

Chapter 982

H.B. No. 4154

1 AN ACT

2 relating to the creation of the Grand Lake Estates Management
3 District and the Montgomery County Municipal Utility District
4 No. 152, and to the boundaries of the Harris County Municipal
5 Utility District No. 465; providing authority to issue bonds;
6 providing authority to impose assessments, fees, or taxes.

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

8 SECTION 1. Subtitle C, Title 4, Special District Local Laws
9 Code, is amended by adding Chapter 3938 to read as follows:

10 CHAPTER 3938. GRAND LAKE ESTATES MANAGEMENT DISTRICT

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 3938.001. DEFINITIONS. In this chapter:

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

14 (2) "County" means Montgomery County.

15 (3) "Director" means a board member.

16 (4) "District" means the Grand Lake Estates Management
17 District.

18 Sec. 3938.002. CREATION AND NATURE OF DISTRICT. The
19 district is a special district created under Section 59, Article
20 XVI, Texas Constitution.

21 Sec. 3938.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The
22 creation of the district is essential to accomplish the purposes of
23 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
24 Texas Constitution, and other public purposes stated in this

1 chapter. By creating the district and in authorizing political
2 subdivisions to contract with the district, the legislature has
3 established a program to accomplish the public purposes set out in
4 Section 52-a, Article III, Texas 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) The district is created to supplement and not to
11 supplant county services provided in the district.

12 Sec. 3938.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
13 The district is created to serve a public use and benefit.

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

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

21 (1) developing and diversifying the economy of the
22 state;

23 (2) eliminating unemployment and underemployment;

24 (3) developing or expanding transportation and
25 commerce; and

26 (4) providing quality residential housing.

27 (d) The district will:

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

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

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

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

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

21 Sec. 3938.005. DISTRICT TERRITORY. (a) The district is
22 initially composed of the territory described by Section 2 of the
23 Act enacting this chapter.

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

1 (1) organization, existence, or validity;

2 (2) right to issue any type of bond for the purposes
3 for which the district is created or to pay the principal of and
4 interest on a bond;

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

6 (4) legality or operation.

7 Sec. 3938.006. APPLICABILITY OF MUNICIPAL MANAGEMENT
8 DISTRICTS LAW. Except as otherwise provided by this chapter,
9 Chapter 375, Local Government Code, applies to the district.

10 Sec. 3938.007. CONSTRUCTION OF CHAPTER. This chapter shall
11 be liberally construed in conformity with the findings and purposes
12 stated in this chapter.

13 SUBCHAPTER B. BOARD OF DIRECTORS

14 Sec. 3938.051. GOVERNING BODY; TERMS. The district is
15 governed by a board of five voting directors who serve staggered
16 terms of four years with two or three directors' terms expiring June
17 1 of each odd-numbered year.

18 Sec. 3938.052. QUALIFICATIONS OF DIRECTORS APPOINTED BY
19 COUNTY. To be qualified to serve as a director appointed by the
20 governing body of the county, a person must be:

21 (1) a resident of the district who is also a registered
22 voter of the district;

23 (2) an owner of property in the district;

24 (3) an owner of stock or a partnership or membership
25 interest, whether beneficial or otherwise, of a corporate
26 partnership, limited liability company, or other entity owner of a
27 direct or indirect interest in property in the district;

1 (4) an owner of a beneficial interest in a trust, or a
2 trustee in a trust, that directly or indirectly owns property in the
3 district;

4 (5) an agent, employee, or tenant of a person
5 described by Subdivision (2), (3), or (4); or

6 (6) an initial director.

7 Sec. 3938.053. APPOINTMENT OF DIRECTORS. The governing
8 body of the county shall appoint directors from persons recommended
9 by the board.

10 Sec. 3938.054. VACANCY. If a vacancy occurs on the board,
11 the remaining directors shall appoint a director for the remainder
12 of the unexpired term.

13 Sec. 3938.055. DIRECTOR'S OATH OR AFFIRMATION. (a) A
14 director shall file the director's oath or affirmation of office
15 with the district, and the district shall retain the oath or
16 affirmation in the district records.

17 (b) A director shall file a copy of the director's oath or
18 affirmation with the clerk of the county.

19 Sec. 3938.056. QUORUM. A vacant director position is not
20 counted for purposes of establishing a quorum.

21 Sec. 3938.057. OFFICERS. The board shall elect from among
22 the directors a chair, a vice chair, and a secretary. The offices
23 of chair and secretary may not be held by the same person.

24 Sec. 3938.058. COMPENSATION; EXPENSES. (a) The district
25 may compensate each director in an amount not to exceed \$50 for each
26 board meeting. The total amount of compensation a director may
27 receive each year may not exceed \$2,000.

1 (b) A director is entitled to reimbursement for necessary
2 and reasonable expenses incurred in carrying out the duties and
3 responsibilities of the board.

4 Sec. 3938.059. LIABILITY INSURANCE. The district may obtain
5 and pay for comprehensive general liability insurance coverage from
6 a commercial insurance company or other source that protects and
7 insures a director against personal liability and from all claims
8 relating to:

9 (1) actions taken by the director in the director's
10 capacity as a member of the board;

11 (2) actions and activities taken by the district; or

12 (3) the actions of others acting on behalf of the
13 district.

14 Sec. 3938.060. NO EXECUTIVE COMMITTEE. The board may not
15 create an executive committee to exercise the powers of the board.

16 Sec. 3938.061. BOARD MEETINGS. The board shall hold
17 meetings at a place accessible to the public.

18 Sec. 3938.062. INITIAL DIRECTORS. (a) The initial board
19 consists of:

<u>Pos. No.</u>	<u>Name of Director</u>
20 <u>1</u>	<u>Collin Nguyen</u>
21 <u>2</u>	<u>Laura Dodson</u>
22 <u>3</u>	<u>Roger Stacey</u>
23 <u>4</u>	<u>Amanda James</u>
24 <u>5</u>	<u>Joe Teagarden</u>

25 (b) The terms of the initial directors expire June 1, 2017.

26 (c) Of the directors who replace an initial director, the
27 initial director shall have the same term as the director replaced.

1 terms of directors serving in positions 1 through 3 expire June 1,
2 2019, and the terms of directors serving in positions 4 and 5 expire
3 June 1, 2021.

4 (d) Section 3938.052 does not apply to initial directors
5 under this section.

6 (e) This section expires September 1, 2021.

7 SUBCHAPTER C. POWERS AND DUTIES

8 Sec. 3938.101. GENERAL POWERS AND DUTIES. The district has
9 the powers and duties necessary to accomplish the purposes for
10 which the district is created.

11 Sec. 3938.102. IMPROVEMENT PROJECTS AND SERVICES. The
12 district may provide, design, construct, acquire, improve,
13 relocate, operate, maintain, or finance an improvement project or
14 service using money available to the district, or contract with a
15 governmental or private entity to provide, design, construct,
16 acquire, improve, relocate, operate, maintain, or finance an
17 improvement project or service authorized under this chapter or
18 Chapter 375, Local Government Code.

19 Sec. 3938.103. LOCATION OF IMPROVEMENT PROJECT. An
20 improvement project described by Section 3938.102 may be located:

21 (1) in the district; or

22 (2) in an area outside but adjacent to the district if
23 the project is for the purpose of extending a public infrastructure
24 improvement beyond the district's boundaries to a logical terminus.

25 Sec. 3938.104. DEVELOPMENT CORPORATION POWERS. The
26 district, using money available to the district, may exercise the
27 powers given to a development corporation under Chapter 505, Local

1 Government Code, including the power to own, operate, acquire,
2 construct, lease, improve, or maintain a project under that
3 chapter.

4 Sec. 3938.105. NONPROFIT CORPORATION. (a) The board by
5 resolution may authorize the creation of a nonprofit corporation to
6 assist and act for the district in implementing a project or
7 providing a service authorized by this chapter.

8 (b) The nonprofit corporation:

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

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

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

20 Sec. 3938.106. AGREEMENTS; GRANTS. (a) As provided by
21 Chapter 375, Local Government Code, the district may make an
22 agreement with or accept a gift, grant, or loan from any person.

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

26 Sec. 3938.107. LAW ENFORCEMENT SERVICES. To protect the
27 public interest, the district may contract with a qualified party,

1 including the county, to provide law enforcement services in the
2 district for a fee.

3 Sec. 3938.108. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
4 district may join and pay dues to a charitable or nonprofit
5 organization that performs a service or provides an activity
6 consistent with the furtherance of a district purpose.

7 Sec. 3938.109. ECONOMIC DEVELOPMENT. (a) The district may
8 engage in activities that accomplish the economic development
9 purposes of the district.

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

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

15 (2) provide district personnel and services.

16 (c) The district may create economic development programs
17 and exercise the economic development powers that:

18 (1) Chapter 380, Local Government Code, provides to a
19 municipality; and

20 (2) Subchapter A, Chapter 1509, Government Code,
21 provides to a municipality.

22 Sec. 3938.110. REAL PROPERTY RESTRICTIONS. (a) The
23 district may adopt restrictions on the use of real property in the
24 district.

25 (b) The district may enforce restrictions on the use of real
26 property in the district in the manner provided for a municipal
27 utility district by Section 54.237, Water Code.

1 Sec. 3938.111. DESIGNATION OF SPECIAL ZONES. (a) The
2 district may designate all or any part of the area of the district,
3 as if the district were a municipality, as:

4 (1) a tax increment reinvestment zone under Chapter
5 311, Tax Code;

6 (2) a tax abatement reinvestment zone under Chapter
7 312, Tax Code; or

8 (3) an industrial district under Chapter 42, Local
9 Government Code.

10 (b) Section 311.006(b), Tax Code, does not apply to a tax
11 increment reinvestment zone created by the district.

12 (c) The district may submit to the Texas Economic
13 Development Bank a request for designation of a project or activity
14 in the district as an enterprise project in the manner provided for
15 a municipality to submit a request under Chapter 2303, Government
16 Code.

17 (d) If the county creates a tax increment reinvestment zone
18 under Chapter 311, Tax Code, the county, by contract with the
19 district, may grant money deposited in the tax increment fund to the
20 district to be used by the district for the purposes permitted for
21 money granted to a corporation under Section 380.002(b), Local
22 Government Code, including the right to pledge the money as
23 security for any bonds issued by the district for an improvement
24 project.

25 Sec. 3938.112. CONCURRENCE ON ADDITIONAL POWERS. If the
26 territory of the district is located in the corporate boundaries or
27 the extraterritorial jurisdiction of a municipality, the district

1 may not exercise a power granted to the district after the date the
2 district was created unless the governing body of the municipality
3 by resolution consents to the district's exercise of the power.

4 Sec. 3938.113. NO EMINENT DOMAIN POWER. The district may
5 not exercise the power of eminent domain.

6 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

7 Sec. 3938.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
8 board by resolution shall establish the number of signatures and
9 the procedure required for a disbursement or transfer of the
10 district's money.

11 Sec. 3938.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
12 The district may acquire, construct, finance, operate, or maintain
13 an improvement project or service authorized under this chapter or
14 Chapter 375, Local Government Code, using any money available to
15 the district.

16 Sec. 3938.153. GENERAL POWERS REGARDING PAYMENT OF DISTRICT
17 BONDS, OBLIGATIONS, OR OTHER COSTS. The district may provide or
18 secure the payment or repayment of any bond, note, or other
19 temporary or permanent obligation or reimbursement or other
20 contract with any person and the costs and expenses of the
21 establishment, administration, and operation of the district and
22 the district's costs or share of the costs or revenue of an
23 improvement project or district contractual obligation or
24 indebtedness by:

25 (1) the imposition of an ad valorem tax or sales and
26 use tax or an assessment, user fee, concession fee, or rental
27 charge; or

1 (2) any other revenue or resources of the district,
2 including revenues from a tax increment reinvestment zone.

3 Sec. 3938.154. PETITION REQUIRED FOR FINANCING SERVICES AND
4 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
5 service or improvement project with assessments under this chapter
6 unless a written petition requesting that service or improvement
7 has been filed with the board.

8 (b) The petition must be signed by the owners of a majority
9 of the assessed value of real property in the district subject to
10 assessment according to the most recent certified tax appraisal
11 roll for the county.

12 Sec. 3938.155. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
13 The board by resolution may impose and collect an assessment for any
14 purpose authorized by this chapter in all or any part of the
15 district.

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

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

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

26 (3) are the personal liability of and a charge against
27 the owners of the property even if the owners are not named in the

1 assessment proceedings.

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

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

10 Sec. 3938.156. STORM WATER USER CHARGES. The district may
11 establish user charges related to the operation of storm water
12 facilities, including the regulation of storm water for the
13 protection of water quality in the district.

14 Sec. 3938.157. NONPOTABLE WATER USER CHARGES. The district
15 may establish user charges for the use of nonpotable water for
16 irrigation purposes, subject to approval of the governing body of
17 the county.

18 Sec. 3938.158. COSTS FOR IMPROVEMENT PROJECTS. The
19 district may undertake separately or jointly with other persons,
20 including the county, all or part of the cost of an improvement
21 project, including an improvement project:

22 (1) for improving, enhancing, and supporting public
23 safety and security, fire protection and emergency medical
24 services, and law enforcement in or adjacent to the district; or

25 (2) that confers a general benefit on the entire
26 district or a special benefit on a definable part of the district.

27 Sec. 3938.159. TAX AND ASSESSMENT ABATEMENTS. The district

1 may designate reinvestment zones and may grant abatements of a tax
2 or assessment on property in the zones.

3 SUBCHAPTER E. TAXES AND BONDS

4 Sec. 3938.201. TAX ABATEMENT. The district may enter into a
5 tax abatement agreement in accordance with the general laws of this
6 state authorizing and applicable to a tax abatement agreement by a
7 municipality.

8 Sec. 3938.202. PROPERTY TAX AUTHORIZED. (a) The district
9 may impose an ad valorem tax on all taxable property in the district
10 to:

11 (1) pay for an improvement project of the types
12 authorized by Section 52(b), Article III, and Section 59, Article
13 XVI, Texas Constitution; or

14 (2) secure the payment of bonds issued for a purpose
15 described by Subdivision (1).

16 (b) The district may not impose an ad valorem tax to pay for
17 an improvement project under this chapter unless the imposition is
18 approved by the voters of the district voting at an election held
19 for that purpose. The board may call an election to approve the
20 imposition of an ad valorem tax to pay for an improvement project
21 under this chapter only if the board receives a petition requesting
22 the election signed by:

23 (1) more than 51 percent of the record owners of real
24 property in the district subject to taxation; or

25 (2) owners representing more than 51 percent of the
26 appraised value of real property in the district subject to
27 taxation, as determined by the tax rolls of the appraisal district.

1 Sec. 3938.203. SALES AND USE TAX. (a) The district may
2 impose a sales and use tax if authorized by a majority of the voters
3 of the district voting at an election called for that purpose.
4 Revenue from the tax may be used for any purpose for which ad
5 valorem tax revenue of the district may be used.

6 (b) The district may not adopt a sales and use tax if as a
7 result of the adoption of the tax the combined rate of all sales and
8 use taxes imposed by the district and other political subdivisions
9 of this state having territory in the district would exceed two
10 percent at any location in the district.

11 (c) If the voters of the district approve the adoption of
12 the tax at an election held on the same election date on which
13 another political subdivision adopts a sales and use tax or
14 approves an increase in the rate of its sales and use tax and as a
15 result the combined rate of all sales and use taxes imposed by the
16 district and other political subdivisions of this state having
17 territory in the district would exceed two percent at any location
18 in the district, the election to adopt a sales and use tax under
19 this chapter has no effect.

20 Sec. 3938.204. BONDS AND OTHER OBLIGATIONS. (a) The
21 district may issue, by public or private sale, bonds, notes, or
22 other obligations payable wholly or partly from ad valorem taxes,
23 sales and use taxes, or assessments in the manner provided by
24 Subchapter J, Chapter 375, Local Government Code.

25 (b) If the territory of the district is not located in the
26 corporate boundaries or extraterritorial jurisdiction of a
27 municipality, the district is not required to comply with Section

1 375.207, Local Government Code, and may issue a bond or other
2 obligation under Subchapter J, Chapter 375, Local Government Code,
3 with the written consent of directors, as provided by Section
4 375.071, Local Government Code.

5 (c) In exercising the district's borrowing power, the
6 district may issue a bond or other obligation in the form of a bond,
7 note, certificate of participation or other instrument evidencing a
8 proportionate interest in payments to be made by the district, or
9 other type of obligation.

10 (d) In addition to the sources of money described by
11 Subchapter J, Chapter 375, Local Government Code, district bonds
12 may be secured and made payable wholly or partly by a pledge of any
13 part of the money the district receives from improvement revenue or
14 from any other source.

15 Sec. 3938.205. BOND MATURITY. Bonds may mature not more
16 than 40 years from their date of issue.

17 Sec. 3938.206. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
18 the time bonds or other obligations payable wholly or partly from ad
19 valorem taxes are issued:

20 (1) the board shall impose a continuing direct annual
21 ad valorem tax for each year that all or part of the bonds are
22 outstanding; and

23 (2) the district annually shall impose an ad valorem
24 tax on all taxable property in the district in an amount sufficient
25 to:

26 (A) pay the interest on the bonds or other
27 obligations as the interest becomes due; and

1 (B) create a sinking fund for the payment of the
2 principal of the bonds or other obligations when due or the
3 redemption price at any earlier required redemption date.

4 SUBCHAPTER F. DISSOLUTION

5 Sec. 3938.251. DISSOLUTION BY ORDINANCE. (a) A
6 municipality that includes territory of the district, in the
7 corporate boundaries or extraterritorial jurisdiction of the
8 municipality, by ordinance may dissolve the district.

9 (b) The municipality may not dissolve the district until the
10 district's outstanding debt or contractual obligations that are
11 payable from ad valorem taxes have been repaid or discharged, or the
12 municipality has affirmatively assumed the obligation to pay the
13 outstanding debt from municipal revenue.

14 Sec. 3938.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

15 (a) If the dissolved district has bonds or other obligations
16 outstanding secured by and payable from assessments or other
17 revenue, other than ad valorem taxes, the municipality that
18 dissolves the district shall succeed to the rights and obligations
19 of the district regarding enforcement and collection of the
20 assessments or other revenue.

21 (b) The municipality shall have and exercise all district
22 powers to enforce and collect the assessments or other revenue to
23 pay:

24 (1) the bonds or other obligations when due and
25 payable according to their terms; or

26 (2) special revenue or assessment bonds or other
27 obligations issued by the municipality to refund the outstanding

1 bonds or obligations.

2 Sec. 3938.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)

3 If a municipality dissolves the district, the municipality assumes,
4 subject to the appropriation and availability of funds, the
5 obligations of the district, including any bonds or other debt
6 payable from assessments or other district revenue.

7 (b) If a municipality dissolves the district, the board
8 shall transfer ownership of all district property to the
9 municipality.

10 SECTION 2. The Grand Lake Estates Management District
11 initially includes all the territory contained in the following
12 area: Tract 1 is +/- 200.33 acres within the J. Sealy Survey
13 Abstract (No. 758) and A. Hodge Survey Abstract (No. 18), and
14 situated west of the Grand Lake Estates Subdivision Section 11
15 (west of intersection of Guinevere Ln and Kirsten's Ct) and south of
16 the Grand Lake Estates Subdivision Sections 6 and 8, in southwest
17 Montgomery County with point of beginning being south Right-Of-Way
18 (ROW) of Guinevere Ln and east boundary of 200.33 acre tract (A0758
19 - Sealy John, TRACT 1-A (191.211 AC), A0018 HODGE ARCHIBALD, TRACT
20 3A-1 (9.119 AC), ACRES 200.33);

21 Then south along east boundary of said 200.33 acre tract to
22 southeast corner of said tract;

23 Then west along south boundary of said 200.33 acre tract to
24 southwest corner of said tract;

25 Then north along west boundary of said 200.33 acre tract to
26 northwest corner of said tract;

27 Then east along north boundary of said 200.33 acre tract to

1 northeast corner of said tract;
2 Then south along east boundary of said 200.33 acre tract to south
3 ROW of Guinevere Ln and point of beginning of +/-200.33 acre tract;

4 SECTION 3. Subtitle F, Title 6, Special District Local Laws
5 Code, is amended by adding Chapter 7932 to read as follows:

6 CHAPTER 7932. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 152

7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 7932.001. DEFINITIONS. In this chapter:

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

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

12 (3) "Director" means a board member.

13 (4) "District" means the Montgomery County Municipal
14 Utility District No. 152.

15 Sec. 7932.002. NATURE OF DISTRICT. The district is a
16 municipal utility district created under Section 59, Article XVI,
17 Texas Constitution.

18 Sec. 7932.003. CONFIRMATION AND DIRECTORS' ELECTION
19 REQUIRED. The temporary directors shall hold an election to
20 confirm the creation of the district and to elect five permanent
21 directors as provided by Section 49.102, Water Code.

22 Sec. 7932.004. CONSENT OF MUNICIPALITY REQUIRED. The
23 temporary directors may not hold an election under Section 7932.003
24 until each municipality in whose corporate limits or
25 extraterritorial jurisdiction the district is located has
26 consented by ordinance or resolution to the creation of the
27 district and to the inclusion of land in the district.

1 Sec. 7932.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)

2 The district is created to serve a public purpose and benefit.

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

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

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

10 Sec. 7932.006. INITIAL DISTRICT TERRITORY. (a) The

11 district is initially composed of the territory described by
12 Section 4 of the Act enacting this chapter.

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

17 (1) organization, existence, or validity;

18 (2) right to issue any type of bond for the purposes
19 for which the district is created or to pay the principal of and
20 interest on a bond;

21 (3) right to impose a tax; or

22 (4) legality or operation.

23 SUBCHAPTER B. BOARD OF DIRECTORS

24 Sec. 7932.051. GOVERNING BODY; TERMS. (a) The district is

25 governed by a board of five elected directors.

26 (b) Except as provided by Section 7932.052, directors serve
27 staggered four-year terms.

1 Sec. 7932.052. TEMPORARY DIRECTORS. (a) On or after the
2 effective date of the Act enacting this chapter, the owner or owners
3 of a majority of the assessed value of the real property in the
4 district may submit a petition to the commission requesting that
5 the commission appoint as temporary directors the five persons
6 named in the petition. The commission shall appoint as temporary
7 directors the five persons named in the petition.

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

9 (1) the date permanent directors are elected under
10 Section 7932.003; or

11 (2) the fourth anniversary of the effective date of
12 the Act enacting this chapter.

13 (c) If permanent directors have not been elected under
14 Section 7932.003 and the terms of the temporary directors have
15 expired, successor temporary directors shall be appointed or
16 reappointed as provided by Subsection (d) to serve terms that
17 expire on the earlier of:

18 (1) the date permanent directors are elected under
19 Section 7932.003; or

20 (2) the fourth anniversary of the date of the
21 appointment or reappointment.

22 (d) If Subsection (c) applies, the owner or owners of a
23 majority of the assessed value of the real property in the district
24 may submit a petition to the commission requesting that the
25 commission appoint as successor temporary directors the five
26 persons named in the petition. The commission shall appoint as
27 successor temporary directors the five persons named in the

1 petition.

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 7932.101. GENERAL POWERS AND DUTIES. The district has
4 the powers and duties necessary to accomplish the purposes for
5 which the district is created.

6 Sec. 7932.102. MUNICIPAL UTILITY DISTRICT POWERS AND
7 DUTIES. The district has the powers and duties provided by the
8 general law of this state, including Chapters 49 and 54, Water Code,
9 applicable to municipal utility districts created under Section 59,
10 Article XVI, Texas Constitution.

11 Sec. 7932.103. AUTHORITY FOR ROAD PROJECTS. Under Section
12 52, Article III, Texas Constitution, the district may design,
13 acquire, construct, finance, issue bonds for, improve, operate,
14 maintain, and convey to this state, a county, or a municipality for
15 operation and maintenance macadamized, graveled, or paved roads, or
16 improvements, including storm drainage, in aid of those roads.

17 Sec. 7932.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
18 project must meet all applicable construction standards, zoning and
19 subdivision requirements, and regulations of each municipality in
20 whose corporate limits or extraterritorial jurisdiction the road
21 project is located.

22 (b) If a road project is not located in the corporate limits
23 or extraterritorial jurisdiction of a municipality, the road
24 project must meet all applicable construction standards,
25 subdivision requirements, and regulations of each county in which
26 the road project is located.

27 (c) If the state will maintain and operate the road, the

1 Texas Transportation Commission must approve the plans and
2 specifications of the road project.

3 Sec. 7932.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
4 OR RESOLUTION. The district shall comply with all applicable
5 requirements of any ordinance or resolution that is adopted under
6 Section 54.016 or 54.0165, Water Code, and that consents to the
7 creation of the district or to the inclusion of land in the
8 district.

9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

10 Sec. 7932.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
11 district may issue, without an election, bonds and other
12 obligations secured by:

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

14 (2) contract payments described by Section 7932.153.

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

19 (c) The district may not issue bonds payable from ad valorem
20 taxes to finance a road project unless the issuance is approved by a
21 vote of a two-thirds majority of the district voters voting at an
22 election held for that purpose.

23 Sec. 7932.152. OPERATION AND MAINTENANCE TAX. (a) If
24 authorized at an election held under Section 7932.151, the district
25 may impose an operation and maintenance tax on taxable property in
26 the district in accordance with Section 49.107, Water Code.

27 (b) The board shall determine the tax rate. The rate may not

1 exceed the rate approved at the election.

2 Sec. 7932.153. CONTRACT TAXES. (a) In accordance with
3 Section 49.108, Water Code, the district may impose a tax other than
4 an operation and maintenance tax and use the revenue derived from
5 the tax to make payments under a contract after the provisions of
6 the contract have been approved by a majority of the district voters
7 voting at an election held for that purpose.

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

11 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

12 Sec. 7932.201. AUTHORITY TO ISSUE BONDS AND OTHER
13 OBLIGATIONS. The district may issue bonds or other obligations
14 payable wholly or partly from ad valorem taxes, impact fees,
15 revenue, contract payments, grants, or other district money, or any
16 combination of those sources, to pay for any authorized district
17 purpose.

18 Sec. 7932.202. TAXES FOR BONDS. At the time the district
19 issues bonds payable wholly or partly from ad valorem taxes, the
20 board shall provide for the annual imposition of a continuing
21 direct ad valorem tax, without limit as to rate or amount, while all
22 or part of the bonds are outstanding as required and in the manner
23 provided by Sections 54.601 and 54.602, Water Code.

24 Sec. 7932.203. BONDS FOR ROAD PROJECTS. At the time of
25 issuance, the total principal amount of bonds or other obligations
26 issued or incurred to finance road projects and payable from ad
27 valorem taxes may not exceed one-fourth of the assessed value of the

1 real property in the district.

2 SECTION 4. The Montgomery County Municipal Utility District
3 No. 152 initially includes all the territory contained in the
4 following area:

5 A METES & BOUNDS description of a certain 695.3 acre tract of
6 land situated in the Montgomery County School Land Survey, Abstract
7 No. 351, the T. F. Johnson Survey, Abstract No. 299 and the Timothy
8 O'Neil Survey, Abstract No. 406 in Montgomery County, Texas, being
9 comprised of a called 364.7 acre tract of land (First Tract) and a
10 called 330.6 acre tract of land (Second Tract) conveyed to Bell
11 Endeavors, Ltd. From Helen Hilliard Brame by Special Warranty Deed
12 recorded in Clerk's File No. 2004-021196 of the Montgomery County
13 Official Public Records of Real Property; said 695.3 acre tract
14 being more particularly described in Two (2) Tracts as follows with
15 all bearings being based on a call of South 51°30' West, along the
16 common lines of the First and Second Tracts;

17 TRACT 1: 364.7 acres, more or less, of land, of which 286.5
18 acres, more or less, lies in the Montgomery County School Land
19 Survey, Abstract No. 350, 69.2 acres, more or less, lies in the
20 Montgomery County School Land Survey, Abstract No. 351, 6.5 acres,
21 more or less, lies in the T. F. Johnson Survey, Abstract No. 299,
22 and 2.5 acres, more or less, lies in the Timothy O'Neil Survey,
23 Abstract No. 406, and being the same land as conveyed to Winnie
24 Helen Hilliard by partition deed dated July 20, 1957, recorded in
25 Volume 434, Page 441 of the Deed Records of Montgomery County,
26 Texas; said 364.7 acres, more or less, of land being more
27 particularly described as follows:

1 BEGINNING at the Southwest corner of the S. Richardson
2 Survey, Abstract No. 460 and the Northwest corner of the T. F.
3 Johnson Survey, the Eastern Southeast corner of the Montgomery
4 County School Land Survey, Abstract No. 350, a Northeast intra
5 corner of the Montgomery County School Land Survey, Abstract
6 No. 351, and being Corner No. 1 hereof;

7 THENCE, S 00°30' W, 199.3 feet to Corner No. 2 hereof at the
8 Southwest corner of the Blanche Bender tract of land;

9 THENCE, East, 746.4 feet to Corner No. 3 hereof and the
10 Second Corner of Tract 2 hereof;

11 THENCE, S 51°30' W, 2738 feet to Corner No. 4 hereof and
12 Corner No. 1 of said Tract Two hereof, also being in the Northern
13 boundary line of a 660 acre tract as conveyed to Winnifred Bender
14 Beaman by said partition deed recorded in Volume 434, Page 441 of
15 said Deed Records, and also being the Southeast corner of the Doris
16 Eugenia Vaughan tract as described in said partition deed;

17 THENCE, N 38°35' W, 6268.4 feet to Corner No. 5 hereof and the
18 Northeast corner of said Doris Eugenia Vaughan tract in the center
19 of the Scott-Herrin Road;

20 THENCE, N 47°30' E, 800.4 feet with said Road [Deed (Volume
21 434, Page 441) call of N 46°40' E, 759.2 feet] to Corner No. 6
22 hereof;

23 THENCE, N 70°06' E, 1110.0 feet continuing with said road
24 [Deed (Volume 434, Page 441) call of N 68°55' E, 1110 feet] to its
25 intersection with the old Bender Tram Line for Corner No. 7 hereof;

26 THENCE, S 57°27' E, with said old Tram, 4397 feet [Deed
27 (Volume 434, Page 441) call of S 57°12' E, 4397 feet] to Corner No. 8

1 hereof in the West boundary line of the S. Richardson Survey;

2 THENCE, S 01°12'39" W, 1549.45 feet [Deed (Clerk's File
3 No. 2004-021196) call South 01°13' W, 1549.6 feet] along the West
4 line of the S. Richardson Survey to the PLACE OF BEGINNING AND
5 CONTAINING within these bounds 364.7 acres, more or less, of land.

6 TRACT 2: 330.6 acres, more or less, of land, of which 110.5
7 acres, more or less, lies in the Montgomery County School Land
8 Survey, Abstract No. 351, and 220.1 acres, more or less, lies in the
9 T. F. Johnson Survey, Abstract No. 299, and being the same land as
10 conveyed to Winnie Helen Hilliard by deed dated August 3, 1967,
11 recorded in Volume 646, Page 935 of the Montgomery County Deed
12 Records; said 330.6 acres, more or less, of land being more
13 particularly described as follows:

14 BEGINNING at Corner No. 4 of the Tract 1 herein, and Corner
15 No. 1 hereof;

16 THENCE, N 51°30' E, 2738.0 feet to a point for corner in the
17 Southern boundary line of said Blanche Bender tract for Corner
18 No. 2;

19 THENCE, East, 1009.6 feet with the Southern boundary line of
20 said Blanche Bender tract to Corner No. 3 hereof on the Western edge
21 of the Old Bender Tram Line;

22 THENCE, S 28°02' E, with said old Tram and/or road, 4024 feet
23 [Deed (Volume 434, Page 441) call of S 28°50' E, 3966.4 feet] to
24 Corner No. 4 hereof, on the Western side of said road, and being a
25 most Eastern corner of the Doris E. Vaughan 330 acres as described
26 in a deed recorded in Volume 646, Page 933 of said Deed Records;

27 THENCE, S 52°43' W, 2797.2 feet, [Deed (Volume 434, Page 441)

1 call of S 53° W, 2797.2 feet] to Corner No. 5 hereof and being a
2 re-entrant corner of the Doris E. Vaughan 330 acre tract;

3 THENCE, S 38°30'25" W, 4526.14 feet [Deed (Clerk's File
4 No. 2004-021196) call N 38°30' W, 4525.7 feet] to the PLACE OF
5 BEGINNING AND CONTAINING within these bounds 330.6 acres, more or
6 less, of land for a total of 695.3 acres in Montgomery County,
7 Texas.

8 SECTION 5. (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,
20 lieutenant governor, and speaker of the house of representatives
21 within the required time.

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

26 (e) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

1 to the notice, introduction, and passage of this Act have been
2 fulfilled and accomplished.

3 SECTION 6. (a) If this Act does not receive a two-thirds
4 vote of all the members elected to each house, Subchapter C, Chapter
5 7932, Special District Local Laws Code, as added by Section 3 of
6 this Act, is amended by adding Section 7932.106 to read as follows:

7 Sec. 7932.106. NO EMINENT DOMAIN POWER. The district may
8 not exercise the power of eminent domain.

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

12 SECTION 7. Section 2, Chapter 465, Acts of the 79th
13 Legislature, Regular Session, 2005, is amended to read as follows:

14 Sec. 2. The Harris County Municipal Utility District No.
15 465 [~~initially~~] includes all the territory contained in the
16 following area:

17 Being 320.794 acres of land located in the A. E. Spencer
18 Survey, Abstract 1365, and the W. B. Macomer Survey, Abstract 1528,
19 the L. Breeding Survey, Abstract 1468, and the C. Breeding Survey,
20 Abstract 1467, Harris County, Texas, being a portion of that
21 certain called 315.38 acre tract (Tract I) and the residue of that
22 certain called 19.768 acre tract (Tract III) by an instrument of
23 record in File Number D990282, Official Public Records of Real
24 Property, Harris County, Texas, (H.C.O.P.R.R.P.), said 320.794
25 acres being more particularly described by metes and bounds as
26 follows, all bearings based upon the west line of said 315.38 acre
27 tract, and being north (called north);

1 BEGINNING on the common line of said W. B. Macomer Survey,
2 Abstract 1528, and the H. & T.C. Railroad Company Survey Section 87,
3 Abstract 455 of said Harris County, Texas, at its intersection with
4 the north right-of-way line of F. M. Highway 529, said point being
5 the southwest corner of said 315.38 acre tract;

6 Thence, North (called North) along the common line of said
7 W. B. Macomer Survey and said H. & T.C. Railroad Company Survey,
8 5,204.14 feet to the northwest corner of the herein described
9 tract, the northwest corner of said 315.38 acre tract, same being
10 the northeast corner of a called 21.157 acre tract by an instrument
11 of record in File Number P040350, H.C.O.P.R.R.P., on the south
12 right-of-way line of Longenbaugh Road;

13 Thence, North 89° 59' 17" East, along the north line of the
14 herein described tract and the north line of said 315.38 acre tract,
15 and the south right-of-way line of said Longenbaugh Road, 2,640.00
16 feet to the northeast corner of the herein described tract and the
17 northeast corner of said 315.38 acre tract, same being the
18 northwest corner of the residue of a called 510.63 acre tract by an
19 instrument of record in Volume 1270, Page 473, and Volume 1267, Page
20 163, Deed Records of said Harris County, Texas (H.C.D.R.);

21 Thence, South (called South) along the east line of the
22 herein described tract and the east line of said called 315.38 acre
23 tract, same being the west line of said adjoining residue of a
24 called 510.63 acre tract, at 2,613.77 feet pass a point on said line
25 at its intersection with the south line of the A. E. Spencer Survey,
26 Abstract 1365, said point being the southwest corner of said
27 adjoining residue of a called 510.63 acre tract, same being the

1 northwest corner of an adjoining called 73.718 acre tract described
2 in deed recorded under County Clerk's File Numbers L9788401,
3 N447931, N447932, and W740505, Official Public Records of Real
4 Property, Harris County, Texas, said point also being the northwest
5 corner of the L. Breeding Survey, Abstract 1468, same being the
6 northeast corner of the W. B. Macomer Survey, Abstract 1528, and
7 continuing for a total distance of 3,844.35 feet to a reentry corner
8 to the herein described tract, same being the southwest corner of
9 said adjoining called 73.718 acre tract;

10 Thence, North 89 degrees 57 minutes 16 seconds East (adjoiner
11 called East) along the lower north line of the herein described
12 tract, same being the south line of said adjoining called 73.718
13 acre tract, 2,609.39 feet (adjoiner called 2,609.44 feet) to a
14 northeast corner of the herein described tract, same being the
15 southeast corner of said adjoining called 73.718 acre tract, and
16 being in the west right-of-way line of Katy Hockley Road;

17 Thence, South 00 degrees 01 minute 11 seconds East (called
18 South) along the middle east line the herein described tract and the
19 east line of said residue of a called 19.768 acre tract, same being
20 the west right-of-way line of Katy Hockley Road, 90.00 feet to a
21 southeast corner of the herein described tract and the southeast
22 corner of said called 19.768 acre tract, same being the northeast
23 corner of an adjoining called 1.00 acre tract described in deed
24 recorded under County Clerk's File Number T395128, Official Public
25 Records of Real Property, Harris County, Texas, said point also
26 being the southeast corner of the C. Breeding Survey, Abstract
27 1467, same being the lower northeast corner of the L. Breeding

1 Survey, Abstract 1468;

2 Thence, South 89 degrees 57 minutes 16 seconds West along the
3 south line of the C. Breeding Survey, Abstract 1467, same being the
4 lower north line of the L. Breeding Survey, Abstract 1468, being the
5 upper south line of the herein described tract and the south line of
6 said called 19.768 acre tract, same being the north line of said
7 adjoining called 1.00 acre tract, and along the north line of an
8 adjoining called 1.9578 acre tract described in deed recorded under
9 County Clerk's File Number T233387, Official Public Records of Real
10 Property, Harris County, Texas, the north line of an adjoining
11 called 13.9559 acre tract described in deed recorded under County
12 Clerk's File Number G594514, Official Public Records of Real
13 Property, Harris County, Texas, the north line of an adjoining
14 called 13.955 acre tract described in deed recorded under County
15 Clerk's File Number H415235, Official Public Records of Real
16 Property, Harris County, Texas, the north line of an adjoining
17 called 3.955 acre tract described in deed recorded under County
18 Clerk's File Number G067328, Official Public Records of Real
19 Property, Harris County, Texas, and the north line of an adjoining
20 called 10 acre tract described in deed recorded under County
21 Clerk's File Number D745445, Official Public Records of Real
22 Property, Harris County, Texas, the north line of an adjoining
23 called 10 acre tract described in deed recorded under County
24 Clerk's File Number H755391, Official Public Records of Real
25 Property, Harris County, Texas, the north line of an adjoining
26 called 10 acre tract described in deed recorded under County
27 Clerk's File Number H956910, Official Public Records of Real

1 Property, Harris County, Texas, for a total distance of 2,610.82
2 feet (called 2,609.44 feet) to a reentry corner to the herein
3 described tract, same being the occupied northwest corner of said
4 adjoining called 10 acre tract (County Clerk's File Number
5 H956910), said point also being in the occupied common line of the
6 L. Breeding Survey, Abstract 1468, and the W. B. Macomer Survey,
7 Abstract 1528;

8 Thence, South 00 degrees 03 minutes 48 seconds East (called
9 South) along the occupied common line of the herein described tract
10 and said adjoining called 10 acre tract, 1,269.78 feet to a
11 southeast corner of said called 315.38 acre tract, same being the
12 southwest corner of said adjoining called 10 acre tract, and being
13 in the north right-of-way line of F. M. Highway 529;

14 Thence, North 89 degrees 59 minutes 17 seconds West (called
15 West) along the lower south line of the herein described tract and
16 the south line of said called 315.38 acre tract, same being the
17 north right-of-way line of F. M. Highway 529, 2,640.00 feet (called
18 2,640 feet) to the Place of Beginning and containing 320.794 acres
19 of land, more or less.

20 [~~TRACT I:~~

21 [~~FIELD NOTES FOR A 315.38 ACRE TRACT OF LAND, 156.84 ACRES OUT OF~~
22 ~~THE W.B. MACOMER SURVEY, ABSTRACT 1528, BEING THE SOUTHWEST 1/4 OF~~
23 ~~SECTION 76, BLOCK 2 OF THE H. & T. C. R.R. COMPANY SURVEY AND 158.54~~
24 ~~ACRES OUT OF THE A. E. SPENCER SURVEY, ABSTRACT 1365, BEING THE~~
25 ~~NORTHWEST 1/4 OF SECTION 76, BLOCK 2 OF THE H. & T. C. R.R. COMPANY~~
26 ~~SURVEY, HARRIS COUNTY, TEXAS.~~

27 [~~BEGINNING at 1-1/4 inch Iron Pipe found on the North line of F. M.~~

1 ~~Highway 529, said point being the Southeast corner and Place of~~
2 ~~Beginning of the herein described 315.38 Acre Tract, said point~~
3 ~~being located West 2639.44 feet and North 52 feet from the Southeast~~
4 ~~corner of the H. & T. C. R.R. Company Survey, Section 76,~~

5 ~~[THENCE North along the East line of the W. B. Macomer Survey being~~
6 ~~a part of the aforementioned H. & T. C. R.R. Company Survey Section~~
7 ~~76, at 2588 feet pass a 5/8 inch Iron Rod set on said line at the~~
8 ~~Northeast corner of the aforementioned W. B. Macomer Survey, same~~
9 ~~being in the South line of the A. E. Spencer Survey, and continuing~~
10 ~~for a total distance of 5204 feet to a 1-1/4 inch Iron Pipe set on~~
11 ~~the South line of Longenbaugh Road for the Northeast corner of the~~
12 ~~herein described 315.58 Acre Tract,~~

13 ~~[THENCE West along the South line of Longenbaugh Road, 2640 feet to~~
14 ~~a 1-1/4 inch Iron Pipe set in the West line of the H. & T. C. R.R.~~
15 ~~Company Survey Section 76 for the Northwest corner of the herein~~
16 ~~described 315.38 Acre Tract,~~

17 ~~[THENCE South along the West line of said Section 76, at 2616 feet~~
18 ~~pass the Southwest corner of the A.E. Spencer Survey, being a part~~
19 ~~of the aforementioned Section 76, same being the Northwest corner~~
20 ~~of the W. B. Macomer Survey, being a part of the aforementioned~~
21 ~~Section 76, and continuing for a total distance of 3204 feet to a~~
22 ~~1-1/4 inch Iron Pipe set in the South line of F.M. Highway 529 for~~
23 ~~the Southwest corner of the herein described 315.38 Acre Tract,~~

24 ~~[THENCE East along the South line of said F.M. Highway 529, 2640~~
25 ~~feet to the Place of BEGINNING and containing 315.38 acres of land.~~

26 ~~[TRACT II.~~

27 ~~[FIELD NOTES FOR A 19.768 ACRE TRACT OF LAND, BEING 9.77 ACRES OUT~~

1 ~~OF THE C. BREEDING SURVEY, ABSTRACT 1467, AND 9.998 ACRES OUT OF THE~~
2 ~~L. BREEDING SURVEY, ABSTRACT 1468, AND BEING IN THE SOUTHEAST 1/4 OF~~
3 ~~SECTION 76, BLOCK 2 OF THE H. & T. C. R.R. COMPANY SURVEY, HARRIS~~
4 ~~COUNTY, TEXAS.~~

5 ~~[BEGINNING at a 3/4 inch Iron Pipe found on the West line of~~
6 ~~Katy-Hockley Road at the Southeast corner and Place of Beginning of~~
7 ~~the herein described 19.768 Acre Tract said point being located~~
8 ~~North 1319.4 feet and West 30 feet from a Railroad Spike found at~~
9 ~~the Southeast corner of Section 76 as located in the intersection of~~
10 ~~F.M. Highway 529 and Katy-Hockley Road,~~

11 ~~[THENCE West along the common line of the L. Breeding Survey,~~
12 ~~Abstract 1468, and the C. Breeding Survey, Abstract 1467, at~~
13 ~~1289.44 feet pass the Southwest corner of the C. Breeding Survey,~~
14 ~~same being a reentry corner to the L. Breeding Survey, and~~
15 ~~continuing for a total distance of 2609.44 feet to a 1-1/4 inch Iron~~
16 ~~Pipe found in the East line of the W. B. Macomer Survey for the~~
17 ~~Southwest corner of the herein described 19.768 Acre Tract,~~

18 ~~[THENCE North along the East line of said W. B. Macomer Survey, same~~
19 ~~being a West line of the L. Breeding Survey, 330 feet to a 5/8 inch~~
20 ~~Iron Rod set on said line for the Northwest corner of the herein~~
21 ~~described 19.768 Acre Tract,~~

22 ~~[THENCE East along a line establishing the North line of the herein~~
23 ~~described 19.768 Acre Tract, 2609.44 feet to a 5/8 inch Iron Rod set~~
24 ~~in the West line of Katy-Hockley Road for the Northeast corner of~~
25 ~~the herein described 19.768 Acre Tract of land,~~

26 ~~[THENCE south along the West line of said Katy-Hockley Road, 330~~
27 ~~feet to the Place of BEGINNING and containing 19.768 acres of land.]~~

1 SECTION 8. (a) The Harris County Municipal Utility
2 District No. 465 retains all rights, powers, privileges, authority,
3 duties, and functions that it had before the effective date of this
4 Act.

5 (b) Notwithstanding any other law, the Harris County
6 Municipal Utility District No. 465 may continue to rely on any bond
7 election held before the effective date of this Act.

8 SECTION 9. (a) Any act or proceeding of the district,
9 including an election, not excepted by this section and taken
10 before the effective date of this Act, is validated and confirmed in
11 all respects.

12 (b) This section does not apply to:

13 (1) an act, proceeding, director, other official,
14 bond, or other obligation the validity of which or of whom is the
15 subject of litigation that is pending on the effective date of this
16 Act; or

17 (2) an act or proceeding that, under a statute of this
18 state or the United States, was a misdemeanor or felony at the time
19 the act or proceeding occurred.

20 SECTION 10. (a) The legal notice of the intention to
21 introduce this Act, setting forth the general substance of this
22 Act, has been published as provided by law, and the notice and a
23 copy of this Act have been furnished to all persons, agencies,
24 officials, or entities to which they are required to be furnished
25 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
26 Government Code.

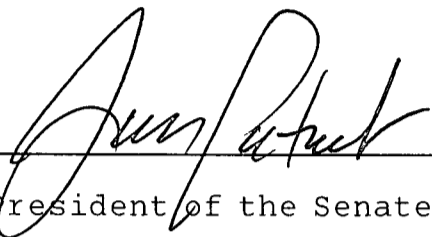
27 (b) The governor, one of the required recipients, has

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

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

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

11 SECTION 11. This Act takes effect immediately if it
12 receives a vote of two-thirds of all the members elected to each
13 house, as provided by Section 39, Article III, Texas Constitution.
14 If this Act does not receive the vote necessary for immediate
15 effect, this Act takes effect September 1, 2015.



President of the Senate



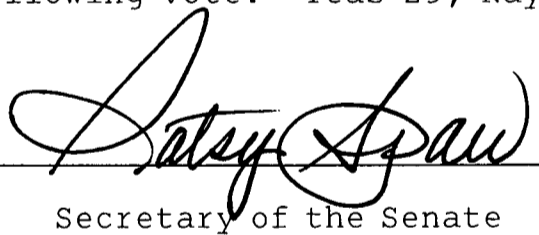
Speaker of the House

I certify that H.B. No. 4154 was passed by the House on May 12, 2015, by the following vote: Yeas 142, Nays 2, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4154 on May 29, 2015, by the following vote: Yeas 143, Nays 1, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 4154 was passed by the Senate, with amendments, on May 27, 2015, by the following vote: Yeas 29, Nays 2.



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: HB4154 by Bell (Relating to the creation of the Grand Lake Estates Management District; 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, 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: HB4154 by Bell (Relating to the creation of the Grand Lake Estates Management District; 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: **HB4154** by Bell (Relating to the creation of the Grand Lake Estates Management District; 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 21, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB4154** by Bell (Relating to the creation of the Grand Lake Estates Management District; 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 21, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB4154** by Bell (Relating to the creation of the Grand Lake Estates Management District; 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: 580 Water Development Board, 582 Commission on Environmental Quality

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) 4154, as Filed by Representative Cecil Bell - Relating to the creation of the Grand Lake Estates Management District; 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,

A handwritten signature in cursive script that reads "Linda Brookins".

Linda Brookins, Director
Water Supply Division

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

Enclosure

**HB 4154, as Filed by Representative Cecil Bell
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 Grand Lake Estates Management District (the "District") with the powers and duties of a standard municipal management district (MMD) under Local Government Code Chapter 375.

Comments on Powers/Duties Different from Similar Types of Districts: The governing body of the county shall appoint qualified directors from persons recommended by the board. Qualifications include:

- A resident of and a registered voter in the District,
- An owner of property in the District,
- An owner of stock or a partnership or membership interest of a corporate partnership or other entity owner of a direct or indirect interest in property in the District,
- An owner of a beneficial interest in a trust, or trustee in a trust, that directly or indirectly owns property in the District
- An agent, employee or tenant of a person described above, or,
- An initial director

A director is entitled to receive fees of office and reimbursement for actual expenses. An improvement project may be located in the District or in an area outside but adjacent to the District if the project is for the purpose of extending a public infrastructure improvement beyond the District's boundaries to a logical terminus. By resolution, the District may authorize the creation of a nonprofit corporation to assist and act for the District in implementing a project or providing a service authorized by this chapter. The District may make loans and grants of public money to stimulate state or local economic activity. The District may adopt restrictions on the use of real property in the district. The District may designate all or part of the district area, as if the District were a municipality, as:

- A tax increment reinvestment zone, under Chapter 311 Tax Code
- A tax abatement reinvestment zone, under Chapter 312 Tax Code; or
- An industrial district, under Chapter 42 Local Government Code

The District is specifically not provided eminent domain powers

The District may levy an ad valorem tax or sales tax and use tax or an assessment, user fee, concession fee, or rental charge for the payment of District obligations, or any other revenue or resource of the district. The board may not finance a service or improvement project with assessments unless a written petition requesting that service or improvement has been filed with the board.

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 and review of financial reports.

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

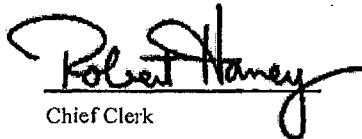
HB 4154
Bill Number

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.

3/31/2015

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 1, 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




**NOTICE OF INTENTION TO INTRODUCE A BILL IN THE
LEGISLATURE OF TEXAS/GRAND LAKE ESTATES
MANAGEMENT DISTRICT
AFFIDAVIT OF PUBLICATION
The State of Texas**

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

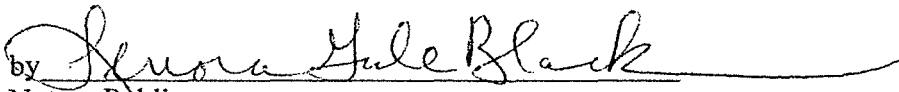
1. Affiant is the Classified Administrator of the Houston Business Journal; A weekly newspaper published in Harris County, Texas and of general circulation in Harris, Chambers, Liberty, Montgomery, Waller, Fort Bend, Brazoria and Galveston Counties.
2. The notice, of which the annexed is true copy, was published on January 30, 2015 in the classified advertising of the Houston Business Journal.

Further Affiant sayeth not.

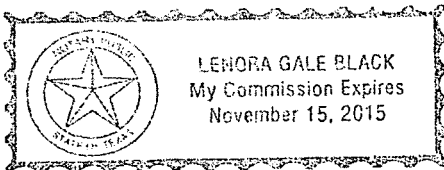
Executed this the 11th day of March, 2015.

Affiant: 
Printed Name: Nancy Brown

SUBSCRIBED AND SWORN BEFORE ME, on 11th day of March, 2015.

by 
Notary Public

Lenora Gale Black
Printed of Typed Name of Notary




**NOTICE OF INTENTION TO INTRODUCE A BILL IN THE
LEGISLATURE OF TEXAS/GRAND LAKE ESTATES
MANAGEMENT DISTRICT
AFFIDAVIT OF PUBLICATION
The State of Texas**

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

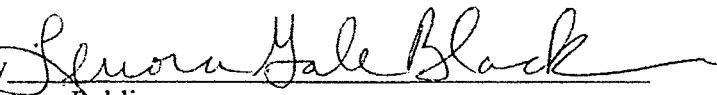
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