

AN ACT

relating to the creation of the Williamson County Municipal Utility District No. 46; 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 7971A to read as follows:

CHAPTER 7971A. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 46

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7971A.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 Williamson County Municipal Utility District No. 46.

Sec. 7971A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7971A.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 directors as provided by Section 49.102, Water Code.

1 Sec. 7971A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 7971A.0103 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 Sec. 7971A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

16 Sec. 7971A.0106. INITIAL DISTRICT TERRITORY. (a) The
17 district is initially composed of the territory described by
18 Section 2 of the Act enacting this chapter.

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

23 (1) organization, existence, or validity;

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

27 (3) right to impose a tax; or

1 (4) legality or operation.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 7971A.0201. GOVERNING BODY; TERMS. (a) The district
4 is governed by a board of five elected directors.

5 (b) Except as provided by Section 7971A.0202, directors
6 serve staggered four-year terms.

7 Sec. 7971A.0202. TEMPORARY DIRECTORS. (a) On or after the
8 effective date of the Act enacting this chapter, the owner or owners
9 of a majority of the assessed value of the real property in the
10 district may submit a petition to the commission requesting that
11 the commission appoint as temporary directors the five persons
12 named in the petition. The commission shall appoint as temporary
13 directors the five persons named in the petition.

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

15 (1) the date permanent directors are elected under
16 Section 7971A.0103; or

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

19 (c) If permanent directors have not been elected under
20 Section 7971A.0103 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:

24 (1) the date permanent directors are elected under
25 Section 7971A.0103; or

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

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

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 7971A.0301. GENERAL POWERS AND DUTIES. The district
10 has the powers and duties necessary to accomplish the purposes for
11 which the district is created.

12 Sec. 7971A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
13 DUTIES. The district has the powers and duties provided by the
14 general law of this state, including Chapters 49 and 54, Water Code,
15 applicable to municipal utility districts created under Section 59,
16 Article XVI, Texas Constitution.

17 Sec. 7971A.0303. AUTHORITY FOR ROAD PROJECTS. Under
18 Section 52, Article III, Texas Constitution, the district may
19 design, acquire, construct, finance, issue bonds for, improve,
20 operate, maintain, and convey to this state, a county, or a
21 municipality for operation and maintenance macadamized, graveled,
22 or paved roads, or improvements, including storm drainage, in aid
23 of those roads.

24 Sec. 7971A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
25 road project must meet all applicable construction standards,
26 zoning and subdivision requirements, and regulations of each
27 municipality in whose corporate limits or extraterritorial

1 jurisdiction the road project is located.

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

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

10 Sec. 7971A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
11 ORDINANCE OR RESOLUTION. The district shall comply with all
12 applicable requirements of any ordinance or resolution that is
13 adopted under Section 54.016 or 54.0165, Water Code, and that
14 consents to the creation of the district or to the inclusion of land
15 in the district.

16 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

17 Sec. 7971A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
18 The district may issue, without an election, bonds and other
19 obligations secured by:

- 20 (1) revenue other than ad valorem taxes; or
21 (2) contract payments described by Section
22 7971A.0403.

23 (b) The district must hold an election in the manner
24 provided by Chapters 49 and 54, Water Code, to obtain voter approval
25 before the district may impose an ad valorem tax or issue bonds
26 payable from ad valorem taxes.

27 (c) The district may not issue bonds payable from ad valorem

1 taxes to finance a road project unless the issuance is approved by a
2 vote of a two-thirds majority of the district voters voting at an
3 election held for that purpose.

4 Sec. 7971A.0402. OPERATION AND MAINTENANCE TAX. (a) If
5 authorized at an election held under Section 7971A.0401, the
6 district may impose an operation and maintenance tax on taxable
7 property in the district in accordance with Section 49.107, Water
8 Code.

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

11 Sec. 7971A.0403. CONTRACT TAXES. (a) In accordance with
12 Section 49.108, Water Code, the district may impose a tax other than
13 an operation and maintenance tax and use the revenue derived from
14 the tax to make payments under a contract after the provisions of
15 the contract have been approved by a majority of the district voters
16 voting at an election held for that purpose.

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

20 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

21 Sec. 7971A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
22 OBLIGATIONS. The district may issue bonds or other obligations
23 payable wholly or partly from ad valorem taxes, impact fees,
24 revenue, contract payments, grants, or other district money, or any
25 combination of those sources, to pay for any authorized district
26 purpose.

27 Sec. 7971A.0502. TAXES FOR BONDS. At the time the district

1 issues bonds payable wholly or partly from ad valorem taxes, the
2 board shall provide for the annual imposition of a continuing
3 direct ad valorem tax, without limit as to rate or amount, while all
4 or part of the bonds are outstanding as required and in the manner
5 provided by Sections 54.601 and 54.602, Water Code.

6 Sec. 7971A.0503. BONDS FOR ROAD PROJECTS. At the time of
7 issuance, the total principal amount of bonds or other obligations
8 issued or incurred to finance road projects and payable from ad
9 valorem taxes may not exceed one-fourth of the assessed value of the
10 real property in the district.

11 SECTION 2. The Williamson County Municipal Utility District
12 No. 46 initially includes all the territory contained in the
13 following area:

14 BEING 122.6884-acres of land situated in the D. Casanova
15 Survey, Abstract No. 126, the A.J. Hayhurst Survey, Abstract
16 No. 305 and the J. Northcross Survey, Abstract No. 478, Williamson
17 County, Texas, being all of those certain tracts of land herein
18 listed below;

19 0.0265 acres and 16.15 acres of land in a General Warranty
20 Deed to Mike Konle, Trustee of the Mike Konle Trust Dated June 16,
21 1999 in Document No. 2009034437, Official Public Records,
22 Williamson County, Texas

23 16.05 acres in a Cash Warranty Deed to Mike Konle, Trustee of
24 the Mike Konle Trust Dated June 16, 1999 in Document
25 No. 2009032102, Official Public Records, Williamson County, Texas

26 24.89 acres in a General Warranty Deed to Mike Knole,
27 Trustee of the Mike Knole Trust Dated June 16, 1999 in Document

1 No. 2006082693, Official Public Records, Williamson County, Texas
2 16.00 acres in a Cash Warranty Deed to Mike Konle, Trustee of
3 the Mike Konle Trust Dated June 16, 1999 in Document No. 2009011564
4 and Document No. 2002008497, Official Public Records, Williamson
5 County, Texas

6 10.98 acres in a General Warranty Deed to Mike Konle, Trustee
7 of the Mike Konle Trust Dated June 16, 1999 in Document
8 No. 2009090300, Official Public Records, Williamson County, Texas

9 18.34 acres in a Cash Warranty Deed to The Mike Konle Trust
10 Dated June 16, 1999 in Document No. 2001088303, Official Public
11 Records, Williamson County, Texas

12 Tract One containing 19.30 acres and Tract Two containing
13 1.00 acres in a Cash Warranty Deed to The Mike Konle Trust Dates
14 June 16, 1999 in Document No. 2002072070 and being further
15 described in Document No. 2001088810, Official Public Records,
16 Williamson County, Texas,

17 said 122.6884-acres of land being more particularly
18 described in Two (2) tracts (0.0264 Acres & 122.662 Acres) as
19 follows with bearings based on the Texas Coordinate System of 1983,
20 Central Zone:

21 TRACT 1(0.0264-ACRES):

22 0.0264-acres of land situated in the D. Casanova Survey,
23 Abstract No. 126, Williamson County, Texas, being all of that said
24 certain tract of land called to contain 0.0265 acres in Document
25 No. 2009034437;

26 BEGINNING: at a 1/2-inch iron rod with cap stamped "Bury &
27 Partners" found for a southern corner of that certain tract of land

1 called to contain 109.818 acres in a Special Warranty Deed with
2 Vendor's Lien to GT Land Holdings, I, LLC in Document
3 No. 2021072442 of the Official Public Records of Williamson County,
4 Texas, the easternmost corner of the said 0.0265-acre tract, the
5 northeastern most corner of that certain 13.914-acre tract to
6 Williamson County, Texas for Ronald W. Reagan Boulevard (right of
7 way varies) in Document No. 2006014718 of the Official Public
8 Records of Williamson County, Texas, the westernmost corner of that
9 certain 9.099-acre tract to Williamson County, Texas for Ronald W.
10 Reagan Boulevard (right of way varies) in Document No. 2006018713
11 of the Official Public Records of Williamson County, Texas, for the
12 easternmost corner of this herein described tract;

13 THENCE: South 58°29'01" West a distance of 89.41 feet along
14 the northwestern line of said Ronald W. Reagan Boulevard in
15 Document No. 2006014718 to a 1/2-inch iron rod with cap stamped
16 "RCS 5793" found for the southwestern corner of the said
17 0.0265-acre tract, the southwestern the southeastern corner of that
18 certain tract of land called to contain 0.245 acres as described in
19 said Document No. 2006014718 to Williamson County, Texas, from
20 which a 1/2-inch iron rod with cap stamped "PBS&J" found for the
21 southwestern corner of the said 0.245-acre tract, the southeastern
22 corner of the said 16.15-acre tract in Document No. 2009034437, the
23 southeastern corner and Point of Beginning of the 122.662-acre
24 herein described below bears South 58°41'49" West a distance of
25 199.73 feet;

26 THENCE: North 31°02'19" West a distance of 25.76 feet along
27 the eastern line of the said 0.245-acre tract, the western line of

1 the said 0.0265-acre tract to a 1/2-inch iron rod with cap stamped
2 "RCS 5793" found on the southern line of the said 109.818-acre tract
3 in Document No. 2021072442, for the northeastern corner of the said
4 0.245-acre tract, the northwestern corner of the said 0.0265-acre
5 tract, for the northwestern of this herein described tract, from
6 which a 1/2-inch iron rod with cap stamped "RCS 5793" found for the
7 northeastern corner of the said 16.15-acre tract in Document
8 No. 2009034437, a corner of the said 122.662-acre tract herein
9 described below bears South 74°51'58" West a distance of 158.60
10 feet;

11 THENCE: North 74°35'30" East a distance of 92.84 feet along
12 the southern line of the said 109.818-acre tract to the POINT OF
13 BEGINNING and CONTAINING 0.0264-acres of land.

14 TRACT 2(122.662-Acres):

15 122.662-acres of land situated in the D. Casanova Survey,
16 Abstract No. 126, the A.J. Hayhurst Survey, Abstract No. 305 and
17 the J. Northcross Survey, Abstract No. 478 Williamson County,
18 Texas, being all of the said 16.15 acres in Document
19 No. 2009034437, 16.05 acres in Document No. 2009032102, 24.89
20 acres in Document No. 2006082693, 16.00 acres in Document
21 No. 2009011564 and Document No. 2002008497, 10.98 acres in
22 Document No. 2009090300, 18.34 acres in Document No. 2001088303,
23 and Tract One - 19.30 acres and Tract Two - 1.00 acre in Document
24 No. 2002072070 and further described in Document No. 2001088810 of
25 the Official Public Records of Williamson County, Texas;

26 BEGINNING: at a 1/2-inch iron rod with cap stamped "PBS&J"
27 found on the northwestern line of that certain 13.914-acre tract to

1 Williamson County, Texas for Ronald W. Reagan Boulevard (right of
2 way varies) in Document No. 2006014718 of the Official Public
3 Records of Williamson County, Texas, the southeastern corner of the
4 said 16.15-acre tract in Document No. 2009034437, the southwestern
5 corner of that certain tract of land called to contain 0.245 acres
6 as described in said Document No. 2006014718 to Williamson County,
7 Texas, for the southeastern corner of this herein described tract,
8 from which a 1/2-inch iron rod with cap stamped "RCS 5793" found for
9 the southeastern corner of the said 0.245-acre tract, the
10 southwestern corner of the said 0.0265-acre tract in Document
11 No. 2009034437 bears North 58°41'49" East a distance of 199.73 feet;

12 THENCE: South 58°41'13" West a distance of 291.03 feet along
13 the northwestern line of said Ronald W. Reagan Boulevard to a
14 1/2-inch iron rod with cap stamped "PBS&J" found for a corner of
15 said Ronald W. Reagan Boulevard, a corner of the said 16.15-acre
16 tract, for a corner of this herein described tract;

17 THENCE: North 31°24'15" West a distance of 14.90 feet along a
18 line of said Ronald W. Reagan Boulevard, a line of the said
19 16.15-acre tract to a 1/2-inch iron rod with cap stamped "PBS&J"
20 found for a corner of said Ronald W. Reagan Boulevard, a corner of
21 the said 16.15-acre tract, for a corner of this herein described
22 tract;

23 THENCE: South 58°40'20" West a distance of 199.70 feet along a
24 northwestern line of said Ronald W. Reagan Boulevard, a
25 southeastern line of the said 16.15-acre tract to a 1/2-inch iron
26 rod with cap stamped "PBS&J" found for a corner of said Ronald W.
27 Reagan Boulevard, a corner of the said 16.15-acre tract, for a

1 corner of this herein described tract;

2 THENCE: South 31°17'41" East a distance of 14.96 feet along a
3 line of said Ronald W. Reagan Boulevard, a line of the said
4 16.15-acre tract to a 1/2-inch iron rod with cap stamped "PBS&J"
5 found for a corner of said Ronald W. Reagan Boulevard, a corner of
6 the said 16.15-acre tract, for a corner of this herein described
7 tract;

8 THENCE: South 58°38'53" West a distance of 257.59 feet along a
9 northwestern line of said Ronald W. Reagan Boulevard, a
10 southeastern line of the said 16.15-acre tract to a 1/2-inch iron
11 rod with cap stamped "PBS&J" found for a corner of said Ronald W.
12 Reagan Boulevard, a corner of the said 16.15-acre tract, for a
13 corner of this herein described tract;

14 THENCE: South 64°25'15" West a distance of 99.61 feet
15 continuing along a northwestern line of said Ronald W. Reagan
16 Boulevard, a southeastern line of the said 16.15-acre tract to a
17 1/2-inch iron rod with cap stamped "PBS&J" found for a corner of
18 said Ronald W. Reagan Boulevard, a corner of the said 16.15-acre
19 tract, the southeastern corner of a 0.230-acre Drainage Easement in
20 said Document No. 2006014718, for a corner of this herein described
21 tract;

22 THENCE: North 31°24'38" West a distance of 49.74 feet along
23 the eastern line of the said 0.230-acre Drainage easement, a line of
24 the said 16.15-acre tract to a 1/2-inch iron rod with cap stamped
25 "PBS&J" found for the northeastern corner of the said 0.230-acre
26 Drainage easement, a corner of the said 16.15-acre tract, for a
27 corner of this herein described tract;

1 THENCE: South 58°37'09" West a distance of 199.58 feet along
2 the northwestern line of the said 0.230-acre Drainage easement, a
3 line of the said 16.15-acre tract to a 1/2-inch iron rod found for
4 the northwestern of the said 0.230-acre Drainage easement, a corner
5 of the said 16.15-acre tract, for a corner of this herein described
6 tract;

7 THENCE: South 30°56'20" East a distance of 49.71 feet along a
8 western line of the said 0.230-acre Drainage easement, a line of the
9 said 16.15-acre tract to a 1/2-inch iron rod found for the
10 southwestern corner of the said 0.230-acre Drainage easement, on
11 the northwestern line of said Ronald W. Reagan Boulevard, for a
12 corner of the said 16.15-acre tract, for a corner of this herein
13 described tract;

14 THENCE: South 53°03'38" West a distance of 101.35 feet
15 continuing along a northwestern line of said Ronald W. Reagan
16 Boulevard, a southeastern line of the said 16.15-acre tract to a
17 1/2-inch iron rod found for a corner of said Ronald W. Reagan
18 Boulevard, a corner of the said 16.15-acre tract, for a corner of
19 this herein described tract;

20 THENCE: South 58°37'29" West a distance of 300.27 feet
21 continuing along a northwestern line of said Ronald W. Reagan
22 Boulevard, a southeastern line of the said 16.15-acre tract to a
23 1/2-inch iron rod with Red Cap found for a corner of said Ronald W.
24 Reagan Boulevard, a corner of the said 16.15-acre tract, for a
25 corner of this herein described tract;

26 THENCE: North 30°59'19" West a distance of 20.09 feet
27 continuing along a line of said Ronald W. Reagan Boulevard, a line

1 of the said 16.15-acre tract to a 1/2-inch iron rod found for a
2 corner of said Ronald W. Reagan Boulevard, a corner of the said
3 16.15-acre tract, for a corner of this herein described tract;

4 THENCE: South 58°39'12" West a distance of 531.01 feet
5 continuing along a line of said Ronald W. Reagan Boulevard, a line
6 of the said 16.15-acre tract to a 1/2-inch iron rod found for a
7 corner of said Ronald W. Reagan Boulevard at the intersection of
8 County Road 289 (right of way varies), for a southwestern corner of
9 the said 16.15-acre tract, for a corner of this herein described
10 tract;

11 THENCE: North 71°32'17" West a distance of 50.11 feet along a
12 cutback line at the intersection of said Ronald W. Reagan
13 Boulevard, the said County Road 289 and a line of the said
14 16.15-acre tract to a 1/2-inch iron rod with cap stamped "RCS 5793"
15 found for a cutback corner of said County Road 289, a corner of the
16 said 16.15-acre tract, for a corner of this herein described tract;

17 THENCE: North 21°32'03" West a distance of 595.51 feet along a
18 western line of the said 16.15-acre tract, an eastern line of said
19 County Road 289 to a 5/8-inch iron rod with cap stamped
20 "Jones|Carter" set on the southeastern line of the said 16.05-acre
21 tract in Document No. 2009032102, for the northwestern corner of
22 the said 16.15-acre tract, a corner of said County Road 289, for a
23 corner of this herein described tract;

24 THENCE: South 75°04'12" West a distance of 19.82 feet along a
25 southeastern line of the said 16.05-acre tract, a northern line of
26 said County Road 289 to a 5/8-inch iron rod with cap stamped
27 "Jones|Carter" set for a corner of the said 16.05-acre tract, for a

1 corner of this herein described tract;

2 THENCE: South 74°01'34" West a distance of 86.82 feet along a
3 southeastern line of the said 16.05-acre tract, a northern line of
4 said County Road 289 to a 1/2-inch rod found for the westernmost
5 corner of the said 16.05-acre tract, a southern corner of the said
6 24.89-acre tract in Document No. 2006082693, for a corner of this
7 herein described tract, from which a 1/2-inch iron rod found for the
8 northwestern corner of the said 16.05-acre tract, a corner of the
9 said 24.89-acre tract bears North 35°05'00" East a distance of
10 646.37 feet;

11 THENCE: South 74°36'22" West a distance of 76.32 feet along a
12 southern line of the said 24.89-acre tract, a northern line of said
13 County Road 289 to a 1/2-inch iron rod found for a southwestern
14 corner of the said 24.89-acre tract, a southern corner of the said
15 16.00-acre tract in Document No. 2009011564 for a corner of this
16 herein described tract, from which a 1/2-inch iron rod found for a
17 corner of the said 24.89-acre tract, a corner of the said 16.00-acre
18 tract bears North 35°03'04" East a distance of 723.92 feet;

19 THENCE: South 74°36'24" West a distance of 295.22 feet along a
20 southern line of the said 16.00-acre tract, a northern line of said
21 County Road 289 to a 5/8-inch iron rod with cap stamped
22 "Jones|Carter" set for a southwestern corner of the said 16.00-acre
23 tract, a corner of said County Road 289, for a corner of this herein
24 described tract;

25 THENCE: North 54°55'35" West a distance of 83.33 feet along a
26 southwestern line of the said 16.00-acre tract a line of said County
27 Road 289 to a 5/8-inch iron rod with cap stamped "Jones|Carter" set

1 for a corner of the said 16.00-acre tract, a corner of said County
2 Road 289, for a corner of this herein described tract;

3 THENCE: North 23°21'55" West a distance of 252.71 feet along a
4 northeastern line of said County Road 289, a southwestern line of
5 the said 16.00-acre tract to a 1/2-inch iron rod found for a corner
6 of said County Road 289, a corner of the said 16.00-acre tract, for
7 a corner of this herein described tract;

8 THENCE: North 19°56'36" West a distance of 216.15 feet
9 continuing along a northeastern line of said County Road 289, a
10 southwestern line of the said 16.00-acre tract to a 1/2-inch iron
11 rod found for the northwestern corner of the said 16.00-acre tract,
12 the southwestern corner of the said 10.98-acre tract in Document
13 No. 2009090300, a corner of said County Road 289, for a corner of
14 this herein described tract, from which a 1/2-inch iron rod found
15 for the northeastern corner of the said 16.00-acre tract, an
16 eastern corner of the said 10.89-acre tract and a corner of the said
17 24.89-acre tract bears North 46°11'32" East a distance of 1410.65
18 feet;

19 THENCE: North 20°09'59" West a distance of 113.57 feet
20 continuing along a northeastern line of said County Road 289, a
21 southwestern line of the said 10.98-acre tract to a 3/8-inch iron
22 rod found for a corner of said County Road 289, a corner of the said
23 10.98-acre tract, for a corner of this herein described tract;

24 THENCE: North 34°59'24" West a distance of 178.61 feet
25 continuing along a northeastern line of said County Road 289, a
26 southwestern line of the said 10.98-acre tract to a 1/2-inch iron
27 rod found for a corner of said County Road 289, a corner of the said

1 10.98-acre tract, for a corner of this herein described tract;

2 THENCE: North 52°26'07" West a distance of 106.30 feet
3 continuing along a northeastern line of said County Road 289, a
4 southwestern line of the said 10.98-acre tract to a 1/2-inch iron
5 rod found for a corner of said County Road 289, a corner of the said
6 10.98-acre tract, for a corner of this herein described tract;

7 THENCE: South 78°42'39" West a distance of 41.23 feet
8 continuing along a northern line of said County Road 289, a line of
9 the said 10.98-acre tract to a 1/2-inch iron rod found for a corner
10 of said County Road 289, the westernmost corner of the said
11 10.98-acre tract, a corner of the said Tract One - 19.30 acres in
12 Document No. 2002072070, for a corner of this herein described
13 tract;

14 THENCE: South 78°42'39" West a distance 58.41 feet continuing
15 along a northern line of said County Road 289 and passing a common
16 corner of the said Tract One - 19.30 acres and the said 18.34-acre
17 tract in Document No. 2001088303 to a 5/8-inch iron rod with cap
18 stamped "Jones|Carter" set for a corner of the said 18.34-acre
19 tract, a corner of said County Road 289, for a corner of this herein
20 described tract;

21 THENCE: South 61°47'42" West a distance of 47.02 feet
22 continuing along a northern line of said County Road 289 to a
23 5/8-inch iron rod with cap stamped "Jones|Carter" set for the
24 westernmost southwestern corner of the said 18.34-acre tract, the
25 southeastern corner of that certain tract called Tract 2 - 0.72
26 acres in a Warranty Deed to John Ben Atkinson in Document
27 No. 2018011295 of the Official Public Records of Williamson County,

1 Texas, for a corner of this herein described tract, from which a
2 1/2-inch iron rod found for a corner of said Tract 2 - 0.72 acres
3 bears South 61°47'42" West a distance of 64.27 feet;

4 THENCE: North 02°28'00" West a distance of 170.14 feet along a
5 western line of the said 18.34-acre tract, an eastern line of said
6 Tract 2 - 0.72 acres to a 1/2-inch iron rod found for a corner of the
7 said 18.34-acre tract, a corner of said Tract 2, for a corner of
8 this herein described tract;

9 THENCE: North 21°00'43" East a distance of 190.45 feet
10 continuing along a western line of the said 18.34-acre tract, a
11 southeastern line of the said Tract 2 - 0.72 acres to a 1/2-inch
12 iron rod found for a corner of the said 18.34-acre tract, a corner
13 of said Tract 2, for a corner of this herein described tract;

14 THENCE: North 37°19'00" East a distance of 107.77 feet
15 continuing along a line of the said 18.34-acre tract, a
16 southeastern line of said Tract 2 - 0.72 acres to a 1/2-inch iron
17 rod found on the southwestern line of Tract 1 - 35.28 acres in said
18 Document No. 2018011295, for a corner of said Tract 2, a corner of
19 the said 18.34-acre tract, for a corner of this herein described
20 tract;

21 THENCE: South 17°33'06" East a distance of 13.62 feet along
22 the southwestern line of said Tract 1 - 35.28 acres, a line of the
23 said 18.34-acre tract to a 1/2-inch iron rod found for the
24 southwestern corner of said Tract 1, a corner of the said 18.34-acre
25 tract, for a corner of this herein described tract;

26 THENCE: North 70°28'29" East a distance of 1204.48 feet along
27 the southeastern line of said Tract 1 - 35.28 acres, a line of the

1 said 18.34-acre tract to a 1/2-inch iron rod found for the
2 southeastern corner of the said Tract 1, a corner of the said
3 18.34-acre tract, for a corner of this herein described tract;

4 THENCE: North 16°16'49" West a distance of 1307.48 feet along
5 the northeastern line of said Tract 1 - 35.28 acres, a southwestern
6 line of the said 18.34-acre tract to a 3/4-inch iron pipe with
7 pinched top found on the southeastern line of that certain Tract
8 called Tract 1 containing 129.95 acres in a Special Warranty Deed to
9 Rocking Wilco, L.P. in Document No. 2014101181 and described in a
10 metes and bounds description in Document No. 2005007206 of the
11 Official Public Records of Williamson County, Texas, for the
12 northeastern corner of said Tract 1 - 35.28 acres, the northwestern
13 corner of the said 18.34-acre tract, for a corner of this herein
14 described tract;

15 THENCE: North 67°51'17" East a distance of 1163.65 feet along
16 the southeastern line of the said 129.95-acre tract, the
17 northwestern line of the said 18.34-acre tract to a disturbed
18 1/2-inch iron rod found for the northeastern corner of this herein
19 described tract on the southwestern line of that certain tract of
20 land called to contain 413.839-acres in a Special Warranty Deed
21 with Vendor's Lien to GT Land Holdings I, LLC in Document
22 No. 2021072442 of the Official Public Records of Williamson County,
23 Texas, for the northeastern corner of the said 18.34-acre tract,
24 from which a 2-inch pipe fence post found called to be the
25 southeastern corner of the said 129.95-acre tract bears South
26 88°53'27" West a distance of 0.93 feet;

27 THENCE: South 20°33'31" East a distance of 257.86 feet along a

1 northeastern line of the said 18.34-acre tract, a southwestern line
2 of the said 413.839-acre tract to a 1/2-inch iron rod found for a
3 corner of the said 18.34-acre tract, a corner of the said
4 413.839-acre tract, for a corner of this herein described tract;

5 THENCE: South 11°21'33" East a distance of 378.92 feet
6 continuing a northeastern line of the said 18.34-acre tract, a
7 southwestern line of the said 413.839-acre tract to a 1/2-inch iron
8 rod found for the easternmost southeastern corner of the said
9 18.34-acre tract, the northeastern corner of said Tract One - 19.30
10 acres in Document No. 2002072070, for a corner of this herein
11 described tract, from which a 1/2-inch iron rod found for the
12 southeastern corner of said Tract Two - 1.00 acres in said Document
13 No. 2002072070 bears South 68°48'22" West a distance of 128.84 feet;

14 THENCE: South 11°05'57" East a distance of 732.65 feet
15 continuing along a southwestern line of the said 413.839-acre
16 tract, the southwestern line of the said 109.818-acre tract in
17 Document No. 2021072442, the northeastern line of the said Tract
18 One - 19.30 acres, to a 1/2-inch iron rod found for the southeastern
19 corner of the said Tract One - 19.30 acres, the northeastern corner
20 of the said 24.89-acre tract in Document No. 2006082693, for a
21 corner of this herein described tract;

22 THENCE: South 10°39'33" East a distance of 233.04 feet along a
23 northeastern line of the said 24.89-acre tract, a southwestern line
24 of the said 109.818-acre tract to a 1/2-inch iron rod with cap
25 stamped "Bury & Partners" found for a corner of the said
26 109.818-acre tract, a corner of the said 24.89-acre tract, for a
27 corner of this herein described tract;

1 THENCE: South 19°27'42" East a distance of 716.60 feet
2 continuing along a northeastern line of the said 24.89-acre tract,
3 a southwestern line of the said 109.818-acre tract to a 1/2-inch
4 iron rod found for the southeastern corner of the said 24.89-acre
5 tract, the northeastern corner of the said 16.05-acre tract in
6 Document No. 2009032102 for a corner of this herein described
7 tract, from which a 1/2-inch iron rod found the northwestern corner
8 of the said 16.05-acre tract, a corner of the said 24.89-acre tract
9 bears South 71°28'00" West a distance of 1295.28 feet;

10 THENCE: South 19°19'23" East a distance of 496.60 feet
11 continuing along the northeastern line of the said 16.05-acre
12 tract, a southwestern line of the said 109.818-acre tract to a
13 1/2-inch iron rod found for the southwestern corner of the said
14 109.818-acre tract, the southeastern corner of the said 16.05-acre
15 tract on the Northern line of the said 16.15-acre tract in Document
16 No. 2009034437, for a corner of this herein described tract;

17 THENCE: North 74°48'53" East a distance of 321.30 feet along a
18 southern line of the said 109.818-acre tract, the northern line of
19 the said 16.15-acre tract to a 1/2-inch iron rod with cap stamped
20 "RCS 5793" found for the easternmost northeastern corner of the
21 said 16.15-acre tract, a corner of the said Williamson County
22 0.245-acre tract in Document No. 2006014718, for a corner of this
23 herein described tract, from which a 1/2-inch iron rod with cap
24 stamped "RCS 5793" found for the northeastern corner of the said
25 0.245-acre tract, the northwestern corner of the said 0.0265-acre
26 tract in Document No. 2009034437, the same being the northwestern
27 corner of the above described 0.0264-acre tract bears North

1 74°51'58" East a distance of 158.60 feet;

2 THENCE: South 58°52'35" West a distance of 47.62 feet along a
3 northern line of the said 0.245-acre tract, a line of the said
4 16.15-acre tract to a 1/2-inch iron rod with cap stamped "PBS&J"
5 found for the westernmost northwestern corner of the said
6 0.245-acre tract, a corner of the said 16.15-acre tract, for a
7 corner of this herein described tract;

8 THENCE: South 31°22'49" East a distance of 70.07 feet along a
9 western line of the said 0.245-acre tract, a line of the said
10 16.15-acre tract to POINT OF BEGINNING and CONTAINING 122.662 acres
11 of land.

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 7971A, Special District Local Laws Code, as added by Section 1 of
6 this Act, is amended by adding Section 7971A.0306 to read as
7 follows:

8 Sec. 7971A.0306. NO EMINENT DOMAIN POWER. The district may
9 not exercise the power of eminent domain.

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

13 SECTION 5. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 5304 was passed by the House on May 9, 2023, by the following vote: Yeas 107, Nays 35, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 5304 was passed by the Senate on May 21, 2023, by the following vote: Yeas 26, Nays 4, 1 present, not voting.

Secretary of the Senate

APPROVED: _____

Date

Governor