

Chapter 983

H.B. No. 4156

1 AN ACT

2 relating to the creation of Missouri City Management District
3 No. 2; providing authority to issue bonds; providing authority to
4 impose assessments, fees, or taxes.

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

6 SECTION 1. Subtitle C, Title 4, Special District Local Laws
7 Code, is amended by adding Chapter 3932 to read as follows:

8 CHAPTER 3932. MISSOURI CITY MANAGEMENT DISTRICT NO. 2

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 3932.001. DEFINITIONS. In this chapter:

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

12 (2) "City" means the City of Missouri City.

13 (3) "County" means Fort Bend County.

14 (4) "Director" means a board member.

15 (5) "District" means the Missouri City Management
16 District No. 2.

17 Sec. 3932.002. NATURE OF DISTRICT. The Missouri City
18 Management District No. 2 is a special district created under
19 Section 59, Article XVI, Texas Constitution.

20 Sec. 3932.003. PURPOSE; DECLARATION OF INTENT. (a) The
21 creation of the district is essential to accomplish the purposes of
22 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
23 Texas Constitution, and other public purposes stated in this
24 chapter. By creating the district and in authorizing the city, the

1 county, and other political subdivisions to contract with the
2 district, the legislature has established a program to accomplish
3 the public purposes set out in Section 52-a, Article III, Texas
4 Constitution.

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

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

16 Sec. 3932.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

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

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

25 (1) developing and diversifying the economy of the
26 state;

27 (2) eliminating unemployment and underemployment; and

1 (3) developing or expanding transportation and
2 commerce.

3 (d) The district will:

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

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

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

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

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

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

25 Sec. 3932.005. INITIAL DISTRICT TERRITORY. (a) The
26 district is initially composed of the territory described by
27 Section 2 of the Act enacting this chapter.

1 (b) The boundaries and field notes contained in Section 2 of
2 the Act enacting this chapter form a closure. A mistake in the
3 field notes or in copying the field notes in the legislative process
4 does not affect the district's:

5 (1) organization, existence, or validity;

6 (2) right to issue any type of bonds for the purposes
7 for which the district is created or to pay the principal of and
8 interest on the bonds;

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

10 (4) legality or operation.

11 Sec. 3932.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

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

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

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

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

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

22 Sec. 3932.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
23 DISTRICTS LAW. Except as otherwise provided by this chapter,
24 Chapter 375, Local Government Code, applies to the district.

25 Sec. 3932.008. CONSTRUCTION OF CHAPTER. This chapter shall
26 be liberally construed in conformity with the findings and purposes
27 stated in this chapter.

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 3932.051. GOVERNING BODY; TERMS. (a) The district is
3 governed by a board of seven voting directors who serve staggered
4 terms of four years, with three or four directors' terms expiring
5 June 1 of each odd-numbered year.

6 (b) The board by resolution may change the number of voting
7 directors on the board if the board determines that the change is in
8 the best interest of the district. The board may not consist of
9 fewer than 5 or more than 11 voting directors.

10 Sec. 3932.052. APPOINTMENT OF VOTING DIRECTORS. The mayor
11 and members of the governing body of the city shall appoint voting
12 directors from persons recommended by the board. A person is
13 appointed if a majority of the members of the governing body,
14 including the mayor, vote to appoint that person.

15 Sec. 3932.053. NONVOTING DIRECTORS. The board may appoint
16 nonvoting directors to serve at the pleasure of the voting
17 directors.

18 Sec. 3932.054. QUORUM. For purposes of determining the
19 requirements for a quorum of the board, the following are not
20 counted:

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

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

25 (3) a nonvoting director.

26 Sec. 3932.055. COMPENSATION. A director is entitled to
27 receive fees of office and reimbursement for actual expenses as

1 provided by Section 49.060, Water Code. Sections 375.069 and
2 375.070, Local Government Code, do not apply to the board.

3 Sec. 3932.056. INITIAL VOTING DIRECTORS. (a) The initial
4 board consists of the following voting directors:

5	<u>Pos. No.</u>	<u>Name of Director</u>
6	<u>1</u>	<u>John A. Van De Wiele</u>
7	<u>2</u>	<u>Jim Brown</u>
8	<u>3</u>	<u>Jack McDonald</u>
9	<u>4</u>	<u>Charles L. Howell, Jr.</u>
10	<u>5</u>	<u>Dawn Hurd</u>
11	<u>6</u>	<u>Ivy Levingston</u>
12	<u>7</u>	<u>Bobby Merchant</u>

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

17 (c) Section 3932.052 does not apply to this section.

18 SUBCHAPTER C. POWERS AND DUTIES

19 Sec. 3932.101. GENERAL POWERS AND DUTIES. The district has
20 the powers and duties necessary to accomplish the purposes for
21 which the district is created.

22 Sec. 3932.102. IMPROVEMENT PROJECTS AND SERVICES. The
23 district may provide, design, construct, acquire, improve,
24 relocate, operate, maintain, or finance an improvement project or
25 service using any money available to the district, or contract with
26 a governmental or private entity to provide, design, construct,
27 acquire, improve, relocate, operate, maintain, or finance an

1 improvement project or service authorized under this chapter or
2 Chapter 375, Local Government Code.

3 Sec. 3932.103. DEVELOPMENT CORPORATION POWERS. The
4 district, using money available to the district, may exercise the
5 powers given to a development corporation under Chapter 505, Local
6 Government Code, including the power to own, operate, acquire,
7 construct, lease, improve, or maintain a project under that
8 chapter.

9 Sec. 3932.104. NONPROFIT CORPORATION. (a) The board by
10 resolution may authorize the creation of a nonprofit corporation to
11 assist and act for the district in implementing a project or
12 providing a service authorized by this chapter.

13 (b) The nonprofit corporation:

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

17 (2) may implement any project and provide any service
18 authorized by this chapter.

19 (c) The board shall appoint the board of directors of the
20 nonprofit corporation. The board of directors of the nonprofit
21 corporation shall serve in the same manner as the board of directors
22 of a local government corporation created under Subchapter D,
23 Chapter 431, Transportation Code, except that a board member is not
24 required to reside in the district.

25 Sec. 3932.105. AGREEMENTS; GRANTS. (a) As provided by
26 Chapter 375, Local Government Code, the district may make an
27 agreement with or accept a gift or grant from any person. The

1 district shall promptly notify the city of any gift or grant
2 accepted by the district.

3 (b) The implementation of a project is a governmental
4 function or service for the purposes of Chapter 791, Government
5 Code.

6 Sec. 3932.106. LAW ENFORCEMENT SERVICES. To protect the
7 public interest, the district may contract with a qualified party,
8 including the county or the city, to provide law enforcement
9 services in the district for a fee.

10 Sec. 3932.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
11 district may join and pay dues to a charitable or nonprofit
12 organization that performs a service or provides an activity
13 consistent with the furtherance of a district purpose.

14 Sec. 3932.108. PARKING FACILITIES. (a) The district may
15 acquire, lease as lessor or lessee, construct, develop, own,
16 operate, and maintain parking facilities or a system of parking
17 facilities, including lots, garages, parking terminals, or other
18 structures or accommodations for parking motor vehicles off the
19 streets and related appurtenances.

20 (b) The district's parking facilities serve the public
21 purposes of the district and are owned, used, and held for a public
22 purpose even if leased or operated by a private entity for a term of
23 years.

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

27 (d) The development and operation of the district's parking

1 facilities may be considered an economic development program.

2 Sec. 3932.109. ANNEXATION OF LAND. The district may annex
3 land as provided by Subchapter J, Chapter 49, Water Code.

4 Sec. 3932.110. APPROVAL BY CITY. (a) Except as provided
5 by Subsection (c), the district must obtain the approval of the city
6 for:

7 (1) the issuance of bonds;

8 (2) the plans and specifications of an improvement
9 project financed by bonds; and

10 (3) the plans and specifications of an improvement
11 project related to the use of land owned by the city, an easement
12 granted to or by the city, or a right-of-way of a street, road, or
13 highway.

14 (b) The district may not issue bonds until the governing
15 body of the city adopts a resolution or ordinance authorizing the
16 issuance of the bonds.

17 (c) If the district obtains the approval of the city's
18 governing body of a capital improvements budget for a period not to
19 exceed five years, the district may finance the capital
20 improvements and issue bonds specified in the budget without
21 further approval from the city.

22 (d) The governing body of the city:

23 (1) is not required to adopt a resolution or ordinance
24 to approve plans and specifications described by Subsection (a);
25 and

26 (2) may establish an administrative process to approve
27 plans and specifications described by Subsection (a) without the

1 involvement of the governing body.

2 Sec. 3932.111. CONSENT OF CITY REQUIRED. The district may
3 not take any of the following actions until the city has consented
4 by ordinance or resolution to the creation of the district and to
5 the inclusion of land in the district:

6 (1) hold an election under Subchapter L, Chapter 375,
7 Local Government Code;

8 (2) impose an ad valorem tax;

9 (3) impose an assessment;

10 (4) issue bonds; or

11 (5) enter into an agreement to reimburse the costs of
12 facilities.

13 Sec. 3932.112. NO EMINENT DOMAIN POWER. The district may
14 not exercise the power of eminent domain.

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

16 Sec. 3932.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
17 board by resolution shall establish the number of directors'
18 signatures and the procedure required for a disbursement or
19 transfer of district money.

20 Sec. 3932.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
21 The district may acquire, construct, finance, operate, or maintain
22 any improvement or service authorized under this chapter or Chapter
23 375, Local Government Code, using any money available to the
24 district.

25 Sec. 3932.153. PETITION REQUIRED FOR FINANCING SERVICES AND
26 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
27 service or improvement project with assessments under this chapter

1 unless a written petition requesting that service or improvement
2 has been filed with the board.

3 (b) A petition filed under Subsection (a) must be signed by
4 the owners of a majority of the assessed value of real property in
5 the district subject to assessment according to the most recent
6 certified tax appraisal roll for the county.

7 Sec. 3932.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

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

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

16 (1) are a first and prior lien against the property
17 assessed;

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

21 (3) are the personal liability of and a charge against
22 the owners of the property even if the owners are not named in the
23 assessment proceedings.

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

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

5 SUBCHAPTER E. TAXES AND BONDS

6 Sec. 3932.201. ELECTIONS REGARDING TAXES AND BONDS.

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

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

10 (2) contract payments described by Section 3932.203.

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

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

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

21 Sec. 3932.202. OPERATION AND MAINTENANCE TAX. (a) If
22 authorized by a majority of the district voters voting at an
23 election held in accordance with Section 3932.201, the district may
24 impose an operation and maintenance tax on taxable property in the
25 district in accordance with Section 49.107, Water Code, for any
26 district purpose, including to:

27 (1) maintain and operate the district;

1 (2) construct or acquire improvements; or

2 (3) provide a service.

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

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

7 Sec. 3932.203. CONTRACT TAXES. (a) In accordance with
8 Section 49.108, Water Code, the district may impose a tax other than
9 an operation and maintenance tax and use the revenue derived from
10 the tax to make payments under a contract after the provisions of
11 the contract have been approved by a majority of the district voters
12 voting at an election held for that purpose.

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

16 Sec. 3932.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
17 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
18 determined by the board. Section 375.205, Local Government Code,
19 does not apply to a loan, line of credit, or other borrowing from a
20 bank or financial institution secured by revenue other than ad
21 valorem taxes.

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

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

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

3 Sec. 3932.205. TAXES FOR BONDS. At the time the district
4 issues bonds payable wholly or partly from ad valorem taxes, the
5 board shall provide for the annual imposition of a continuing
6 direct annual ad valorem tax, without limit as to rate or amount,
7 for each year that all or part of the bonds are outstanding as
8 required and in the manner provided by Sections 54.601 and 54.602,
9 Water Code.

10 Sec. 3932.206. CITY NOT REQUIRED TO PAY DISTRICT
11 OBLIGATIONS. Except as provided by Section 375.263, Local
12 Government Code, the city is not required to pay a bond, note, or
13 other obligation of the district.

14 SECTION 2. The Missouri City Management District No. 2
15 initially includes all territory contained in the following area:

16 TRACT 1

17 BEING a 152.586 acre tract situated in the Elijah Roark
18 League Survey, Abstract 77, Fort Bend County, Texas same being
19 Tract 11A of Olympia Estates. Said 152.586 acre tract being more
20 particularly described by metes and bounds as follows (all bearings
21 are referenced to the Texas Coordinate System, South Central Zone
22 (nad83):

23 BEGINNING at a 5/8-inch iron rod with cap stamped "COTTON"
24 found for the intersection of the northwest line of a 80-foot wide H
25 L & P Fee Strip recorded in Volume 495, Page 659, Fort Bend County
26 Deed Records (FBCDR) and the east boundary line of Olympia Estates;

27 THENCE, South 19'38'12", West, 2339.12 feet along said

1 northwest line of the 80-foot wide H L & P Fee Strip to the
2 centerline of a Proposed 80-foot wide Collector Road;

3 THENCE, along the centerline of said Collector Road, THE
4 FOLLOWING:

5 273.94 feet along the arc of the curve to the left
6 having a radius of 800.00 feet, a central angle of 19'37'11"
7 and chord which bears North 23°17'47" West, 272.61 feet to a
8 point of tangency,

9 North 33°06'22" West, 519.69 feet to a point of
10 curvature;

11 1008.22 feet along the arc of a curve to the right
12 having a radius of 2010.00 feet, a central angle of 28°44'23"
13 and a chord which bears North 18°44'11" West, 997.68 feet to a
14 point of tangency;

15 North 04°21'59" West, 330.66 feet to a point of
16 curvature;

17 708.67 feet along the arc of a curve to the right,
18 having a radius of 2010.00 feet a central angle of 20°12'03"
19 and a chord which bears North 05°44'02" East, 705.00 feet to a
20 point of tangency;

21 North 15°50'03" East, 178.96 feet to a point of
22 curvature;

23 687.32 feet along the arc of a curve to left, having a
24 radius of 1190.00 feet, a central angle of 33°05'34", and a
25 chord which bears North 00°42'43" West, 677.80 feet to a point
26 of tangency;

27 North 17°15'30" West, 130.28 feet to a point of

1 curvature;

2 890.16 feet along the arc of a curve to the right having
3 a radius of 3010.00 feet a central angle of 16'56'39" and a
4 chord which bears North 08'47'10" West, 886.92 feet to a point
5 of tangency;

6 North 00'18'51" West, 793.93 feet to a point for corner
7 in the north line of Senior Road (variable width Roadway
8 Easement) as recorded in Volume 446, page 42 and Volume 446,
9 page 49 FBCDR;

10 THENCE, South 89'54'41" East, 1606.62 feet to the east
11 boundary line of Olympia Estates;

12 THENCE, South 00'17'18" West, 3100.93 feet to the POINT OF
13 BEGINNING and containing a computed area of 152.586 acres
14 (6,646,629 square feet) of land.

15 TRACT 2

16 BEING a 116.302 acre tract situated in the Cochran and
17 McCluer Survey, Abstract 191, Fort Bend County, Texas. Said
18 116.302 acre tract being more particularly described by metes and
19 bounds as follows, (all bearings are referenced to the Texas
20 Coordinate System, South Central Zone (NAD83):

21 BEGINNING at a 1/2-inch iron rod set for the southwest corner
22 of said 116.302 acre tract, same also being east R.O.W. corner of a
23 Proposed Fort Bend County Toll Road with a variable R. O. W. width;

24 THENCE, Northwesterly along west property line, same also
25 being the east R.O.W. line of said Proposed Fort Bend County Toll
26 Road, with a curve to the left, having a radius of 5,879,60 feet on
27 arc length of 4,992.03' a chord bearing of N00'20'03"W, and a chord

1 length of 4752.91' to a point of tangency;
2 THENCE, N 24'10'28" W, continuing along west property line, a
3 distance of 807.08 feet to an angle point;
4 THENCE, N 11'34'52" W, continuing along west property line, a
5 distance of 68'96 feet to a point of curvature;
6 THENCE Northwesterly, continuing along west property line,
7 with a curve to the left, having a radius of 1,453.39 feet, an arc
8 length of 319.45', a chord bearing of N 17'52'40"W, a chord length of
9 318.81 feet to a point of tangency;
10 THENCE, N 24'10'28" W, continuing along west property line, a
11 distance of 289.05 feet to an angle point;
12 THENCE, N 23'37'13" W, continuing along west property line, a
13 distance of 106.91 feet to an angle point;
14 THENCE, N 38'55'39" E, continuing along west property line, a
15 distance of 61.27 feet to an angle point;
16 THENCE, N 00'04'56" E, continuing along west property line, a
17 distance of 98.12 feet to an angle point;
18 THENCE, N 89'55'04" W, continuing along west property line, a
19 distance of 15.22 feet to an angle point;
20 THENCE, N 53'23'49" W, continuing along west property line, a
21 distance of 9/98 feet to a point marking the northwest corner and
22 the north property line of said 116.302 acre tract;
23 THENCE, S, 89'54'41" E, along north property line, a distance
24 of 1,300.91 feet to an angle point marking the northeast corner of
25 said 116.302 acre tract;
26 THENCE, S. 00'18'51" E, along east property line, a distance
27 of 793.93 feet to a point of curvature;

1 THENCE, Southeasterly, continuing along east property line,
2 with a curve to the left, having a radius of 3,010.00 feet an arc
3 length of 890.16', a chord bearing of S 08'47'10" E and a chord
4 length of 886.92 feet to a point of tangency;

5 THENCE, S 17'15'30" E, continuing along east property line, a
6 distance of 130.28 feet to a point of curvature;

7 THENCE, Southeasterly, continuing along east property line,
8 with a curve to the right, having a radius of 1,190.00 feet, an arch
9 length of 687.32, a chord bearing of S 00'42'43" E, and a chord
10 length of 677.80 feet to a point of tangency;

11 THENCE, S 15'50'03" W, continuing along east property line, a
12 distance of 178.96 feet to a point of curvature;

13 THENCE, Southwesterly, continuing along east property line,
14 with a curve to the right, having a radius of 2010.00 feet, and an
15 arc length of 708.66 feet, a chord bearing of S 05'44'02" W, a chord
16 length of 705.00 feet to a point of tangency;

17 THENCE, S 04'21'59" E, continuing along east property line, a
18 distance of 330.66 feet to appoint of curvature;

19 THENCE, Southeasterly, continuing along the east property
20 line, with a curve to the left, having a radius of 2010.00 feet and
21 an arc length of 1008.22 feet a chord bearing of S 18'44'11" E, a
22 chord length of 997.68 feet to a point of tangency;

23 THENCE, S 33'06'22" E, continuing along east property line, a
24 distance of 519.69 feet to a point of curvature;

25 THENCE, Southeasterly, continuing along eh east property
26 line, with a curve to the right, having a radius of 800.00 feet, and
27 an arc length of 273.94 feet, a chord bearing of S 23'17'47" E, a

1 chord length of 272.71 feet to an angle point;

2 THENCE, S 19'38'12" W, along the east property line, a
3 distance of 1188.58 feet to an angle point marking the southeast
4 corner of said 116.302 acre tract;

5 THENCE, S 89'06'43" W, along the south property line, a
6 distance of 257.43 feet to a point of curvature;

7 THENCE, Westerly, continuing along the south property line,
8 with a curve to the left, having a radius of 117130.73 feet, and an
9 arc length of 118.10 feet, a chord bearing of S 89'18'33" W, a chord
10 length of 118.10 feet to a point of tangency;

11 THENCE, S 89'30'22" W, continuing along south property line,
12 a distance of 40.75 feet to an angle point;

13 THENCE, N 86'20'48" W, continuing along south property line,
14 a distance of 401.05 feet to an angle point;

15 THENCE, N 82'48'17" W, continuing along south property line,
16 a distance of 276.38 feet to the POINT OF BEGINNING and containing
17 116.302 acres and 5,066,122.07 square feet;

18 TRACT 3

19 OF 38.4163 acres or 1,678.415 Square Feet of land being part
20 of the remainder of that certain 80 acres tract of land, conveyed to
21 HERMANN HEALTH CARE SYSTEM, Inc. by a deed recorded under Clerk's
22 File No. 9774265, of the Fort Bend County Deed Records (F.B.C.D.R.)
23 lying in the ELIJAH ROARK LEAGUE Survey, Abstract No. 77, in Fort
24 Bend County, Texas, said 38.4163 Acre tract is more particularly
25 described by metes and bounds as follows:

26 BEGINNING at the North Right-of-Way of Trammel-Fresno Road,
27 (A variable Width Right-of Way as monument and occupied), at the

1 Southwest corner of that certain 961.03 acre tract of land conveyed
2 to TEAL RUN, LTD & TEAL RUN No. 2, LTD BY A DEED RECORDED UNDER
3 Volume 1923, Page 968, F.B.C.D.R., from which a 5/8 inch iron rod
4 with a Cotton Cap found North, 1.98 feet and west, 0.39 feet;

5 THENCE South 84 deg. 17 min. 58 sec. West , along the North
6 Right-of-Way of said Trammel-Fresno Road, a distance of 380.11 feet
7 to a point for corner, from which a 5/8 inch iron rod was found North
8 0.15 feet and East 0.14 feet;

9 THENCE South 89 deg. 08 min. 32 sec. West along the North
10 Right-of-Way of said Trammel- Fresno Road, a distance of 711.97
11 feet to a 5/8 inch iron rod found at a point for corner at the
12 Southeast corner of that certain 6.269 acre tract of land conveyed
13 to HOUSTON LIGHTING AND POWER Co. by a deed reordered under Volume
14 495, Page 659, F.B.C.D.R.;

15 THENCE North 19 deg. 38 min. 12 sec. East along the Southeast
16 line of said 6.269 acre tract of land, a distance of 3289.59 feet to
17 a point for corner, from which a 5/8 inch iron rod with a Cotton Cap
18 was found North, 0.08 feet;

19 THENCE South 00 deg. 17 min. 18 sec. West along the West line
20 of said 961.03 acre tract of land a distance of 3049.90 feet to the
21 POINT OF BEGINNING, containing within these calls 38.4163 acres or
22 1,673,415 Square Feet of land as depicted on sheet 4 of 4 of a plat
23 prepared by Donald K. Hall, R.P.L.S. No. 4070, dated November 20,
24 2000, revised February 13, 2001, and June 28, 2001.

25 SECTION 3. (a) The legal notice of the intention to
26 introduce this Act, setting forth the general substance of this
27 Act, has been published as provided by law, and the notice and a

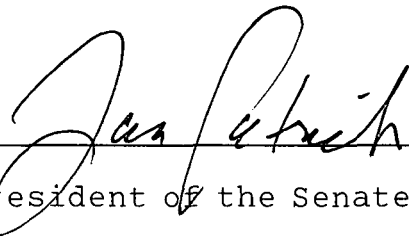
1 copy of this Act have been furnished to all persons, agencies,
2 officials, or entities to which they are required to be furnished
3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
4 Government Code.

5 (b) The governor, one of the required recipients, has
6 submitted the notice and Act to the Texas Commission on
7 Environmental Quality.

8 (c) The Texas Commission on Environmental Quality has filed
9 its recommendations relating to this Act with the governor,
10 lieutenant governor, and speaker of the house of representatives
11 within the required time.

12 (d) All requirements of the constitution and laws of this
13 state and the rules and procedures of the legislature with respect
14 to the notice, introduction, and passage of this Act have been
15 fulfilled and accomplished.

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



President of the Senate



Speaker of the House

I certify that H.B. No. 4156 was passed by the House on May 8, 2015, by the following vote: Yeas 140, Nays 2, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4156 on May 29, 2015, by the following vote: Yeas 145, Nays 0, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 4156 was passed by the Senate, with amendments, on May 27, 2015, by the following vote: Yeas 30, Nays 1.



Secretary of the Senate

APPROVED: _____

Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
6:30 pm O'CLOCK

JUN 19 2015


Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 28, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4156 by Reynolds (Relating to the creation of Missouri City Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, SD, KVe, EK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 22, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB4156** by Reynolds (Relating to the creation of Missouri City Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KVe, EK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 14, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB4156** by Reynolds (Relating to the creation of Missouri City Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KVe, EK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 29, 2015

TO: Honorable Doug Miller, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4156 by Reynolds (Relating to the creation of Missouri City Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KVe, EK

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 21, 2015

TO: Honorable Doug Miller, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4156 by Reynolds (Relating to the creation of Missouri City Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KVe, EK

LEGISLATIVE BUDGET BOARD
Austin, Texas

WATER DEVELOPMENT POLICY IMPACT STATEMENT

84TH LEGISLATIVE REGULAR SESSION

April 30, 2015

TO: Honorable Doug Miller, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB4156** by Reynolds (Relating to the creation of Missouri City Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **Committee Report 1st House, Substituted**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TPWD) 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: 582 Commission on Environmental Quality, 580 Water Development Board

LBB Staff: UP, SZ

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

WATER DEVELOPMENT POLICY IMPACT STATEMENT

84TH LEGISLATIVE REGULAR SESSION

April 21, 2015

TO: Honorable Doug Miller, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4156 by Reynolds (Relating to the creation of Missouri City Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **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: 582 Commission on Environmental Quality, 580 Water Development Board

LBB Staff: UP, SZ

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 17, 2015

The Honorable Joe Straus
Texas House of Representatives
Capitol Station
PO Box 2910
Austin, Texas 78768-2910


Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

House Bill (HB) 4156, as Filed by Representative Ron Reynolds - Relating to the creation of Missouri City Management District No.2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes

Dear Speaker Straus:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

Sincerely,


Linda Brookins, Director
Water Supply Division

cc: Honorable Doug Miller, Chairman, House Committee on Special Purpose Districts
Representative Ron Reynolds, Texas House of Representatives

Enclosure

HB 4156, as Filed by Senator Ron Reynolds
Texas Commission on Environmental Quality's Comments

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

The bill creates Missouri City Management District No. 2 (the "District") with the powers and duties of a municipal management (MMD) district under Local Government Code Chapter 375.

Comments on Powers/Duties Different from Similar Types of Districts: The mayor and members of the governing body of the City of Missouri City (the "City") shall appoint voting directors from persons recommended by the board, and a person is appointed if a majority of the members of the governing body, including the mayor, vote to appoint that person.

A director is entitled to receive fees of office and reimbursement for actual expenses provided by Section 49.060, Water Code (relating to fees of office and reimbursement of expenses). Local Government Code Sections 375.069 and 375.070 (compensation of a director of an MMD) do not apply to the District.

The District may exercise: (1) the powers of a development corporation under Chapter 505, Local Government Code; and (2) the power to create a nonprofit corporation as a local government corporation under Subchapter D, Chapter 431, Transportation Code.

The District may annex land as provided by Subchapter J, Chapter 49, Water Code.

The District must receive City approval for: the issuance of bonds; the plans and specifications of an improvement project financed by bonds; and the plans and specifications of an improvement project related to the use of land owned by the City, an easement granted by the City, or a right-of-way of a street, road, or highway.

The District may not issue bonds until the governing body of the City adopts a resolution or ordinance authorizing the issuance of the bonds; however, if the District obtains the approval of the governing body of the City of a capital improvements budget for a period not to exceed 5 years, the District may finance the capital improvements and issue bonds specified in the budget without further approval from the City.

The District may not take any of the following actions until the City has consented by ordinance or resolution to the creation of the District and to the inclusion of land in the District: (1) hold an election under Subchapter L, Chapter 375, Local Government Code; (2) impose an ad valorem tax; (3) impose an assessment; (4) issue bonds; or (5) enter into an agreement to reimburse the costs of facilities.

The District may levy a maintenance tax and a contract tax as provided for in Sections 49.107 and 49.108 of the Water Code.

The District may not exercise the power of eminent domain.

The 1% cap limitation for the ratio of the District's outstanding debt to assessed valuation as required in Section 49.4645, Water Code does not apply to the District.

Except as provided by Section 375.263 (dissolution and assumption of assets and liabilities of a district by a municipality), Local Government Code, the City is not required to pay a bond, note, or other obligation of the District.

Overlapping Services: TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

TCEQ's Supervision: As with general law districts, the TCEQ will have general supervisory authority, including bond review authority (water, wastewater, and drainage facilities only) and review of financial reports.

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 4156


Bill Number

TO: The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

4/2/2015

Date transmitted to
Governor's Office

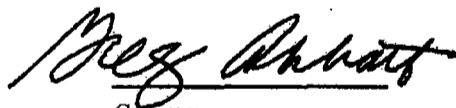

Chief Clerk
House of Representatives

TO: Texas Commission on Environmental Quality
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

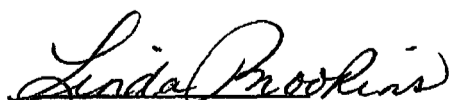
April 2, 2015

Date transmitted to
Texas Commission on Environmental Quality


Governor

TO: The Honorable Speaker of the House
The Honorable President of the Senate
The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.


Texas Commission on Environmental Quality

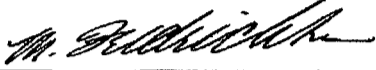


PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS
COUNTIES OF HARRIS AND FORT BEND

Before me, the undersigned authority, on this day personally appeared M. Fredrickson, who being by me duly sworn, deposes and says that he is the Publisher of the FORT BEND STAR and the FORT BEND/SOUTHWEST STAR, that said newspaper (i) devote not less than 25% of its total column lineage to general interest items, (ii) are published once each week, (iii) are entered as second-class postal matter in the Fort Bend County and Harris County, Texas and (iv) were published regularly and continuously in Fort Bend County and Harris County, Texas and that the attached notice was published in said newspapers on the following date(s) to wit:

January 28, 2015



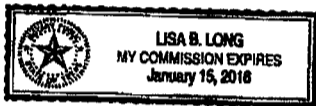
M. Fredrickson, Publisher

Subscribed and sworn to before me this 28th day of January A.D., 2015.



Lisa B. Long, Notary Public

My commission expires:



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 84th Legislature of Texas a bill creating and establishing a special district in the corporate limits of the City of Missouri City, Fort Bend County, under the provisions of Article XVI, Section 59; Article III, Section 52; and Article III, Section 52-e of the Constitution of Texas and pursuant to the inherent power of the Legislature to create special governmental agencies and districts, with powers including those given to municipal management districts created pursuant to Chapter 375, Texas Local Government Code. The bill will provide for the district's administration, powers, name, duties, operation, and financing. The proposed boundaries of the district will include all or part of the following land situated in Fort Bend County, Texas:

TRACT 1
BEING a 152,566 acre tract situated in the Elijah Roark League Survey, Abstract 77, Fort Bend County, Texas same being Tract 11A of Olympia Estates. Said 152,566 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, South Central Zone (NAD83)):
BEGINNING at a 5/8-inch iron rod with cap stamped "COTTON" found for the intersection of the northwest line of a 80-foot wide H.L. & P. Fee Strip recorded in Volume 495, Page 659, Fort Bend County Deed Records (FBCDR) and the east boundary line of Olympia Estates;
THENCE, South 19°38'12" West, 2332.12 feet along said northwestern line of the 80-foot wide H.L. & P. Fee Strip to the centerline of a Proposed 60-foot wide Collector Road;
THENCE, along the centerline of said Collector Road, THE FOLLOWING:
273.94 feet along the arc of the curve to the left having a radius of 800.00 feet, a central angle of 19°37'11" and chord which bears North 23°17'47" West, 272.61 feet to a point of tangency;
North 33°08'22" West, 519.69 feet to a point of curvature;
1008.22 feet along the arc of a curve to the right having a radius of 2010.00 feet, a central angle of 28°44'23" and a chord which bears North 18°44'11" West, 897.68 feet to a point of tangency;
North 04°21'59" West, 330.66 feet to a point of curvature;
706.67 feet along the arc of a curve to the right, having a radius of 2010.00 feet a central angle of 20°12'03" and a chord which bears North 05°44'02" East, 706.00 feet to a point of tangency;
North 15°50'03" East, 178.96 feet to a point of curvature;
867.32 feet along the arc of a curve to the left, having a radius of 1190.00 feet, a central angle of 33°05'34", and a chord which bears North 00°42'43" West, 677.80 feet to a point of tangency;
North 17°15'30" West, 130.26 feet to a point of curvature;
890.16 feet along the arc of a curve to the right having a radius of 3010.00 feet a central angle of 16°56'39" and a chord which bears North 08°47'10" West, 886.92 feet to a point of tangency;
North 00°18'51" West, 793.03 feet to a point for corner in the north line of Senior Road (variable width Roadway Easement) as recorded in Volume 446, page 42 and Volume 468, page 49 FBCDR;
THENCE, South 89°54'41" East, 1806.62 feet to the east boundary line of Olympia Estates;
THENCE, South 00°17'18" West, 3100.93 feet to the POINT OF BEGINNING and containing a computed area of 152,566 acres (6,646,629 square feet) of land.

TRACT 2
BEING a 116,302 acre tract situated in the Cochran and McCluer Survey, Abstract 191, Fort Bend County, Texas. Said 116,302 acre tract being more particularly described by metes and bounds as follows, (all bearings are referenced to the Texas Coordinate System, South Central Zone (NAD83)):
BEGINNING at a 1/2-inch iron rod set for the southwest corner of said 116,302 acre tract, same also being east R.O.W. corner of a Proposed Fort Bend County Toll Road with a variable R. O. W. width;
THENCE, Northwest along west property line, same also being the east R.O.W. line of said Proposed Fort Bend County Toll Road, with a curve to the left, having a radius of 5,879.60 feet on arc length of 4,992.03' a chord bearing of N00°20'03"W, and a chord length of 4752.91' to a point of tangency;
THENCE, N 24°10'28" W, continuing along west property line, a distance of 807.08 feet to an angle point;
THENCE, N 11°34'52" W, continuing along west property line, a distance of 899.96 feet to a point of curvature;
THENCE Northwest along west property line, with a curve to the left, having a radius of 1,453.39 feet, an arc length of 319.45', a chord bearing of N 17°32'40" W, a chord length of 316.81 feet to a point of tangency;
THENCE, N 53°23'49" W, continuing along west property line, a distance of 288.05 feet to an angle point;
THENCE, N 23°37'13" W, continuing along west property line, a distance of 108.81 feet to an angle point;
THENCE, N 38°55'39" E, continuing along west property line, a distance of 61.27 feet to an angle point;
THENCE, N 00°04'56" E, continuing along west property line, a distance of 88.12 feet to an angle point;
THENCE, N 89°55'04" W, continuing along west property line, a distance of 15.22 feet to an angle point;
THENCE, N 53°23'49" W, continuing along west property line, a distance of 648 feet to a point marking the northwest corner and the north property line of said 116,302 acre tract;
THENCE, S 69°54'11" E, along north property line, a distance of 1,300.81 feet to an angle point marking the northeast corner of said 116,302 acre tract;
THENCE, S 00°18'51" E, along east property line, a distance of 793.03 feet to a point of curvature;
THENCE, Southeast along east property line, with a curve to the left, having a radius of 3,010.00 feet an arc length of 690.16', a chord bearing of S 06°47'10" E and a chord length of 686.92 feet to a point of tangency;
THENCE, S 17°15'30" E, continuing along east property line, a distance of 130.26 feet to a point of curvature;
THENCE, Southeast along east property line, with a curve to the right, having a radius of 1,190.00 feet, an arc length of 687.32', a chord bearing of S 00°42'43" E, and a chord length of 677.80 feet to a point of tangency;
THENCE, S 15°50'03" W, continuing along east property line, a distance of 178.96 feet to a point of curvature;
THENCE, Southwest along east property line, with a curve to the right, having a radius of 2010.00 feet, and an arc length of 706.66 feet, a chord bearing of S 05°44'02" W, a chord length of 706.00 feet to a point of tangency;
THENCE, S 04°21'59" E, continuing along east property line, a distance of 330.66 feet to a point of curvature;
THENCE, Southeast along east property line, with a curve to the left, having a radius of 2010.00 feet and an arc length of 1008.22 feet a chord bearing of S 18°44'11" E, a chord length of 897.68 feet to a point of tangency;
THENCE, S 33°08'22" E, continuing along east property line, a distance of 519.69 feet to a point of curvature;
THENCE, Southeast along east property line, with a curve to the right, having a radius of 800.00 feet, and an arc length of 273.94 feet, a chord bearing of S 23°17'47" E, a chord length of 272.61 feet to an angle point;
THENCE, S 19°38'12" W, along the east property line, a distance of 1168.58 feet to an angle point marking the southeast corner of said 116,302 acre tract;
THENCE, S 19°38'12" W, along the east property line, a distance of 267.43 feet to a point of curvature;
THENCE, West along the east property line, with a curve to the left, having a radius of 117130.73 feet, and an arc length of 118.10 feet, a chord bearing of S 89°18'30" W, a chord length of 118.10 feet to a point of tangency;
THENCE, S 89°30'22" W, continuing along south property line, a distance of 40.75 feet to an angle point;
THENCE, N 86°20'48" W, continuing along south property line, a distance of 401.05 feet to an angle point;
THENCE, N 02°48'17" W, continuing along south property line, a distance of 276.39 feet to the POINT OF BEGINNING and containing 116,302 acres and 5,066,127.07 square feet.

TRACT 3
BEING a 88,1380 acre tract situated in the Cochran and McCluer Survey, Abstract 191, Fort Bend County, Texas. Said 88,1380 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, South Central Zone (NAD83)):
BEGINNING at a 1/4-inch iron rod set for the southwest corner of said 88,1380 acre tract;
THENCE, North, along west property line a distance of 747.53 feet to an angle point;
THENCE, N 00°00'01" W, continuing along west property line, a distance of 1,389.70 feet to an angle point;
THENCE, N 00°00'01" E, continuing along west property line, a distance of 1,389.70 feet to a point of curvature set for corner, same also being east property line of said 88,1380 acre tract;
THENCE, Southeast along east property line, with a curve to the right, having a radius of 1,453.39 feet, an arc length of 87.07', and a chord bearing of S 33°53'10" E, and a chord length of 87.06 feet to a point of tangency;
THENCE, Southeast along east property line, with a curve to the right, having a radius of 1,453.39 feet, an arc length of 89.64', a chord bearing of S 35°38'09" E and a chord length of 89.44 feet to an angle point;
THENCE, S 23°57'22" E, continuing along east property line, a distance of 671.06 feet to a point of curvature;
THENCE, Southeast along east property line, with a curve to the right, having a radius of 5,879.60 feet, an arc length of 4,876.69', a chord bearing of S 00°45'18" W, and a chord length of 4876.69 feet to an angle point marking the southeast corner of said 88,1380 acre tract;
THENCE, S 82°06'33" W, along the south property line, a distance of 88.12 feet to an angle point;
THENCE, S 81°15'24" W, continuing along the south property line, a distance of 321.26 feet to an angle point;
THENCE, S 85°22'13" W, continuing along south property line, a distance of 19.91 feet to the POINT OF BEGINNING and containing 88,1380 acres and 383,8280.95 square feet.

TRACT 4
Being a tract of land containing 37,429 acres located in the Elijah Roark League, Abstract Number 77, in Fort Bend County, Texas; Said 37,429 acre tract being a called 37,429 acre tract of land recorded in the name of First Century Financial, Inc. in Fort Bend County Clerk's File (FBCCL) Number 2004110055; said 37,429 acre tract being more particularly described by metes and bounds as follows (bearings are referenced to said 37,429 acre tract as described in F.B.C.C.F. Number 2004110055):
BEGINNING at a 5/8-inch iron rod found at the most northerly corner of said 37,429 acre tract, the northeast corner of a called 35,871 acre tract of land recorded in the name of Graham Mortgage Corporation in F.B.C.C.F. Number 2011022711 and being on the southerly right-of-way (R.O.W.) line of Lake Olympia Parkway (100-foot wide) as described in F.B.C.C.F. Number 2004110055;
THENCE, with said southerly R.O.W. line, the following two (2) courses:
882.26 feet along the arc of a curve to the left, said curve having a central angle of 44 degrees 08 minutes 25 seconds, a radius of 1,250.00 feet and a chord bearing: South 64 degrees 38 minutes 47 seconds East, a distance of 928.89 feet to a 5/8-inch iron rod found;
South 86 degrees 41 minutes 59 seconds East, a distance of 1,122.96 feet to a 5/8-inch iron rod found at the transition from said southerly R.O.W. line to the R.O.W. line of Fort Bend Parkway (width varies) as described in F.B.C.C.F. Number 2003112427;
THENCE, with said R.O.W. line, the following four (4) courses:
South 69 degrees 35 minutes 18 seconds East, a distance of 855.12 feet to a 5/8-inch iron rod found;
South 64 degrees 36 minutes 19 seconds East, a distance of 1,110.00 feet to a 5/8-inch iron rod found;
315.88 feet along the arc of a curve to the left, said curve having a central angle of 22 degrees 08 minutes 08 seconds, a radius of 5,829.60 feet and a chord bearing: South 22 degrees 39 minutes 54 seconds East, a distance of 315.84 feet to a 5/8-inch iron rod found;
South 24 degrees 19 minutes 28 seconds East, a distance of 824.34 feet to a 5/8-inch iron rod found;
THENCE, with said southerly R.O.W. line, the following two (2) courses:
South 18 degrees 00 minutes 00 seconds West, a distance of 1,959.15 feet to a 5/8-inch iron rod found at the most southerly corner of said 37,429 acre tract, the northeast corner of Olympia Estates Phase 1 Section 3, a subdivision recorded in Slide Number 2311 A85 of the F.B.C.P.R., and being the most easterly corner of a called 16,896 acre tract of land recorded in the name of Graham Mortgage Corporation in F.B.C.C.F. Number 2011022711;
THENCE, with lines common to said 37,429 acre tract and said 16,896 acre tract, the following two (2) courses:
882.08 feet along the arc of a curve to the left, said curve having a central angle of 25 degrees 12 minutes 00 seconds, a radius of 1,959.15 feet and a chord bearing of North 34 degrees 50 minutes 48 seconds West, a distance of 855.12 feet to a 5/8-inch iron rod found;
North 47 degrees 24 minutes 00 seconds West, a distance of 1,110.00 feet to a 5/8-inch iron rod found;
North 90 degrees 00 minutes 00 seconds West, at a distance of 824.34 feet to a 5/8-inch iron rod found at the most northerly northwestern corner of Olympia Estate Section 2, a subdivision recorded in Slide Numbers 2311 A85 of the F.B.C.P.R., in all, a distance of 711.87 feet to the southeast corner of Restricted Reserve "A", Olympia Estates Phase 1 Section 4, a subdivision recorded in Slide Number 20042245 of the F.B.C.P.R.;
THENCE, with said Restricted Reserve "A", the following three (3) courses:
North 00 degrees 00 minutes 00 seconds East, a distance of 1,959.15 feet to a 5/8-inch iron rod found;
North 23 degrees 18 minutes 16 seconds West, a distance of 380.11 feet to a 5/8-inch iron rod found;
South 86 degrees 41 minutes 44 seconds West, a distance of 1,122.96 feet to a 5/8-inch iron rod found;
THENCE, with said east line, North 23 degrees 18 minutes 16 seconds West, a distance of 380.11 feet to a 5/8-inch iron rod found at the southeast corner of said Lot 17 and being a southeasterly corner of aforesaid 35,871 acre tract;
THENCE, with the easterly lines of said 35,871 acre tract, the following two (2) courses:
North 00 degrees 56 minutes 10 seconds East, a distance of 198.32 feet to a 5/8-inch iron rod found;
North 40 degrees 15 minutes 31 seconds East, a distance of 481.52 feet to the POINT OF BEGINNING and containing 37,429 acres of land.

TRACT 5
OF 38,4163 acres or 1,673,415 Square Feet of land being part of the name of HEALTH CARE SYSTEM, Inc. by a deed recorded under Clerk's File No. 9774265, of the Fort Bend County Clerk's Office, in Fort Bend County, Texas, said 38,4163 acre tract being more particularly described by metes and bounds as follows:
BEGINNING at the North Right-of-Way of Tammer-Frasno Road, (A variable width Roadway Easement) as recorded in Volume 192, Page 66, F.B.C.D.R., from which a 5/8 inch iron rod with a Cotton Cap found North, 1.58 feet and west, 0.39 feet;
THENCE South 84 deg. 47 min. 58 sec. West, along the North Right-of-Way of said Tammer-Frasno Road, a distance of 380.11 feet to a point for corner, from which a 5/8 inch iron rod was found North 0.15 feet and East 0.14 feet;
THENCE South 89 deg. 08 min. 32 sec. West along the North Right-of-Way of said Tammer-Frasno Road, a distance of 711.87 feet to a 5/8 inch iron rod found at a point for corner at the Southeast corner of that certain 6,269 acre tract of land conveyed to HOUSTON LIGHTING AND POWER CO. by a deed recorded in Volume 495, Page 658, F.B.C.D.R.;
THENCE North 18 deg. 58 min. 12 sec. East along the Southwest line of said 6,269 acre tract of land, a distance of 328.58 feet to a point for corner, from which a 5/8 inch iron rod with a Cotton Cap was found North, 0.08 feet;
THENCE South 00 deg. 17 min. 18 sec. West along the West line of said 961.00 acre tract of land a distance of 3049.80 feet to the POINT OF BEGINNING, containing these calls 38,4163 acres or 1,673,415 Square Feet of land as depicted on sheet 4 of 4 of a plat prepared by Donald K. Hax, R.P.L.S. No. 4070, dated November 20, 2000, revised February 13, 2001.