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March 3, 2020

Via Messenger

Mr. Mark Turnbull  
Montgomery County Clerk  
210 West Davis (Highway 105)  
Conroe, Texas 77301

Ms. Suzie Harvey  
Montgomery County Voter Registrar  
9159 Airport Road  
Conroe, Texas 77303

Re: Notice of Election

Dear Mr. Turnbull and Ms. Harvey:

Pursuant to Section 4.008 of the Texas Election Code, as amended, please let this letter serve as notice that the entities listed in the attached **Exhibit A** have called for elections to be held on May 2, 2020. In addition, copies of the Orders calling said elections are attached hereto as **Exhibit B**, which include the locations of the polling place(s) for each of the elections.

Should you have any questions, please contact the undersigned at (713) 623-4531.

Very truly yours,

SCHWARTZ, PAGE & HARDING, L.L.P.

By: Gina Free  
Gina Free

Enclosures

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## EXHIBIT A

District
Montgomery County Management District No. 1
Montgomery County Municipal Utility District No. 6
Montgomery County Municipal Utility District No. 7
Montgomery County Municipal Utility District No. 46, of Montgomery County, Texas
Montgomery County Municipal Utility District No. 47, of Montgomery County Texas
Montgomery County Municipal Utility District No. 60, of Montgomery County, Texas
Montgomery County Municipal Utility District No. 94
Montgomery County Municipal Utility District No. 154A
The Woodlands Road Utility District No. 1
Wood Trace Management District of Montgomery County, Texas
Wood Trace Municipal Utility District No. 4A of Montgomery County, Texas
Wood Trace Water Control and Improvement District of Montgomery County, Texas

## EXHIBIT B

ORDER CALLING CONFIRMATION AND DIRECTOR ELECTION,  
MAINTENANCE TAX ELECTION AND LIMITED SALES AND USE TAX ELECTION

WHEREAS, Montgomery County Management District No. 1 (the "District") was heretofore duly created by House Bill 4657, 86<sup>th</sup> Texas Legislature, Regular Session (the "Act"), as codified under Chapter 3979, Texas Special District Local Laws Code (the "Code"), and the temporary directors of the District appointed by the Texas Commission on Environmental Quality have met and organized and have qualified to serve as directors of the District by taking the oath and making the bond required by law; and

WHEREAS, the Board of Directors of the District (the "Board") has determined to call an election to be held and at which there shall be submitted to the duly qualified voters of the District the question of the confirmation of the creation and establishment of the District, and the matter of the election of five (5) permanent directors for the District; and

WHEREAS, Section 3979.0502 of the Code provides that the District may impose an operation and maintenance tax on taxable property within the District if authorized by a majority of the voters of the District voting at an election held for that purpose; and

WHEREAS, the Board has determined that it would be of benefit to the District to be authorized to levy and collect a tax for operation and maintenance purposes and other purposes now or hereafter authorized by the constitution and the laws of the State of Texas, including funds for planning, constructing, acquiring, maintaining, repairing, and operating all necessary land, plants, works, facilities, improvements, appliances, and equipment of the District and for paying costs of proper services, engineering and legal fees, and organization and administrative expenses; and

WHEREAS, the Board has determined that an election should be held and at which there shall be submitted to the duly qualified voters of the District a proposition on the levy and collection of an annual operation and maintenance tax not to exceed One Dollar and Fifty Cents (\$1.50) per one hundred dollars (\$100) valuation of taxable property within the District; and

WHEREAS, Section 3979.0602(a) of the Code provides that the District may adopt a limited sales and use tax if authorized by a majority of the voters of the District voting at an election held for that purpose; and

WHEREAS, Section 3979.0602(b) of the Code provides that the District may call an election to authorize the adoption of a sales and use tax and that such election may be held on any uniform election date and in conjunction with any other District election; and

WHEREAS, the Board has determined that an election should be held at which there shall be submitted to the duly qualified voters of the District a proposition on the adoption of a sales and use tax at a rate not to exceed one percent (1%); and

WHEREAS, the aforesaid elections may be held on the same day, at the same time, and in conjunction with one another, and the Board may call such elections by and through a single order; and

WHEREAS, the Board wishes to proceed with the calling of said elections;

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF MONTGOMERY COUNTY MANAGEMENT DISTRICT NO. 1 THAT:

Section 1: The matters and facts set out in the preamble of this Order are hereby found and declared to be true and complete and made a part of this Order.

Section 2: Special elections (collectively, the "Election") shall be held on the 2nd day of May, 2020 ("Election Day"), at which there shall be submitted to the duly qualified voters of the District the question of the confirmation of the creation and establishment of the District, the matter of the election of five (5) permanent directors of the District, the levy and collection of a maintenance tax, and the adoption of a sales and use tax. In connection therewith, the following propositions shall be submitted:

MONTGOMERY COUNTY MANAGEMENT DISTRICT NO. 1 - PROPOSITION A

SHALL THE CREATION OF MONTGOMERY COUNTY MANAGEMENT DISTRICT NO. 1 BE CONFIRMED?

MONTGOMERY COUNTY MANAGEMENT DISTRICT NO. 1 - PROPOSITION B

SHALL THE BOARD OF DIRECTORS OF MONTGOMERY COUNTY MANAGEMENT DISTRICT NO. 1 BE AUTHORIZED TO ASSESS, LEVY AND COLLECT AN ANNUAL OPERATION AND MAINTENANCE TAX NOT TO EXCEED ONE DOLLAR AND FIFTY CENTS (\$1.50) PER ONE HUNDRED DOLLARS (\$100) VALUATION OF TAXABLE PROPERTY WITHIN SAID DISTRICT TO SECURE FUNDS FOR OPERATION AND MAINTENANCE AND OTHER AUTHORIZED PURPOSES, INCLUDING, BUT NOT LIMITED TO, FUNDS FOR PLANNING, CONSTRUCTING, ACQUIRING, MAINTAINING, REPAIRING, AND OPERATING ALL NECESSARY LAND, PLANTS, FACILITIES, IMPROVEMENTS, APPLIANCES, AND EQUIPMENT OF SUCH DISTRICT, AND FOR THE PAYMENT OF PROPER SERVICES, ENGINEERING AND LEGAL FEES, AND ORGANIZATION AND ADMINISTRATIVE EXPENSES, ALL AS HERETOFORE OR HEREAFTER AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?

MONTGOMERY COUNTY MANAGEMENT DISTRICT NO. 1 - PROPOSITION C

SHALL THE BOARD OF DIRECTORS OF MONTGOMERY COUNTY MANAGEMENT DISTRICT NO. 1 BE AUTHORIZED TO ASSESS, LEVY AND COLLECT A TAX ON THE RECEIPTS FROM THE SALE AT RETAIL OF TAXABLE ITEMS WITHIN SAID DISTRICT AT A MAXIMUM RATE OF ONE PERCENT (1%), AS WELL AS AN EXCISE TAX AT THE SAME RATE ON THE USE, STORAGE OR OTHER CONSUMPTION WITHIN SAID DISTRICT OF TAXABLE ITEMS PURCHASED, LEASED OR RENTED FROM A RETAILER DURING THE PERIOD THAT SUCH TAX IS EFFECTIVE WITHIN SAID DISTRICT, ALL AS AUTHORIZED BY SUBCHAPTER F, CHAPTER 3979, TEXAS SPECIAL DISTRICT LOCAL LAWS CODE, AND THE LAWS AND CONSTITUTION OF THE STATE OF TEXAS?

Section 3: The boundaries of the District as established by the Act are hereby established as and shall constitute one election precinct for purposes of the Election. All qualified voters of the District shall be entitled to vote in the Election.

Section 4: Voting on Election Day shall be conducted at 38620 Farm to Market Road 1774, Magnolia, Montgomery County, Texas, which polling place is located within the boundaries of the District, between the hours of 7:00 a.m. and 7:00 p.m., except as provided by Sections 41.032 and 41.033, Texas Election Code.

Section 5: Early voting by personal appearance shall be conducted at 38620 Farm to Market Road 1774, Magnolia, Montgomery County, Texas, which polling place is located within

the boundaries of the District, beginning on the 12<sup>th</sup> day preceding Election Day and continuing through and including the 4<sup>th</sup> day preceding Election Day, on each such day that is not a Saturday, a Sunday, or an official state holiday. Except as otherwise provided by law, the Early Voting Clerk shall keep the early voting place open between the hours of 8:00 a.m. and 12:00 noon and 1:00 p.m. and 5:00 p.m. on each such day for early voting by personal appearance; provided, however, that if, upon receipt by the Early Voting Clerk of the certified list of registered voters, it appears that the total number of registered voters within the District is fewer than 1,000, then the early voting place shall remain open only between the hours of 6:00 p.m. and 9:00 p.m.

Section 6: Applications for voting by mail shall be addressed to the Early Voting Clerk. The official mailing address of the Early Voting Clerk is 38620 Farm to Market Road 1774, Magnolia, Texas 77354.

Section 7: The following persons are hereby appointed to serve as officers of the Election:

Scott McKenzie, Presiding Judge  
Kristen McKenzie, Alternate Presiding Judge  
Scott McKenzie, Early Voting Clerk

Said officers are appointed to serve in the herein ordered Election only.

The Presiding Judge shall preside over the conduct of the Election on Election Day. The Presiding Judge shall appoint two (2) duly qualified election clerks to assist in the conduct of the Election. If the Election is conducted by the Presiding Judge, he or she shall appoint the Alternate Presiding Judge as one of the clerks. If the Presiding Judge named above cannot conduct the Election, the Alternate Presiding Judge shall serve as the presiding officer and assume the responsibilities of the Presiding Judge named above in his or her absence.

The Early Voting Clerk shall preside over the conduct of the Election during early voting. The Early Voting Clerk may, as he or she deems necessary, appoint up to a maximum of two (2) duly qualified early voting clerks to assist in the conduct of early voting in the Election.

There is hereby created an Early Voting Ballot Board, to be comprised of three (3) duly qualified individuals, to process the early voting results of the Election. The Presiding Judge shall serve as the presiding officer of the Early Voting Ballot Board and shall appoint, as the other members of the Early Voting Ballot Board, the Alternate Presiding Judge and one (1) of the election clerks appointed by the Presiding Judge.

The rate of pay for the Presiding Judge, the Alternate Presiding Judge, the Early Voting Clerk, the members of the Early Voting Ballot Board, election clerks and deputy early voting clerks shall be determined by the Board of the District in compliance with the Texas Election Code and any other applicable laws or regulations.

Section 8: Maranda Lawson is hereby appointed as the District's designated election agent (the "Election Agent") to perform election duties required pursuant to the provisions of Section 31.123, Texas Election Code, and Section 49.109, Texas Water Code. The duration of appointment of such Election Agent shall be from February 7, 2020, until a successor is appointed, and the office hours of such Election Agent shall be from 9:00 a.m. to 5:00 p.m. daily, except Saturdays, Sundays or official state holidays. True and correct copies of all documents and materials pertaining to the Election shall be maintained on file in the office of Election Agent at 1300 Post Oak Boulevard, Suite 1400, Houston, Harris County, Texas 77056, open to inspection by the public or any person interested therein.

Section 9: Except as provided hereinafter, voting shall be conducted by the use of paper ballots. Notwithstanding Sections 61.012 and 61.013, Texas Election Code, the District is



exempt from the requirement to provide an accessible electronic voting system under Section 49.111, Texas Water Code. Notice of the District's intent to conduct the Election without providing such a voting system has been, or is hereby authorized and directed to be, published in accordance with Section 49.111, Texas Water Code. If in response to such notice a request for an accessible voting station is timely received from a voter, the Election System & Software, Inc. AccuVote-TSX (4.6.4) voting system shall be used for such purposes and the President and Vice-President of the Board are each hereby authorized to execute all documents necessary to lease or otherwise procure said voting system for the Election.

Ballots shall conform to the requirements of the Texas Election Code and be prepared and made available to voters in the English and Spanish languages. The form of the ballot shall be substantially as follows:

NO. \_\_\_\_\_

NRO. \_\_\_\_\_

CONFIRMATION AND DIRECTOR ELECTION,  
MAINTENANCE TAX ELECTION, AND LIMITED  
SALES AND USE TAX ELECTION  
May 2, 2020

ELECCIÓN DE CONFIRMACIÓN Y DIRECTORES,  
ELECCIÓN DE IMPUESTO DE MANTENIMIENTO, Y ELECCIÓN  
DE IMPUESTO DE VENTAS Y USO LIMITADO  
2 de mayo de 2020

MONTGOMERY COUNTY MANAGEMENT DISTRICT NO. 1

OFFICIAL BALLOT  
BOLETA OFICIAL DE VOTACIÓN

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INSTRUCTION NOTE: Place an "X" in the square beside the statement indicating the way you wish to vote.

NOTA DE INSTRUCCIÓN: Coloque una "X" en la casilla junto a la declaración que indica lo que usted desea votar.



MONTGOMERY COUNTY MANAGEMENT DISTRICT NO. 1 - PROPOSITION C

MONTGOMERY COUNTY MANGEMENT DISTRICT NO. 1 - PROPOSICIÓN C

[ ] FOR AUTHORIZATION OF A SALES AND USE TAX IN THE  
A FAVOR MONTGOMERY COUNTY MANAGEMENT DISTRICT NO.  
1 AT A RATE NOT TO EXCEED ONE PERCENT

AUTORIZACIÓN DE UN IMPUESTO DE VENTAS Y USO  
EN EL DISTRITO DE ADMINISTRACIÓN NRO. 1 DEL  
CONDADO DE MONTGOMERY A UNA TASA QUE NO  
EXCEDA DEL UNO POR CIENTO

Section 10: This Order shall constitute the order for the calling of the Election and shall also constitute notice of the Election. The Election Agent is hereby authorized and directed to cause notice of the Election to be given by posting copies of this Order at the public places used for the posting of meeting notices of the District, including but not limited to the public place within the District designated by the Board for the posting of meeting notices of the District, and at two other public places within the boundaries of the District, with said postings to be completed not later than twenty-one (21) days before Election Day (unless said day is a Saturday, Sunday or official state holiday and in which case it shall be posted on the next regular business day). Additionally, the Election Agent is hereby authorized and directed to cause this Order to be posted in a prominent location at each polling place on Election Day and during early voting by personal appearance. In all such instances, copies of this Order shall be posted in the English and Spanish languages.

Section 11: (a) The Election shall be held and conducted and returns made to this Board in accordance with the constitution and the laws of the State of Texas, including but not limited to, applicable provisions of the Act, the Texas Election Code and the Texas Water Code.

(b) The Board officially finds, determines and declares that, as of the date hereof, there are fewer than two hundred and fifty (250) registered voters within the District, and

therefore, no voter information document must be prepared under Section 1251.052(b), Texas Government Code.

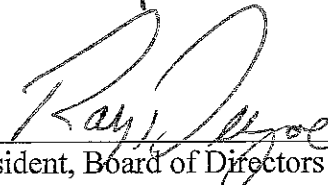
Section 12: The Board officially finds, determines and declares that this Order was reviewed, considered and adopted at a meeting of the Board beginning at 11:30 a.m., Houston, Texas time on February 7, 2020, and that a sufficient written notice of the date, hour, place and subject of this meeting was posted at the District's administrative office and at a place readily accessible and convenient to the public within the District, and was timely furnished to the County Clerk of Montgomery County, Texas, for posting on a bulletin board located at a place convenient to the public in the Montgomery County Courthouse for the time prescribed by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code, and that this meeting has been open to the public, as required by law, at all times during which this Order and the subject matter hereof has been discussed, considered and acted upon. The Board further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 13: The Board hereby reserves the right to amend or supplement this Order as deemed necessary and appropriate. The Board further reserves the right to cancel the Election or remove one or more of the aforesaid Propositions from the ballot in accordance with Section 49.112, Texas Water Code.

Section 14: Unless expressly provided otherwise, all references herein to the constitution of the State of Texas, the Act, Texas Election Code, Texas Water Code, or any other special or general laws of the State of Texas shall mean and refer to the constitution or such laws as amended and in effect as of the date this Order is passed and adopted.

Section 15: The President or Vice-President and Secretary or Assistant Secretary of the Board and the Election Agent are each hereby authorized and directed to take any action necessary to carry out the provisions of this Order.

PASSED AND ADOPTED this 7<sup>th</sup> day of February, 2020.

  
\_\_\_\_\_  
President, Board of Directors

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors

