SECTION 2. Subchapter B, Chapter 9303, Special District Local Laws Code, is amended by adding Sections 9303.053 and 9303.054 to read as follows:

Sec. 9303.053. ADMINISTRATION OF ELECTIONS. (a) The district shall contract with the elections administrator of El Paso County to conduct an election held by the district.

(b) The district shall pay the costs of an election conducted under Subsection (a).

Sec. 9303.054. PUBLIC INFORMATION. (a) The district shall maintain an Internet website.

(b) The board shall make available on the district's Internet website:

(1) campaign finance reports for each director;
(2) the meeting agenda and minutes for each open meeting held by the board;
(3) archived video and audio for each open meeting held by the board;
(4) the district's budget for the current year; and
(5) any audits of the district.

SECTION 3. The changes in law made by this Act apply only to an open meeting held by the El Paso County Water Improvement District No. 1 on or after the effective date of this Act. An open meeting that is held by that district before the effective date of this Act is governed by the law in effect on the date of the open meeting, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2013.

Passed the Senate on March 21, 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 September 1, 2013.

CHAPTER 582

S.B. No. 863

AN ACT

relating to the creation of Pearland Municipal Management District No. 212; 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 3867 to read as follows:

CHAPTER 3867. PEARLAND MUNICIPAL MANAGEMENT DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3867.001. DEFINITIONS. In this chapter:

(1) “Board” means the district’s board of directors.
(2) “City” means the City of Pearland.
(3) “County” means Brazoria County.
(4) “Director” means a board member.
(5) “District” means the Pearland Municipal Management District No. 2.

Sec. 3867.002. NATURE OF DISTRICT. The Pearland Municipal Management District No. 2 is a special district created under Section 59, Article XVI, Texas Constitution.
Sec. 3867.003. 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 the city, the county, and other political subdivisions 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 the city or the 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 city or county services provided in the district.

Sec. 3867.004. 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 street or road and recreational facilities and improvements, including related drainage facilities, for the district.

(e) Pedestrian or other nonmotorized vehicle 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. 3867.005. 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 bond for the purposes for which the district is created or to pay the principal of and interest on the bond;
3. right to impose or collect an assessment or tax; or
4. legality or operation.

Sec. 3867.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:
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(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. 3867.007. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3867.008. 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. 3867.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of seven voting directors who serve staggered terms of four years, with three or four 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 and the governing body of the city consents to the change. The board may not consist of fewer than 5 or more than 15 voting directors.

Sec. 3867.052. APPOINTMENT OF VOTING DIRECTORS. The governing body of the city shall appoint voting directors from persons recommended by the board. A person is appointed if a majority of the members of the governing body of the city vote to appoint that person.

Sec. 3867.053. NONVOTING DIRECTORS. The board may appoint nonvoting directors to serve at the pleasure of the voting directors.

Sec. 3867.054. 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. 3867.055. INITIAL VOTING DIRECTORS. (a) The initial board consists of the following voting directors:

<table>
<thead>
<tr>
<th>Pos. No.</th>
<th>Name of Director</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Teir Allender</td>
</tr>
<tr>
<td>2</td>
<td>Steve Chandler</td>
</tr>
<tr>
<td>3</td>
<td>Will Deane</td>
</tr>
<tr>
<td>4</td>
<td>Stephanie King</td>
</tr>
<tr>
<td>5</td>
<td>John Moody</td>
</tr>
<tr>
<td>6</td>
<td>Rushi Patel</td>
</tr>
<tr>
<td>7</td>
<td>Sylvester L. Roeder III</td>
</tr>
</tbody>
</table>

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

(c) Section 3867.052 does not apply to this section.

(d) This section expires September 1, 2017.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3867.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.
Sec. 3867.102. 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. 3867.103. 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. 3867.104. 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. 3867.105. 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. 3867.106. LAW ENFORCEMENT AND SECURITY SERVICES. To protect the public interest, the district may provide security services or contract with a qualified party, including the county or the city, to provide law enforcement services in the district for a fee.

Sec. 3867.107. 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. 3867.108. 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. 3867.109. 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.
Sec. 3867.110. ANNEXATION OF LAND. The district may annex land as provided by Subchapter J, Chapter 49, Water Code.

Sec. 3867.111. APPROVAL BY CITY. (a) Except as provided by Chapter 375, Local Government Code, the district must obtain the approval of the city for:

1. the issuance of bonds;
2. the annexation or exclusion of land;
3. the plans and specifications of an improvement project financed by bonds; and
4. the plans and specifications of an improvement project related to the use of land owned by the city, an easement granted by the city, or a right-of-way of a street, road, or highway.

(b) The district may not issue bonds or annex or exclude land until the governing body of the city adopts a resolution or ordinance authorizing the issuance of the bonds or the annexation or exclusion of the land.

(c) The governing body of the city:
1. is not required to adopt a resolution or ordinance to approve plans and specifications described by Subsection (a); and
2. may establish an administrative process to approve plans and specifications described by Subsection (a) without the involvement of the governing body.

Sec. 3867.112. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3867.151. 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. 3867.152. 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. 3867.153. 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.

Sec. 3867.154. 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. 3867.155. 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. 3867.201. 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 3867.203.

(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. 3867.202. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election held in accordance with Section 3867.201, 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:

(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.

Sec. 3867.203. 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.

Sec. 3867.204. 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.

Sec. 3867.205. 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.
Sec. 3867.206. TAXES AND BONDS FOR RECREATIONAL FACILITIES. (a) 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.

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

Sec. 3867.207. CITY NOT REQUIRED TO PAY DISTRICT OBLIGATIONS. Except as provided by Section 375.263, Local Government Code, the city is not required to pay a bond, note, or other obligation of the district.

SECTION 2. The Pearland Municipal Management District No. 2 initially includes all territory contained in the following area:

BEING 1,483 acres, more or less, of land within the City Limits of Pearland, Texas, located in the H. T. & B. R. Co. Survey, Abstract No. 300, the J. W. Maxey Survey, Abstract No. 675, the R. B. Lyle Survey, Abstract No. 639, the W. W. Dupuy and L. F. Roberts Survey, Abstract No. 726, the H. T. & B. R. Co. Survey, Abstract No. 304, the W. M. Morris Survey, Abstract No. 344, the J. Crawley Survey, Abstract No. 174 and the D. White Survey, Abstract No. 747, Brazoria County, Texas and also located in the James Hamilton Survey, Abstract No. 881, Harris County, Texas, said 1,483 acres being more particularly described as follows:

BEGINNING at the southeast corner of SOUTHGATE SECTION ONE, a subdivision of record in Volume 24, Pages 123-126 of the Plat Records of Brazoria County, Texas (B.C.P.R.) on the northerly right-of-way line of County Road 59 (width varies);

THENCE NORTHERLY, 2,574 feet more or less, along the east line of said SOUTHGATE SECTION ONE and the east line of SOUTHGATE SECTION TWO, a subdivision of record in Volume 24, Pages 278-279, B.C.P.R. to the northeast corner of said SOUTHGATE SECTION TWO;

THENCE WESTERLY, 2,642 feet more or less, along the north line of said SOUTHGATE SECTION TWO to a point on the west line of said SOUTHGATE SECTION ONE for the southwest corner of Restricted Reserve “A” of said SOUTHGATE SECTION ONE;

THENCE NORTHERLY, 1,175 feet more or less, along said west line to the southwest corner of the MINOR PLAT OF KIRBY WATER PLANT SITE AND FIRE STATION NO. 5, a subdivision of record under Document Number 2008029867 of the Official Public Records of Brazoria County, Texas (B.C.O.P.R.)

THENCE EASTERLY, 626 feet more or less, to the southeast corner of said MINOR PLAT;

THENCE NORTHEASTERLY, 335 feet more or less, to the northeast corner of said MINOR PLAT;

THENCE WESTERLY, 776 feet more or less, to the northwest corner of said MINOR PLAT and being the southwest corner of the remainder of a called 13,280 acre tract of land conveyed to Pearland Town Center Limited Partnership as recorded under Document Number 2006071333 of the Official Records of Brazoria County, Texas (B.C.O.R.);

THENCE NORTHERLY, 1,231 feet more or less, along the west line of said remainder and the west line of KIRBY CROSSING SECTION ONE, a subdivision of record under Document Number 2012041370, B.C.O.R., to the south right-of-way line and crossing to the north right-of-way line of F.M. 518 (120’ wide);

THENCE WESTERLY, 597 feet more or less, along said north right-of-way line to the southeast corner of SF-18B, a subdivision of record in Volume 23, Pages 393-396, B.C.P.R.;

THENCE NORTHERLY, 1,059 feet more or less, along the east line of said SF-18B to the south line of SF-15, a subdivision of record in Volume 23, Pages 255-268, B.C.P.R.;

THENCE EASTERLY, 1,566 feet more or less, along said south line to the west right-of-way line and crossing to the east right-of-way line of Kirby Drive (100’ wide);

THENCE SOUTHERLY, 634 feet more or less, along said east right-of-way line to the northwest corner of SHADOW CREEK RANCH COMMERCIAL SITE NO. 3, a subdivision of record under Document Number 2006023374, B.C.O.R.;
THENCE SOUTHEASTERLY, 789 feet more or less, along the northeast line of said SHADOW CREEK RANCH COMMERCIAL SITE NO. 3 to the southeast corner of same on the north right-of-way line of the aforementioned F.M. 518;

THENCE EASTERLY, 162 feet more or less, along said north right-of-way line to the southeast corner of SF-16B, a subdivision of record in Volume 23, Pages 273-276, B.C.P.R.;

THENCE NORTHERLY, 2,448 feet more or less, along the east line of said SF-16B, SF-16A, a subdivision of record in Volume 23, Pages 269-272, B.C.P.R. and SF-14B, a subdivision of record in Volume 23, Pages 261-264, B.C.P.R. to the southwest corner of the MINOR SUBDIVISION PLAT OF DISCOVERY AT SHADOW CREEK RANCH, a subdivision of record under Document Number 2000044578, B.C.O.R.;

THENCE EASTERLY, 1,486 feet more or less, along the south line of said MINOR SUBDIVISION PLAT OF DISCOVERY AT SHADOW CREEK RANCH, to the northwest corner of Lot "A" of the AMENDING PLAT OF SHADOW CREEK TOWN CENTER, a subdivision of record under Document Number 2007002565, B.C.O.R.;

THENCE SOUTHERLY, 960 feet more or less, along the west line of said Lot "A" and the easterly right-of-way line of Business Center Drive as shown on said AMENDING PLAT OF SHADOW CREEK TOWN CENTER to the intersection of said Business Center Drive and Memorial Herman Drive as shown on said AMENDING PLAT OF SHADOW CREEK TOWN CENTER, same being the southerly southwest corner of said Lot "A";

THENCE EASTERLY, 1,149 feet more or less, along the north right-of-way line of said Memorial Herman Drive to the easterly southeast corner of said Lot "A", said point being on the westerly right-of-way line of SH 288;

THENCE NORTHERLY, 1,609 feet more or less, along said westerly right-of-way line to the northwest corner of that certain called 13.100 acre tract conveyed to Memorial Herman by an instrument of record under Document Number 2008003834, B.C.O.R.;

THENCE WESTERLY, 874 feet more or less, departing said westerly right-of-way line and along the north line of said 13.100 acre tract to the westerly right-of-way line of Business Center Drive (100' wide) as shown on SHADOW CREEK RANCH BUSINESS CENTER DRIVE EXTENSION, a subdivision of record in Volume 24, Pages 392-393, B.C.O.R.;

THENCE NORTHERLY, 3,751 feet more or less, along said westerly right-of-way line and along the westerly right-of-way line of said Business Center Drive, as shown on SHADOW CREEK RANCH BUSINESS CENTER DRIVE AND MEDICAL CENTER DRIVE, a subdivision of record in Volume 24, Pages 251-252, B.C.O.R. to a point opposite of the northwest corner of Restricted Reserve "B" as shown on SHADOW CREEK RANCH BUSINESS CENTER DRIVE AND MEDICAL CENTER DRIVE;

THENCE EASTERLY, 90 feet, departing said west right-of-way line to the northwest corner of said Restricted Reserve "B";

THENCE EASTERLY, 72 feet more or less, along the northerly line of said Restricted Reserve "B" to the southeast corner of said Restricted Reserve "B", said point being on the northerly right-of-way line of Medical Center Drive (100' wide) as shown on SHADOW CREEK RANCH BUSINESS CENTER DRIVE AND MEDICAL CENTER DRIVE;

THENCE EASTERLY, 1,560 feet more or less, along the northerly right-of-way line of said Medical Center Drive to a point on the westerly right-of-way line of SH 288, same being the easterly line of that certain called 48.00 acre tract conveyed to H.C.A. HEALTH SERVICES OF TEXAS, INC. by an instrument of record under File Number 02-063451, B.C.O.R.;

THENCE NORTHERLY, 764 feet more or less, along said westerly right-of-way line and the easterly line of said 48.00 acre tract to the south corner of that certain called 2.266 acre tract conveyed to SHADOW CREEK RANCH MAINTENANCE ASSOCIATION by an instrument of record under File Number 01-048774, B.C.O.R.;

THENCE NORTHERLY, 1,014 feet more or less, along the easterly line of said 48.00 acre tract to the northwest corner of said 2.266 acre tract, said point being on the southerly line of F.M. 2234—Shadow Creek Parkway (width varies);
THENCE WESTERLY, 978 feet more or less, along the north line of said 48.00 acre tract to the northwest corner of said 48.00 acre tract, said point being the northeast corner of Business Center Drive (width varies at this point);

THENCE SOUTHERLY, 925 feet more or less, along the west line of said 48.00 acre tract and the easterly right-of-way line of Business Center Drive to a point opposite the southeast corner of that certain called 17.5691 acre tract of land conveyed to GLOBAL NEW MILLENIUM PARTNERS, LTD. by the instrument of record under Document Number 2009057174, B.C.O.P.R.;

THENCE WESTERLY, 1,113 feet more or less, along the south line of said called 17.5691 acre tract to the southwest corner of the same;

THENCE NORTHERLY, 769 feet more or less, along the west line of said called 17.5691 acre tract to the most westerly northwest corner of the same;

THENCE NORTHEASTERLY, 429 feet more or less, along the northwest line of said called 17.5691 acre tract to the south right-of-way line and crossing to the north right-of-way line of F.M. 2234—Shadow Creek Parkway (160.00' wide);

THENCE EASTERLY, 464 feet more or less, along said north right-of-way line, same being the south line of SHADOW CREEK RANCH COMMERCIAL SITE NO. 18B, a subdivision of record under Document Number 2007035195, B.C.O.P.R., to the southeast corner of said SITE 18B;

THENCE NORTHERLY, 515 feet more or less, along the east line of said SITE 18B to a point on the south line of SHADOW CREEK MARKETPLACE, a subdivision of record under Document Number 2008001974, B.C.O.P.R.

THENCE EASTERLY, 60 feet more or less, along said south line to a point on the west right-of-way line of Business Center Drive (100' wide);

THENCE NORTHERLY, 101 feet more or less, along said west right-of-way line to a point on the north line of said SHADOW CREEK MARKETPLACE;

THENCE NORTHEASTERLY, 1,674 feet more or less, along said north right-of-way line, same being the south line of a called 48.4712 acre tract of land conveyed to AMEGY MORTGAGE COMPANY, L.L.C., by the instrument of record under Document Number 2010023540, B.C.O.P.R.;

THENCE EASTERLY, 792 feet more or less, along the south line of said called 48.4712 acre tract to the west right-of-way line of State Highway 288;

THENCE NORTHERLY, 4,620 feet more or less, along said west right-of-way line to a point on the south right-of-way line of Beltway 8, same being the Northern City Limit Line of Pearland, Texas;

THENCE EASTERLY, 2,623 feet more or less, along said City Limit Line, crossing and to a point on the east side of said State Highway 288 for the northwest corner of the MINOR SUBDIVISION PLAT OF REC-TIME SUBDIVISION, a subdivision of record under Film Code 600058 of the Harris County Map Records, (H.C.M.R.);

THENCE SOUTHERLY, 1,290 feet more or less, along the west line of said MINOR SUBDIVISION PLAT OF REC-TIME SUBDIVISION to the north line of TOM BASS PARK;

THENCE WESTERLY, 679 feet more or less, to the west line of said PARK;

THENCE SOUTHERLY, 2,966 feet more or less, along said west line to the north line of THE LAKES AT COUNTRYPLACE SECTION EIGHT, a subdivision of record in Volume 21, Pages 173-174, B.C.P.R.;

THENCE WESTERLY, 116 feet more or less, SOUTHERLY 207 feet more or less and WESTERLY 439 feet more or less, along said north line to a point on the east right-of-way line of the aforementioned State Highway 288;

THENCE SOUTHERLY to SOUTHEASTERLY, 1,682 feet more or less, along said east right-of-way line to the north right-of-way line of the aforementioned F.M. 2234—Shadow Creek Parkway;
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THENCE EASTERLY, 250 feet more or less, along said north right-of-way line to a point at the intersection with the east right-of-way line of County Road 94 (100’ wide) projected north;

THENCE SOUTHERLY, 3,536 feet more or less, along said east right-of-way line to the northwest corner of SOUTHDOWN COMMERCIAL RESERVE TRACT A, a subdivision of record in Volume 17, Pages 151-152, B.C.P.R.;

THENCE EASTERLY, 381 feet more or less, along the north line of said SOUTHDOWN COMMERCIAL RESERVE TRACT A and SOUTHDOWN COMMERCIAL RESERVE TRACT B, a subdivision of record in Volume 20, Pages 225-226, B.C.P.R. to the northeast corner of said TRACT B;

THENCE SOUTHERLY, 264 feet more or less, along the east line of said TRACT B to the north right-of-way line and crossing to the south right-of-way line of Hughes Ranch Road (70’ wide);

THENCE EASTERLY, 758 feet more or less, along said south right-of-way line to the northwest corner of SERENE GARDENS, a subdivision of record under Document Number 2012007617, B.C.O.P.R.;

THENCE SOUTHERLY, 970 feet more or less, along the west line of said SERENE GARDENS to the southwest corner of the same;

THENCE EASTERLY, 417 feet more or less, along the south line of said SERENE GARDENS to the southeast corner of the same and being on the west line of AUTUMN LAKE SECTION 2, a subdivision of record in Volume 20, Pages 49-44, B.C.P.R.;

THENCE SOUTHERLY, 2,972 feet more or less, along said west line of AUTUMN LAKE SECTION 2, AUTUMN LAKE SECTION 1, a subdivision of record in Volume 21, Pages 111-116, B.C.P.R. and AUTUMN LAKE SECTION 3, a subdivision of record in Volume 24, Page 19, B.C.P.R. to the southwest corner of said SECTION 3;

THENCE EASTERLY, 906 feet more or less, along the south line of said SECTION 3 to the southeast corner of the same being on the east line of Lot 29 of the Allison–Richey Gulf Coast Home Company of Suburban Gardens Subdivision, Section 85, a subdivision of record in Volume 2, Page 107, B.C.P.R.;

THENCE SOUTHERLY, 1,283 feet more or less, along the east line of said Lot 29 and Lot 30 of said Allison–Richey Subdivision, same being the HOME DEPOT tract to the north right-of-way line of F.M. 518 (130’ wide at this point);

THENCE SOUTHWESTERLY, 154 feet more or less, crossing said F.M. 518 to the south right-of-way line of the same;

THENCE SOUTHERLY, 420 feet more or less, over and across SILVERLAKE COMMERCIAL PARK PHASE II, a subdivision of record in Volume 20, Pages 99-100, B.C.P.R. to an angle point in the south line of said SILVERLAKE COMMERCIAL PARK PHASE II;

THENCE WESTERLY, 820 feet more or less, along the south line of said SILVERLAKE COMMERCIAL PARK PHASE II, passing the southwest corner of the same on the east right-of-way line and crossing to the west right-of-way line of the aforementioned County Road 94 (100’ wide);

THENCE SOUTHERLY, 290 feet more or less, along said west right-of-way line to the southeast corner of SILVERLAKE COMMERCIAL PARK PHASE VII, a subdivision of record in Volume 21, Pages 39-40, B.C.P.R.;

THENCE WESTERLY, 570 feet more or less, along the south line of said PHASE VII to the most easterly southeast corner of SILVERLAKE POWER CENTER, a subdivision of record in Volume 21, Pages 351-352, B.C.P.R.;

THENCE SOUTHWESTERLY, 2,248 feet more or less, along the south and southeast line of said SILVERLAKE POWER CENTER to the most westerly corner of SCOFIELD SECTION 1 AT SILVERLAKE, a subdivision of record in Volume 20, Pages 299-300, B.C.P.R.;

THENCE SOUTHEASTERLY, 911 feet more or less, along the southwest line of said SCOFIELD SECTION 1 to the westerly right-of-way line of the aforementioned County Road 94;

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THENCE SOUTHERLY, 3,012 feet more or less, along said westerly right-of-way line to the north right-of-way line of the aforementioned County Road 59;

THENCE WESTERLY, 451 feet more or less, along said north right-of-way line to an angle point on the same and being common with the east right-of-way line of the aforementioned State Highway 288;

THENCE NORTHWESTERLY, 389 feet more or less, along said east right-of-way line to an angle point;

THENCE WESTERLY, 509 feet more or less, crossing said State Highway 288 to an angle point on the west right-of-way line of the same;

THENCE SOUTHWESTERLY, 381 feet more or less, along said west right-of-way line to an angle point on the same and being common with the north right-of-way line of the aforementioned County Road 59;

THENCE WESTERLY, 936 feet more or less, along said north right-of-way line to the POINT OF BEGINNING and containing 1,483 acres, more or less, of land.

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 18, 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.

CHAPTER 583

S.B. No. 869

AN ACT

relating to the regulation of the practice of pharmacy; authorizing fees.

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

SECTION 1. Subsection (e), Section 353.204, Occupations Code, is amended to read as follows:

(e) The Texas State Board of Pharmacy is responsible for enforcing this chapter with regard to a violation of this chapter by a pharmacist. A violation of this chapter by a pharmacist is considered to be a violation of Subtitle J (other than Chapter 567).