

CHAPTER 765**H.B. No. 2408**

An Act relating to the creation, administration, powers, duties, operation, expansion, and financing of the Harris County Municipal Utility District No. 311.

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

SECTION 1. CREATION. Under Article XVI, Section 59, of the Texas Constitution, the Harris County Municipal Utility District No. 311 is created as a conservation and reclamation district and as a governmental agency, a body politic and corporate, and a political subdivision of this state.

SECTION 2. CONFIRMATION ELECTION. Before the district is created, a confirmation election must be called and held in the area of the proposed district in the manner provided by Sections 54.026 through 54.029, Water Code, and the district must be approved by a majority of the qualified voters of the proposed district voting at the election.

SECTION 3. BOUNDARIES. The district's boundaries are as follows: Being approximately 226.49172 acres of land situated in the H.T. & B.R.R. CO. Survey, Section 1, Abstract 415, the Riley Williams Survey, Abstract 980, the Carl Wunsche Survey, Abstract 981 and the L.A. Halpen Survey, Abstract 1188, Harris County, Texas and consisting of the following tracts (acreage per deed calls) of land: Richard J. Lindley Jr., Trustee, 30.9893 acres of record under File No. J508947, Film Code No. 082-88-0483; Dempsey S. Watson, Trustee, 21.44965 acres of record under File No. J633803, Film Code No. 090-88-2092, 60.059 acres and 22.264 acres of record under File No. J546409, Film Code No. 084-96-0468; Parral N.V., 20.78230 acres, 0.28831 acre, 2.59104 acres of record under File No. H030793, Film Code No. 188-90-1446 and 0.923 acre of record under File No. H341822, Film Code No. 007-95-2465; Charles Kuo, Trustee, 6.4121 acres of record under File No. J582223, Film Code No. 087-82-0623; T.P. Patel and A.K. Roy, Trustee, 4.6229 acres of record under File No. H287541, Film Code No. 004-88-2579; Ianca Incorporated, N.V., 18.57368 acre and 0.04604 acre of record under File No. G372464, Film Code No. 147-88-0101; Redhill Investments, Inc., 18.7594 acres of record under File No. G780595, Film Code No. 172-98-1952; James M. Shamblyn 9.44 acres of record under File No. C212641, Film Code No. 043-27-1266 and 9.291 acres of record under File No. H521690, Film Code No. 019-84-2190, all being recorded in Harris County Official Public Records of Real Property. Said approximate 226.49172 acres being more particularly described as follows:

BEGINNING at the intersection of the south right-of-way (R.O.W.) line of Spring-Stuebner Road (60 feet wide) with the west R.O.W. line of Interstate Highway No. 45 (varying width) and also being the northeast corner of said Dempsey S. Watson called 22.264 acre tract;

THENCE in a southerly direction along said west R.O.W. line of Interstate Highway No. 45 to the most easterly southeast corner of said called 22.264 acre tract;

THENCE departing said west R.O.W. line in a westerly direction along the most northerly south line of said called 22.264 acre tract to an interior corner of said called 22.264 acre tract;

THENCE in a southerly direction along the most westerly east line of said called 22.264 acre tract to it's most southerly southeast corner and also being in the north line of the aforementioned Parral N.V. called 20.78230 acre tract;

THENCE in an easterly direction along the north line of said called 20.78230 acre tract, passing it's northeast corner, and continuing easterly along the north line of the aforementioned Parral N.V., called 0.28831 acre to it's northeast corner and also being in the west R.O.W. line of aforementioned Interstate Highway No. 45;

THENCE in a southerly direction following said west R.O.W. line of Interstate Highway No. 45 to the southeast corner of the aforementioned Parral N.V., called 0.923 acre tract;

THENCE departing said west R.O.W. line in a southwesterly direction, following the south line of said called 0.923 acre tract to it's southwest corner and also being in east line of the aforementioned Parral N.V., called 20.78230 acre tract;

THENCE in a southerly direction along the east line of said called 20.78230 acre tract to it's southeast corner, same being the northwest corner of the aforementioned Charles Kou, Trustee, called 6.4121 acre tract;

THENCE in an easterly direction along the north line of said called 6.4121 acre tract to it's most northerly northeast corner;

THENCE in a southerly direction along the most westerly east line of said called 6.4121 acre tract to an interior corner of said called 6.4121 acre tract;

THENCE in an easterly direction along the most southerly north line of said called 6.4121 acre tract to it's most easterly northeast corner and also being in the west R.O.W. line of aforementioned Interstate Highway No. 45;

THENCE in a southerly direction along said west R.O.W. line of Interstate Highway No. 45 to the most easterly southeast corner of the aforementioned T.P. Patel and A.K. Roy, Trustee, called 4.6229 acre tract;

THENCE departing said west R.O.W. line of Interstate Highway No. 45 in a westerly direction and along the most northerly south line of said called 4.6229 acre tract to an interior corner of said called 4.6229 acre tract;

THENCE in a southerly direction along the most westerly east line of said called 4.6229 acre tract to the most southerly southeast corner of said called 4.6229 acre tract;

THENCE in a westerly direction along the south line of said called 4.6229 acre tract to it's southwest corner and also being in the east line of the aforementioned Ianca Incorporated, N.V., called 0.04604 acre tract;

THENCE in a southerly direction along the east line of said called 0.04604 acre tract to it's intersection with the northwesterly R.O.W. line of F.M. 2920 (Spring-Cypress Road), varying width;

THENCE in a southwesterly direction along the northwesterly R.O.W. line of said F.M. 2920, same being the southeasterly line of the aforementioned Ianca Incorporated, N.V., called 0.04604 acre and called 18.57368 acre tracts, Redhill Investments, Inc. called 18.7594 acre tract,

James M. Shamblin called 9.44 acre and called 9.291 acre tracts and Richard J. Lindley, Jr., Trustee, called 30.9893 acre tract to the southwest corner of said Richard J. Lindley, Jr., Trustee, called 30.9893 acre tract;

THENCE departing said northwesterly R.O.W. line in a northwesterly direction along the southwesterly line of said called 30.9893 acre tract to it's northwest corner;

THENCE in an easterly direction along the north line of said called 30.9893 acre tract to it's northeasterly corner and being in the west line of the aforementioned James M. Shamblin called 9.291 acre tract, said point also being in the apparent survey line of aforementioned H.T. & B.R.R. Co. Survey, Section 1 and the L.A. Halpen Survey;

THENCE in a northerly direction along the east line of said called 9.291 acre tract, the east line of the aforementioned Parral N.V., called 20.78230 acre tract and said apparent survey line to the southeast corner of the aforementioned Dempsey S. Watson, Trustee, called 60.059 acre tract;

THENCE in a westerly direction along the south line of said called 60.059 acre tract and the aforementioned Dempsey S. Watson, Trustee, called 21.44965 acre tract to the southwest corner of said called 21.44965 acre tract;

THENCE in a northerly direction along the west line of said called 21.44965 acre tract to it's northwest corner and being in the south R.O.W. line of Spring-Stuebner Road (65 feet wide);

THENCE in an easterly direction along the south line of said Spring-Stuebner Road to the northeast corner of said called 21.44965 acre tract;

THENCE departing said Spring-Stuebner Road and in a southerly direction along the east line of said called 21.44965 acre tract to a point in it's east line and also being the most southerly northwest corner of the aforementioned Dempsey S. Watson, Trustee, called 60.059 acre tract;

THENCE in an easterly direction along the most southerly north line of said called 60.059 acre tract to an interior corner of said called 60.059 acre tract;

THENCE in a northerly direction along the most easterly west line of said called 60.059 acre tract to it's most easterly northwest corner and also being in the south R.O.W. line of aforementioned Spring-Cypress Road (65 feet wide);

THENCE in an easterly direction following the south R.O.W. line of said Spring-Cypress Road, same being the north line of the aforementioned Dempsey S. Watson, Trustee, called 60.059 acre and called 22.264 acre tracts, (at approximately 246 feet pass the south R.O.W. line makes a 5-foot right angle transition to the north, resulting in a 60-foot wide R.O.W.) to the POINT OF BEGINNING and containing approximately 226.49172 acres of land. This description is prepared without the benefit of on the ground surveys. All acreages recited above are based upon the deeds referred to herein and recorded in the Harris County Official Public Records of Real Property.

SECTION 4. LEGISLATIVE FINDINGS. The legislature finds that the purposes of Article XVI, Section 59, of the Texas Constitution will be furthered through the creation of the district, and it is the purpose of the legislature in passing this Act to accomplish those purposes in the district. The legislature also finds that all of the land and other property included within the area and boundaries of the district will be benefited by the works and projects that are to be accomplished by the district, pursuant to Article XVI, Section 59, of the Texas Constitution, and that the district is created to serve a public use and benefit.

SECTION 5. BOARD OF DIRECTORS; APPOINTMENT AND ELECTION. (a) The district shall be governed by a board of five directors.

(b) The initial directors are the following persons:

- (1) R. J. Lindley, Jr.;
- (2) Dempsey S. Watson;
- (3) Paula M. Watson;
- (4) Jim Shamblin; and
- (5) Julie Turner.

(c) The permanent directors shall be elected as provided by Chapter 54, Water Code.

SECTION 6. WATER CONSERVATION PROGRAM. The district shall adopt and implement a program of water conservation consistent with rules and criteria duly adopted and enforceable by the Texas Department of Water Resources for similarly situated districts in the region. A program of water conservation means the practices, techniques, and technologies that will reduce the consumption of water, reduce the loss or waste of water, improve efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future uses.

SECTION 7. POWERS OF DISTRICT. The district shall exercise the powers and duties of a municipal utility district as provided by Chapter 54, Water Code.

SECTION 8. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 25, 1985, by the following vote: Yeas 143, Nays 0, 2 present, not voting; House concurred in Senate amendments to H.B. No. 2408 on May 25, 1985, by the following vote: Yeas 140, Nays 0, 1 present, not voting; and, pursuant to the provisions of Article XVI, Section 59(d) of the Constitution of Texas, a copy of H.B. No. 2408 was transmitted to the Governor on April 2, 1985, and the recommendation of the Texas Water Commission was filed with the Speaker of the House on April 18, 1985; passed by the Senate, with amendments, on May 21, 1985, by the following vote: Yeas 31, Nays 0.

Approved: June 14, 1985

Effective: Immediately