(k) The board may not delegate to the chief executive officer of the district the authority to hire, terminate, or make any other personnel decisions relating to a physician.

(l) This section applies to medical services provided by a physician at a hospital or other health care facility owned or operated by the district.

(m) This section may not be construed as authorizing the board to supervise or control the practice of medicine as prohibited under Subtitle B, Title 3, Occupations Code.

SECTION 4. Section 1002.251, Special District Local Laws Code, is amended to read as follows:

Sec. 1002.251. DEPOSITORY. The board shall by resolution designate a bank within the county as the district's depository, and all funds of the district shall be secured in the manner provided for the security of county funds. Such depository shall serve for a period of five years and until a successor has been selected.

SECTION 5. Subsection (b), Section 1002.252, Special District Local Laws Code, is amended to read as follows:

(b) To secure a loan or line of credit, the board may pledge:

(1) revenue of the district that is not pledged to pay the district's bonded indebtedness;

(2) taxes to be imposed by the district in the next 12-month period that are not pledged to pay the principal of or interest on district bonds; or

(3) district bonds that have been authorized but not sold.

SECTION 6. (a) Notwithstanding Section 1002.051, Special District Local Laws Code, as amended by this Act, an election of the board of directors of the Angleton–Danbury Hospital District of Brazoria County, Texas, shall be held in May 2014, and the directors elected to places 1, 3, 5, 7, and 9 at the election shall serve three-year terms.

(b) The election of the board of directors scheduled to be held in May 2015 must be held, and the directors elected to places 2, 4, 6, and 8 at that election shall serve four-year terms.

(c) The directors elected at the elections to be held in May 2017 and May 2019 shall serve four-year terms.

SECTION 7. (a) Except as provided by Subsection (b) of this section:

(1) this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution; and

(2) if this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

(b) Section 1002.051, Special District Local Laws Code, as amended by this Act, takes effect January 1, 2014.

Passed the Senate on May 2, 2013: Yeas 31, Nays 0; passed the House on May 20, 2013: Yeas 147, Nays 0, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013, except as provided by § 7(b).

CHAPTER 827

S.B. No. 1864

AN ACT

relating to the creation of Fulshear Parkway Improvement District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3921 to read as follows:

2081
CHAPTER 3921. FULSHEAR PARKWAY IMPROVEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3921.001. DEFINITIONS. In this chapter:
(1) "Board" means the district's board of directors.
(2) "Director" means a board member.
(3) "District" means the Fulshear Parkway Improvement District.

Sec. 3921.002. NATURE OF DISTRICT. The Fulshear Parkway Improvement District is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3921.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing a municipality, county, or other political subdivision to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

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

(c) This chapter and the creation of the district may not be interpreted to relieve a municipality or county from providing the level of services provided as of the effective date of the Act enacting this chapter to the area in the district. The district is created to supplement and not to supplant municipal or county services provided in the district.

Sec. 3921.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

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

(c) The creation of the district is in the public interest and is essential to further the public purposes of:
(1) developing and diversifying the economy of the state;
(2) eliminating unemployment and underemployment; and
(3) developing or expanding transportation and commerce.

(d) The district will:
(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;
(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a community and business center;
(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty; and
(4) provide for drainage, road, and recreational facilities for the district.

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

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

Sec. 3921.005. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.
(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake in the field notes or in copying the field notes in the legislative process does not affect the district's:

1. organization, existence, or validity;
2. right to issue any type of bonds for the purposes for which the district is created or to pay the principal of and interest on the bonds;
3. right to impose or collect an assessment or tax; or
4. legality or operation.

Sec. 3921.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:

1. a tax increment reinvestment zone created under Chapter 311, Tax Code;
2. a tax abatement reinvestment zone created under Chapter 312, Tax Code;
3. an enterprise zone created under Chapter 2303, Government Code; or
4. an industrial district created under Chapter 42, Local Government Code.

Sec. 3921.007. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3921.008. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3921.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five voting directors who serve staggered terms of four years, with two or three directors' terms expiring June 1 of each odd-numbered year.

(b) The board by resolution may change the number of voting directors on the board if the board determines that the change is in the best interest of the district. The board may not consist of fewer than five or more than nine voting directors.

Sec. 3921.052. APPOINTMENT OF VOTING DIRECTORS. (a) The governing body of Fort Bend County shall appoint voting directors from persons nominated by the board.

(b) The governing body of Fort Bend County may reject the nomination of a person by the board for a position as a voting director. If the governing body rejects a nomination, the board shall submit a new nominee for that position until the governing body appoints a director to each position on the board.

Sec. 3921.053. NONVOTING DIRECTORS. The board may appoint nonvoting directors to serve at the pleasure of the voting directors.

Sec. 3921.054. QUORUM. For purposes of determining the requirements for a quorum of the board, the following are not counted:

1. a board position vacant for any reason, including death, resignation, or disqualification;
2. a director who is abstaining from participation in a vote because of a conflict of interest; or
3. a nonvoting director.

Sec. 3921.055. COMPENSATION. A director is entitled to receive fees of office and reimbursement for actual expenses as provided by Section 49.060, Water Code. Sections 375.069 and 375.070, Local Government Code, do not apply to the board.

Sec. 3921.056. INITIAL VOTING DIRECTORS. (a) On or after the effective date of the Act creating this chapter, the owner or owners of a majority of the assessed value of the real property in the district according to the most recent certified tax appraisal roll for the county in which the district is located may submit a petition to the governing body of Fort Bend County nominating the five persons named in the petition as initial voting directors.
(b) The governing body of Fort Bend County may reject the nomination of a person named in the petition described by Subsection (a) for a position as an initial director. If the governing body rejects a nomination, the owner or owners who submitted the petition under Subsection (a) shall submit a new nominee for that position until the governing body appoints an initial director to each position on the board.

(c) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2015, and the terms of directors appointed for positions four and five expire June 1, 2017.

(d) Section 3921.052 does not apply to this section.

(e) This section expires September 1, 2017.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3921.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3921.102. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using any money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. 3921.103. DEVELOPMENT CORPORATION POWERS. The district, using money available to the district, may exercise the powers given to a development corporation under Chapter 505, Local Government Code, including the power to own, operate, acquire, construct, lease, improve, or maintain a project under that chapter.

Sec. 3921.104. NONPROFIT CORPORATION. (a) The board by resolution 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.

(b) The nonprofit corporation:
   (1) has each power of and is considered to be a local government corporation created under Subchapter D, Chapter 431, Transportation Code; and
   (2) may implement any project and provide any service authorized by this chapter.

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

Sec. 3921.105. AGREEMENTS; GRANTS. (a) As provided by Chapter 375, Local Government Code, the district may make an agreement with or accept a gift, grant, or loan from any person.

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

Sec. 3921.106. LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including a municipality or county, to provide law enforcement services in the district for a fee.

Sec. 3921.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec. 3921.108. ECONOMIC DEVELOPMENT. (a) The district may engage in activities that accomplish the economic development purposes of the district.

(b) The district may establish and provide for the administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the district, including programs to:
   (1) make loans and grants of public money; and
(2) provide district personnel and services.

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

(1) Chapter 380, Local Government Code; and

(2) Subchapter A, Chapter 1509, Government Code.

Sec. 3921.109. PARKING FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

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

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

(d) The development and operation of the district's parking facilities may be considered an economic development program.

Sec. 3921.110. ANNEXATION OF LAND. The district may annex land as provided by Subchapter J, Chapter 49, Water Code.

Sec. 3921.111. ACCESS TO ROAD FACILITIES. The district may control, restrict, and determine the type and extent of access to or from a road facility, including designating and approving the locations of access to the road facility from a street, road, alley, highway, or other public or private road intersecting the road facility.

Sec. 3921.112. ROAD STANDARDS AND REQUIREMENTS. (a) A road facility must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road facility is located.

(b) If a road facility is not located in the corporate limits of a municipality, the road facility must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road facility is located.

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

Sec. 3921.113. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3921.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. 3921.152. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain any improvement or service authorized under this chapter or Chapter 375, Local Government Code, using any money available to the district.

Sec. 3921.153. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

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

Sec. 3921.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.
(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney’s fees incurred by the district:

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

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

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

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

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

Sec. 3921.155. RESIDENTIAL PROPERTY NOT EXEMPT. Section 375.161, Local Government Code, does not apply to a tax authorized or approved by the district voters or a required payment for service provided by the district.

Sec. 3921.156. TAX AND ASSESSMENT ABATEMENTS. The district may designate reinvestment zones and may grant abatements of a tax or assessment on property in the zones.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3921.201. ELECTIONS REGARDING TAXES AND BONDS. (a) The district may issue, without an election, bonds, notes, and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 3921.203.

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

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

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

Sec. 3921.202. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election held in accordance with Section 3921.201, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code, for any district purpose, including to:

(1) maintain and operate the district;

(2) construct or acquire improvements; or

(3) provide a service.

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

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

Sec. 3921.203. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.
AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board. Section 375.205, Local Government Code, does not apply to a loan, line of credit, or other borrowing from a bank or financial institution secured by revenue other than ad valorem taxes.

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

(c) The limitation on the outstanding principal amount of bonds, notes, and other obligations provided by Section 49.4645, Water Code, does not apply to the district.

Sec. 3921.205. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct annual ad valorem tax, without limit as to rate or amount, for each year that all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

SECTION 2. The Fulshear Parkway Improvement District initially includes all territory contained in the following area:

BEING 2,781.3043 acres of land situated in the H. & T. C. R.R. Co. Survey Section 105, Abstract No. 416, Jesse Thompson Survey, Abstract No. 414, R.T. Van Slyke Survey, Abstract No. 467 of Waller County, Texas and the H. & T. C. R.R. Co. Survey Section 105, Abstract No. 291, Jesse Thompson Survey, Abstract No. 394, R.T. Van Slyke Survey, Abstract No. 395, J.G. Bennett Survey Abstract No. 611 (H. & T. C. R.R. Co. Survey Section 106), J.D. Vermillon Survey, Abstract No. 339, Micajah Autry Survey, Abstract No. 100, Rufus Wright Survey, Abstract No. 344, Daniel R. Perry Survey, Abstract No. 301, Enoch Latham Survey, Abstract No. 50, Morris & Cummings Survey, Abstract No. 294, J.C. McDonald Survey, Abstract No. 290, Randon & Pennington Survey, Abstract No. 75 and the John Foster Survey, Abstract No. 26 of Fort Bend County, Texas, said 2,781.3043 acres being comprised of the following described tracts: all of a called 316 acre and 88 acre tract (called 494 acres) of land described in an instrument to R&Y Interests, Ltd., filed for record under Vol. 553, Page 91 of the Official Public Records of Waller County, Texas and under Clerk's File Number (C.F. No.) 2011051593 of the Official Public Records of Fort Bend County, Texas (O.P.R.F.B.C.T.), SAVE AND EXCEPT those portions of said 88 acre tract of land and said 316 acre tract of land lying within the limits of Waller County, Texas; all of a called 200 acre tract described in an instrument to Silco Inc. filed for record under C.F. No. 2006095116, all of a called 474.671 acre tract described in an instrument to Silco Inc. filed for record under C.F. No. 2007009962 O.P.R.F.B.C.T., SAVE AND EXCEPT that portion of said 474.671 acre tract lying within the limits of Waller County, Texas; all of a called 235.146 acre tract described in an instrument to Slivestri Investments of Florida, Inc. filed for record under C.F. No. 2007009954 O.P.R.F.B.C.T., all of a called 12.024 acre tract described in an instrument to Blossom Inc. filed for record under C.F. No. 2007009966 O.P.R.F.B.C.T., all of a called 473.246 acre tract described in an instrument to Dan J. Harrison, Jr. filed for record under Vol. 528, Pg. 132 of the Fort Bend County Deed Records (F.B.C.D.R.), all of a called 579.0 acre tract, a called 2,174.2 acre tract, a called 1,500 acre tract and a called 1,166 acre tract described in an instrument to Ronald W. Henriksen “B” Trust filed for record under C.F. No. 2008182362 O.P.R.F.B.C.T., all of a called 189.29 acre tract (Tract 1) and a portion of a called 1,006.19 acre tract (Tract 2) described in an instrument to Dan J. Harrison Jr. filed for record under Vol. 302, Pg. 120, F.B.C.D.R., all of a called 48.787 acre tract and 23.675 acre tract described in an instrument to Dan J. Harrison filed for record under Vol. 406, Pg. 286, F.B.C.D.R., portion of a called 64.675 acre tract described in an instrument to Dan J. Harrison Jr. filed for record under Vol. 422, Pg. 467, F.B.C.D.R., and all of the area of McKinnon Road (Old Richmond–Fulshear Road, width varies) lying South of said 186.29 acre tract and North of said 48.787 acre tract and said 1,006.19 acre tract, said 2,781.3043 acres being more particularly described in three (3) Parcels by metes and bounds as follows:

PARCEL “A”—1,790.6130 ACRES:

2087
BEGINNING at the Northwest corner of said 316 acre tract, same being the Northwest corner of the Jesse Thompson Survey, Abstract No. 414 Waller County, Texas and Abstract 394, Fort Bend County, Texas;

THENCE, N 87° 51' 52" E, a distance of 5,738.88 feet (CALLED EAST—2,666 varas) along and with the North line of said 316 acre tract and the North line of said 88 acre tract to a point for the Northeast corner of said 88 acre tract and being in the North line of said R.T. Van Slyke Survey, Abstract No. 407 (Waller) Abstract No. 395 (Fort Bend);

THENCE, S 02° 08' 05" E, a distance of 1,450.00 feet (CALLED SOUTH—522 varas) along and with the East line of said 88 acre tract to a point for the Southeast corner of said 88 acre tract in the North line of said 316 acre tract, same being in the lower North line of said Jesse Thompson Survey and a South line of said R.T. Van Slyke Survey;

THENCE, N 87° 51' 52" E, a distance of 683.34 feet (CALLED EAST) along and with the North line of said 316 acre tract to a point for the most Easterly Northeast corner of said 316 acre tract;

THENCE, S 02° 08' 08" E, a distance of 1,448.65 feet (CALLED SOUTH—522 varas) along and with the East line of said 316 acre tract to a point for the Southeast corner of said 316 acre tract and being in the South line of said Jesse Thompson Survey and the North line of the said J.D. Vermillion Survey;

THENCE, S 87° 51' 52" W, a distance of 4,533.06 feet (CALLED WEST) along and with the South line of said 316 acre tract to a point for the Northeast corner of said 235.146 acre tract;

THENCE, S 02° 10' 37" E, a distance of 2,024.61 feet (CALLED S 02° 10' 37" E, 2024.61 feet) along and with the East line of said 255.146 acre tract to a point for the most Easterly Southeast corner of said 255.146 acre tract and being in the North line of said 200 acre tract;

THENCE, N 87° 53' 34" E, a distance of 894.09 feet (CALLED N 87° 53' 34" E, 894.07 feet) along and with the North line of said 200 acre tract to a point for the Northeast corner of said 200 acre tract;

THENCE, S 01° 56' 47" E, a distance of 3,118.90 feet (CALLED S 01° 56' 47" E, 3,119.21 feet) along and with the East line of said 200 acre tract to a point for the Southeast corner of said 200 acre tract and being in the North line of a called 686.0183 acre tract described in an instrument to D.R. Horton-Texas, Ltd. filed for record under C.F. No. 2013000056 O.P.R.F.B.C.T.;

THENCE, S 87° 51' 29" W, a distance of 2,792.12 feet (CALLED S 87° 51' 29" W) along and with the North line of said 200 acre tract to a point for the Northwest corner of said 686.0183 acre tract, same being the Southwest corner of said Silco 200 acre tract and also being in the East line of said 473.246 acre tract;

THENCE, S 01° 55' 43" E, a distance of 4,920.20 feet (CALLED S 01° 55' 43" E) along and with the West line of said 686.0183 acre tract and an East line of said 473.246 acre tract to a point for the Southwest corner of said 686.0183 acre tract and being in the North line of a called 631.26 acre tract of land described in an instrument to D.R. Horton-Texas, Ltd. filed for record under C.F. No. 2013000056 O.P.R.F.B.C.T.;

THENCE, S 87° 40' 56" W, a distance of 6.43 feet (CALLED S 87° 41' 05" W) along and with a South line of said 473.246 acre tract and a North line of said 631.26 acre tract to a point for the Northwest corner of said 631.26 acre tract, same being a reentrant corner of said 473.246 acre tract;

THENCE, S 00° 59' 24" E, a distance of 527.80 feet (CALLED S 00° 59' 15" E) along and with an East line of said 473.246 acre tract and a West line of said 631.26 acre tract to a point for the Southeast corner of said 473.246 acre tract, same being a reentrant corner of said 631.26 acre tract;

THENCE, S 87° 50' 00" W, a distance of 2,634.66 feet (CALLED S 87° 50' 09" W) along with the North line of said 631.26 acre tract and the South line of said 473.246 acre tract to a point for the Southwest corner of said 473.246 acre tract;

THENCE, N 00° 17' 23" E, a distance of 2,905.55 feet (CALLED N 01° 07' E, 2,899.50 feet) along and with the West line of said 473.246 acre tract to a point for the Southeast corner of said 474.671 acre tract;
THENCE, N 86° 18' 38" W, a distance of 2,736.49 feet (CALLED) along and with the South line of said 474.671 acre tract;

THENCE the following three (3) courses and distances along and with the West line of said 474.671 acre tract:

N 01° 59' 02" W, a distance of 2,434.00 feet (CALLED) to an angle point;

N 02° 07' 25" W, a distance of 3,426.59 feet (CALLED) to an angle point;

N 01° 54' 20" W, a distance of 1,520.90 feet (CALLED) to a point for the Northwest corner of said 474.671 acre tract;

THENCE, N 87° 37' 00" E, a distance of 2,705.78 feet (CALLED) along and with the North line of said 474.671 acre tract to a point for the Northeast corner of said 474.671 acre tract and the Northwest corner of said 235.146 acre tract;

THENCE, N 87° 31' 40" E, a distance of 2,596.91 feet (CALLED N 87° 31'40" E, 2,597.32 feet) along and with the North line of said 235.146 acre tract to a point for the Southwest corner of said 316 acre tract;

THENCE, N 02° 08' 08" W, a distance of 2,900.00 feet (CALLED NORTH—1,044 varas) along the West line of said 316 acre tract to the POINT OF BEGINNING and containing 1,790.6130 acres of land.

PARCEL "B"—583.8370 ACRES

BEGINNING at the Northeast corner of a called 579.0 acre tract described in an instrument to Ronald W. Henriksen "B" Trust filed for record under C.F. No. 2006233262, same being a Northwest corner of a called 1,913.31 acre tract of land described in an instrument to CCR Texas Holdings LP filed for record under C.F. No. 2012033964 O.P.R.F.B.C.T., same also being an angle point in the South line of a called 631.25 acre tract of land described in an instrument to D.R. Horton—Texas, Ltd. filed for record under C.F. No. 2013000056;

THENCE, S 01° 50' 55" E, a distance of 2,731.43 feet (CALLED S 01° 50' 13" E, 2,731.32 feet) along and with an East line of said 579.0 acre tract to a point for corner;

THENCE, N 89° 14' 57" E, a distance of 21.71 feet (CALLED N 89° 56' 16" E, 21.74 feet) along and with a North line of said 579.0 acre tract to a point for corner;

THENCE, S 01° 26' 01" E, a distance of 1,338.51 feet (CALLED S 01° 25' 53" E, 1,338.13 feet) along and with an East line of said 579.0 acre tract to a point for corner;

THENCE, S 51° 53' 12" E, a distance of 223.27 feet (CALLED S 51° 56' 45" E, 223.23 feet) along and with a Northeasterly line of said 579.0 acre tract to a point for corner in the Northwesterly line of Fulshear-Katy Road (as occupied);

THENCE, S 37° 55' 51" W, a distance of 527.83 feet (CALLED S 37° 56' 10" W, 527.86 feet) along and with a Southeasterly line of said 579.0 acre tract and the Northwesterly line of said Fulshear-Katy Road to a point for the most Southerly Southeast corner of said 579.0 acre tract;

THENCE, S 86° 40' 52" W, a distance of 3,077.04 feet (CALLED S 86° 41' 25" W, 3,076.67 feet) along and with the South line of said 579.0 acre tract to a point for the most Southerly Southwest corner of said 579.0 acre tract and being in a West line of said Micajah Autry Survey and the East line of said Daniel R. Perry Survey;

THENCE, N 01° 56' 26" W, a distance of 1,670.00 feet (CALLED N 01° 55' 58" E, 1,669.99 feet) along and with a West line of said 579.0 acre tract, the East line of said Daniel R. Perry Survey and a West line of said Micajah Autry Survey to a point for corner;

THENCE, S 88° 09' 13" W, a distance of 853.22 feet (CALLED S 88° 09' 46" W, 853.60 feet) along and with a South line of said 579.0 acre tract to a point for corner;

THENCE, N 02° 27' 24" W, a distance of 156.95 feet (CALLED N 02° 26' 51" W, 156.95 feet) along and with a West line of said 579.0 acre tract to a point for corner in a South line of said 579.0 acre tract, same being the most Easterly Southeast corner of said Rufus Wright Survey, same also being in a West line of said Micajah Autry Survey and the North line of said Daniel R. Perry Survey;
THENCE, S 87° 29' 44" W, a distance of 2,541.06 feet (CALLED S 87° 30' 17" W, 2,541.06) along and with a South line of said 579.0 acre tract, the North line of said Daniel R. Perry Survey and a South line of said Rufus Wright Survey to an angle point being the Southeast corner of said 1.166 acre tract and the most Wasterly Southwest corner of said 579.0 acre tract;

THENCE, S 87° 30' 17" W, a distance of 540.98 feet (CALLED S 89° 09' 06" W) along and with the South line of said 1.166 acre tract to a point for corner being the Northeast corner of said 2.1742 acre tract;

THENCE, S 00° 22' 22" E, a distance of 465.81 feet (CALLED S 01° 11' 24" W, 465.79 feet) along and with the East line of said 2.1742 acre tract and the East line of said 1.500 acre tract to a point for the Southeast corner of said 1.500 acre tract;

THENCE, S 88° 28' 05" W, a distance of 358.18 feet (CALLED N 89° 58' 09" W, 358.18 feet) along and with the South line of said 1.500 acre tract to a point for corner;

THENCE, S 42° 09' 02" W, a distance of 230.96 feet (CALLED S 43° 42' 45" W, 230.96 feet) along and with a Southeasterly line of said 1.500 acre tract to a point in the North right-of-way line of Sprigg Road for the beginning of a non-tangent curve to the left having a center which bears N 50° 07' 14" W, 60.00 feet;

THENCE, N 30° 59' 16" E, 323.81 feet; N 020 55' 30" W, a distance of 1,166 feet, having a radius of 60.00 feet, a central angle of 60° 56' 43" (CALLED 00° 56' 30") and a chord which bears N 39° 24' 24" E, 0.99 feet (CALLED N 40° 58' 11" E, 0.99) to a point for the beginning of a non-tangent curve to the left having a center which bears N 50° 07' 14" W, 60.00 feet;

THENCE, N 42° 09' 02" E, a distance of 323.81 feet (CALLED N 43° 42' 45" W, 323.81 feet) along and with a Northwesterly line of said 1.500 acre tract to a point for the Northwest corner of said 1.500 acre tract and the Southwest corner of said 2.1742 acre tract;

THENCE, N 01° 31' 55" W, a distance of 369.59 feet (CALLED N 00° 01' 51" E, 370.03 feet) along and with the West line of said 2.1742 acre tract and the West line of said 1.166 acre tract to a point for the Northwest corner of said 1.166 acre tract;

THENCE, N 87° 30' 17" E, a distance of 846.44 feet (CALLED 89° 09' 06" E, 846.21 feet) along and with the North line of said 1.166 acre tract to a point for the Northeast corner of said 1.166 acre tract and being in the West line of said 579.0 acre tract;

THENCE, N 02° 27' 34" W, a distance of 2,925.01 feet (CALLED N 02° 27' 01" W, 2,925.01 feet) and along with the West line of said 579.0 acre tract to a point for the Northwest corner of said 579.0 acre tract;

THENCE, N 87° 32' 26" E, a distance of 2,541.20 feet (CALLED N 87° 32' 59" E, 2,541.20) along and with a North line of said 579.0 acre tract to a point for corner in the West line of said 631.26 acre tract;

THENCE, S 02° 27' 24" E, a distance of 156.01 feet (CALLED S 02° 26' 51" E, 155.73 feet) along with the North line of said 579.0 acre tract to a point for corner and bearing the Southwest corner of said 631.26 acre tract;

THENCE, N 87° 31' 56" E, a distance of 4,118.43 feet (CALLED N 87° 32' 39" E, 4,118.62 feet) along and with the North line of said 579.0 acre tract and the South line of said 631.26 acre tract to the POINT OF BEGINNING and containing 886.8870 acres of land.

PARCEL "C"—474.4183 ACRES:

Beginning at a point for the Northwest corner of said 186.29 acre tract, same being in the South line of a 100-foot wide Metropolitan Transit Authority of Harris County, Texas right-of-way, same also being the Northwest corner of a called 3.01 acre tract of land described in an instrument to Prototype Machine Co. Inc. filed for record under C.F. No. 2008112545, O.P.R.F.B.C.T.;
THENCE, N 82° 58’ 56” E, a distance of 2,424.31 feet (CALLED N 85° 26’ E, 4310.5 feet) along and with the North line of said 186.29 acre tract and the South line of said Metropolitan Transit Authority right-of-way to an angle point;

THENCE, N 83° 00’ 02” E, a distance of 1,886.40 feet (CALLED N 85° 26’ E, 4310.5 feet) along and with the North line of said 186.29 acre tract and the South line of said Metropolitan Transit Authority right-of-way to a point for the Northeast corner of said 186.29 acre tract;

THENCE, S 02° 29’ 41” E, a distance of 2,168.70 feet (CALLED N 85° 26’ E, 4310.5 feet) along and with the North line of said 186.29 acre tract and the South line of said Metropolitan Transit Authority right-of-way to a point for the Southeast corner of said 186.29 acre tract and being in the North line of said McKinno Road;

THENCE, S 87° 40’ 19” W, a distance of 66.52 feet (CALLED N 89° 53’ W, 65.00 feet) along and with the South line of said 186.29 acre tract and the North line of said McKinno Road to a point for corner being the intersection of a Northerly projection of an East line of said 1,005.19 acre tract with the South line of said 186.29 acre tract;

THENCE, S 02° 14’ 41” E, a distance of 2,210.40 feet (CALLED S 00° 12’ E, 158.00 feet) along and with an East line of said 1,005.19 acre tract to a reentrant corner of said 1,005.19 acre tract;

THENCE, S 87° 08’ 08” W, a distance of 3,616.51 feet (CALLED N 00° 04’ W—Vol. 302, Pg. 126; N01° 23’ 50” E,—Vol. 405, Pg. 239) along and with the West line of said 48.787 acre tract, over and across said McKinno Road and continuing along and with the West line of said 186.29 acre tract to the POINT OF BEGINNING and containing 474.418 acres of land.

PARCEL “D" SAVE AND EXCEPT—53.6042 ACRES:

BEING 53.6042 acres of land situated in the Jesse Thompson Survey, Abstract No. 414 and the R.T. Van Slyke Survey, Abstract No. 407 of Waller County, Texas, said 58.6042 acres being a portion of a called 316 acre and 88 acre tract (called 404 acres) of land described in an instrument to R&Y Interests, Ltd., filed for record under Vol. 553, Page 91 of the Official Public Records of Waller County, Texas, said 53.6042 acres being all of the area of said 404 acre tract lying within the limits of Waller County, Texas, said 53.6042 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at the Northwest corner of said 316 acre tract, same being the Northwest corner of the Jesse Thompson Survey, Abstract No. 414 Waller County, Texas and Abstract 394, Fort Bend County, Texas;

THENCE, N 87° 51’ 52” E, (CALLED—EAST) a distance of 3,328.20 feet along and with the North line of said 316 acre tract and said 88 acre tract to a point for corner on the Waller County Line;

THENCE, S 65° 00’ 15” W, a distance of 3,611.89 feet along and with the Waller County Line to a point for corner in the West line of said 316 acre tract;

THENCE, N 02° 08’ 08” W, a distance of 1,403.16 feet along and with the West line of said 316 acre tract to the POINT OF BEGINNING and containing 53.6042 acres of land.

PARCEL “E” SAVE AND EXCEPT—13.9598 ACRES:

BEING 13.9598 acres of land situated in the H. & T. C. R.R. Co. Survey Section 105, Abstract No. 416, Waller County, Texas and being that portion of a called 474.671 acre tract
described in an instrument to Silco Inc. filed for record under C.F. No. 2007009962
O.P.R.F.B.C.T lying within the limits of Waller County, Texas, said 13.9598 acre tract being
more particularly described by metes and bounds as follows:

BEGINNING at the Northwest corner of said 474.671 acre tract;

THENCE, N 87° 37' 00" E, a distance of 1,705.80 feet along and with the North line of said
474.671 acre tract to a point for corner on the Waller County Line;

THENCE, S 65° 00' 15" W, a distance of 1,854.29 feet along and with the Waller County
Line to a point for corner in the West line of said 474.671 acre tract

THENCE, N 01° 54' 20" W, a distance of 712.99 feet along and with the West line of said
474.671 acre tract to the POINT OF BEGINNING and containing 13.9598 acres of land.

In conclusion, the herein described 1,790.6130 acre tract, the 583.8370 acre tract and the
474.4183 acre tract SAVE AND EXCEPT the herein described 53.6042 acre tract and the
herein described 13.9598 acre tract comprise a total acreage of 2,781.3043 acres of land for the
boundary of the Fulshear Parkway Improvement District.

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

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

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

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

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

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the
members elected to each house, as provided by Section 39, Article III, Texas Constitution. If
this Act does not receive the vote necessary for immediate effect, this Act takes effect
September 1, 2013.

Passed the Senate on April 25, 2013: Yeas 28, Nays 0; passed the House on May 20,
2013: Yeas 147, Nays 0, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 828

S.B. No. 1869

AN ACT
relating to the creation of the Kendall County Municipal Utility District No. 1; granting a limited power of
eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees,
or taxes.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding
Chapter 8484 to read as follows:

2092