

Chapter 662

S.B. No. 2268

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 159; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8003 to read as follows:

CHAPTER 8003. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 159

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8003.001. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Montgomery County Municipal Utility District No. 159.

Sec. 8003.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8003.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

1       Sec. 8003.004. CONSENT OF MUNICIPALITY REQUIRED.     The  
2 temporary directors may not hold an election under Section 8003.003  
3 until each municipality in whose corporate limits or  
4 extraterritorial jurisdiction the district is located has  
5 consented by ordinance or resolution to the creation of the  
6 district and to the inclusion of land in the district.

7       Sec. 8003.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

10           (1) a municipal utility district as provided by  
11 general law and Section 59, Article XVI, Texas Constitution; and

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

16       Sec. 8003.006. INITIAL DISTRICT TERRITORY.     (a) The  
17 district is initially composed of the territory described by  
18 Section 2 of the Act enacting this chapter.

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

27           (3) right to impose a tax; or

1           (4) legality or operation.

2                   SUBCHAPTER B. BOARD OF DIRECTORS

3           Sec. 8003.051. GOVERNING BODY; TERMS. (a) The district is  
4 governed by a board of five elected directors.

5           (b) Except as provided by Section 8003.052, directors serve  
6 staggered four-year terms.

7           Sec. 8003.052. TEMPORARY DIRECTORS. (a) The temporary  
8 board consists of:

9                   (1) Roxanne Ellis;

10                  (2) Elizabeth Galvan;

11                  (3) George Moody;

12                  (4) Doug OwYang; and

13                  (5) Nick Terry.

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

15                   (1) the date permanent directors are elected under  
16 Section 8003.003; or

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

19           (c) If permanent directors have not been elected under  
20 Section 8003.003 and the terms of the temporary directors have  
21 expired, successor temporary directors shall be appointed or  
22 reappointed as provided by Subsection (d) to serve terms that  
23 expire on the earlier of:

24                   (1) the date permanent directors are elected under  
25 Section 8003.003; or

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

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

8                    SUBCHAPTER C. POWERS AND DUTIES

9        Sec. 8003.101. GENERAL POWERS AND DUTIES. The district has  
10 the powers and duties necessary to accomplish the purposes for  
11 which the district is created.

12        Sec. 8003.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
13 DUTIES. The district has the powers and duties provided by the  
14 general law of this state, including Chapters 49 and 54, Water Code,  
15 applicable to municipal utility districts created under Section 59,  
16 Article XVI, Texas Constitution.

17        Sec. 8003.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
18 52, Article III, Texas Constitution, the district may design,  
19 acquire, construct, finance, issue bonds for, improve, operate,  
20 maintain, and convey to this state, a county, or a municipality for  
21 operation and maintenance macadamized, graveled, or paved roads, or  
22 improvements, including storm drainage, in aid of those roads.

23        Sec. 8003.104. ROAD STANDARDS AND REQUIREMENTS. (a) A  
24 road project must meet all applicable construction standards,  
25 zoning and subdivision requirements, and regulations of each  
26 municipality in whose corporate limits or extraterritorial  
27 jurisdiction the road project is located.

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

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

9        Sec. 8003.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
10 OR RESOLUTION. The district shall comply with all applicable  
11 requirements of any ordinance or resolution that is adopted under  
12 Section 54.016 or 54.0165, Water Code, and that consents to the  
13 creation of the district or to the inclusion of land in the  
14 district.

15                    SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16        Sec. 8003.151. ELECTIONS REGARDING TAXES OR BONDS.

17 (a) The district may issue, without an election, bonds and other  
18 obligations secured by:

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

20                    (2) contract payments described by Section 8003.153.

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

25        (c) The district may not issue bonds payable from ad valorem  
26 taxes to finance a road project unless the issuance is approved by a  
27 vote of a two-thirds majority of the district voters voting at an

1 election held for that purpose.

2 Sec. 8003.152. OPERATION AND MAINTENANCE TAX. (a) If  
3 authorized at an election held under Section 8003.151, the district  
4 may impose an operation and maintenance tax on taxable property in  
5 the district in accordance with Section 49.107, Water Code.

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

8 Sec. 8003.153. CONTRACT TAXES. (a) In accordance with  
9 Section 49.108, Water Code, the district may impose a tax other than  
10 an operation and maintenance tax and use the revenue derived from  
11 the tax to make payments under a contract after the provisions of  
12 the contract have been approved by a majority of the district voters  
13 voting at an election held for that purpose.

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

17 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

18 Sec. 8003.201. AUTHORITY TO ISSUE BONDS AND OTHER  
19 OBLIGATIONS. The district may issue bonds or other obligations  
20 payable wholly or partly from ad valorem taxes, impact fees,  
21 revenue, contract payments, grants, or other district money, or any  
22 combination of those sources, to pay for any authorized district  
23 purpose.

24 Sec. 8003.202. TAXES FOR BONDS. At the time the district  
25 issues bonds payable wholly or partly from ad valorem taxes, the  
26 board shall provide for the annual imposition of a continuing  
27 direct ad valorem tax, without limit as to rate or amount, while all

1 or part of the bonds are outstanding as required and in the manner  
2 provided by Sections 54.601 and 54.602, Water Code.

3 Sec. 8003.203. BONDS FOR ROAD PROJECTS. At the time of  
4 issuance, the total principal amount of bonds or other obligations  
5 issued or incurred to finance road projects and payable from ad  
6 valorem taxes may not exceed one-fourth of the assessed value of the  
7 real property in the district.

8 SECTION 2. The Montgomery County Municipal Utility District  
9 No. 159 initially includes all the territory contained in the  
10 following area:

11 Tract 1: BEING A TRACT OF LAND CONTAINING 35.5536 ACRES  
12 (1,548,716 SQUARE FEET) OUT OF THAT CERTAIN CALLED 66.9304 ACRE  
13 TRACT RECORDED IN MONTGOMERY COUNTY CLERK'S FILE NO. 8522036 AND  
14 FILM CODE NO. 342-01-1353 SITUATED IN THE SOLOMON BROWN SURVEY,  
15 ABSTRACT NO. 5, IN MONTGOMERY COUNTY, TEXAS. SAID 35.5536 ACRE  
16 TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS  
17 FOLLOWS:

18 BEGINNING: AT A 1 INCH IRON PIPE FOUND AT THE NORTHEAST CORNER  
19 OF SAID 66.9304 ACRE, BEING THE NORTHWEST CORNER OF LOT 1,  
20 CYPRESSWOOD ESTATES (UNRECORDED) IN THE SOUTH LINE OF THAT CERTAIN  
21 CALLED 14.580 ACRE TRACT RECORDED IN FILM CODE NO. 577-01-1042 OF  
22 THE MONTGOMERY COUNTY DEED RECORDS;

23 THENCE: SOUTH 03 DEGREES 10 MINUTES 26 SECONDS EAST, ALONG  
24 THE EAST LINE OF SAID 66.9304 ACRE TRACT, BEING THE WEST LINE OF  
25 SAID CYPRESSWOOD SUBDIVISION, A DISTANCE OF 3538.47 FEET TO A 1/2  
26 INCH IRON ROD SET FOR THE SOUTHEAST CORNER IN THE NORTH LINE OF  
27 PROPOSED NICHOLS SAWMILL ROAD (150 FEET WIDE) BEING IN A CURVE TO

S.B. No. 2268

1 THE RIGHT HAVING A RADIUS OF 1425.00 FEET;

2 THENCE: IN A NORTHWESTERLY DIRECTION WITH SAID NORTH LINE OF  
3 NICHOLS SAWMILL ROAD ALONG SAID CURVE TO THE RIGHT HAVING A CENTRAL  
4 ANGLE OF 50 DEGREES 04 MINUTES 41 SECONDS, AN ARC LENGTH OF  
5 1255.68FEET (CHORD BEARING NORTH 27 DEGREES 24 MINUTES 49 SECONDS  
6 WEST, 1206.22 FEET) TO A 1/2 INCH IRON ROD SET FOR THE POINT OF  
7 TANGENCYIN THE WEST LINE OF SAID 66.9304 ACRE TRACT IN THE EAST LINE  
8 OF SAID NICHOLS SAWMILL ROAD;

9 THENCE: NORTH 02 DEGREES 22 MINUTES 28 SECONDS WEST, ALONG  
10 THE WEST LINE OF SAID 66.9304 ACRE TRACT AND THE EAST LINE OF SAID  
11 NICHOLS SAWMILL ROAD, A DISTANCE OF 2445.24 FEET TO A 1/2 INCH IRON  
12 ROD SET FOR THE NORTHWEST CORNER BEING THE NORTHWEST OF SAID 66.9304  
13 ACRE TRACT IN THE SOUTH LINE OF SAID 14.580 ACRE TRACT;

14 THENCE: NORTH 87 DEGREES 37 MINUTES 18 SECONDS EAST, ALONG  
15 THE NORTH LINE OF SAID 66.9304 ACRE TRACT, AND THE SOUTH LINE OF  
16 SAID 14.580 ACRE TRACT, A DISTANCE OF 461.15 FEET {CALLED 509.27  
17 FEET) TO THE POINT OF BEGINNING AND CONTAINING 35.5536 ACRES  
18 (1,548,716 SQUARE FEET) OF LAND.

19 Tract 2: BEING A TRACT OF LAND CONTAINING 26.8287 ACRES  
20 (1,168,660 SQUARE FEET) OUT OF THAT CERTAIN CALLED 66.9304 ACRES OF  
21 LAND, IN THE SOLOMON BROWN SURVEY, ABSTRACT NO. 5, IN MONTGOMERY  
22 COUNTY, TEXAS RECORDED IN MONTGOMERY COUNTY CLERK'S FILE NO.  
23 8522036 AND FILM CODE NO. 342-01-1353, SAID 26.8287 ACRE TRACT  
24 BEING MORE PARTICULARLYDESCRIBED BY METES AND BOUNDS AS FOLLOWS:

25 COMMENCING: AT A CALLED 1-1/2 INCH IRON PIPE NOT FOUND AT THE  
26 SOUTHEAST CORNER OF 100.35 ACRE TRACT, RECORDED IN VOLUME 564, PAGE  
27 557 OF THE DEED RECORDS OF HARRIS COUNTY TEXAS;



1           THENCE: NORTH 02 DEGREES 46 MINUTES 25 SECONDS WEST (CALLED  
2 NORTH), ALONG THE EAST LINE OF SAID 100.35 ACRE TRACT, A DISTANCE OF  
3 2778.97 FEET TO A POINT IN THE CENTER LINE OF SPRING CREEK, SAME  
4 BEING THE COUNTY LINE BETWEEN HARRIS AND MONTGOMERY COUNTIES FOR  
5 THE PLACE OF BEGINNING;

6           THENCE: UP THE CENTER LINE OF SPRING CREEK WITH THE MEANDERS  
7 AS FOLLOWS: SOUTH 59 DEGREES 16 MINUTES 19 SECONDS WEST, 73.65 FEET;  
8           NORTH 80 DEGREES 15 MINUTES 00 SECONDS WEST, 134.72 FEET;  
9           SOUTH 89 DEGREES 36 MINUTES 09 SECONDS WEST, 157.34 FEET;  
10          NORTH 47 DEGREES 50 MINUTES 43 SECONDS WEST, 86.74 FEET;  
11          NORTH 02 DEGREES 59 MINUTES 46 SECONDS EAST, 62.79 FEET;  
12          NORTH 32 DEGREES 06 MINUTES 33 SECONDS WEST, 73.42 FEET;  
13          SOUTH 75 DEGREES 04 MINUTES 22 SECONDS WEST, 80.38 FEET TO A  
14 POINT FOR CORNER IN THE WEST LINE OF SAID 100.35 ACRE TRACT;

15          THENCE: NORTH 02 DEGREES 22 MINUTES 28 SECONDS WEST, A  
16 DISTANCE OF 2483.93 TO A 1/2 INCH IRON ROD SET IN THE SOUTH LINE OF  
17 PROPOSED NICHOLS SAWMILL ROAD (150 FEET WIDE), BEING IN A CURVE TO  
18 THE LEFT HAVING A RADIUS OF 1575.00 FEET;

19          THENCE: IN A SOUTHEASTERLY DIRECTION ALONG THE SOUTH LINE OF  
20 SAID NICHOLS SAWMILL ROAD AND SAID CURVE TO THE LEFT, WITH CENTRAL  
21 ANGLE OF 29 DEGREES 17 MINUTES 28 SECONDS ARC LENGTH OF 805.18 FEET  
22 (CHORD BEARS SOUTH 42 DEGREES 13 MINUTES 44 SECONDS EAST, 796.44  
23 FEET) TO A 1/2 INCH IRON ROD SET FOR THE NORTHEAST CORNER IN THE EAST  
24 LINE OF SAID 66.9304 ACRE TRACT;

25          THENCE: SOUTH 02 DEGREES 46 MINUTES 25 SECONDS EAST (CALLED  
26 SOUTH), ALONG THE EAST LINE OF SAID 66.9304 ACRE TRACT, 2,040.94  
27 FEET TO THE PLACE OF BEGINNING.

1 Tract 3: BEING 1.3561 ACRES (59,074 SQUARE FEET) OF LAND  
2 KNOWN AS LOTS 19 AND 20, BLOCK 4, CYPRESS WOOD ESTATES, AN  
3 UNRECORDED SUBDIVISION OF 145.93 ACRES SITUATED IN THE SOLOMON  
4 BROWN SURVEY A-5, MONTGOMERY COUNTY, TEXAS, A PART OF AND OUT OF A  
5 50.01 ACRE TRACT, CONVEYED BY DEED, TO DREW T. SPENCER, TRUSTEE,  
6 DATED JUNE 8, 1978, RECORDED IN VOLUME 1082, PAGE 112 OF THE DEED  
7 RECORDS, MONTGOMERY COUNTY, TEXAS, SAID 1.3561 ACRES BEING MORE  
8 PARTICULARLY AS FOLLOWS:

9 BEGINNING: AT A 1/2 INCH IRON ROD SET FOR THE NORTHWEST CORNER  
10 OF SAID LOT 19, THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT,  
11 SOUTH 03 DEGREES 10 MINUTES 26 SECONDS EAST, 1815.03 FEET FROM THE  
12 NORTHWEST CORNER OF SAID 50.01 ACRE TRACT;

13 THENCE: NORTH 86 DEGREES 40 MINUTES 18 SECONDS EAST, ALONG  
14 THE SOUTH LINE OF LOT 18, A DISTANCE OF 293.56 FEET, TO A 1/2 INCH  
15 IRON ROD SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

16 THENCE: SOUTH 02 DEGREES 39 MINUTES 21 SECONDS EAST, ALONG  
17 THE WEST LINE OF SPENCER BOULEVARD (60 FOOT RIGHT-OF-WAY), A  
18 DISTANCE OF 201.87 FEET TO A 1/2 INCH IRON ROD SET FOR THE SOUTHEAST  
19 CORNER OF THE HEREIN DESCRIBED TRACT;

20 THENCE: SOUTH 86 DEGREES 40 MINUTES 18 SECONDS WEST, ALONG  
21 THE SOUTH LINE OF SAID LOT 20, A DISTANCE OF 291.74 FEET TO A 1/2  
22 INCH IRON ROD SET IN THE WEST LINE OF SAID 50.01 ACRE TRACT, ALSO  
23 BEING THE WEST LINE OF SAID 145.93 ACRE TRACT, FOR THE SOUTHWEST  
24 CORNER OF THE HEREIN DESCRIBED TRACT;

25 THENCE: NORTH 03 DEGREES 10 MINUTES 26 SECONDS WEST, ALONG  
26 THE WEST LINE OF SAID 50.01 ACRE TRACT AND THE 145.93 ACRE TRACT, A  
27 DISTANCE OF 201.86 FEET TO THE POINT OF BEGINNING, AND CONTAINING

1 WITHIN THESE METES AND BOUNDS 1.3561 ACRES OF LAND.

2 Tract 4: BEING 55.630 ACRES (2,423,234 SQUARE FEET) OF LAND  
3 SITUATED IN SOLOMON BROWN SURVEY, A-5 MONTGOMERY COUNTY AND BEING  
4 THE REMAINDER OF A TRACT OF LAND DESCRIBED AS 100.0262 ACRES AS  
5 RECORDED IN MONTGOMERY COUNTY CLERK'S FILE NO. 8200920. SAID 55.630  
6 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS  
7 FOLLOWS WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE  
8 SYSTEM, SOUTH CENTRAL ZONE, NAD 83:

9 BEGINNING: AT A 5/8 INCH IRON ROD FOUND LOCATED AT THE  
10 NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND BEING THE  
11 NORTHEAST CORNER OF A 132.92 ACRE TRACT OF LAND CONVEYED TO LARRY M.  
12 ROBINSON IN MONTGOMERY COUNTY CLERK'S FILE NO 2000008877, ON THE  
13 NORTH LINE OF THE SOLOMON BROWN SURVEY, A-5 MONTGOMERY COUNTY, ON  
14 THE SOUTH LINE OF THE A.F. BARRON SURVEY, A-94 AND ON THE SOUTH LINE  
15 OF A 14.580 ACRE TRACT OF LAND AS CONVEYED TO RICHARD A. ABEL AND  
16 WIFE, BETTY J. ABEL IN MONTGOMERY COUNTY CLERK'S FILE NO 8902849;

17 THENCE: NORTH 87 DEGREES 37 MINUTES 18 SECONDS EAST, ALONG  
18 THE NORTH LINE OF THE SOLOMON BROWN SURVEY, A-5, THE SOUTH LINE OF  
19 THE A. F. BARRON SURVEY, A-94 AND THE SOUTH LINE OF THE ABOVE  
20 MENTIONED 14.580 ACRE TRACT OF LAND, A DISTANCE OF 359.00 FEET TO A  
21 5/8 INCH IRON ROD WITH CAP FOUND AND THE NORTHEAST CORNER OF THE  
22 TRACT HEREIN DESCRIBED. SAID IRON ROD ALSO BEING THE NORTHWEST  
23 CORNER OF A 9.976 ACRE TRACT OF LAND AS CONVEYED TO MONTGOMERY  
24 COUNTY, TEXAS IN MONTGOMERY COUNTY CLERK'S FILE NO 2008081469, IN  
25 THE WEST RIGHT-OF-WAY LINE OF NICHOLS SAWMILL ROAD;

26 THENCE: SOUTH 02 DEGREES 22 MINUTES 28 SECONDS EAST, ALONG  
27 THE WEST LINE OF THE ABOVE MENTIONED 9.976 ACRE TRACT OF LAND, AND

1 NICHOLS SAWMILL ROAD, A DISTANCE OF 2445.24 FEET TO A 5/8 INCH IRON  
2 ROD WITH CAP SET AT THE POINT OF CURVATURE OF A CURVE TO THE LEFT;

3       THENCE: CONTINUING ALONG THE SAID WEST RIGHT-OF-WAY LINE  
4 CURVING TO THE LEFT HAVING A RADIUS OF 1575.00 FEET, AN ARC LENGTH  
5 OF 692.95 FEET, A CENTRAL ANGLE OF 25 DEGREES 12 MINUTES 30 SECONDS  
6 AND A CHORD WHICH BEARS SOUTH 14 DEGREES 58 MINUTES 45 SECONDS EAST,  
7 A DISTANCE OF 687.38 FEET TO A 5/8 INCH IRON ROD WITH CAP SET AT THE  
8 INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF NICHOLS SAWMILL  
9 ROAD AND THE EASTERLY LINE OF SAID 100.0262 ACRE TRACT, THE  
10 NORTHWEST CORNER OF A 26.8287 ACRE TRACT RECORDED UNDER MONTGOMERY  
11 COUNTY CLERK'S FILE NO. 2015026351;

12       THENCE: SOUTH 02 DEGREES 22 MINUTES 28 SECONDS EAST, ALONG  
13 THE EAST LINE OF SAID 100.0262 ACRE TRACT AND THE WEST LINE OF SAID  
14 26.8287 ACRE TRACT, A DISTANCE OF 2492.06 FEET A 5/8 INCH IRON ROD  
15 WITH CAP SET IN THE CENTERLINE OF SPRING CREEK (BEING THE DIVISION  
16 LINE FOR HARRIS AND MONTGOMERY COUNTIES);

17       THENCE: ALONG THE CENTERLINE OF SAID SPRING CREEK, THE  
18 FOLLOWING 8 COURSES:

- 19       1. NORTH 82 DEGREES 54 MINUTES 57 SECONDS WEST 40.47 FEET;
  - 20       2. SOUTH 88 DEGREES 58 MINUTES 17 SECONDS WEST 26.59 FEET;
  - 21       3. SOUTH 60 DEGREES 29 MINUTES 26 SECONDS WEST 45.00 FEET;
  - 22       4. SOUTH 56 DEGREES 27 MINUTES 17 SECONDS WEST 37.16 FEET;
  - 23       5. SOUTH 89 DEGREES 19 MINUTES 21 SECONDS WEST 90.45 FEET;
  - 24       6. NORTH 81 DEGREES 15 MINUTES 31 SECONDS WEST 64.32 FEET;
  - 25       7. NORTH 75 DEGREES 39 MINUTES 19 SECONDS WEST 46.75 FEET;
  - 26       8. NORTH 80 DEGREES 45 MINUTES 16 SECONDS WEST 176.07 FEET
- 27 TO THE WEST LINE OF SAID 100.0262 ACRE TRACT FOR THE SOUTHWEST

1 CORNER OF THE HEREIN DESCRIBED TRACT;

2           THENCE: NORTH 02 DEGREES 22 MINUTES 24 SECONDS WEST, ALONG  
3 THE WEST LINE OF SAID 100.0262 ACRE TRACT, AT 9.96 FEET PASS THE  
4 SOUTHEAST CORNER OF A CALLED 132.92 ACRES RECORDED UNDER MONTGOMERY  
5 COUNTY CLERK'S FILE NO. 2000008877, IN ALL A TOTAL DISTANCE OF  
6 5576.58 FEET TO THE POINT OF BEGINNING AND CONTAINING 55.630  
7 (2,423,234 SQUARE FEET) ACRES OF LAND.

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

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

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

22           (d) All requirements of the constitution and laws of this  
23 state and the rules and procedures of the legislature with respect  
24 to the notice, introduction, and passage of this Act are fulfilled  
25 and accomplished.

26           SECTION 4. (a) If this Act does not receive a two-thirds  
27 vote of all the members elected to each house, Subchapter C, Chapter

1 8003, Special District Local Laws Code, as added by Section 1 of  
2 this Act, is amended by adding Section 8003.106 to read as follows:

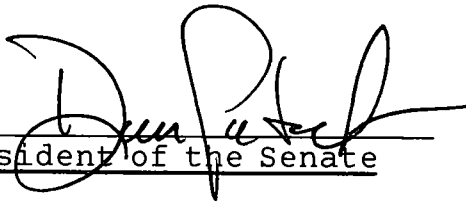
3 Sec. 8003.106. NO EMINENT DOMAIN POWER. The district may  
4 not exercise the power of eminent domain.

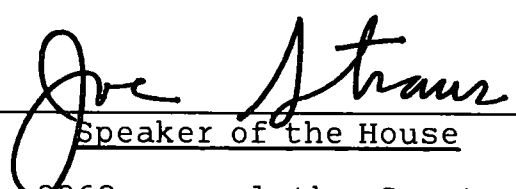
5 (b) This section is not intended to be an expression of a  
6 legislative interpretation of the requirements of Section 17(c),  
7 Article I, Texas Constitution.

8 SECTION 5. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2017.

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S.B. No. 2268

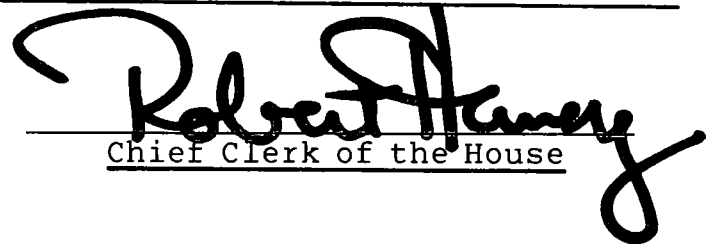
  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 2268 passed the Senate on  
May 4, 2017, by the following vote: Yeas 31, Nays 0. \_\_\_\_\_

  
\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 2268 passed the House on  
May 19, 2017, by the following vote: Yeas 137, Nays 7, two  
present not voting. \_\_\_\_\_

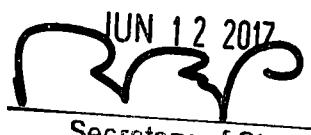
  
\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

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

JUN 12 2017  
  
\_\_\_\_\_  
Secretary of State

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

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

**May 10, 2017**

**TO:** Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

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

**IN RE: SB2268** by Creighton (Relating to the creation of the Montgomery County Municipal Utility District No. 159; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **As Engrossed**

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

The bill would amend the Special District Local Laws Code establishing the Montgomery County Municipal Utility District No. 159. The district would have authority for road projects. The district would have authority to issue bonds and other obligations, without an election. The district would have authority to impose an operation and maintenance tax and a contract tax. The district would not have the authority to exercise the power of eminent domain.

The bill would take effect immediately if the bill receives two-thirds vote in each house; otherwise, 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, BM



**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

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

**April 23, 2017**

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

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

**IN RE: SB2268** by Creighton (Relating to the creation of the Montgomery County Municipal Utility District No. 159; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **As Introduced**

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**HOUSTON COMMUNITY  
NEWSPAPERS  
& MEDIA GROUP**

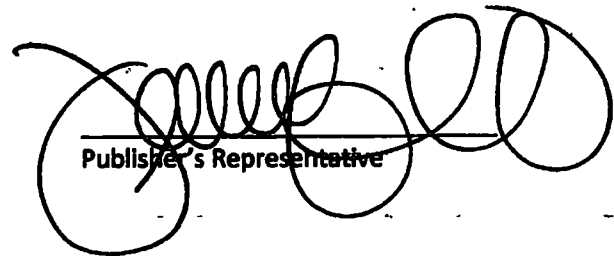
A Division of the Houston Chronicle

## AFFIDAVIT OF PUBLICATION

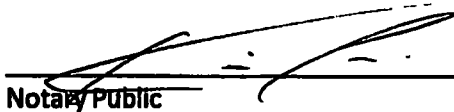
### STATE OF TEXAS COUNTY OF MONTGOMERY

Personally appeared before the undersigned, a Notary Public within and for said County and State. Jennifer Breitenbach, Representative for Brenda Miller-Ferguson, General Manager and Publisher of The Conroe Courier a newspaper of general circulation in the County of Montgomery, State of Texas. Who being duly sworn, states under oath that the report of Legal Notices, a true copy of which is hereto annexed was published in said newspapers in its issue(s) of the

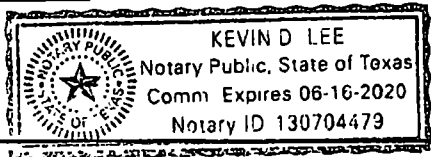
\_\_\_\_\_ 18 day of February, 2017  
\_\_\_\_\_ day of \_\_\_\_\_, 2017  
\_\_\_\_\_ day of \_\_\_\_\_, 2017  
\_\_\_\_\_ day of \_\_\_\_\_, 2017

  
\_\_\_\_\_  
Publisher's Representative

Sworn to and subscribed before me this 18 day of February, 2017.

  
\_\_\_\_\_  
Notary Public

My commission expires on (stamp) \_\_\_\_\_



**AUCTIONS**

**"Gifts & More" Gift Shop - ESTATE AUCTION ONLY BIDDING**  
 1328 FRI 1900 East Humble  
 Auctioneer: [Name]  
 Bidding Starts: [Date]  
 Preview: Mon, Feb 28, 2017 - 11:00 AM  
 After 25 years as a beloved merchant in the community, owner is retiring.  
 With sincere congratulations, we offer the ENTIRE INVENTORY for online bidding.  
 ALL NEW Merchandise High-end gifts including Giuseppe Armani figurines, Lenox, Jiff Shore, No. One Art Glass, Thomas Kinkadee art, Lantje Berger, 1000's of sterling charms & brooches by Pandora, Crystal, Silver, Gold display cases & merchandise, greeting cards, Fitz & Floyd, Ty Beanie, candles, perfume, etc., Fenton Art Glass. **MUCH MORE!**  
 Cash/Check/Debit - 19% BP  
 V. Grimm, EA, 116220 Auctioneer & Realtor, (713) 248-4902  
 All items sold "as is" where is" with no guarantee of success or implied.

Auction of property to satisfy a **Leasehold Lien**  
 Sale to be held at 2854 MHE Storage at 2000 FM 2854, Conroe, TX 77385 on March 4 at 10:00 AM.  
 Seller reserves the right to withdraw the property at any time before the sale. Unit items sold "as is" to the highest bidder. Property includes the contents of storage units. Selling Inventory: Furniture, Electronics, Dorel Anderson, Appliances, Home Goods, Toys, Household goods, tools, etc.

**WANTED TO BUY**  
**WE BUY GOLD & GUNS!!**  
**FRONTIER PAWN & GUN**  
 1301 E. 1st Street  
 Humble, TX 77338  
 (281) 340-2228  
**CYBERWOOD PAWN & GUN**  
 1301 E. 1st Street  
 Humble, TX 77338  
 (281) 340-2228

**BELTWAY PAWN & GUN**  
 11421 N. State Road 146  
 Humble, TX 77338  
 (281) 340-2228

**CHEVROLET**  
 1996 CORVETTE  
 46,000 MI. Excellent Condition  
 Asking \$35,000  
 832-922-3309

**HONDA**  
 2008 Grey Honda  
 110,000mi. Navigation, Sun Roof, Leather, etc.  
 \$8,000 935-222-2222

**ANTIQUES**  
**1978 Chevy Nova**  
 all original parts/low miles  
**1998 Ford Windstar Van**  
 low mileage/clean  
**Ready For Sale!**  
 832-264-1384

**CONROE CLASSIC**  
**MEET & CAR CONCEPT**  
 116220  
 OPEN ALL 7 DAYS  
 832-264-1384

**AUTOS WANTED**  
 832-264-1384

**AUCTIONS**

**ROGS**  
**ARC**  
 For Sale: 800, 936-521-8888  
 Looking For: [Details]

**Happy Jack Kennel**  
 Spray to control mosquitoes where they breed Henderson Feed & Supply (756-2423)(kennel.com)

**CENTRAL MARCH SALES**  
 945 W. 18th St. Suite 101  
 Furniture, Small Appliances, Dishes, Bedding, Toys, Clothes, Misc.

**MOVING SALE**  
 Teas Lakes (League Line Rd)  
 2222 Valley View Crossing  
 Conroe 77301  
 SAT. ONLY  
 Feb. 18th, 9:00 to  
 House is empty

Slot Machine (Red, White & Blue 7's), Queen Box, Suite w/Texas Star, Recliner, small Sofa, Mica Tables, Plant Stands, Lamps, Desk/Hutch, Drum Set, Xylophone, Power & Hand Tools, Work Bench, Cabinet, & Shaving, Wheelchair, Walker, Clothes, Cowboy Hats, Kitchen Pots, Pans, Dishes & More!!

**CEMETERY LOTS**

**CONSTRUCTION**

**Construction Manager at Risk responses in accordance with the Request for Qualifications and such addenda as may be issued prior to date of proposal opening will be received by Conroe Independent School District, until proposal closing date, and time as identified below.**  
**PROJECT:** Request for Qualifications - Construction Manager(s) at Risk - **Phase 19 - New Intermediate in the Oak Ridge Feeder Zone** Bid #16-09-02  
**OWNER:** Conroe Independent School District  
**CONSULTING ARCHITECT:** Texas - IBI Group  
 Phone: 281-286-6605 Fax: 281-286-9606  
 Mr. Daniel Brewster, AIA, Principal  
**RFQ SUBMISSION TIME & DATE:** 2:00 P.M., Tuesday, March 7, 2017  
 Late Responses Will Not Be Considered.

Interested proposers may obtain the RFQ Documents beginning Monday, February 13, 2017 at the following address during normal business hours:  
 Texas - IBI Group  
 455 East Medical Center Blvd., Suite 500  
 Houston, Texas 77289  
 Phone: 281-286-6605 Fax: 281-286-9606  
 Mr. Daniel Brewster, AIA, Principal  
 dan.brewster@ibigroup.com

Responses to the Request for Qualifications shall be limited to no more than 50 sheets, bound to lay flat when opened. Submit ten (10) copies of the qualifications to:  
 Mr. Rick Reeves, Director of Purchasing  
 Conroe Independent School District  
 Administration Building - Purchasing Department  
 3205 West Davis  
 Conroe, Texas 77385

All RFQ responses must be in the hands of the Conroe Independent School District no later than the time specified above.  
 The District reserves the right to reject any and all proposals without any explanation in the proposal process.  
 CC-2/18/17

**NOTICE OF INTENTION TO INTRODUCE A BILL IN THE LEGISLATURE OF TEXAS**  
 Notice is hereby given of the intention to introduce a bill in the Regular Session of the 85th Legislature of Texas to create Montgomery County Municipal Utility District No. 159. The District will be created as a special district under and pursuant to the provisions of Section 59, Article XVI, Texas Constitution; and pursuant to the power of the Legislature to create special government agencies and districts for purposes of construction, financing and operating public works, wastewater treatment, sewer drainage, pipe and replacement facilities, roads, and related public infrastructure and improvements within and outside the district and promoting the economic development of the State of Texas, Montgomery County, and neighboring communities.  
 Montgomery County Municipal Utility District No. 159 generally covers approximately 247 acres, more or less, in an unincorporated area in southeastern Montgomery County (in zip code 77355). It is generally bounded by Spring Creek to the south, Bergman Lane to the west, Abel Lane to the north, and Spencer Blvd. to the east.

**THIS NOTICE** is given in accordance with the requirements of Section 9(4), Article XVI, Texas Constitution.  
 For more information or to obtain a copy of the proposed bill, including a map and bounds description of the land to be included in the district, please contact:  
 Roach & Mitchell, PLLC  
 2800 Post Oak Boulevard, Suite 4100  
 Houston, Texas 77056  
 (832) 390-2268 (phone)  
 (832) 390-2300 (fax)  
 www.roachandmitchell.com  
 CC 2/18/17

**NOTICE TO BIDDERS**  
 Sealed bids in duplicate, addressed to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 94**, will be received at the offices of Castella, Inc., 5990 Richmond Avenue, Suite 450, North Building, Houston, Texas 77042 until 2:00 p.m. local time, Monday, March 6, 2017 and then publicly opened and read for furnishing all plant, labor, material and equipment and performing all work required for the construction of the **OUTFALL CHANNEL REPAIR AT SPRING TRAILS** in Montgomery County, TX. The site of the work is located in Montgomery County, South of Grand Pkwy and east of Hardy Toll Rd. Bidding documents may be viewed and downloaded free of charge (with the option to purchase hard copies) at the **CityCastUSA Website (www.CityCastUSA.com)**. Reproduction charges may apply.  
 CC-2/18-2/25/17

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THIS NOTICE is given in accordance with the requirements of Section 59(d), Article XVI, Texas Constitution.

For more information or to obtain a copy of the proposed bill, including a metes and bounds description of the land to be included in the district, please contact:

Roach & Mitchell, PLLC  
2800 Post Oak Boulevard, Suite 4100  
Houston, Texas 77056  
(832) 390-2268 (phone)  
(832) 390-2350 (fax)  
[Jonathan@RoachMitchell.com](mailto:Jonathan@RoachMitchell.com)