acre  
18 tract described in the deed from Karen Lee Thornton, et al. to 1488  
19 Del Sul Investments, L.P., by instrument of record under File  
20 Number 2004-129630, M.C.O.P.R.R.P., the north line of Lot C-3  
21 described in the deed from The Estate of Richard Lee to Karen Lee  
22 Thornton, by instrument of record under File Number 99012443,  
23 M.C.O.P.R.R.P., the north line of the 1.0 acre tract described in  
24 the deed from Michael R. Pugh, et al. to CHBC Inc., by instrument of  
25 record under File Number 2001-104753, M.C.O.P.R.R.P., the north  
26 line of the 1.00 acre tract described in the deed from Michael R.  
27 Pugh, et al. to George D. Cowger, et ux., by instrument of record

1 under File Number 9755259, M.C.O.P.R.R.P., and the north line of  
2 the 0.816 acre tract described in the deed from Michael R. Pugh, et  
3 al. to Dewaine Collom, by instrument of record under File Number  
4 9803155, M.C.O.P.R.R.P., to the northeast corner of said 0.816 acre  
5 tract, common to the northwest corner of Reserve "C" of Forest West,  
6 Section One, a subdivision of record under Cabinet P, Sheets  
7 156-158, Map Records of Montgomery County, Texas (M.C.M.R.);

8 Thence, Southerly along the west line of said Reserve "C", to  
9 the southwest corner of said Reserve "C", to a point on the north  
10 right-of-way line of said F.M. 1488;

11 Thence, Westerly along the north right-of-way line of FM 1488  
12 to the POINT OF BEGINNING.

13 TRACT TWO

14 All of the following described lands, BEGINNING at the  
15 southeast corner of Reserve "B", of Forest West, Section One, a  
16 subdivision of record under Cabinet P, Sheets 156-158, Map Records  
17 of Montgomery County, Texas (M.C.M.R.);

18 Thence, Northerly along the most southerly east line of said  
19 Reserve "B" to the most southerly southwest corner of Windcrest  
20 Estates, Section One, a subdivision of record under Cabinet H,  
21 Sheets 195A-1958, M.C.M.R.;

22 Thence, Easterly along the south line of said Windcrest  
23 Estates, Section One, to the southeast corner of said Windcrest  
24 Estates, Section One, said point being on the west right-of-way  
25 line of Honea-Egypt Road (width varies) (FM 2978);

26 Thence, along said west right-of-way line of said Honea-Egypt  
27 Road to the intersection of the west right-of-way line of said

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1 Honea-Egypt Road and the north right-of-way line of FM 1488 (width  
2 varies);

3 Thence, Westerly along the north right-of-way line of FM 1488  
4 to the POINT OF BEGINNING.

5 TRACT THREE

6 Being a 1.961 acre tract (calculated) being all of that  
7 certain called 0.254 acre Restricted Commercial Reserve "A" of  
8 Powell Plaza 111, a subdivision of record in Cabinet Z, Sheets 805,  
9 Map Records of Montgomery County, Texas (M.C.M.R.), and being a  
10 portion of that certain 1.168 (tract 1) and 0.9880 (tract 2)  
11 described in the deed dated July 17, 2003, conveyed from Toby Powell  
12 and wife, Vanessa Powell to Powell Plaza, L.L.C. by an instrument of  
13 record under File Number 2003-088540, M.C.O.P.R.R.P., more  
14 particularly described as follows:

15 BEGINNING at the southeast corner of said 0.9880 acre tract,  
16 said point being the southwest corner of the residue of that certain  
17 called 0.4848 acre tract conveyed to First Bank of Conroe, N.A. by  
18 an instrument of record under File Number 2000-034432,  
19 M.C.O.P.R.R.P.;

20 Thence, along the south line of said 0.9880 acre tract to the  
21 southwest corner of said 0.9880 acre tract, said point being on the  
22 east line of said 1.168 acre tract;

23 Thence, along the east line of said 1.168 acre tract to the  
24 southeast corner of said 1.168 acre tract;

25 Thence, along the south line of said 1.168 acre tract to the  
26 southwest corner of said 1.168 acre tract, said point being on the  
27 east line of Reserve "A" of West Village, a subdivision of record in

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1 Cabinet Z, Sheet 594, M.C.M.R.;

2 Thence, along the west line of said 1.168 acre tract and the  
3 east line of said Reserve "A" of said West Village subdivision to  
4 the southerly right-of-way line of FM 1488 as described in File  
5 Numbers 2005-088763 and 2006-120899, M.C.O.P.R.R.P.;

6 Thence, along the south right-of-way line of said FM 1488 as  
7 described in File Number 2006-120899, M.C.O.P.R.R.P. to a point for  
8 corner on the east line of said 0.9880 acre tract and the west line  
9 of the aforementioned 0.4848 acre tract;

10 Thence, along the east line of said 0.9880 acre tract and the  
11 west line of said 0.4848 acre tract to the POINT OF BEGINNING of the  
12 herein described tract of land.

13 TRACT FOUR

14 Being a 11.79 acre tract of land, located in the Dickinson  
15 Garrett Survey, A-225, Montgomery County, Texas, being all of  
16 Tracts 1 and 2 of FOREST WEST (an unrecorded subdivision), more  
17 particularly being and all of that certain called 7.998 acre tract  
18 (described as all of Tract 2 and a portion of Tract 1 of said FOREST  
19 WEST) conveyed from Magnolia Circle properties, LTD. to HEB Grocery  
20 Company, LP by an instrument of record under Document Number  
21 2015009422, of the Official Public Records of Real Property of  
22 Montgomery County, Texas (M.C.O.P.R.) and a portion of that certain  
23 called 6.164 acre tract (described as a portion of Tract 1 of said  
24 FOREST WEST) conveyed from First American Residential, L.L.C to HEB  
25 Grocery Company, LP by an instrument of record under Document  
26 Number 2015000626, M.C.O.P.R., more particularly described by  
27 metes and bounds as follows (Bearings based on Texas Coordinate

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1 System, Central Zone, NAD83, 1993 Adjustment):

2 COMMENCING at the north end of the northwest right-of-way  
3 cutback corner at the intersection of Farm To Market 1488 (FM 1488)  
4 (150' wide), as described under Volume 381, Page 489-491, of the  
5 Deed Records of Montgomery County, Texas and File Number  
6 2007-090725, of the Official Public Records of Real Property of  
7 Montgomery County, Texas, and Magnolia Circle (60' wide), said  
8 point being the northerly southeast corner of said 6.164 acre  
9 tract;

10 Thence, North 03° 19' 15" West, along the east line of said  
11 6.164 acre tract, common to the west line of said Magnolia Circle  
12 Drive, 179.89 feet to the southeast corner and POINT OF BEGINNING of  
13 the herein described tract, said point being the common east corner  
14 of said Tract 1 and Tract "A" of the aforesaid FOREST WEST;

15 Thence, South 89° 48' 46" West, departing the east line of  
16 said 6.164 acre tract and along the common line of said Tract "A"  
17 and Tract 1, 519.00 feet to an angle point on the west line of said  
18 6.164 acre tract, said point being the common west corner of said  
19 Tract "A" and Tract 1, said point being the southwest corner of the  
20 herein described tract;

21 Thence, North 03° 19' 15" West, along the west line of said  
22 6.164 acre tract, common to the west line of aforesaid Tract 1, at  
23 304.51 feet pass the common west corner of said 6.164 acre tract and  
24 the aforesaid 7.998 acre tract, continuing along the west line of  
25 said 7.998 acre tract, at 556.51 feet pass the common west corner of  
26 said Tract 1 and the aforesaid Tract 2, continuing along the west  
27 line of said 7.998 acre tract, common to the west line of said Tract



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1 2 in all a total distance of 976.81 feet to the northwest corner of  
2 the herein described tract, the northwest corner of said 7.998 acre  
3 tract, and the common west corner of said Tract 2 and Tract 3 of  
4 aforesaid FOREST WEST, said Tract 3 being all of that certain called  
5 15.000 acre tract (described as Tract Two) conveyed from Issa S.  
6 Fallaha to Rima Fallaha by an instrument of record under File Number  
7 99097061, M.C.O.P.R.R.P.;

8 Thence, North 86° 40' 45" East, along the north line of said  
9 7.998 acre tract, the south line of said 15.000 acre tract, and  
10 along the common line of said Tract 2 and said Tract 3, 518.20 feet  
11 to the northeast corner of the herein described tract, the  
12 northeast corner of said 7.998 acre tract, the southeast corner of  
13 said 15.000 acre tract, and the common east corner of said Tract 2  
14 and Tract 3, said point being on the west right-of-way line of  
15 aforesaid Magnolia Circle;

16 Thence, South 03° 19' 15" East, along the east line of said  
17 7.998 acre tract, common to the east line of said Tract 2, and said  
18 west right-of-way line, at 420.41 feet pass the common east corner  
19 of said Tract 1 and Tract 2, continuing along the east line of said  
20 7.998 acre tract, common to said west right-of-way line and the east  
21 line of said Tract 1, in all a total distance of 672.30 feet to the  
22 common east corner of said 7.998 acre tract and the aforesaid 6.164  
23 acre tract;

24 Thence, South 03° 19' 29" East, along the east line of said  
25 6.164 acre tract, common to the east line of said Tract 1 and the  
26 west right-of-way line of said Magnolia Circle, 332.88 feet to the  
27 POINT OF BEGINNING of the herein described tract and containing

1 11.79 acres of land, more or less.

2 SECTION 5. Section 5, Chapter 323, Acts of the 78th  
3 Legislature, Regular Session, 2003, is amended to read as follows:

4 Sec. 5. FINDINGS RELATING TO BOUNDARIES. The boundaries  
5 and field notes of the district as described by Section 4A of this  
6 Act form a closure. A mistake in the field notes or in copying the  
7 field notes in the legislative process does not in any way affect  
8 the district's:

- 9 (1) organization, existence, or validity;
- 10 (2) right to enter any type of contract for a purpose  
11 for which the district is created;
- 12 (3) right to impose or collect an assessment or tax; or
- 13 (4) legality or operation.

14 SECTION 6. Section 6(b), Chapter 323, Acts of the 78th  
15 Legislature, Regular Session, 2003, is amended to read as follows:

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

21 SECTION 7. Section 9, Chapter 323, Acts of the 78th  
22 Legislature, Regular Session, 2003, is amended to read as follows:

23 Sec. 9. BOARD OF DIRECTORS. (a) Except as provided by this  
24 section [~~Section 14 of this Act~~], the district is governed by a  
25 board of five [~~11~~] directors who serve staggered terms of four years  
26 with two or three directors' terms expiring on June 1 of each  
27 odd-numbered year.

1 (b) [~~Except as provided by Section 14 of this Act, six~~  
2 ~~directors are elected by the voters of the district at large.~~] Five  
3 directors are appointed as follows from persons recommended by the  
4 board:

5 (1) two directors appointed by the county commissioner  
6 of County Commissioners Precinct No. 2 [~~one director appointed by~~  
7 ~~the governing body of the City of Magnolia~~];

8 (2) [~~one director appointed by the governing body of~~  
9 ~~the City of Stagecoach,~~

10 [~~3~~] one director appointed by the governing body of  
11 the City of Conroe;

12 (3) [~~4~~] one director appointed by the governing body  
13 of the Magnolia Independent School District; and

14 (4) [~~5~~] one director appointed by the county  
15 commissioners court [~~Montgomery County Commissioners Court~~].

16 (c) The board by resolution may change the number of  
17 directors on the board if:

18 (1) the county commissioners court consents to the  
19 change in the number of directors;

20 (2) the board determines that the change is in the best  
21 interest of the district; and

22 (3) the board designates in the resolution a governing  
23 body of a political subdivision of this state to appoint from  
24 persons recommended by the board the director for a new director  
25 position established under this subsection.

26 (d) The board may not consist of fewer than five or more than  
27 nine directors.

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1           (e) To be eligible to serve as a director, a person must be  
2 at least 18 years old[~~, a resident of the district,~~] and:

3                   (1) an owner of real property in the district;

4                   (2) an owner, whether beneficial or otherwise, of at  
5 least 10 percent of the outstanding stock of a corporate owner of  
6 real property in the district or of a corporate lessee of real  
7 property in the district with a lease term of five years or more  
8 measured from the date of appointment or election, excluding  
9 options;

10                  (3) an owner of at least 10 percent of the beneficial  
11 interest in a trust that:

12                           (A) owns real property in the district; or

13                           (B) leases real property in the district under an  
14 original lease term of five years or more measured from the date of  
15 appointment or election, excluding options;

16                   (4) a lessee of real property in the district under an  
17 original lease term of five years or more, excluding options;

18                   (5) an owner of at least 10 percent of the outstanding  
19 interest in a general or limited partnership that:

20                           (A) owns real property in the district; or

21                           (B) leases real property in the district under an  
22 original lease term of five years or more measured from the date of  
23 appointment or election, excluding options; or

24                   (6) an agent, employee, officer, or director of any  
25 individual, corporation, trust, or partnership that owns or leases  
26 real property described by Subdivision (1), (2), (3), (4), or (5) of  
27 this subsection who is designated by the owner or lessee to serve as

1 a director.

2 (f) [~~(d)~~] A person may not be appointed as a director under  
3 Subsection (b) of this section if:

4 (1) the appointment would cause more than two [~~three~~]  
5 members of the board to be an agent, employee, officer, or director  
6 of the same individual, corporation, trust, or partnership that  
7 owns or leases property in the district; or

8 (2) the proposed director serves on the board of  
9 directors of a nonprofit organization, such as a homeowners  
10 association or chamber of commerce, that serves any purpose similar  
11 to those of the district, including economic development, and  
12 serves a geographic territory that encompasses any part of the  
13 district.

14 SECTION 8. Section 10(a), Chapter 323, Acts of the 78th  
15 Legislature, Regular Session, 2003, is amended to read as follows:

16 (a) A vacancy in an appointed position is filled for the  
17 remainder of the unexpired term by the appointment of a person  
18 recommended by the board made by the entity that made the original  
19 appointment. [~~A vacancy in an elected position is filled by the~~  
20 ~~remaining members of the board for the unexpired term.~~]

21 SECTION 9. Chapter 323, Acts of the 78th Legislature,  
22 Regular Session, 2003, is amended by adding Sections 11A and 11B to  
23 read as follows:

24 Sec. 11A. QUORUM. For purposes of determining a quorum of  
25 the board, the following are not counted:

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

1           (2) a director who is abstaining from participation in  
2 a vote because of a conflict of interest.

3           Sec. 11B. COMPENSATION. A director is entitled to receive  
4 fees of office and reimbursement for actual expenses as provided by  
5 Section 49.060, Water Code. Sections 375.069 and 375.070, Local  
6 Government Code, do not apply to the board.

7           SECTION 10. Section 13, Chapter 323, Acts of the 78th  
8 Legislature, Regular Session, 2003, is amended to read as follows:

9           Sec. 13. REMOVAL OF DIRECTOR. On petition of at least  
10 two-thirds of the remaining directors, a governing body or person  
11 that appointed a director to the [The] board, after notice and  
12 hearing, may remove the [a] director for:

13                   (1) misconduct;

14                   (2) [or] failure to carry out the director's duties;

15 or

16                   (3) failure to attend three consecutive meetings [by  
17 vote of not less than 75 percent of the remaining directors].

18           SECTION 11. Section 18(b), Chapter 323, Acts of the 78th  
19 Legislature, Regular Session, 2003, is amended to read as follows:

20           (b) A project authorized under this section may include:

21                   (1) landscaping, lighting, banners, signs, streets or  
22 sidewalks, hike and bike paths and trails, pedestrian walkways,  
23 skywalks, crosswalks or tunnels, and highway right-of-way or  
24 transit corridor beautification and improvements;

25                   (2) drainage or storm water detention improvements and  
26 solid waste, water, sewer, telecommunications infrastructure, or  
27 power facilities and services, including electrical, gas, steam,

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1 and chilled water facilities;

2 (3) parks, lakes, gardens, recreational facilities,  
3 open space, scenic areas, and related exhibits and preserves,  
4 fountains, plazas, and pedestrian malls, public art and sculpture  
5 and related exhibits and facilities, and educational and cultural  
6 exhibits and facilities;

7 (4) conferences, conventions, or exhibitions,  
8 manufacturer, consumer, or trade shows, civic, community, or  
9 institutional events, exhibits, displays, attractions and  
10 facilities for special events, holidays, and seasonal or cultural  
11 celebrations;

12 (5) off-street parking facilities, bus terminals,  
13 heliports, mass-transit, and roadway-borne or water-borne  
14 transportation and people-mover systems; and

15 (6) any other public improvements, facilities, or  
16 services authorized under this Act or Chapter 375, Local Government  
17 Code [~~similar to the projects described in this subsection~~].

18 SECTION 12. Chapter 323, Acts of the 78th Legislature,  
19 Regular Session, 2003, is amended by adding Sections 19A, 19B, 19C,  
20 19D, and 19E to read as follows:

21 Sec. 19A. TAX AND ASSESSMENT ABATEMENTS. The district may  
22 designate reinvestment zones and may grant abatements of district  
23 taxes or assessments on property within such zones.

24 Sec. 19B. DISBURSEMENTS AND TRANSFERS OF MONEY. The board  
25 by resolution shall establish the number of directors' signatures  
26 and the procedure required for a disbursement or transfer of  
27 district money.

1       Sec. 19C. MONEY USED FOR IMPROVEMENTS OR SERVICES. The  
2 district may acquire, construct, finance, operate, or maintain any  
3 improvement or service authorized under this Act or Chapter 375,  
4 Local Government Code, using any money available to the district.

5       Sec. 19D. PETITION REQUIRED FOR FINANCING SERVICES AND  
6 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
7 service or improvement project with assessments under this Act  
8 unless a written petition requesting that service or improvement  
9 has been filed with the board.

10       (b) A petition filed under Subsection (a) of this section  
11 must be signed by the owners of a majority of the assessed value of  
12 real property in the district subject to assessment according to  
13 the most recent certified tax appraisal roll for the county.

14       Sec. 19E. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The  
15 board by resolution may impose and collect an assessment for any  
16 purpose authorized by this Act in all or any part of the district.

17       (b) An assessment, a reassessment, or an assessment  
18 resulting from an addition to or correction of the assessment roll  
19 by the district, penalties and interest on an assessment or  
20 reassessment, an expense of collection, and reasonable attorney's  
21 fees incurred by the district:

22               (1) are a first and prior lien against the property  
23 assessed;

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

27               (3) are the personal liability of and a charge against



1 the owners of the property even if the owners are not named in the  
2 assessment proceedings.

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

7 (d) The board may make a correction to or deletion from the  
8 assessment roll that does not increase the amount of assessment of  
9 any parcel of land without providing notice and holding a hearing in  
10 the manner required for additional assessments.

11 SECTION 13. Chapter 323, Acts of the 78th Legislature,  
12 Regular Session, 2003, is amended by adding Sections 23A, 23B, 23C,  
13 23D, and 23E to read as follows:

14 Sec. 23A. DEVELOPMENT CORPORATION POWERS. The district,  
15 using money available to the district, may exercise the powers  
16 given to a development corporation under Chapter 505, Local  
17 Government Code, including the power to own, operate, acquire,  
18 construct, lease, improve, or maintain a project that may be  
19 undertaken in accordance with that chapter.

20 Sec. 23B. NONPROFIT CORPORATION. (a) The board by  
21 resolution may authorize the creation of a nonprofit corporation to  
22 assist and act for the district in implementing a project or  
23 providing a service authorized by this Act.

24 (b) The nonprofit corporation:

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

1           (2) may implement any project and provide any service  
2 authorized by this Act.

3           (c) The board shall appoint the board of directors of the  
4 nonprofit corporation. The board of directors of the nonprofit  
5 corporation shall serve in the same manner as the board of directors  
6 of a local government corporation created under Subchapter D,  
7 Chapter 431, Transportation Code, except that a board member is not  
8 required to reside in the district.

9           Sec. 23C. AGREEMENTS; GRANTS. (a) As provided in Chapter  
10 375, Local Government Code, the district may make an agreement with  
11 or accept a gift, grant, or loan from any person.

12           (b) The implementation of a project is a governmental  
13 function or service for the purposes of Chapter 791, Government  
14 Code.

15           Sec. 23D. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
16 district may join and pay dues to a charitable or nonprofit  
17 organization that performs a service or provides an activity  
18 consistent with the furtherance of a district purpose.

19           Sec. 23E. ECONOMIC DEVELOPMENT PROGRAMS. (a) The district  
20 may engage in activities that accomplish the economic development  
21 purposes of the district.

22           (b) The district may establish and provide for the  
23 administration of one or more programs to promote state or local  
24 economic development and to stimulate business and commercial  
25 activity in the district, including programs to:

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

27                   (2) provide district personnel and services.

1        (c) The district may create economic development programs  
2 and exercise the economic development powers provided to  
3 municipalities by:

- 4            (1) Chapter 380, Local Government Code; and
- 5            (2) Subchapter A, Chapter 1509, Government Code.

6        SECTION 14. Chapter 323, Acts of the 78th Legislature,  
7 Regular Session, 2003, is amended by adding Section 25A to read as  
8 follows:

9        Sec. 25A. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All  
10 or any part of the area of the district is eligible to be included  
11 in:

- 12            (1) a tax increment reinvestment zone created under  
13 Chapter 311, Tax Code;
- 14            (2) a tax abatement reinvestment zone created under  
15 Chapter 312, Tax Code;
- 16            (3) an enterprise zone created under Chapter 2303,  
17 Government Code; or
- 18            (4) an industrial district created under Chapter 42,  
19 Local Government Code.

20        SECTION 15. Section 26(c), Chapter 323, Acts of the 78th  
21 Legislature, Regular Session, 2003, is amended to read as follows:

22        (c) The district may adopt, reduce, or repeal the limited  
23 sales and use tax authorized by this section at an election in which  
24 a majority of the voters of the district voting in the election  
25 approve the adoption or the abolition of the tax, as applicable.  
26 The board may set the tax at any rate of up to two percent in  
27 increments of one-eighth of one percent except that the tax may not

S.B. No. 2286

1 be imposed at a rate that would cause the combined tax rate of all  
2 local sales and use taxes in any location in the district to exceed  
3 two percent. If as a result of the imposition or increase in a sales  
4 and use tax by the district in an area in which there is located all  
5 or part of a political subdivision that has adopted a sales and use  
6 tax or as a result of the annexation by the district of all or part  
7 of the territory in a political subdivision that has adopted a sales  
8 and use tax the overlapping local sales and use taxes in the area  
9 will exceed a total of two percent, the district's sales and use tax  
10 is automatically reduced in that area to a rate that when added to  
11 the combined rate of local sales and use taxes will equal two  
12 percent.

13 SECTION 16. Chapter 323, Acts of the 78th Legislature,  
14 Regular Session, 2003, is amended by adding Section 27A to read as  
15 follows:

16 Sec. 27A. AUTHORITY TO BORROW MONEY. The district may  
17 borrow money on terms as determined by the board. Section 375.205,  
18 Local Government Code, does not apply to a loan, line of credit, or  
19 other borrowing from a bank or financial institution secured by  
20 revenue other than ad valorem taxes.

21 SECTION 17. Section 28(c), Chapter 323, Acts of the 78th  
22 Legislature, Regular Session, 2003, is amended to read as follows:

23 (c) To pay for any district purpose authorized by law, and  
24 in [~~In~~] addition to the sources of money described by Subchapter J,  
25 Chapter 375, Local Government Code, the bonds of the district may be  
26 secured and made payable, wholly or partly, by a pledge of any part  
27 of any source of money for the district, including:

S.B. No. 2286

- 1           (1) sales and use taxes;
- 2           (2) assessments;
- 3           (3) impact fees;
- 4           (4) revenue;
- 5           (5) contract payments; or
- 6           (6) grants [~~the net proceeds the district receives~~
- 7 ~~from a specified portion of the sales and use tax authorized by this~~
- 8 ~~Act~~].

9           SECTION 18. REPEAL. The following provisions of Chapter  
 10 323, Acts of the 78th Legislature, Regular Session, 2003, are  
 11 repealed:

- 12           (1) Section 4;
- 13           (2) Section 10(b);
- 14           (3) Section 11;
- 15           (4) Section 15;
- 16           (5) Section 16;
- 17           (6) Section 19; and
- 18           (7) Section 23.

19           SECTION 19. (a) An elected or appointed director of the  
 20 Westwood Magnolia Parkway Improvement District's board of  
 21 directors who is serving on September 1, 2017, continues to serve  
 22 until the expiration of the director's term. If the position of a  
 23 director who is serving on that date subsequently becomes vacant  
 24 before the expiration of the director's term, the vacancy shall be  
 25 filled in the same manner as Section 10, Chapter 323, Acts of the  
 26 78th Legislature, Regular Session, 2003, provided immediately  
 27 before September 1, 2017.

1 (b) On the expiration of the terms of the directors who are  
2 continuing to serve on September 1, 2017, as described by  
3 Subsection (a) of this section, the county commissioner serving for  
4 County Commissioners Precinct No. 2 for the Montgomery County  
5 Commissioners Court shall appoint two members in the manner  
6 provided by Section 9, Chapter 323, Acts of the 78th Legislature,  
7 Regular Session, 2003, as amended by this Act.

8 (c) This section expires January 2, 2025.

9 SECTION 20. (a) The legislature validates and confirms all  
10 acts and proceedings of the board of directors of the Westwood  
11 Magnolia Parkway Improvement District that were taken before the  
12 effective date of this Act.

13 (b) Subsection (a) of this section does not apply to any  
14 matter that on the effective date of this Act:

15 (1) is involved in litigation if the litigation  
16 ultimately results in the matter being held invalid by a final  
17 judgment of a court; or

18 (2) has been held invalid by a final judgment of a  
19 court.

20 SECTION 21. (a) The legal notice of the intention to  
21 introduce this Act, setting forth the general substance of this  
22 Act, has been published as provided by law, and the notice and a  
23 copy of this Act have been furnished to all persons, agencies,  
24 officials, or entities to which they are required to be furnished  
25 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
26 Government Code.

27 (b) The governor, one of the required recipients, has

S.B. No. 2286

1 submitted the notice and Act to the Texas Commission on  
2 Environmental Quality.

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

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

11 SECTION 22. This Act takes effect September 1, 2017.

S.B. No. 2286

Dean Patel Joe Straus  
President of the Senate Speaker of the House

I hereby certify that S.B. No. 2286 passed the Senate on May 12, 2017, by the following vote: Yeas 31, Nays 0.

Arlene Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 2286 passed the House on May 19, 2017, by the following vote: Yeas 137, Nays 7, two present not voting.

Robert Haney  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
3:30 PM O'CLOCK

JUN 12 2017  
RRP  
Secretary of State



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 2, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB2286** by Creighton (Relating to the powers, duties, and governance of the Westwood Magnolia Parkway Improvement District; authorizing assessments.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend Chapter 323, Acts of the 78th Legislature, Regular Session, 2003 relating to the Westwood Magnolia Parkway Improvement District. The district would have authority to impose assessments. The district would have authority to engage in economic development activities.

The bill would repeal Section 4, 10(b), 11, 15, 116, 19, and 23 Chapter 323, Acts of the 78th Legislature, Regular Session, 2003.

The bill would take effect September 1, 2017.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**WATER DEVELOPMENT POLICY IMPACT STATEMENT**

**85TH LEGISLATIVE REGULAR SESSION**

**May 2, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB2286** by Creighton (Relating to the powers, duties, and governance of the Westwood Magnolia Parkway Improvement District; authorizing assessments.), **As Introduced**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ) has determined that:

No Water Development Policy Impact Statement will be prepared for this bill under the provisions of Texas Constitution, Article 16, Section 59(d) as this bill does not create a conservation and reclamation district.

**Source Agencies:** 580 Water Development Board, 582 Commission on Environmental Quality

**LBB Staff:** UP, SZ

**NOTICE OF INTENTION TO INTRODUCE A BILL RELATING TO  
THE POWERS, DUTIES, BOUNDARIES, OR GOVERNANCE OF  
WESTWOOD MAGNOLIA PARKWAY IMP. DISTRICT  
AFFIDAVIT OF PUBLICATION  
The State of Texas**

The Affiant, Kim DeShazer, having knowledge of the matters hereinafter set forth, after being duly sworn, deposes and states under oath that the following statements are true and correct;

1. Affiant is the Classified Administrator of the Houston Business Journal; A weekly newspaper published in Harris County, Texas and of general circulation in Harris, Chambers, Liberty, Montgomery, Waller, Fort Bend, Brazoria and Galveston Counties.
2. The notice, of which the annexed is true copy, was published on February 17, 2017 in the classified advertising of the Houston Business Journal.

Further Affiant sayeth not.

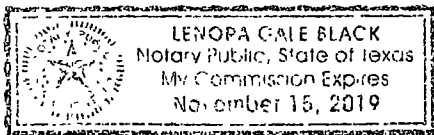
Executed this the 6th day of March, 2017.

Affiant:   
Printed Name: Kim DeShazer

SUBSCRIBED AND SWORN BEFORE ME, on 6th day of March, 2017.

by   
Notary Public

Lenora Gale Black  
Printed of Typed Name of Notary



# LEGALS

## NOTICE OF EXEMPTION FROM USE OF ACCESSIBLE VOTING SYSTEM TO THE QUALIFIED ELECTORS OF HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110 AND TO ALL OTHER INTERESTED PERSONS.

Pursuant to Section 49.111, Texas Water Code, Harris County Water Control and Improvement District No. 110 (the "District") is exempt from the acquisition, lease, or use of an electronic voting system for the Harris County Water Control and Improvement District No. 110 Director Election scheduled for May 7, 2017.

Notice is hereby given that the District will hold an election without providing a voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) on election day and during the period for early voting by personal appearance.

Any voter in the District may request the use of a voting station that meets the accessibility requirements for voting by a person with a disability by contacting the Agent for Election Matters, Sanford Kuhl Hagan Kagle Parker Kahn LLP, on or before Wednesday, March 22, 2017.

Sanford Kuhl Hagan Kagle Parker Kahn LLP  
1980 Post Oak Boulevard, Suite 1380  
Houston, Texas 77056  
Phone: 713-850-9000

Offices are open from 8:30 a.m. to 5:00 p.m. Monday through Friday.

## AVISO DE EXEMCIÓN DEL USO DE SISTEMA DE VOTACIÓN DE FÁCIL ACCESO A LOS VOTANTES HABILITADOS DEL DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 110 DEL CONDADO DE HARRIS Y A TODAS LAS DEMÁS PERSONAS INTERESADAS

En conformidad con la Sección 49.111 del Código de Agua de Texas, el Distrito de Control y Mejoras de Agua Nro. 110 del Condado de Harris (el "Distrito") está exento de la adquisición, el arrendamiento o el uso de un sistema electrónico de votación para la Elección de Directores del Distrito de Control y Mejoras de Agua Nro. 110 del Condado de Harris programada para el 6 de mayo de 2017.

Por el presente, se informa que el Distrito realizará una elección sin proveer una estación de votación que cumpla con los requisitos de accesibilidad de la Sección 15481(a)(3) del 42 U.S.C. el día de la elección y durante el periodo de votación anticipada en persona.

Cualquier votante en el Distrito podrá solicitar el uso de una estación de votación que cumpla con los requisitos de accesibilidad para que vote una persona con una discapacidad si se comunica con el Agente de Asuntos Electorales, Sanford Kuhl Hagan Kagle Parker Kahn LLP, el miércoles 22 de marzo de 2017 o antes de esa fecha.

Sanford Kuhl Hagan Kagle Parker Kahn LLP  
1980 Post Oak Boulevard, Suite 1380  
Houston, Texas 77056  
Teléfono: 713-850-9000

Las oficinas están abiertas de lunes a viernes de 8:30 a.m. a 5:00 p.m.

## THÔNG BÁO VỀ VIỆC MIỄN SỬ DỤNG HỆ THỐNG BỎ PHIẾU TIỆN DỤNG CHO NGƯỜI KHUYẾT TẬT

QUI CÁC CỬ TRI HỒI BỎ ĐIỀU KIỆN CỦA CƠ QUAN KIỂM SOÁT VÀ CAI TIẾN NGƯỜN NƯỚC SỐ 111 QUẬN HARRIS VÀ TẤT CẢ NHỮNG NGƯỜI KHÁC CÓ QUAN TÂM:

Chiều theo Mục 49.111, Bộ Luật Thủy Code Texas, Cơ Quan Kiểm Sát và Kiểm Soát Nguồn Nước số 110 Quận Harris ("Cơ Quan") được miễn mua lại, cho thuê, hoặc sử dụng một bộ thống bỏ phiếu điện tử cho Cuộc Bầu Cử Giám Đốc Cơ Quan Cải Tiến và Kiểm Soát Nguồn Nước số 110 Quận Harris dự kiến sẽ diễn ra vào ngày 6 tháng Năm, 2017.

Theo quy định của Cơ Quan sẽ tổ chức một cuộc bầu cử mà không cung cấp một trạm bỏ phiếu bất kỳ để điều kiện để sử dụng cho người khuyết tật theo 42 U.S.C Mục 15481(a)(3) vào ngày bầu cử và trong giai đoạn dịch thảo từ bỏ phiếu sớm.

Bất kỳ cử tri nào trong Cơ Quan đều có thể xin sử dụng một trạm bỏ phiếu bất kỳ để điều kiện để sử dụng cho người khuyết tật để người khuyết tật có thể tham gia bỏ phiếu. Vui lòng liên lạc với Đại Diện phụ trách Cơ Vụ Bầu Cử, Sanford Kuhl Hagan Kagle Parker Kahn LLP, từ ngày 13 tháng Tư, ngày 22 tháng Ba, 2017.

Sanford Kuhl Hagan Kagle Parker Kahn LLP  
1980 Post Oak Boulevard, Suite 1380  
Houston, Texas 77056  
Điện thoại: 713-850-9000

Các văn phòng mở cửa từ 8:30 giờ sáng đến 5:00 giờ chiều từ thứ Hai đến thứ Sáu.

## 關於免於使用無障礙投票系統的通知

致HARRIS郡水務管理與改善區第110區之合資格選民及所有其他相關人士:

依照Texas州水務法第49.111條規定，HARRIS郡水務管理與改善區第110區(下稱「本區」)可免於為2017年5月6日的HARRIS郡水務管理與改善區第110區區選舉開票、租賃或應用電子投票系統。

特此通告，本區將舉行選舉，並在選舉日及親自出席開票期間不提供符合美國法典第42卷第15481(a)(3)條中關於無障礙投票系統之規定的投票站。

Sanford Kuhl Hagan Kagle Parker Kahn LLP  
1980 Post Oak Boulevard, Suite 1380  
Houston, Texas 77056  
電話: 713-850-9000

辦公時間為週一至週五的上午8:30至下午5:00。

## NOTICE OF INTENT TO INTRODUCE A BILL

Pursuant to the Constitution and laws of the State of Texas, notice is hereby given of the intention to apply to the 85th Legislature of the State of Texas at its regular session in Austin, Texas, for the introduction of a bill, the substance of the contemplated law being as follows:

An act relating to the creation of the Harris County Municipal Utility District No. 544, granting a limited power of eminent domain, providing authority to issue bonds, providing authority to impose assessments, fees, and taxes.

The Act proposes to create a municipal utility district to be known as the Harris County Municipal Utility District No. 544, being approximately 138 acres to Harris County, Texas, located near the intersection of FM 2100 and Indian Shores Road, subject to approval at a confirmation election.

## NOTICE OF INTENTION TO INTRODUCE A BILL IN THE LEGISLATURE OF TEXAS

Notice is hereby given of the intention to introduce in the Regular Session of the 85th Legislature of Texas a bill relating to the powers, duties, boundaries, or governance of Westwood Magnolia Parkway Improvement District, a special district created under and operating pursuant to Article XVI, Section 59, of the Constitution of Texas.

### INVITATION TO BID

Sealed bids may be submitted either (i) electronically using the CivCast USA ("CivCast") website ([www.civcastusa.com](http://www.civcastusa.com)), or (ii) Paper copy in duplicate. Bids will be received by Harris County Municipal Utility District No. 278 at the office of the Engineer for the Developer, EHRA, 10555 Westoffice Drive, Houston, Texas 77042, and electronic bids delivered via the CivCast website, until 3:00 p.m. Tuesday, March 14, 2017, at which time all bids will be publicly opened and read for the construction of the project:

### HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 278 WATER DISTRIBUTION, WASTEWATER COLLECTION AND STORM WATER FACILITIES TO SERVE ATASCOCITA TRACE, SECTION SIX PROJECT NO. 031-002-06 DIST (J)

A mandatory Pre-Bid Conference will be held on Tuesday, March 7, 2017, at 3:00 p.m. at the office of the Engineer for the Developer, EHRA, 10555 Westoffice Drive, Houston, Texas. Project scope shall include the installation of approximately 3,510 LF of 4'-8" PVC water line; 3,125 LF of 8" PVC gravity sanitary sewer; and 2,035 LF of 24"-30" RCP storm sewer. The project site is located on Harris County Key Map No. 376 K.

The above described construction will be performed in accordance with plans and specifications and any addenda thereto which may be issued prior to the opening of bids. Plans, specifications and bid documents may be viewed and downloaded free of charge or the option to purchase hard copies on the CivCast USA Website ([www.CivCastUSA.com](http://www.CivCastUSA.com)). Documents are also available for review at the office of the Engineer or Houston area plan rooms.

Each Bid must be accompanied by a Certified or Cashier's Check, from a responsible bank in the State of Texas, or a Bid Bond, issued by a surety legally authorized to do business in the State of Texas, equal to five percent (5%) of the total bid amount. Make the Cashier's Check, Certified Check or Bid Bond payable to the Owner. The Owner reserves the right to reject any or all bids or to accept any bid deemed advantageous to it and waive informalities in bidding. All bids received after the closing time above designated will be returned unopened.

### NOTICE OF PUBLIC HEARING ON THE RETAIL GAS RATES FOR CENTERPOINT ENERGY ENTERX, TO DETERMINE JUST AND REASONABLE RATES TO BE OBSERVED WITHIN THE CITY OF HOUSTON

Notice is hereby given that a hearing before the City Council of the City of Houston, Texas, to consider CenterPoint Energy Enterx's proposed gas utility rate increase and just and reasonable rates to be observed for customers located within the corporate limits of the City of Houston, Texas, is set for Wednesday, March 1, 2017, beginning at 9:00 a.m. in the City Council Chambers, Second Floor, City Hall, 901 Bagby, Houston, Texas 77002.

Persons wishing to be heard on the foregoing subject must register with the Office of the City Secretary at City Hall Annex, Public Level, 900 Bagby, Houston, Texas 77002, (832) 393-1100 before 8:30 am on Wednesday, March 1, 2017.

Anna Russell  
City Secretary  
City of Houston

### REQUEST FOR PROPOSALS - Scaled proposals will be received in the Office of the City Secretary, City Hall Annex, Public Level, 900 Bagby, until date and time indicated below.

All interested are urged to attend the Conference listed below. It is the interested party's responsibility to ensure that they have secured and thoroughly reviewed all aspects of the solicitation documents prior to the Conference. Interested parties should download all forms, specifications, and all other necessary documents and information from the Internet at <http://www.purchasing.houstontx.gov>. By registering and downloading solicitation documents, all updates to these documents will be automatically forwarded via e-mail. Please check the Internet Address for updates, and learn how the City of Houston conducts business. The Bid Hotline phone number is 832-393-8762.

### REQUEST FOR PROPOSAL DUE MARCH 16, 2017 AT 10:30 A.M. CST

Food and Beverage Concession Services for Sharpshooters Park Golf Course RFP No. 555-T24173 - 8% MWDBE Goal. Pre-proposal Conference scheduled for February 28, 2017 at 10:30 A.M. CST in the Parks and Recreation Department, located at 2999 South Wayside Dr. Houston Texas, 77023.

### NOTICE TO CONTRACTORS

Sealed bids, in duplicate, addressed to Skymark Development Company, Inc. on behalf of Intercontinental Municipal Utility District will be received at the office of R. G. Miller Engineers, Inc., 16340 Park Ten Place, Suite 350 Houston, Texas 77084, until 2:30 p.m., Tuesday, March 14, 2017, then publicly opened and read for furnishing all labor, materials and equipment and performing all work required for construction of Townsite Sanitary Sewer Extension within Intercontinental Municipal Utility District.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, and to waive any informality in bids received.

All proposals shall be accompanied by a Bid Bond in an amount equal to ten percent (10%) of the total price of the bid contained in the proposal, payable without recourse to Skymark Development Company, Inc. on behalf of Intercontinental Municipal Utility District, as a guarantee that bidder will enter into a contract and execute a Performance Bond and Payment Bond in an amount equal to 100% of the contract price, from a surety company holding a permit from the State of Texas to act as surety. The Bid Bond must be enclosed in the same envelope with the bid. Bids without Bid Bonds will not be considered.

Except for the three lowest bidders, all Bid Bonds will be returned to the respective bidders within three (3) days after bids are opened and read.

Plans, specifications and bidding documents IN ELECTRONIC FORM ONLY may be secured from the office of R. G. Miller Engineers, Inc., 16340 Park Ten Place, Suite 350, Houston, Texas 77084, for a non-refundable fee of Twenty-Five Dollars (\$25.00).

A MANDATORY pre-bid conference will be conducted in the office of R. G. Miller Engineers, Inc., 16340 Park Ten Place, Suite 350, Houston, Texas 77084, on Tuesday, March 7, 2017, at 10:30 a.m. EACH BIDDER MUST BE REPRESENTED AT THIS PRE-BID CONFERENCE. BIDS WILL NOT BE ACCEPTED FROM ANY BIDDER WHO IS NOT REPRESENTED AT THE PRE-BID CONFERENCE. NO PLANS SHALL BE ISSUED AFTER 5:00 P.M., TUESDAY, MARCH 7, 2017.

### NOTICE TO BIDDERS

Sealed bids in duplicate, addressed to Northwest Harris County MUD No. 5 will be received at the office of Corello, Inc., 9990 Richmond Avenue, Suite 450, North Building, Houston, Texas 77042 until 10:00 a.m. local time on Friday, March 3, 2017 and then publicly opened and read for "Demolition and Mass Grading for Hayden Lakes Section 11". A non-mandatory pre-bid conference will be held at the office of Corello, Inc. at 10:00 a.m. local time on Friday, February 24, 2017. Plans, specifications and bid documents may also be viewed and downloaded free of charge (with the option to purchase hard copies) at the CivCast USA Website ([www.CivCastUSA.com](http://www.CivCastUSA.com)). Reproduction charges will apply according to CivCast USA rates.

Sealed bids, in duplicate, addressed to Skymark Development Company, Inc. on behalf of Intercontinental Municipal Utility District will be received at the office of R. G. Miller Engineers, Inc., 16340 Park Ten Place, Suite 350 Houston, Texas 77084, until 2:30 p.m., Tuesday, March 14, 2017, then publicly opened and read for furnishing all labor, materials and equipment and performing all work required for construction of Townsite Sanitary Sewer Extension within Intercontinental Municipal Utility District.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, and to waive any informality in bids received.

All proposals shall be accompanied by a Bid Bond in an amount equal to ten percent (10%) of the total price of the bid contained in the proposal, payable without recourse to Skymark Development Company, Inc. on behalf of Intercontinental Municipal Utility District, as a guarantee that bidder will enter into a contract and execute a Performance Bond and Payment Bond in an amount equal to 100% of the contract price, from a surety company holding a permit from the State of Texas to act as surety. The Bid Bond must be enclosed in the same envelope with the bid. Bids without Bid Bonds will not be considered.

Except for the three lowest bidders, all Bid Bonds will be returned to the respective bidders within three (3) days after bids are opened and read.

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A MANDATORY pre-bid conference will be conducted in the office of R. G. Miller Engineers, Inc., 16340 Park Ten Place, Suite 350, Houston, Texas 77084, on Tuesday, March 7, 2017, at 10:30 a.m. EACH BIDDER MUST BE REPRESENTED AT THIS PRE-BID CONFERENCE. BIDS WILL NOT BE ACCEPTED FROM ANY BIDDER WHO IS NOT REPRESENTED AT THE PRE-BID CONFERENCE. NO PLANS SHALL BE ISSUED AFTER 5:00 P.M., TUESDAY, MARCH 7, 2017.

Sealed bids, in duplicate, addressed to Skymark Development Company, Inc. on behalf of Intercontinental Municipal Utility District will be received at the office of R. G. Miller Engineers, Inc., 16340 Park Ten Place, Suite 350 Houston, Texas 77084, until 2:30 p.m., Tuesday, March 14, 2017, then publicly opened and read for furnishing all labor, materials and equipment and performing all work required for construction of Townsite Sanitary Sewer Extension within Intercontinental Municipal Utility District.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, and to waive any informality in bids received.

All proposals shall be accompanied by a Bid Bond in an amount equal to ten percent (10%) of the total price of the bid contained in the proposal, payable without recourse to Skymark Development Company, Inc. on behalf of Intercontinental Municipal Utility District, as a guarantee that bidder will enter into a contract and execute a Performance Bond and Payment Bond in an amount equal to 100% of the contract price, from a surety company holding a permit from the State of Texas to act as surety. The Bid Bond must be enclosed in the same envelope with the bid. Bids without Bid Bonds will not be considered.

Except for the three lowest bidders, all Bid Bonds will be returned to the respective bidders within three (3) days after bids are opened and read.

Plans, specifications and bidding documents IN ELECTRONIC FORM ONLY may be secured from the office of R. G. Miller Engineers, Inc., 16340 Park Ten Place, Suite 350, Houston, Texas 77084, for a non-refundable fee of Twenty-Five Dollars (\$25.00).

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