

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

(3) "Director" means a board member.

(4) "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 confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

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

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

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

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

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

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

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

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

24 (1) organization, existence, or validity;

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

1           (3) right to impose a tax; or

2           (4) legality or operation.

3                   SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

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

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

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

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

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

27                   (2) the fourth anniversary of the date of the

1 appointment or reappointment.

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

9 SUBCHAPTER C. POWERS AND DUTIES

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

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

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

25 Sec. 7904A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
26 road project must meet all applicable construction standards,  
27 zoning and subdivision requirements, and regulations of each

1 municipality in whose corporate limits or extraterritorial  
2 jurisdiction the road project is located.

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

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

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

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

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

22 SUBCHAPTER D. BONDS AND OTHER OBLIGATIONS

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

1 purpose.

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

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

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

16 Tract 1

17 Being a tract containing 58.07 acres of land located in the William  
18 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said  
19 58.07 acres being a call 58.09 acre tract of land recorded in the  
20 name of HVM Partners, L.P. under Fort Bend County Clerk's File  
21 No. 2006046902. Said 58.07 acres of land being more particularly  
22 described by metes and bounds as follows (Bearings are referenced  
23 to the Texas Coordinate System of 1983, South Central Zone, as  
24 derived from GPS observations):

25 BEGINNING at a 1 inch iron pipe found at the northeast corner of  
26 said 58.09 acre tract, the southeast corner of a call 12.525 acre  
27 tract of land recorded in the name of Mason Briscoe III and Dee

1 Briscoe under Volume 609, Page 690 of the Fort Bend County Deed  
2 Records (F.B.C.D.R.) and being on the west right-of-way (R.O.W.)  
3 line of F.M. Highway 723 (call 120-foot wide; occupied width  
4 varies), from which a 1/2 inch iron pipe found at the northeast  
5 corner of said 12.525 acre tract and intersection of said west  
6 R.O.W. with the south R.O.W. line of Beadle Road (occupied width  
7 varies) bears North 02 degrees 20 minutes 36 seconds West, a  
8 distance of 627.92 feet;

9 THENCE, with said west R.O.W. line, South 02 degrees 20 minutes 36  
10 seconds East (call South 00 degrees 16 minutes 50 seconds West), a  
11 distance of 1,564.34 feet (call 1,563.07 feet) to a 1/2 inch iron  
12 rod found at the common east corner of said 58.09 acre tract and a  
13 call 57.34 acre tract of land recorded in the name of Evelyn  
14 Huntington under F.B.C.C.F. No. 2014103478 from which a concrete  
15 monument found at an angle point in said west R.O.W. line bears  
16 South 02 degrees 20 minutes 36 seconds East, a distance of 359.15  
17 feet;

18 THENCE, with the common line between said 58.09 acre and 57.34 acre  
19 tracts, South 87 degrees 54 minutes 04 seconds West (call North 89  
20 degrees 28 minutes 30 seconds West), a distance of 1,618.39 feet  
21 (call 1,620.07 feet) to the common west corner of said 58.09 acre  
22 and 57.34 acre tracts, being on the east line of a call 1,410.69  
23 acre tract of land, styled as "Second Tract", recorded in the name  
24 of Foster Farms, Inc. under Volume 362, Page 549 of the F.B.C.D.R.,  
25 and the common line between said Andrews League and the John Foster  
26 2-1/2 League Grant, A-26, Fort Bend County, Texas, from which point  
27 a 1/2 inch iron pipe found bears South 87 degrees 54 minutes 04

1 seconds West, a distance of 0.45 feet;  
2 THENCE, with said east line and said common league line, North 02  
3 degrees 18 minutes 47 seconds West (call North 00 degrees 22 minutes  
4 00 seconds East), a distance of 1,562.53 feet (call 1,563.05 feet)  
5 to a 1/2 inch iron pipe found at the common west corner of said 58.09  
6 acre tract and a call 12.525 acre tract of land recorded in the name  
7 of Mason Briscoe III and Dee Briscoe under Volume 1118, Page 817 of  
8 the F.B.C.D.R.;

9 THENCE, with the common line between said 58.09 acre and 12.525 acre  
10 tracts and the south line of the aforesaid 12.525 acre tract, North  
11 87 degrees 50 minutes 13 seconds East (call South 89 degrees 28  
12 minutes 30 seconds East), a distance of 1,617.56 feet (call  
13 1,617.72 feet) to the POINT OF BEGINNING and containing 58.07 acres  
14 of land.

15 Tract 2

16 Being a tract containing 57.22 acres of land located in the William  
17 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said  
18 57.22 acres being a call 57.34 acre tract of land recorded in the  
19 name of Evelyn Huntington under Fort Bend County Clerk's File  
20 No. 2014103478. Said 57.22 acres of land being more particularly  
21 described by metes and bounds as follows (Bearings are referenced  
22 to the Texas Coordinate System of 1983, South Central Zone, as  
23 derived from GPS observations):

24 BEGINNING at a 1/2 inch iron pipe found at the northeast corner of  
25 said 57.34 acre tract, the southeast corner of a call 58.09 acre  
26 tract of land recorded in the name of HVM Partners, L.P. under  
27 F.B.C.C.F. No. 2006046902 and being on the west right-of-way



1 (R.O.W.) line of F.M. Highway 723 (call 120-foot wide; occupied  
2 width varies), from which a 1 inch iron pipe found at the northeast  
3 corner of said 58.09 acre tract and the southeast corner of a call  
4 12.525 acre tract of land recorded in the name of Mason Briscoe III  
5 and Dee Briscoe under Volume 609, Page 690 of the Fort Bend County  
6 Deed Records (F.B.C.D.R.) bears North 02 degrees 20 minutes 36  
7 seconds West, a distance of 1,564.34 feet;

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

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

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

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

19 1.) South 87 degrees 44 minutes 59 seconds West (call North 89  
20 degrees 45 minutes 50 seconds West), a distance of 227.58 feet (call  
21 227.60 feet) to a 1/2 inch iron pipe found;

22 2.) North 09 degrees 20 minutes 20 seconds West (call North 06  
23 degrees 45 minutes 50 seconds West), a distance of 73.12 feet (call  
24 73.48 feet) to a 1/2 inch iron pipe found;

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

1 4.) South 17 degrees 42 minutes 21 seconds West (call South 20  
2 degrees 31 minutes 10 seconds West), a distance of 110.75 feet to a  
3 1/2 inch iron pipe found;

4 5.) South 10 degrees 07 minutes 39 seconds East (call South 07  
5 degrees 18 minutes 15 seconds East), a distance of 59.05 feet (call  
6 59.0 feet) to a 1/2 inch iron pipe found;

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

10 7.) North 65 degrees 13 minutes 35 seconds East (call North 67  
11 degrees 24 minutes 10 seconds East), a distance of 105.65 feet (call  
12 105.75 feet) to a 1/2 inch iron pipe found;

13 8.) North 09 degrees 08 minutes 49 seconds West (call North 06  
14 degrees 45 minutes 50 seconds West), a distance of 89.33 feet (call  
15 88.89 feet) to a 1/2 inch iron pipe found;

16 9.) North 87 degrees 42 minutes 39 seconds East (call South 89  
17 degrees 45 minutes 50 seconds West), a distance of 225.90 feet (call  
18 225.76 feet) to a 1/2 inch iron pipe found at the most easterly  
19 southeast corner of said 0.7397 acre tract and being on the  
20 aforesaid west R.O.W. line of F.M. Highway 723;

21 THENCE, with said west R.O.W. line, South 02 degrees 19 minutes 49  
22 seconds East (call South 00 degrees 14 minutes 10 seconds West), a  
23 distance of 877.24 feet to a 1/2 inch iron rod found at the common  
24 east corner of said 57.34 acre tract and a call 30.00 acre tract of  
25 land recorded in the name of Evelyn Huntington under F.B.C.C.F.  
26 No. 2014103447;

27 THENCE, with the common line between said 57.34 acre and 30.00 acre

1 tracts, South 87 degrees 54 minutes 34 seconds West (call North 89  
2 degrees 28 minutes 30 seconds West), a distance of 1,618.94 feet  
3 (call 1,623.30 feet) to a 1/2 inch iron pipe found at the common  
4 west corner of said 57.34 acre and 30.00 acre tracts, being on the  
5 east line of a call 1,410.69 acre tract of land, styled as "Second  
6 Tract", recorded in the name of Foster Farms, Inc. under Volume 362,  
7 Page 549 of the F.B.C.D.R., and the common line between said Andrews  
8 League and the John Foster 2-1/2 League Grant, A-26, Fort Bend  
9 County, Texas, from which a 1/2 inch iron pipe found at the  
10 southwest corner of said 30.00 acre tract bears South 02 degrees 18  
11 minutes 47 seconds East, a distance of 805.73 feet;

12 THENCE, with said east line and said common league line, North 02  
13 degrees 18 minutes 47 seconds West (call North 00 degrees 22 minutes  
14 00 seconds East), a distance of 1,559.73 feet (call 1,560.41 feet)  
15 to a 1/2 inch iron pipe found at the common west corner of said 57.34  
16 acre and aforesaid 58.09 acre tract from which point a 1/2 inch iron  
17 pipe found bears South 87 degrees 54 minutes 04 seconds West, a  
18 distance of 0.45 feet;

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

24 Tract 3

25 Being a tract containing 0.739 acres of land located in the William  
26 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said  
27 0.739 acres being a call 0.7397 acre tract of land recorded in the

1 name of Mary Claire Huntington under Volume 2271, Page 469 of the  
2 Fort Bend County Deed Records (F.B.C.D.R.). Said 0.739 acres of  
3 land being more particularly described by metes and bounds as  
4 follows (Bearings are referenced to the Texas Coordinate System of  
5 1983, South Central Zone, as derived from GPS observations):

6 BEGINNING at a 1/2 inch iron pipe found at most easterly southeast  
7 corner of said 0.7397 acre tract and being on the west right-of-way  
8 (R.O.W.) line of F.M. Highway 723 (call 120-foot wide; occupied  
9 width varies), from which a 1/2 inch iron pipe found on said west  
10 R.O.W. line and at the common east corner of call 30.00 acre and  
11 57.34 acre tracts of land recorded in the name of Evelyn Huntington  
12 under Fort Bend County Clerk's File No. 2014103477 and 2014103478,  
13 respectively, bears South 02 degrees 19 minutes 49 seconds East, a  
14 distance of 877.24 feet;

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

17 1.) South 87 degrees 42 minutes 39 seconds West (call North 89  
18 degrees 45 minutes 50 seconds West), a distance of 225.90 feet (call  
19 225.76 feet) to a 1/2 inch iron pipe found;

20 2.) South 09 degrees 08 minutes 49 seconds East (call South 09  
21 degrees 08 minutes 49 seconds East), a distance of 89.33 feet (call  
22 89.89 feet) to a 1/2 inch iron pipe found;

23 3.) South 65 degrees 13 minutes 35 seconds West (call South 67  
24 degrees 24 minutes 10 seconds West), a distance of 105.65 feet (call  
25 105.75 feet) to a 1/2 inch iron pipe found;

26 4.) South 85 degrees 33 minutes 05 seconds West (call South 88  
27 degrees West), a distance of 81.73 feet (call 82.32 feet) to a 1/2

1 inch iron pipe found;  
2 5.) North 10 degrees 07 minutes 39 seconds West (call North 07  
3 degrees 18 minutes 15 seconds West), a distance of 59.05 feet (call  
4 59.0 feet) to a 1/2 inch iron pipe found;  
5 6.) North 17 degrees 42 minutes 21 seconds East (call North 20  
6 degrees 31 minutes 10 seconds East), a distance of 110.75 feet to a  
7 5/8 inch capped iron rod stamped "GBI Partners" set;  
8 7.) North 63 degrees 43 minutes 26 seconds East (call North 65  
9 degrees 45 minutes East), a distance of 140.27 feet (call 140.05  
10 feet) to a 1/2 inch iron pipe found;  
11 8.) South 09 degrees 20 minutes 20 seconds East (call South 06  
12 degrees 45 minutes 50 seconds East), a distance of 73.12 feet (call  
13 73.48 feet) to a 1/2 inch iron pipe found;  
14 9.) North 87 degrees 44 minutes 59 seconds East (call South 89  
15 degrees 45 minutes 50 seconds East), a distance of 227.58 feet (call  
16 227.60 feet) to a 1/2 inch iron pipe found at the most easterly  
17 northeast corner of said 0.7397 acre tract and being on the  
18 aforesaid west R.O.W. line of F.M. Highway 723 from which a concrete  
19 monument found on said west R.O.W. line bears North 02 degrees 19  
20 minutes 49 seconds West, a distance of 308.87 feet;  
21 THENCE, with said west R.O.W. line, South 02 degrees 19 minutes 49  
22 seconds East (call South 00 degrees 14 minutes 10 seconds West), a  
23 distance of 14.71 feet (call 15.0 feet) to the POINT OF BEGINNING  
24 and containing 0.739 acres of land.

25 Tract 4

26 Being a tract containing 29.93 acres of land located in the William  
27 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said

1 29.93 acres being a call 30.00 acre tract of land recorded in the  
2 name of Evelyn Huntington under Fort Bend County Clerk's File  
3 No. 2014103477. Said 29.93 acres of land being more particularly  
4 described by metes and bounds as follows (Bearings are referenced  
5 to the Texas Coordinate System of 1983, South Central Zone, as  
6 derived from GPS observations):

7 BEGINNING at a 1/2 inch iron pipe found at the northeast corner of  
8 said 30.00 acre tract, the southeast corner of a call 57.34 acre  
9 tract of land recorded in the name of Evelyn Huntington under  
10 F.B.C.C.F. No. 2014103478 and being on the west right-of-way  
11 (R.O.W.) line of F.M. Highway 723 (call 120-foot wide; occupied  
12 width varies), from which a 1/2 inch iron pipe found on said west  
13 R.O.W. line and at the most easterly southeast corner of a call  
14 0.7397 acre tract of land recorded in the name of Mary Claire  
15 Huntington in Volume 2271, Page 469 of the Fort Bend County Deed  
16 Records ( F.B.C.D.R.) bears North 02 degrees 19 minutes 49 seconds  
17 West, a distance of 877.24 feet;

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

19 1.) South 02 degrees 19 minutes 49 seconds East (call South 00  
20 degrees 14 minutes 10 seconds West), a distance of 785.48 feet (call  
21 785.45 feet) to a 5/8 inch capped iron rod stamped "GBI Partners"  
22 set;

23 2.) South 02 degrees 44 minutes 20 seconds East (call South 00  
24 degrees 14 minutes 40 seconds West), a distance of 19.25 feet (call  
25 19.14 feet) to a 1/2 inch iron rod found at common east corner of  
26 said 30.00 acre tract and a call 6.5331 acre tract of land recorded  
27 in the name of Denise K. Heibel under F.B.C.C.F. No. 9818471 from

1 which a 1/2 inch iron pipe found on said west R.O.W. line bears  
2 South 02 degrees 44 minutes 20 seconds East, a distance of 59.79  
3 feet;

4 THENCE, with the common line between said 30.00 acre and 6.5331 acre  
5 tracts, South 87 degrees 52 minutes 26 seconds West (call North 89  
6 degrees 28 minutes 30 seconds West), a distance of 1,619.31 feet  
7 (call 1,625.13 feet) to a 1/2 inch iron pipe found at the common  
8 west corner of said 30.00 acre and 6.5331 acre tracts, being on the  
9 east line of a call 1,410.69 acre tract of land, styled as "Second  
10 Tract", recorded in the name of Foster Farms, Inc. under Volume 362,  
11 Page 549 of the F.B.C.D.R., and the common line between said Andrews  
12 League and the John Foster 2-1/2 League Grant, A-26, Fort Bend  
13 County, Texas;

14 THENCE, with said east line and said common league line, North 02  
15 degrees 18 minutes 47 seconds West (call North 00 degrees 22 minutes  
16 00 seconds East), a distance of 805.73 feet (call 804.58 feet) to a  
17 1/2 inch iron pipe found at the common west corner of said 30.00  
18 acre and aforesaid 57.34 acre tract;

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

24 SECTION 3. (a) The legal notice of the intention to  
25 introduce this Act, setting forth the general substance of this  
26 Act, has been published as provided by law, and the notice and a  
27 copy of this Act have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished  
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
3 Government Code.

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

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

11 (d) All requirements of the constitution and laws of this  
12 state and the rules and procedures of the legislature with respect  
13 to the notice, introduction, and passage of this Act are fulfilled  
14 and accomplished.

15 SECTION 4. (a) If this Act does not receive a two-thirds  
16 vote of all the members elected to each house, Subchapter C, Chapter  
17 7904A, Special District Local Laws Code, as added by Section 1 of  
18 this Act, is amended by adding Section 7904A.0307 to read as  
19 follows:

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

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

25 SECTION 5. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this



H.B. No. 4615

- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2021.