

By: Buckingham
(King of Uvalde)

S.B. No. 2193

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Matthews Ranch Water Control and Improvement District No. 1 of Blanco County; 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 I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9091 to read as follows:

CHAPTER 9091. MATTHEWS RANCH WATER CONTROL AND IMPROVEMENT

DISTRICT NO. 1 OF BLANCO COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9091.0101. 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 Matthews Ranch Water Control and Improvement District No. 1 of Blanco County.

Sec. 9091.0102. NATURE OF DISTRICT. The district is a water control and improvement district created under Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 9091.0103. CONFIRMATION AND DIRECTORS' 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. 9091.0104. CONSENT OF MUNICIPALITY REQUIRED. The
3 temporary directors may not hold an election under Section
4 9091.0103 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. 9091.0105. 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 water control and improvement district as
12 provided by general law and Section 59, Article XVI, Texas
13 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. 9091.0106. 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. 9091.0201. GOVERNING BODY; TERMS. (a) The district is
6 governed by a board of five elected directors.

7 (b) Except as provided by Section 9091.0202, directors
8 serve staggered four-year terms.

9 Sec. 9091.0202. 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 9091.0103; 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 9091.0103 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 9091.0103; 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. 9091.0301. GENERAL POWERS AND DUTIES. (a) The
12 district has the powers and duties necessary to accomplish the
13 purposes for which the district is created.

14 (b) The district has the powers and duties provided by the
15 general law of this state, including Chapters 49 and 51, Water Code,
16 applicable to water control and improvement districts created under
17 Section 59, Article XVI, Texas Constitution.

18 Sec. 9091.0302. AUTHORITY FOR ROAD PROJECTS. Under Section
19 52, Article III, Texas Constitution, and if approved at an election
20 held under Section 53.029(c), Water Code, the district may design,
21 acquire, construct, finance, issue bonds for, improve, operate,
22 maintain, and convey to this state, a county, or a municipality for
23 operation and maintenance macadamized, graveled, or paved roads, or
24 improvements, including storm drainage, in aid of those roads
25 inside or outside the district.

26 Sec. 9091.0303. 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. 9091.0304. 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 42.042 or 42.0425, Local Government Code, and
16 consents to the creation of the district or to the inclusion of land
17 in the district.

18 Sec. 9091.0305. DIVISION OF DISTRICT. (a) The district may
19 be divided into two or more new districts only if the district:

- 20 (1) has no outstanding bonded debt; and
21 (2) is not imposing ad valorem taxes.

22 (b) This chapter applies to any new district created by the
23 division of the district, and a new district has all the powers and
24 duties of the district.

25 (c) Any new district created by the division of the district
26 may, at the time the new district is created, contain only land
27 within the area described by Section 2 of the Act enacting this

1 chapter.

2 (d) The board, on its own motion or on receipt of a petition
3 signed by the owner or owners of a majority of the assessed value of
4 the real property in the district, may adopt an order dividing the
5 district.

6 (e) The board may adopt an order dividing the district
7 before or after the date the board holds an election under Section
8 9091.0103 to elect the district's permanent directors.

9 (f) An order dividing the district must:

10 (1) name each new district;

11 (2) include the metes and bounds description of the
12 territory of each new district;

13 (3) appoint temporary directors for each new district;

14 and

15 (4) provide for the division of assets and liabilities
16 between or among the new districts.

17 (g) On or before the 30th day after the date of adoption of
18 an order dividing the district, the district shall file the order
19 with the commission and record the order in the real property
20 records of each county in which the district is located.

21 (h) Any new district created by the division of the district
22 shall hold a permanent directors' election as required by Section
23 9091.0103.

24 (i) If the creation of the new district is confirmed, the
25 new district shall provide the election date and results to the
26 commission.

27 (j) Any new district created by the division of the district

1 must hold an election as required by this chapter to obtain voter
2 approval before the district may impose a maintenance tax or issue
3 bonds payable wholly or partly from ad valorem taxes or sales and
4 use taxes.

5 (k) Municipal consent to the creation of the district and to
6 the inclusion of land in the district granted under Section
7 9091.0104 acts as municipal consent to the creation of any new
8 district created by the division of the district and to the
9 inclusion of land in the new district.

10 Sec. 9091.0306. AUTHORITY TO ESTABLISH DEFINED AREAS OR
11 DESIGNATED PROPERTY. The district may define areas or designate
12 certain property of the district to pay for improvements,
13 facilities, or services that primarily benefit that area or
14 property and do not generally and directly benefit the district as a
15 whole.

16 Sec. 9091.0307. PROCEDURE FOR ELECTION. (a) Before the
17 district may impose an ad valorem tax or issue bonds payable from ad
18 valorem taxes of the defined area or designated property, the board
19 shall hold an election in the defined area or in the designated
20 property only.

21 (b) The board may submit the issues to the voters on the same
22 ballot to be used in another election.

23 Sec. 9091.0308. DECLARING RESULT AND ISSUING ORDER. (a) If
24 a majority of the voters voting at the election approve the
25 proposition or propositions, the board shall declare the results
26 and, by order, shall establish the defined area and describe it by
27 metes and bounds or designate the specific property.

1 (b) A court may not review the board's order except on the
2 ground of fraud, palpable error, or arbitrary and confiscatory
3 abuse of discretion.

4 Sec. 9091.0309. TAXES FOR SERVICES, IMPROVEMENTS, AND
5 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter
6 approval and adoption of the order described by Section 9091.0308,
7 the district may apply separately, differently, equitably, and
8 specifically its taxing power and lien authority to the defined
9 area or designated property to provide money to construct,
10 administer, maintain, and operate services, improvements, and
11 facilities that primarily benefit the defined area or designated
12 property.

13 Sec. 9091.0310. ISSUANCE OF BONDS FOR DEFINED AREA OR
14 DESIGNATED PROPERTY. After the order under Section 9091.0308 is
15 adopted, the district may issue bonds to provide for any land,
16 improvements, facilities, plants, equipment, and appliances for
17 the defined area or designated property.

18 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

19 Sec. 9091.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
20 The district may issue, without an election, bonds and other
21 obligations secured by:

22 (1) revenue other than ad valorem taxes; or

23 (2) contract payments described by Section 9091.0403.

24 (b) The district must hold an election in the manner
25 provided by Chapters 49 and 51, Water Code, to obtain voter approval
26 before the district may impose an ad valorem tax or issue bonds
27 payable from ad valorem taxes.

1 (c) The district may not issue bonds payable from ad valorem
2 taxes to finance a road project unless the issuance is approved by a
3 vote of a two-thirds majority of the district voters voting at an
4 election held for that purpose.

5 Sec. 9091.0402. OPERATION AND MAINTENANCE TAX. (a) If
6 authorized at an election held under Section 9091.0401, the
7 district may impose an operation and maintenance tax on taxable
8 property in the district in accordance with Section 49.107, Water
9 Code.

10 (b) The board shall determine the tax rate. The rate may not
11 exceed the rate approved at the election.

12 Sec. 9091.0403. CONTRACT TAXES. (a) In accordance with
13 Section 49.108, Water Code, the district may impose a tax other than
14 an operation and maintenance tax and use the revenue derived from
15 the tax to make payments under a contract after the provisions of
16 the contract have been approved by a majority of the district voters
17 voting at an election held for that purpose.

18 (b) A contract approved by the district voters may contain a
19 provision stating that the contract may be modified or amended by
20 the board without further voter approval.

21 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

22 Sec. 9091.0501. AUTHORITY TO ISSUE BONDS AND OTHER
23 OBLIGATIONS. The district may issue bonds or other obligations
24 payable wholly or partly from ad valorem taxes, impact fees,
25 revenue, contract payments, grants, or other district money, or any
26 combination of those sources, to pay for any authorized district
27 purpose.

1 Sec. 9091.0502. TAXES FOR BONDS. At the time the district
2 issues bonds payable wholly or partly from ad valorem taxes, the
3 board shall provide for the annual imposition of a continuing
4 direct ad valorem tax, without limit as to rate or amount, while all
5 or part of the bonds are outstanding as required and in the manner
6 provided by Chapter 51, Water Code.

7 Sec. 9091.0503. BONDS FOR ROAD PROJECTS. At the time of
8 issuance, the total principal amount of bonds or other obligations
9 issued or incurred to finance road projects and payable from ad
10 valorem taxes may not exceed one-fourth of the assessed value of the
11 real property in the district.

12 SECTION 2. The Matthews Ranch Water Control and Improvement
13 District No. 1 of Blanco County initially includes all the
14 territory contained in the following area:

15 Being all of that certain 745.87 acre tract of land described in
16 Volume 171, Page 912 et seq. of the Official Public Records of said
17 County and all of that certain 55.82 acre tract of land described in
18 Volume 173, Page 242 et seq. of the said Official Public Records;
19 said 801.73 acre tract being more particularly described as
20 follows:

21 BEGINNING at a 3/8 inch iron rod found at the base of a fence post at
22 the northerly northeast corner of the said 745.87 acre tract, being
23 on the south line of that certain 881.7 acre tract described in
24 Volume 62, Page 434 et seq. of the Deed Records of said County and
25 being at the northwest corner of that certain tract described in
26 Volume 98, Page 604 et seq. of the said Deed Records, for the
27 northerly northeast corner hereof;

1 THENCE with the north line of the said 745.87 acre tract, S 88° 38'
2 58" W, a distance of 3390.70 feet along a fence line to a 3/8 inch
3 iron rod found at the base of a fence post at the northwest corner
4 thereof, being at the southwest corner of the said 881.7 acre tract
5 and being on the east line of that certain 990.36 acre tract
6 described in Volume 71, Page 308 et seq. of the said Deed Records,
7 for the northerly northwest corner hereof;
8 THENCE with the westerly line of the said 745.87 acre tract, as
9 fenced, the following four (4) courses:
10 1. S 00° 40' 25" E, a distance of 1881.93 feet to a 3/8 inch
11 iron rod found at the base of a fence post at the southeast corner of
12 the said 990.36 acre tract,
13 2. S 88° 01' 06" W, a distance of 452.73 feet to a 3/8 inch
14 iron rod found at the base of a fence post at the northeast corner of
15 that certain 1332.28 acre tract described in Volume 169, Page 746
16 et seq. of the Official Public Records of said County,
17 3. S 01° 08' 57" E, a distance of 4321.19 feet to a 3/8 inch
18 iron rod found at the base of a fence post at the westerly southwest
19 corner of the said 745.87 acre tract, being at the northwest corner
20 of the said 55.82 acre tract, and
21 4. S 01° 07' 44" E, a distance of 1491.94 feet to a 3/8 inch
22 iron rod found at the southwest corner of the said 55.82 acre tract,
23 being at the northwest corner of that certain 86.67 acre tract
24 described in Volume 173, Page 245 et seq. of the said Official
25 Public Records, for the southwest corner hereof;
26 THENCE with the south line of the said 55.82 acre tract and north
27 line of the said 86.67 acre tract, S 88° 06' 16" E, a distance of

1 2400.94 feet to a 5/8 inch iron rod found at the southwest corner of
2 the said 55.82 acre tract and northeast corner of the said 86.67
3 acre tract, being at a southerly southwest corner of the said 745.87
4 acre tract and at a westerly corner of that certain 153.233 acre
5 tract described in Volume 108, Page 40 et seq. of the Deed Records
6 of said County, for a southerly corner hereof;

7 THENCE with the southerly line of the said 745.87acre tract, as
8 fenced, the following four (4) courses:

9 1. N 46° 34' 07" E, a distance of 690.01 feet to a 4-1/2 inch
10 iron pipe found,

11 2. S 47° 25' 43" E, a distance of 2755.11 feet to a 5/8 inch
12 iron rod found at the base of a fence post,

13 3. N 88° 58' 06" E, a distance of 146.36 feet to a 5/8 inch
14 iron rod found at the base of a fence post at the northeast corner of
15 the said 153.233 acre tract and northwest corner of that certain
16 186.0 acre tract described in Volume 84, Page 296 et seq. of the
17 said Deed Records, and

18 4. N 88° 40' 10" E, a distance of 26.28 feet to a 60d nail
19 found on the centerline of Blanco County Road 202 at the southeast
20 corner of the said 745.87 acre tract, being at the southwest corner
21 of that certain 82.18 acre tract described in said Volume 171, Page
22 912 et seq., for the southeast corner hereof;

23 THENCE with the lower east line of the said 745.87 acre tract and
24 said centerline of Blanco County Road 202, the following two (2)
25 courses:

26 1. N 12° 42' 36" E, a distance of 62.29 feet to a PK nail set,
27 and

1 2. N 50° 44' 45" E, a distance of 74.44 feet to a PK nail set
2 at a southeasterly corner of the said 745.87 acre tract, being on
3 the southerly line of that certain 89.95 acre tract described in
4 Volume 174, Page 912 et seq. of the said Official Public Records,
5 for a southeasterly corner hereof;
6 THENCE departing from the said centerline of Blanco County Road 202
7 with the lower east line of the said 745.87 acre tract, the
8 following four (4) courses:
9 1. N 40° 26' 05" W, a distance of 48.85 feet to a 2-7/8 inch
10 iron pipe found,
11 2. N 90° 00' 00" W, a distance of 136.99 feet to a 2-7/8 inch
12 iron pipe found,
13 3. N 26° 54' 46" E, a distance of 2779.27 feet to a 3/8 inch
14 iron rod set, and
15 4. N 10° 38' 07" E, a distance of 316.20 feet to an 8 inch
16 diameter Cedar post found at the most easterly northeast corner of
17 the said 745.87 acre tract, being at the southwest corner of that
18 certain 153.94 acre tract described in Volume 149, Page 679 et seq.
19 of the said Deed Records and being at the southeast corner of that
20 certain tract described in Volume 141, Page 52 et seq. of the said
21 Deed Records, for the most easterly northeast corner hereof;
22 THENCE with an easterly north line of the said 745.87 acre tract, S
23 89° 03' 35" W, a distance of 1520.80 feet along a fence line to a
24 2-7/8 inch diameter iron pipe fence post found at a reentrant corner
25 thereof, being at a southwest corner of the said tract in Volume
26 141, Page 52 et seq., for a reentrant corner hereof;
27 THENCE with a lower east line of the said 745.87 acre tract, N 01°

1 10' 48" E, a distance of 1222.95 feet along a fence line to a 2-7/8
2 inch iron pipe fence post found at a northeast corner thereof, being
3 a reentrant corner of the said tract in Volume 141, Page 52 et seq.,
4 for a northeast corner hereof;

5 THENCE with a lower north line of the said 745.87 acre tract, N 89°
6 44' 58" W, a distance of 1054.68 feet along a fence line to a 3/8
7 inch iron rod found at the base of a fence post at a reentrant corner
8 thereof, being at the westerly southwest corner of the said tract in
9 Volume 141, Page 52 et seq., for a reentrant corner hereof;

10 THENCE with the upper east line of the said 745.87 acre tract, as
11 fenced, the following two (2) courses:

12 1. N 01° 33' 44" W, a distance of 2185.92 feet to a 10 inch
13 diameter Cedar post found at the northwest corner of the said tract
14 in Volume 141, Page 52 et seq., being at the southwest corner of the
15 said tract described in Volume 98, Page 604 et seq., and

16 2. N 00° 08' 53" W, a distance of 2933.48 feet to the POINT OF
17 BEGINNING, containing 801.73 acres of land, more or less.

18 BEGINNING at a 5/8 inch iron rod found at the northeast corner of
19 the said 86.67 acre tract, being at a southerly corner of that
20 certain 745.87 acre tract described in Volume 171, Page 912 et seq.
21 of the said Official Public Records and being at a westerly corner
22 of that certain 153.2233 acre tract described in Volume 108, Page 41
23 et seq. of the Deed Records of said County, for the northeast corner
24 hereof;

25 THENCE with the east line of the said 86.67 acre tract, as fenced,
26 the following nine (9) courses:

27 1. S 22° 55' 39" E, a distance of 249.50 feet to a 4-1/2 inch

1 diameter iron pipe fence post found,
2 2. S 20° 09'25" E, a distance of 52.02 feet to a 4-1/2 inch
3 diameter iron pipe fence post found,
4 3. S 22° 38' 55" E, a distance of 85.81feet to a 4-1/2 inch
5 diameter iron pipe fence post found,
6 4. S 14° 18' 46" W, a distance of 170.20 feet to a 4-1/2 inch
7 diameter iron pipe fence post found,
8 5. S 16° 42' 28" W, a distance of 309.70 feet to a 5/8 inch
9 iron rod found at a fence post,
10 6. S 40° 16' 31" W, a distance of 279.85 feet to a 5/8 inch
11 iron rod found at a fence post, and
12 7. S 57° 23' 37" W, a distance of 214.03 feet to a 4-1/2 inch
13 diameter iron pipe fence post found at the southwest corner of the
14 said 153.233 acre tract and northeast corner of that certain 446.8
15 acre tract described in Volume 108, Page 40 et seq. of the said Deed
16 Records,
17 8. S 56° 50' 18" W, a distance of 1250.73 feet to a 4-1/2 inch
18 diameter iron pipe fence post found, and
19 9. S 70° 07' 05' W, a distance of 90.35 feet to a 4-1/2 inch
20 diameter iron pipe fence post found at the southerly southeast
21 corner of the said 86.67 acre tract, for the southerly southeast
22 corner hereof;
23 THENCE with the south line of the said 86.67 acre tract, as fenced,
24 the following two (2) courses:
25 1. N 70° 46' 14" W, a distance of 288.82 feet to a 4-1/2 inch
26 diameter iron pipe fence post found, and
27 2. N 71° 25' 20" W, a distance of 651.41 feet to a 3/8 inch

1 iron rod found at the southwest corner of the said 86.67 acre tract,
2 for the southwest corner hereof;
3 THENCE with the west line of the said 86.67 acre tract, N 01° 09' 49"
4 W, a distance of 1640.18 feet to a 3/8 inch iron rod found at the
5 northwest corner thereof, being at the southwest corner of the said
6 55.82 acre tract, for the northwest corner hereof;
7 THENCE with the north line of the said 86.67 acre tract and south
8 line of the said 55.82 acre tract, S 88° 06' 16" E, a distance of
9 2400.94 feet to the POINT OF BEGINNING, containing 86.69 acres of
10 land, more or less.
11 BEGINNING at an iron pipe fence post found at the southwest corner
12 of said Tract 3, being at a reentrant corner of that certain 745.87
13 acre tract described in Volume 172, Page 1 et seq. of the said
14 Official Public Records, for the southwest corner hereof;
15 THENCE with the south line of said Tract 3, N 89° 23' 29" E, a
16 distance of 1267.45 feet to a 3/8 inch iron rod set for the
17 southerly southwest corner of a 141.98 acre tract this day surveyed
18 and the southeast corner hereof;
19 THENCE departing from said south line and passing over and across
20 said Tract 3 and Tract 2 with the general course of an existing
21 fence line, the following twelve (12) courses:
22 1. N 18° 38' 15" W, a distance of 418.56 feet to an iron pipe
23 fence post found,
24 2. N 66° 45' 42" E, a distance of 62.33 feet to an iron pipe
25 fence post found,
26 3. N 06° 41' 05" W, a distance of 128.36 feet to an iron pipe
27 fence post found,

1 4. N 87° 55' 15" W, a distance of 1001.89 feet to an iron pipe
2 fence post found,
3 5. N 01° 33' 43" E, a distance of 512.41 feet to an iron pipe
4 fence post found,
5 6. N 89° 38' 26" W, a distance of 621.05 feet to an iron pipe
6 fence post found,
7 7. N 70° 37' 36" E, a distance of 18.44 feet to an iron pipe
8 fence post found,
9 8. N 07° 01' 56" W, a distance of 822.37 feet to an iron pipe
10 fence post found,
11 9. N 76° 11' 49" W, a distance of 1181.91 feet to an iron pipe
12 fence post found,
13 10. N 06° 51' 58" E, a distance of 617.55 feet to an iron pipe
14 fence post found,
15 11. S 77° 48' 22" E, a distance of 325.37 feet to an iron pipe
16 fence post found, and
17 12 N 00 ° 27' 02" W, a distance of 663.37 feet to a 60d nail
18 found at the base of a fence post at the southwest corner of said
19 Tract 1, being at the southeast corner of that certain 39.77 acre
20 tract described in Volume 158, Page 510 et seq. of the said Official
21 Public Records, for a reentrant corner of the said 222.24 acre tract
22 and the northeast corner hereof;
23 THENCE with the north line of said Tract 2 and south line of the said
24 39.77 acre tract, S 89° 34' 42" W, a distance of 1033.67 feet along
25 an existing fence line to a 10 inch diameter Cedar post found at the
26 northwest corner of said Tract 2, being at the southwest corner of
27 the said 39.77 acre tract and being on the east line of the said

1 745.87 acre tract, for the northwest corner hereof;
2 THENCE with the west line of said Tract 2 and continuing with the
3 west line of said Tract 3, same being the east line of the said
4 745.87 acre tract, and generally along an existing fence line, the
5 following three (3) courses:

6 1. S 01 ° 12' 33" E, a distance of 2186.06 feet to a 1/2 inch
7 iron rod found at the base of a fence post,

8 2. S 89° 23' 36" E, a distance of 1055.19 feet to a 3/8 inch
9 iron rod found at the base of a fence post, and

10 3. S 01° 32' 33" E, a distance of 1222.74 feet to the POINT OF
11 BEGINNING, containing 80.26 acres of land, more or less.

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

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

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

26 (d) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

1 to the notice, introduction, and passage of this Act are fulfilled
2 and accomplished.

3 SECTION 4. (a) If this Act does not receive a two-thirds
4 vote of all the members elected to each house, Subchapter C, Chapter
5 9091, Special District Local Laws Code, as added by Section 1 of
6 this Act, is amended by adding Section 9091.0311 to read as follows:

7 Sec. 9091.0311. NO EMINENT DOMAIN POWER. The district may
8 not exercise the power of eminent domain.

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

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