

1-1 By: Metcalf (Senate Sponsor - Kolkhorst) H.B. No. 5339  
 1-2 (In the Senate - Received from the House May 3, 2023;  
 1-3 May 4, 2023, read first time and referred to Committee on Local  
 1-4 Government; May 15, 2023, reported favorably by the following  
 1-5 vote: Yeas 7, Nays 0; May 15, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the creation of the Montgomery County Municipal Utility  
 1-20 District No. 223; granting a limited power of eminent domain;  
 1-21 providing authority to issue bonds; providing authority to impose  
 1-22 assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
 1-25 Code, is amended by adding Chapter 7955A to read as follows:

1-26 CHAPTER 7955A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO.

1-27 223

1-28 SUBCHAPTER A. GENERAL PROVISIONS

1-29 Sec. 7955A.0101. DEFINITIONS. In this chapter:

1-30 (1) "Board" means the district's board of directors.

1-31 (2) "Commission" means the Texas Commission on  
 1-32 Environmental Quality.

1-33 (3) "Director" means a board member.

1-34 (4) "District" means the Montgomery County Municipal  
 1-35 Utility District No. 223.

1-36 Sec. 7955A.0102. NATURE OF DISTRICT. The district is a  
 1-37 municipal utility district created under Section 59, Article XVI,  
 1-38 Texas Constitution.

1-39 Sec. 7955A.0103. CONFIRMATION AND DIRECTOR ELECTION  
 1-40 REQUIRED. The temporary directors shall hold an election to  
 1-41 confirm the creation of the district and to elect five permanent  
 1-42 directors as provided by Section 49.102, Water Code.

1-43 Sec. 7955A.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
 1-44 temporary directors may not hold an election under Section  
 1-45 7955A.0103 until each municipality in whose corporate limits or  
 1-46 extraterritorial jurisdiction the district is located has  
 1-47 consented by ordinance or resolution to the creation of the  
 1-48 district and to the inclusion of land in the district as required by  
 1-49 applicable law.

1-50 Sec. 7955A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.  
 1-51 (a) The district is created to serve a public purpose and benefit.

1-52 (b) The district is created to accomplish the purposes of:

1-53 (1) a municipal utility district as provided by  
 1-54 general law and Section 59, Article XVI, Texas Constitution; and

1-55 (2) Section 52, Article III, Texas Constitution, that  
 1-56 relate to the construction, acquisition, improvement, operation,  
 1-57 or maintenance of macadamized, graveled, or paved roads, or  
 1-58 improvements, including storm drainage, in aid of those roads.

1-59 Sec. 7955A.0106. INITIAL DISTRICT TERRITORY. (a) The  
 1-60 district is initially composed of the territory described by  
 1-61 Section 2 of the Act enacting this chapter.

2-1           (b) The boundaries and field notes contained in Section 2 of  
 2-2 the Act enacting this chapter form a closure. A mistake made in the  
 2-3 field notes or in copying the field notes in the legislative process  
 2-4 does not affect the district's:

2-5           (1) organization, existence, or validity;  
 2-6           (2) right to issue any type of bond for the purposes  
 2-7 for which the district is created or to pay the principal of and  
 2-8 interest on a bond;

2-9           (3) right to impose a tax; or  
 2-10           (4) legality or operation.

#### 2-11           SUBCHAPTER B. BOARD OF DIRECTORS

2-12           Sec. 7955A.0201. GOVERNING BODY; TERMS. (a) The district  
 2-13 is governed by a board of five elected directors.

2-14           (b) Except as provided by Section 7955A.0202, directors  
 2-15 serve staggered four-year terms.

2-16           Sec. 7955A.0202. TEMPORARY DIRECTORS. (a) On or after the  
 2-17 effective date of the Act enacting this chapter, the owner or owners  
 2-18 of a majority of the assessed value of the real property in the  
 2-19 district may submit a petition to the commission requesting that  
 2-20 the commission appoint as temporary directors the five persons  
 2-21 named in the petition. The commission shall appoint as temporary  
 2-22 directors the five persons named in the petition.

2-23           (b) Temporary directors serve until the earlier of:

2-24           (1) the date permanent directors are elected under  
 2-25 Section 7955A.0103; or

2-26           (2) the fourth anniversary of the effective date of  
 2-27 the Act enacting this chapter.

2-28           (c) If permanent directors have not been elected under  
 2-29 Section 7955A.0103 and the terms of the temporary directors have  
 2-30 expired, successor temporary directors shall be appointed or  
 2-31 reappointed as provided by Subsection (d) to serve terms that  
 2-32 expire on the earlier of:

2-33           (1) the date permanent directors are elected under  
 2-34 Section 7955A.0103; or

2-35           (2) the fourth anniversary of the date of the  
 2-36 appointment or reappointment.

2-37           (d) If Subsection (c) applies, the owner or owners of a  
 2-38 majority of the assessed value of the real property in the district  
 2-39 may submit a petition to the commission requesting that the  
 2-40 commission appoint as successor temporary directors the five  
 2-41 persons named in the petition. The commission shall appoint as  
 2-42 successor temporary directors the five persons named in the  
 2-43 petition.

#### 2-44           SUBCHAPTER C. POWERS AND DUTIES

2-45           Sec. 7955A.0301. GENERAL POWERS AND DUTIES. The district  
 2-46 has the powers and duties necessary to accomplish the purposes for  
 2-47 which the district is created.

2-48           Sec. 7955A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-49 DUTIES. The district has the powers and duties provided by the  
 2-50 general law of this state, including Chapters 49 and 54, Water Code,  
 2-51 applicable to municipal utility districts created under Section 59,  
 2-52 Article XVI, Texas Constitution.

2-53           Sec. 7955A.0303. AUTHORITY FOR ROAD PROJECTS. Under  
 2-54 Section 52, Article III, Texas Constitution, the district may  
 2-55 design, acquire, construct, finance, issue bonds for, improve,  
 2-56 operate, maintain, and convey to this state, a county, or a  
 2-57 municipality for operation and maintenance macadamized, graveled,  
 2-58 or paved roads, or improvements, including storm drainage, in aid  
 2-59 of those roads.

2-60           Sec. 7955A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 2-61 road project must meet all applicable construction standards,  
 2-62 zoning and subdivision requirements, and regulations of each  
 2-63 municipality in whose corporate limits or extraterritorial  
 2-64 jurisdiction the road project is located.

2-65           (b) If a road project is not located in the corporate limits  
 2-66 or extraterritorial jurisdiction of a municipality, the road  
 2-67 project must meet all applicable construction standards,  
 2-68 subdivision requirements, and regulations of each county in which  
 2-69 the road project is located.

3-1           (c) If the state will maintain and operate the road, the  
3-2 Texas Transportation Commission must approve the plans and  
3-3 specifications of the road project.  
3-4           Sec. 7955A.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
3-5 ORDINANCE OR RESOLUTION. The district shall comply with all  
3-6 applicable requirements of any ordinance or resolution that is  
3-7 adopted under Section 54.016 or 54.0165, Water Code, and that  
3-8 consents to the creation of the district or to the inclusion of land  
3-9 in the district.  
3-10          Sec. 7955A.0306. DIVISION OF DISTRICT. (a) The board, on  
3-11 its own motion or on receipt of a petition signed by the owner or  
3-12 owners of a majority of the assessed value of the real property in  
3-13 the district, may adopt an order dividing the district.  
3-14          (b) An order dividing a district may create one or more new  
3-15 districts and may provide for the continuation of the district.  
3-16          (c) An order dividing the district must:  
3-17               (1) name any new district;  
3-18               (2) include the metes and bounds description of the  
3-19 territory of each of the districts;  
3-20               (3) appoint temporary directors for any new district;  
3-21 and  
3-22               (4) provide for the division of assets and liabilities  
3-23 between the districts.  
3-24          (d) The board may adopt an order dividing the district  
3-25 before or after the date the board holds an election to confirm the  
3-26 district's creation.  
3-27          (e) The district may be divided only if the district:  
3-28               (1) has never issued any bonds; and  
3-29               (2) is not imposing ad valorem taxes.  
3-30          (f) A new district created by the division of the district  
3-31 may not, at the time the new district is created, contain any land  
3-32 outside the area described by Section 2 of the Act enacting this  
3-33 chapter.  
3-34          (g) On or before the 30th day after the date of adoption of  
3-35 an order dividing the district, the district shall file the order  
3-36 with the commission and record the order in the real property  
3-37 records of each county in which the district is located.  
3-38          (h) This chapter applies to any new district created by the  
3-39 division of the district, and a new district has all the powers and  
3-40 duties of the district.  
3-41          (i) A new district created by the division of the district  
3-42 shall hold a confirmation and directors' election.  
3-43          (j) If the creation of the new district is confirmed, the  
3-44 new district shall provide the election date and results to the  
3-45 commission.  
3-46          (k) A new district created by the division of the district  
3-47 must hold an election as required by this chapter to obtain voter  
3-48 approval before the district may impose a maintenance tax or issue  
3-49 bonds payable wholly or partly from ad valorem taxes.  
3-50          (l) The district may continue to rely on confirmation,  
3-51 directors', bond, or tax elections held prior to the division of the  
3-52 district.  
3-53          (m) Municipal consent to the creation of the district and to  
3-54 the inclusion of land in the district acts as municipal consent to  
3-55 the creation of any new district created by the division of the  
3-56 district and to the inclusion of land in the new district.  
3-57          SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
3-58          Sec. 7955A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
3-59 The district may issue, without an election, bonds and other  
3-60 obligations secured by:  
3-61               (1) revenue other than ad valorem taxes; or  
3-62               (2) contract payments described by Section  
3-63 7955A.0403.  
3-64          (b) The district must hold an election in the manner  
3-65 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
3-66 before the district may impose an ad valorem tax or issue bonds  
3-67 payable from ad valorem taxes.  
3-68          (c) The district may not issue bonds payable from ad valorem  
3-69 taxes to finance a road project unless the issuance is approved by a

4-1 vote of a two-thirds majority of the district voters voting at an  
 4-2 election held for that purpose.

4-3 Sec. 7955A.0402. OPERATION AND MAINTENANCE TAX. (a) If  
 4-4 authorized at an election held under Section 7955A.0401, the  
 4-5 district may impose an operation and maintenance tax on taxable  
 4-6 property in the district in accordance with Section 49.107, Water  
 4-7 Code.

4-8 (b) The board shall determine the tax rate. The rate may not  
 4-9 exceed the rate approved at the election.

4-10 Sec. 7955A.0403. CONTRACT TAXES. (a) In accordance with  
 4-11 Section 49.108, Water Code, the district may impose a tax other than  
 4-12 an operation and maintenance tax and use the revenue derived from  
 4-13 the tax to make payments under a contract after the provisions of  
 4-14 the contract have been approved by a majority of the district voters  
 4-15 voting at an election held for that purpose.

4-16 (b) A contract approved by the district voters may contain a  
 4-17 provision stating that the contract may be modified or amended by  
 4-18 the board without further voter approval.

4-19 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-20 Sec. 7955A.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
 4-21 OBLIGATIONS. The district may issue bonds or other obligations  
 4-22 payable wholly or partly from ad valorem taxes, impact fees,  
 4-23 revenue, contract payments, grants, or other district money, or any  
 4-24 combination of those sources, to pay for any authorized district  
 4-25 purpose.

4-26 Sec. 7955A.0502. TAXES FOR BONDS. At the time the district  
 4-27 issues bonds payable wholly or partly from ad valorem taxes, the  
 4-28 board shall provide for the annual imposition of a continuing  
 4-29 direct ad valorem tax, without limit as to rate or amount, while all  
 4-30 or part of the bonds are outstanding as required and in the manner  
 4-31 provided by Sections 54.601 and 54.602, Water Code.

4-32 Sec. 7955A.0503. BONDS FOR ROAD PROJECTS. At the time of  
 4-33 issuance, the total principal amount of bonds or other obligations  
 4-34 issued or incurred to finance road projects and payable from ad  
 4-35 valorem taxes may not exceed one-fourth of the assessed value of the  
 4-36 real property in the district.

4-37 SECTION 2. Montgomery County Municipal Utility District  
 4-38 No. 223 initially includes all the territory contained in the  
 4-39 following area:

4-40 An 819.0 acre tract of land situated in the W.M. Rankin  
 4-41 Survey, Abstract No. 30, and the N. Griffin Survey, Abstract  
 4-42 No. 16, Montgomery County, Texas; said 819.0 acre tract of land  
 4-43 being out of and a part of a called 537.81 acre tract of land and a  
 4-44 called 680.88 acre tract of land as conveyed to Thomas McGrady and  
 4-45 recorded under Volume 695, Page 156 of the Deed Records of  
 4-46 Montgomery County, Texas (M.C.D.R.); said 819.0 acre tract of land  
 4-47 being more particularly described by metes and bounds as follows:

4-48 NOTE: The basis of bearings is referenced to the Texas State  
 4-49 Plane Coordinate System of 1983, South Central Zone (#4204), as  
 4-50 defined by article 21.071 of the Natural Resources Code of the State  
 4-51 of Texas, 1983 Datum (2001 adjustment). All distances are actual  
 4-52 distances.

4-53 BEGINNING at a the Easternmost corner of said McGrady tract  
 4-54 of land, the Northeast corner of a called 40.26 acre tract of land  
 4-55 as conveyed to Sarah Martin and recorded under County Clerk's File  
 4-56 Number (M.C.C.F. No.) 8736234 of the Official Public Records of  
 4-57 Real Property (O.P.R.O.R.P.) and being in the Western right-of-way  
 4-58 line of Spring Branch Road (60' right-of-way & 60' prescriptive  
 4-59 right-of-way) as recorded under Volume 372, Page 276 of the  
 4-60 M.C.D.R.

4-61 THENCE S 86°42'47" W, with an interior line of said McGrady  
 4-62 tract of land and the North line of said 41 acre tract of land, at a  
 4-63 distance of 1,231.86 feet passing the Northwest corner of said 41  
 4-64 acre tract of land and the Northeast corner of a called 12.36 acre  
 4-65 tract of land as conveyed to Richard Hill and recorded under Volume  
 4-66 153, Page 465 of the M.C.D.R., and continuing for a total distance  
 4-67 of 1,505.85 feet, to a 1/2" iron pipe found for the Northwest corner  
 4-68 of said 12.36 acre tract of land and an interior corner of said  
 4-69 McGrady tract of land.

5-1           THENCE S 02°56'09" E, with an interior line of said McGrady  
5-2 tract of land and the West line of said 12.36 acre tract of land, a  
5-3 distance of 481.80 feet, to an interior point for said McGrady tract  
5-4 of land and an interior point of said 12.36 acre tract of land.  
5-5           THENCE S 87°11'51" W, with an interior line of said McGrady  
5-6 tract of land and the said 12.36 acre tract of land, a distance of  
5-7 446.00 feet, to a 1/2" iron pipe found for an interior corner of  
5-8 said McGrady tract of land and the Northwest corner of said 12.36  
5-9 acre tract of land.  
5-10          THENCE S 02°56'09" E, with an interior line of said McGrady  
5-11 tract of land and the West line of said 12.36 acre tract of land, a  
5-12 distance of 569.70 feet, to a 1/2" iron pipe found for an interior  
5-13 corner of said McGrady tract of land, the Southwest corner of said  
5-14 12.36 acre tract of land and being in the North line of a called 50  
5-15 acre tract of land as conveyed to KRP Properties 1, LLC and recorded  
5-16 under M.C.C.F. No. 2018042281 of the O.P.R.O.R.P.  
5-17          THENCE S 86°34'00" W, with the interior line of said McGrady  
5-18 tract of land and the North line of said 50 acre tract of land, a  
5-19 distance of 1,216.16 feet, to a point for corner.  
5-20          THENCE N 88°54'56" W, with the interior line of said McGrady  
5-21 tract of land and the North line of said 50 acre tract of land, a  
5-22 distance of 154.61 feet, to an interior point of said McGrady tract  
5-23 of land, and the Northwest corner of said 50 acre tract of land.  
5-24          THENCE S 16°01'18" E, with the interior line of said McGrady  
5-25 tract of land and the Southwest line of said 50 acre tract of land, a  
5-26 distance of 56.45 feet, to a point for corner.  
5-27          THENCE S 57°34'14" E, with the interior line of said McGrady  
5-28 tract of land and the Southwest line of said 50 acre tract of land, a  
5-29 distance of 1,472.12 feet, to an interior point for this tract of  
5-30 land, being in the Southwest line of said 50 acre tract of land, and  
5-31 the Northwest corner of a called 100.00 acre tract of land as  
5-32 conveyed to Firdaus P. Jhabvala and Josefina Ososrio Avalos and  
5-33 recorded under M.C.C.F. No. 2014020922 of the O.P.R.O.R.P.  
5-34          THENCE with the East line of said McGrady tract of land and  
5-35 the West line of said 100.00 acre tract of land, the following  
5-36 courses and distances:  
5-37            1. S 00°19'11" E, a distance of 1,049.86 feet, to a point for  
5-38 corner.  
5-39            2. S 11°21'37" W, a distance of 991.73 feet, to a point for  
5-40 corner.  
5-41            3. S 56°16'33" W, a distance of 15.04 feet, to a point for  
5-42 corner.  
5-43            4. S 09°01'56" W, a distance of 512.88 feet, to a point for  
5-44 the Southeast corner of said McGrady tract of land and the Southwest  
5-45 corner of said 100.00 acre tract of land.  
5-46          THENCE with the West line of said McGrady tract of land the  
5-47 following courses and distances:  
5-48            1. N 55°08'39" W, a distance of 257.97 feet, to a point for  
5-49 corner.  
5-50            2. N 74°32'21" W, a distance of 252.82 feet, to a point for  
5-51 corner.  
5-52            3. S 79°05'19" W, a distance of 106.56 feet, to a point for  
5-53 corner.  
5-54            4. S 31°16'38" W, a distance of 194.00 feet, to a point for  
5-55 corner.  
5-56            5. S 56°18'43" W, a distance of 159.56 feet, to a point for  
5-57 corner.  
5-58            6. N 72°01'22" W, a distance of 354.34 feet, to a point for  
5-59 corner.  
5-60            7. N 44°48'11" W, a distance of 313.53 feet, to a point for  
5-61 corner.  
5-62            8. N 61°48'15" W, a distance of 154.90 feet, to a point for  
5-63 corner.  
5-64            9. N 70°51'53" W, a distance of 87.12 feet, to a point for  
5-65 corner.  
5-66            10. N 88°06'33" W, a distance of 408.00 feet, to a point for  
5-67 corner.  
5-68            11. N 20°17'36" W, a distance of 153.35 feet, to a point for  
5-69 corner.

6-1 12. N 24°19'33" W, a distance of 168.70 feet, to a point for  
 6-2 corner.  
 6-3 13. S 65°40'27" W, a distance of 262.10 feet, to a point for  
 6-4 corner.  
 6-5 14. N 58°30'33" W, a distance of 225.90 feet, to a point for  
 6-6 corner.  
 6-7 15. N 08°42'33" W, a distance of 85.10 feet, to a point for  
 6-8 corner.  
 6-9 16. N 36°31'27" E, a distance of 151.60 feet, to a point for  
 6-10 corner.  
 6-11 17. N 28°00'33" W, a distance of 98.60 feet, to a point for  
 6-12 corner.  
 6-13 18. N 77°23'33" W, a distance of 141.60 feet, to a point for  
 6-14 corner.  
 6-15 19. S 83°22'27" W, a distance of 363.00 feet, to a point for  
 6-16 corner.  
 6-17 20. N 60°51'33" W, a distance of 151.30 feet, to a point for  
 6-18 corner.  
 6-19 21. N 60°04'33" W, a distance of 145.90 feet, to a point for  
 6-20 corner.  
 6-21 22. N 15°41'27" E, a distance of 371.00 feet, to a point for  
 6-22 corner.  
 6-23 23. N 26°34'27" E, a distance of 175.90 feet, to a point for  
 6-24 corner.  
 6-25 24. S 55°49'27" W, a distance of 138.00 feet, to a point for  
 6-26 corner.  
 6-27 25. N 48°43'33" W, a distance of 157.00 feet, to a point for  
 6-28 corner.  
 6-29 26. N 26°31'33" W, a distance of 205.70 feet, to a point for  
 6-30 corner.  
 6-31 27. N 00°47'33" W, a distance of 146.00 feet, to a point for  
 6-32 corner.  
 6-33 28. N 16°58'27" E, a distance of 301.40 feet, to a point for  
 6-34 corner.  
 6-35 29. N 74°45'27" E, a distance of 154.60 feet, to a point for  
 6-36 corner.  
 6-37 30. S 46°34'33" E, a distance of 316.90 feet, to a point for  
 6-38 corner.  
 6-39 31. N 42°59'27" E, a distance of 70.70 feet, to a point for  
 6-40 corner.  
 6-41 32. N 18°37'33" W, a distance of 597.20 feet, to a point for  
 6-42 corner.  
 6-43 33. N 67°58'33" W, a distance of 229.90 feet, to a point for  
 6-44 corner.  
 6-45 34. N 53°33'33" W, a distance of 55.60 feet, to a point for  
 6-46 corner.  
 6-47 35. N 88°31'33" W, a distance of 211.70 feet, to a point for  
 6-48 corner.  
 6-49 36. N 25°10'33" W, a distance of 62.70 feet, to a point for  
 6-50 corner.  
 6-51 37. N 16°52'27" E, a distance of 122.60 feet, to a point for  
 6-52 corner.  
 6-53 38. N 43°14'27" E, a distance of 204.40 feet, to a point for  
 6-54 corner.  
 6-55 39. N 25°19'33" W, a distance of 132.70 feet, to a point for  
 6-56 corner.  
 6-57 40. S 74°24'27" W, a distance of 330.40 feet, to a point for  
 6-58 corner.  
 6-59 41. N 34°20'33" W, a distance of 339.70 feet, to a point for  
 6-60 corner.  
 6-61 42. N 08°45'33" W, a distance of 343.50 feet, to a point for  
 6-62 corner.  
 6-63 43. N 33°07'27" E, a distance of 274.30 feet, to a point for  
 6-64 corner.  
 6-65 44. N 19°28'33" W, a distance of 232.30 feet, to a point for  
 6-66 corner.  
 6-67 45. N 87°38'20" E, a distance of 1,203.17 feet, to a point for  
 6-68 corner.  
 6-69 46. N 28°58'47" E, a distance of 115.50 feet, to a point for

7-1 corner.  
 7-2 47. N 00°44'47" E, a distance of 300.00 feet, to a point for  
 7-3 corner.  
 7-4 48. N 10°23'13" W, a distance of 247.00 feet, to a point for  
 7-5 corner.  
 7-6 49. N 14°00'47" E, a distance of 160.00 feet, to a point for  
 7-7 corner.  
 7-8 50. N 15°57'47" E, a distance of 127.00 feet, to a point for  
 7-9 corner.  
 7-10 51. N 34°16'47" E, a distance of 185.40 feet, to a point for  
 7-11 corner.  
 7-12 52. N 15°14'47" E, a distance of 178.00 feet, to a point for  
 7-13 corner.  
 7-14 53. N 33°37'47" E, a distance of 214.00 feet, to a point for  
 7-15 corner.  
 7-16 54. N 55°22'47" E, a distance of 213.70 feet, to a point for  
 7-17 corner.  
 7-18 55. N 26°31'47" E, a distance of 152.00 feet, to a point for  
 7-19 corner.  
 7-20 56. N 07°12'13" W, a distance of 85.00 feet, to a point for  
 7-21 corner.  
 7-22 57. N 17°22'47" E, a distance of 285.40 feet, to a point for  
 7-23 corner.  
 7-24 58. N 31°32'47" E, a distance of 145.00 feet, to a point for  
 7-25 corner.  
 7-26 59. N 00°01'47" E, a distance of 452.80 feet, to a point for  
 7-27 corner.  
 7-28 60. N 41°38'13" W, a distance of 335.40 feet, to a point for  
 7-29 corner.  
 7-30 61. N 23°34'47" E, a distance of 240.20 feet, to a point for  
 7-31 corner.  
 7-32 62. S 86°57'13" E, a distance of 293.00 feet, to a point for  
 7-33 corner.  
 7-34 63. N 14°02'47" E, a distance of 60.80 feet, to a point for  
 7-35 corner.  
 7-36 64. N 04°16'13" W, a distance of 141.60 feet, to a point for  
 7-37 corner.  
 7-38 65. N 42°16'13" W, a distance of 276.90 feet, to a point for  
 7-39 corner.  
 7-40 66. N 53°00'13" W, a distance of 360.70 feet, to a point for  
 7-41 corner.  
 7-42 67. N 09°21'13" W, a distance of 151.20 feet, to a point for  
 7-43 corner.  
 7-44 68. S 62°05'13" E, a distance of 125.00 feet, to a point for  
 7-45 corner.  
 7-46 69. N 43°23'47" E, a distance of 420.00 feet, to a point for  
 7-47 corner.  
 7-48 70. N 18°02'13" W, a distance of 301.90 feet, to a point for  
 7-49 corner.  
 7-50 71. N 49°00'47" E, a distance of 501.30 feet, to a point for  
 7-51 corner.  
 7-52 72. N 29°48'47" E, a distance of 341.90 feet, to a point for  
 7-53 corner.  
 7-54 73. N 36°51'47" E, a distance of 106.72 feet, to a point for  
 7-55 the Northwest corner of said McGrady tract of land and the Southwest  
 7-56 corner of a called 50.000 acre tract of land as conveyed to Earnest  
 7-57 Paul Stroade and wife Katie Jo Stroade and Paula Sue Stroade and  
 7-58 recorded under M.C.C.F. No. 2013078842 of the O.P.R.O.R.P.  
 7-59 THENCE N 88°33'15" E, with the North line of said McGrady  
 7-60 tract of land and the South line of said 50.000 acre tract of land, a  
 7-61 distance of 3,380.63 feet, to a point for the Northeast corner of  
 7-62 said McGrady tract of land, the Southeast corner of said 50.000 acre  
 7-63 tract of land and being in the Western right-of-way line of said  
 7-64 Spring Branch Road.  
 7-65 THENCE S 03°39'13" E, with the East line of said McGrady tract  
 7-66 of land and the Western right-of-way line of said Spring Branch  
 7-67 Road, a distance of 4,892.19 feet, to the PLACE OF BEGINNING;  
 7-68 containing within said boundaries a calculated area of 819.0 of an  
 7-69 acre of land.

8-1 SECTION 3. (a) The legal notice of the intention to  
8-2 introduce this Act, setting forth the general substance of this  
8-3 Act, has been published as provided by law, and the notice and a  
8-4 copy of this Act have been furnished to all persons, agencies,  
8-5 officials, or entities to which they are required to be furnished  
8-6 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
8-7 Government Code.

8-8 (b) The governor, one of the required recipients, has  
8-9 submitted the notice and Act to the Texas Commission on  
8-10 Environmental Quality.

8-11 (c) The Texas Commission on Environmental Quality has filed  
8-12 its recommendations relating to this Act with the governor, the  
8-13 lieutenant governor, and the speaker of the house of  
8-14 representatives within the required time.

8-15 (d) All requirements of the constitution and laws of this  
8-16 state and the rules and procedures of the legislature with respect  
8-17 to the notice, introduction, and passage of this Act are fulfilled  
8-18 and accomplished.

8-19 SECTION 4. (a) If this Act does not receive a two-thirds  
8-20 vote of all the members elected to each house, Subchapter C, Chapter  
8-21 7955A, Special District Local Laws Code, as added by Section 1 of  
8-22 this Act, is amended by adding Section 7955A.0307 to read as  
8-23 follows:

8-24 Sec. 7955A.0307. NO EMINENT DOMAIN POWER. The district may  
8-25 not exercise the power of eminent domain.

8-26 (b) This section is not intended to be an expression of a  
8-27 legislative interpretation of the requirements of Section 17(c),  
8-28 Article I, Texas Constitution.

8-29 SECTION 5. This Act takes effect immediately if it receives  
8-30 a vote of two-thirds of all the members elected to each house, as  
8-31 provided by Section 39, Article III, Texas Constitution. If this  
8-32 Act does not receive the vote necessary for immediate effect, this  
8-33 Act takes effect September 1, 2023.

8-34 \* \* \* \* \*