

By: Gates

H.B. No. 4615

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Fort Bend County Municipal Utility District No. 249; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and 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 7904A to read as follows:

CHAPTER 7904A. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT

NO. 249

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7904A.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Fulshear, Texas.

(3) "Commission" means the Texas Commission on Environmental Quality.

(4) "Director" means a board member.

(5) "District" means the Fort Bend County Municipal Utility District No. 249.

Sec. 7904A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7904A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to

1 confirm the creation of the district and to elect five permanent
2 directors as provided by Section 49.102, Water Code.

3 Sec. 7904A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
4 temporary directors may not hold an election under Section
5 7904A.0103 until each municipality in whose corporate limits or
6 extraterritorial jurisdiction the district is located has
7 consented by ordinance or resolution to the creation of the
8 district and to the inclusion of land in the district.

9 Sec. 7904A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

10 (a) The district is created to serve a public purpose and benefit.

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

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

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

18 Sec. 7904A.0106. INITIAL DISTRICT TERRITORY. (a) The
19 district is initially composed of the territory described by
20 Section 2 of the Act enacting this chapter.

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

25 (1) organization, existence, or validity;

26 (2) right to issue any type of bond for the purposes
27 for which the district is created or to pay the principal of and

1 interest on a bond;

2 (3) right to impose a tax; or

3 (4) legality or operation.

4 SUBCHAPTER B. BOARD OF DIRECTORS

5 Sec. 7904A.0201. GOVERNING BODY; TERMS. (a) The district
6 is governed by a board of five elected directors.

7 (b) Except as provided by Section 7904A.0202, directors
8 serve staggered four-year terms.

9 Sec. 7904A.0202. TEMPORARY DIRECTORS. (a) On or after the
10 effective date of the Act enacting this chapter, the owner or owners
11 of a majority of the assessed value of the real property in the
12 district may submit a petition to the commission requesting that
13 the commission appoint as temporary directors the five persons
14 named in the petition. The commission shall appoint as temporary
15 directors the five persons named in the petition.

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

17 (1) the date permanent directors are elected under
18 Section 7904A.0103; or

19 (2) the fourth anniversary of the effective date of
20 the Act enacting this chapter.

21 (c) If permanent directors have not been elected under
22 Section 7904A.0103 and the terms of the temporary directors have
23 expired, successor temporary directors shall be appointed or
24 reappointed as provided by Subsection (d) to serve terms that
25 expire on the earlier of:

26 (1) the date permanent directors are elected under
27 Section 7904A.0103; or

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

3 (d) If Subsection (c) applies, the owner or owners of a
4 majority of the assessed value of the real property in the district
5 may submit a petition to the commission requesting that the
6 commission appoint as successor temporary directors the five
7 persons named in the petition. The commission shall appoint as
8 successor temporary directors the five persons named in the
9 petition.

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 7904A.0301. GENERAL POWERS AND DUTIES. The district
12 has the powers and duties necessary to accomplish the purposes for
13 which the district is created.

14 Sec. 7904A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
15 DUTIES. The district has the powers and duties provided by the
16 general law of this state, including Chapters 49 and 54, Water Code,
17 applicable to municipal utility districts created under Section 59,
18 Article XVI, Texas Constitution.

19 Sec. 7904A.0303. AUTHORITY FOR ROAD PROJECTS. Under
20 Section 52, Article III, Texas Constitution, the district may
21 design, acquire, construct, finance, issue bonds for, improve,
22 operate, maintain, and convey to this state, a county, or a
23 municipality for operation and maintenance macadamized, graveled,
24 or paved roads, or improvements, including storm drainage, in aid
25 of those roads.

26 Sec. 7904A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
27 road project must meet all applicable construction standards,

1 zoning and subdivision requirements, and regulations of each
2 municipality in whose corporate limits or extraterritorial
3 jurisdiction the road project is located.

4 (b) If a road project is not located in the corporate limits
5 or extraterritorial jurisdiction of a municipality, the road
6 project must meet all applicable construction standards,
7 subdivision requirements, and regulations of each county in which
8 the road project is located.

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

12 Sec. 7904A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
13 ORDINANCE OR RESOLUTION. The district shall comply with all
14 applicable requirements of any ordinance or resolution that is
15 adopted under Section 54.016 or 54.0165, Water Code, and that
16 consents to the creation of the district or to the inclusion of land
17 in the district.

18 Sec. 7904A.0306. PUBLIC INFORMATION. (a) The district
19 shall maintain an Internet website.

20 (b) The board shall make available on the district's
21 Internet website the information required under Section 26.18, Tax
22 Code.

23 SUBCHAPTER D. BONDS AND OTHER OBLIGATIONS

24 Sec. 7904A.0401. AUTHORITY TO ISSUE BONDS AND OTHER
25 OBLIGATIONS. The district may issue bonds or other obligations
26 payable wholly or partly from ad valorem taxes, impact fees,
27 revenue, contract payments, grants, or other district money, or any

1 combination of those sources, to pay for any authorized district
2 purpose.

3 Sec. 7904A.0402. TAXES FOR BONDS. At the time the district
4 issues bonds payable wholly or partly from ad valorem taxes, the
5 board shall provide for the annual imposition of a continuing
6 direct ad valorem tax, without limit as to rate or amount, while all
7 or part of the bonds are outstanding as required and in the manner
8 provided by Sections 54.601 and 54.602, Water Code.

9 Sec. 7904A.0403. BONDS FOR ROAD PROJECTS. At the time of
10 issuance, the total principal amount of bonds or other obligations
11 issued or incurred to finance road projects and payable from ad
12 valorem taxes may not exceed one-fourth of the assessed value of the
13 real property in the district.

14 Sec. 7904A.0404. CONSENT OF MUNICIPALITY AND DEVELOPMENT
15 AGREEMENT REQUIRED. (a) The temporary directors may not hold an
16 election to authorize the issuance of bonds until:

17 (1) the governing body of the city by ordinance or
18 resolution consents to the creation of the district and to the
19 inclusion of land in the district; and

20 (2) the district, the city, and the owner or owners of
21 a majority of the assessed value of real property in the district
22 negotiate and execute a mutually approved and accepted development
23 and operating agreement, including any limitations imposed by the
24 city.

25 (b) The city's consent under Subsection (a) must be granted
26 in the manner provided by Section 54.016, Water Code, for including
27 land within the corporate limits or extraterritorial jurisdiction

1 of a city.

2 SECTION 2. The Fort Bend County Municipal Utility District
3 No. 249 initially includes all the territory contained in the
4 following area:

5 Tract 1

6 Being a tract containing 58.07 acres of land located in the William
7 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said
8 58.07 acres being a call 58.09 acre tract of land recorded in the
9 name of HVM Partners, L.P. under Fort Bend County Clerk's File
10 No. 2006046902. Said 58.07 acres of land being more particularly
11 described by metes and bounds as follows (Bearings are referenced
12 to the Texas Coordinate System of 1983, South Central Zone, as
13 derived from GPS observations):

14 BEGINNING at a 1 inch iron pipe found at the northeast corner of
15 said 58.09 acre tract, the southeast corner of a call 12.525 acre
16 tract of land recorded in the name of Mason Briscoe III and Dee
17 Briscoe under Volume 609, Page 690 of the Fort Bend County Deed
18 Records (F.B.C.D.R.) and being on the west right-of-way (R.O.W.)
19 line of F.M. Highway 723 (call 120-foot wide; occupied width
20 varies), from which a 1/2 inch iron pipe found at the northeast
21 corner of said 12.525 acre tract and intersection of said west
22 R.O.W. with the south R.O.W. line of Beadle Road (occupied width
23 varies) bears North 02 degrees 20 minutes 36 seconds West, a
24 distance of 627.92 feet;

25 THENCE, with said west R.O.W. line, South 02 degrees 20 minutes 36
26 seconds East (call South 00 degrees 16 minutes 50 seconds West), a
27 distance of 1,564.34 feet (call 1,563.07 feet) to a 1/2 inch iron

1 rod found at the common east corner of said 58.09 acre tract and a
2 call 57.34 acre tract of land recorded in the name of Evelyn
3 Huntington under F.B.C.C.F. No. 2014103478 from which a concrete
4 monument found at an angle point in said west R.O.W. line bears
5 South 02 degrees 20 minutes 36 seconds East, a distance of 359.15
6 feet;

7 THENCE, with the common line between said 58.09 acre and 57.34 acre
8 tracts, South 87 degrees 54 minutes 04 seconds West (call North 89
9 degrees 28 minutes 30 seconds West), a distance of 1,618.39 feet
10 (call 1,620.07 feet) to the common west corner of said 58.09 acre
11 and 57.34 acre tracts, being on the east line of a call 1,410.69
12 acre tract of land, styled as "Second Tract", recorded in the name
13 of Foster Farms, Inc. under Volume 362, Page 549 of the F.B.C.D.R.,
14 and the common line between said Andrews League and the John Foster
15 2-1/2 League Grant, A-26, Fort Bend County, Texas, from which point
16 a 1/2 inch iron pipe found bears South 87 degrees 54 minutes 04
17 seconds West, a distance of 0.45 feet;

18 THENCE, with said east line and said common league line, North 02
19 degrees 18 minutes 47 seconds West (call North 00 degrees 22 minutes
20 00 seconds East), a distance of 1,562.53 feet (call 1,563.05 feet)
21 to a 1/2 inch iron pipe found at the common west corner of said 58.09
22 acre tract and a call 12.525 acre tract of land recorded in the name
23 of Mason Briscoe III and Dee Briscoe under Volume 1118, Page 817 of
24 the F.B.C.D.R.;

25 THENCE, with the common line between said 58.09 acre and 12.525 acre
26 tracts and the south line of the aforesaid 12.525 acre tract, North
27 87 degrees 50 minutes 13 seconds East (call South 89 degrees 28

1 minutes 30 seconds East), a distance of 1,617.56 feet (call
2 1,617.72 feet) to the POINT OF BEGINNING and containing 58.07 acres
3 of land.

4 Tract 2

5 Being a tract containing 57.22 acres of land located in the William
6 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said
7 57.22 acres being a call 57.34 acre tract of land recorded in the
8 name of Evelyn Huntington under Fort Bend County Clerk's File
9 No. 2014103478. Said 57.22 acres of land being more particularly
10 described by metes and bounds as follows (Bearings are referenced
11 to the Texas Coordinate System of 1983, South Central Zone, as
12 derived from GPS observations):

13 BEGINNING at a 1/2 inch iron pipe found at the northeast corner of
14 said 57.34 acre tract, the southeast corner of a call 58.09 acre
15 tract of land recorded in the name of HVM Partners, L.P. under
16 F.B.C.C.F. No. 2006046902 and being on the west right-of-way
17 (R.O.W.) line of F.M. Highway 723 (call 120-foot wide; occupied
18 width varies), from which a 1 inch iron pipe found at the northeast
19 corner of said 58.09 acre tract and the southeast corner of a call
20 12.525 acre tract of land recorded in the name of Mason Briscoe III
21 and Dee Briscoe under Volume 609, Page 690 of the Fort Bend County
22 Deed Records (F.B.C.D.R.) bears North 02 degrees 20 minutes 36
23 seconds West, a distance of 1,564.34 feet;

24 THENCE, with said west R.O.W. line, the following two (2) courses:

25 1.) South 02 degrees 20 minutes 36 seconds East (call South 00
26 degrees 16 minutes 50 seconds East), a distance of 359.15 feet to a
27 concrete monument found;

1 2.) South 02 degrees 19 minutes 49 seconds East (call South 00
2 degrees 14 minutes 10 seconds West), a distance of 308.87 feet to a
3 1/2 inch iron rod found at the most easterly northeast corner of a
4 call 0.7397 acre tract of land recorded in the name of Mary Claire
5 Huntington in Volume 2271, Page 469 of the F.B.C.D.R.;

6 THENCE, with the north, west and south lines of said 0.7397 acre
7 tract, the following nine (9) courses:

8 1.) South 87 degrees 44 minutes 59 seconds West (call North 89
9 degrees 45 minutes 50 seconds West), a distance of 227.58 feet (call
10 227.60 feet) to a 1/2 inch iron pipe found;

11 2.) North 09 degrees 20 minutes 20 seconds West (call North 06
12 degrees 45 minutes 50 seconds West), a distance of 73.12 feet (call
13 73.48 feet) to a 1/2 inch iron pipe found;

14 3.) South 63 degrees 43 minutes 26 seconds West (call South 65
15 degrees 45 minutes West), a distance of 140.27 feet (call 140.05
16 feet) to a 5/8 inch capped iron rod stamped "GBI Partners" set;

17 4.) South 17 degrees 42 minutes 21 seconds West (call South 20
18 degrees 31 minutes 10 seconds West), a distance of 110.75 feet to a
19 1/2 inch iron pipe found;

20 5.) South 10 degrees 07 minutes 39 seconds East (call South 07
21 degrees 18 minutes 15 seconds East), a distance of 59.05 feet (call
22 59.0 feet) to a 1/2 inch iron pipe found;

23 6.) North 85 degrees 33 minutes 05 seconds East (call North 88
24 degrees East), a distance of 81.73 feet (call 82.32 feet) to a 1/2
25 inch iron pipe found;

26 7.) North 65 degrees 13 minutes 35 seconds East (call North 67
27 degrees 24 minutes 10 seconds East), a distance of 105.65 feet (call

1 105.75 feet) to a 1/2 inch iron pipe found;
2 8.) North 09 degrees 08 minutes 49 seconds West (call North 06
3 degrees 45 minutes 50 seconds West), a distance of 89.33 feet (call
4 88.89 feet) to a 1/2 inch iron pipe found;
5 9.) North 87 degrees 42 minutes 39 seconds East (call South 89
6 degrees 45 minutes 50 seconds West), a distance of 225.90 feet (call
7 225.76 feet) to a 1/2 inch iron pipe found at the most easterly
8 southeast corner of said 0.7397 acre tract and being on the
9 aforesaid west R.O.W. line of F.M. Highway 723;
10 THENCE, with said west R.O.W. line, South 02 degrees 19 minutes 49
11 seconds East (call South 00 degrees 14 minutes 10 seconds West), a
12 distance of 877.24 feet to a 1/2 inch iron rod found at the common
13 east corner of said 57.34 acre tract and a call 30.00 acre tract of
14 land recorded in the name of Evelyn Huntington under F.B.C.C.F.
15 No. 2014103447;
16 THENCE, with the common line between said 57.34 acre and 30.00 acre
17 tracts, South 87 degrees 54 minutes 34 seconds West (call North 89
18 degrees 28 minutes 30 seconds West), a distance of 1,618.94 feet
19 (call 1,623.30 feet) to a 1/2 inch iron pipe found at the common
20 west corner of said 57.34 acre and 30.00 acre tracts, being on the
21 east line of a call 1,410.69 acre tract of land, styled as "Second
22 Tract", recorded in the name of Foster Farms, Inc. under Volume 362,
23 Page 549 of the F.B.C.D.R., and the common line between said Andrews
24 League and the John Foster 2-1/2 League Grant, A-26, Fort Bend
25 County, Texas, from which a 1/2 inch iron pipe found at the
26 southwest corner of said 30.00 acre tract bears South 02 degrees 18
27 minutes 47 seconds East, a distance of 805.73 feet;

1 THENCE, with said east line and said common league line, North 02
2 degrees 18 minutes 47 seconds West (call North 00 degrees 22 minutes
3 00 seconds East), a distance of 1,559.73 feet (call 1,560.41 feet)
4 to a 1/2 inch iron pipe found at the common west corner of said 57.34
5 acre and aforesaid 58.09 acre tract from which point a 1/2 inch iron
6 pipe found bears South 87 degrees 54 minutes 04 seconds West, a
7 distance of 0.45 feet;

8 THENCE, with the common line between said 57.34 acre and 58.09 acre
9 tracts, North 87 degrees 54 minutes 04 seconds East (call South 89
10 degrees 28 minutes 30 seconds East), a distance of 1,618.39 feet
11 (call 1,620.07 feet) to the POINT OF BEGINNING and containing 57.22
12 acres of land.

13 Tract 3

14 Being a tract containing 0.739 acres of land located in the William
15 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said
16 0.739 acres being a call 0.7397 acre tract of land recorded in the
17 name of Mary Claire Huntington under Volume 2271, Page 469 of the
18 Fort Bend County Deed Records (F.B.C.D.R.). Said 0.739 acres of
19 land being more particularly described by metes and bounds as
20 follows (Bearings are referenced to the Texas Coordinate System of
21 1983, South Central Zone, as derived from GPS observations):

22 BEGINNING at a 1/2 inch iron pipe found at most easterly southeast
23 corner of said 0.7397 acre tract and being on the west right-of-way
24 (R.O.W.) line of F.M. Highway 723 (call 120-foot wide; occupied
25 width varies), from which a 1/2 inch iron pipe found on said west
26 R.O.W. line and at the common east corner of call 30.00 acre and
27 57.34 acre tracts of land recorded in the name of Evelyn Huntington

1 under Fort Bend County Clerk's File No. 2014103477 and 2014103478,
2 respectively, bears South 02 degrees 19 minutes 49 seconds East, a
3 distance of 877.24 feet;
4 THENCE, with the south, west and north lines of said 0.7397 acre
5 tract, the following nine (9) courses:
6 1.) South 87 degrees 42 minutes 39 seconds West (call North 89
7 degrees 45 minutes 50 seconds West), a distance of 225.90 feet (call
8 225.76 feet) to a 1/2 inch iron pipe found;
9 2.) South 09 degrees 08 minutes 49 seconds East (call South 09
10 degrees 08 minutes 49 seconds East), a distance of 89.33 feet (call
11 89.89 feet) to a 1/2 inch iron pipe found;
12 3.) South 65 degrees 13 minutes 35 seconds West (call South 67
13 degrees 24 minutes 10 seconds West), a distance of 105.65 feet (call
14 105.75 feet) to a 1/2 inch iron pipe found;
15 4.) South 85 degrees 33 minutes 05 seconds West (call South 88
16 degrees West), a distance of 81.73 feet (call 82.32 feet) to a 1/2
17 inch iron pipe found;
18 5.) North 10 degrees 07 minutes 39 seconds West (call North 07
19 degrees 18 minutes 15 seconds West), a distance of 59.05 feet (call
20 59.0 feet) to a 1/2 inch iron pipe found;
21 6.) North 17 degrees 42 minutes 21 seconds East (call North 20
22 degrees 31 minutes 10 seconds East), a distance of 110.75 feet to a
23 5/8 inch capped iron rod stamped "GBI Partners" set;
24 7.) North 63 degrees 43 minutes 26 seconds East (call North 65
25 degrees 45 minutes East), a distance of 140.27 feet (call 140.05
26 feet) to a 1/2 inch iron pipe found;
27 8.) South 09 degrees 20 minutes 20 seconds East (call South 06

1 degrees 45 minutes 50 seconds East), a distance of 73.12 feet (call
2 73.48 feet) to a 1/2 inch iron pipe found;

3 9.) North 87 degrees 44 minutes 59 seconds East (call South 89
4 degrees 45 minutes 50 seconds East), a distance of 227.58 feet (call
5 227.60 feet) to a 1/2 inch iron pipe found at the most easterly
6 northeast corner of said 0.7397 acre tract and being on the
7 aforesaid west R.O.W. line of F.M. Highway 723 from which a concrete
8 monument found on said west R.O.W. line bears North 02 degrees 19
9 minutes 49 seconds West, a distance of 308.87 feet;

10 THENCE, with said west R.O.W. line, South 02 degrees 19 minutes 49
11 seconds East (call South 00 degrees 14 minutes 10 seconds West), a
12 distance of 14.71 feet (call 15.0 feet) to the POINT OF BEGINNING
13 and containing 0.739 acres of land.

14 Tract 4

15 Being a tract containing 29.93 acres of land located in the William
16 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said
17 29.93 acres being a call 30.00 acre tract of land recorded in the
18 name of Evelyn Huntington under Fort Bend County Clerk's File
19 No. 2014103477. Said 29.93 acres of land being more particularly
20 described by metes and bounds as follows (Bearings are referenced
21 to the Texas Coordinate System of 1983, South Central Zone, as
22 derived from GPS observations):

23 BEGINNING at a 1/2 inch iron pipe found at the northeast corner of
24 said 30.00 acre tract, the southeast corner of a call 57.34 acre
25 tract of land recorded in the name of Evelyn Huntington under
26 F.B.C.C.F. No. 2014103478 and being on the west right-of-way
27 (R.O.W.) line of F.M. Highway 723 (call 120-foot wide; occupied

1 width varies), from which a 1/2 inch iron pipe found on said west
2 R.O.W. line and at the most easterly southeast corner of a call
3 0.7397 acre tract of land recorded in the name of Mary Claire
4 Huntington in Volume 2271, Page 469 of the Fort Bend County Deed
5 Records (F.B.C.D.R.) bears North 02 degrees 19 minutes 49 seconds
6 West, a distance of 877.24 feet;

7 THENCE, with said west R.O.W. line, the following two (2) courses:

8 1.) South 02 degrees 19 minutes 49 seconds East (call South 00
9 degrees 14 minutes 10 seconds West), a distance of 785.48 feet (call
10 785.45 feet) to a 5/8 inch capped iron rod stamped "GBI Partners"
11 set;

12 2.) South 02 degrees 44 minutes 20 seconds East (call South 00
13 degrees 14 minutes 40 seconds West), a distance of 19.25 feet (call
14 19.14 feet) to a 1/2 inch iron rod found at common east corner of
15 said 30.00 acre tract and a call 6.5331 acre tract of land recorded
16 in the name of Denise K. Heibel under F.B.C.C.F. No. 9818471 from
17 which a 1/2 inch iron pipe found on said west R.O.W. line bears
18 South 02 degrees 44 minutes 20 seconds East, a distance of 59.79
19 feet;

20 THENCE, with the common line between said 30.00 acre and 6.5331 acre
21 tracts, South 87 degrees 52 minutes 26 seconds West (call North 89
22 degrees 28 minutes 30 seconds West), a distance of 1,619.31 feet
23 (call 1,625.13 feet) to a 1/2 inch iron pipe found at the common
24 west corner of said 30.00 acre and 6.5331 acre tracts, being on the
25 east line of a call 1,410.69 acre tract of land, styled as "Second
26 Tract", recorded in the name of Foster Farms, Inc. under Volume 362,
27 Page 549 of the F.B.C.D.R., and the common line between said Andrews

1 League and the John Foster 2-1/2 League Grant, A-26, Fort Bend
2 County, Texas;

3 THENCE, with said east line and said common league line, North 02
4 degrees 18 minutes 47 seconds West (call North 00 degrees 22 minutes
5 00 seconds East), a distance of 805.73 feet (call 804.58 feet) to a
6 1/2 inch iron pipe found at the common west corner of said 30.00
7 acre and aforesaid 57.34 acre tract;

8 THENCE, with the common line between said 30.00 acre and 57.34 acre
9 tracts, North 87 degrees 54 minutes 34 seconds East (call South 89
10 degrees 28 minutes 30 seconds East), a distance of 1,618.94 feet
11 (call 1,623.30 feet) to the POINT OF BEGINNING and containing 29.93
12 acres of land.

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

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

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

27 (d) All requirements of the constitution and laws of this

1 state and the rules and procedures of the legislature with respect
2 to the notice, introduction, and passage of this Act are fulfilled
3 and accomplished.

4 SECTION 4. (a) If this Act does not receive a two-thirds
5 vote of all the members elected to each house, Subchapter C, Chapter
6 7904A, Special District Local Laws Code, as added by Section 1 of
7 this Act, is amended by adding Section 7904A.0307 to read as
8 follows:

9 Sec. 7904A.0307. NO EMINENT DOMAIN POWER. The district may
10 not exercise the power of eminent domain.

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

14 SECTION 5. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2021.