

1 AN ACT

2 relating to the creation of the North Grayson County Municipal
3 Utility District No. 1; granting a limited power of eminent domain;
4 providing authority to issue bonds; providing authority to impose
5 assessments, fees, and taxes.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws
8 Code, is amended by adding Chapter 8006 to read as follows:

9 CHAPTER 8006. NORTH GRAYSON COUNTY MUNICIPAL UTILITY DISTRICT

10 NO. 1

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 8006.0101. DEFINITIONS. In this chapter:

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

14 (2) "Commission" means the Texas Commission on
15 Environmental Quality.

16 (3) "Director" means a board member.

17 (4) "District" means the North Grayson County
18 Municipal Utility District No. 1.

19 Sec. 8006.0102. NATURE OF DISTRICT. The district is a
20 municipal utility district created under Section 59, Article XVI,
21 Texas Constitution.

22 Sec. 8006.0103. CONFIRMATION AND DIRECTOR ELECTION
23 REQUIRED. The temporary directors shall hold an election to
24 confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 8006.0104. CONSENT OF MUNICIPALITY REQUIRED. The
3 temporary directors may not hold an election under Section
4 8006.0103 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 as required by
8 applicable law.

9 Sec. 8006.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

18 Sec. 8006.0106. 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. 8006.0201. GOVERNING BODY; TERMS. (a) The district is
6 governed by a board of five elected directors.

7 (b) Except as provided by Section 8006.0202, directors
8 serve staggered four-year terms.

9 Sec. 8006.0202. TEMPORARY DIRECTORS. (a) On or after
10 September 1, 2023, the owner or owners of a majority of the assessed
11 value of the real property in the district may submit a petition to
12 the commission requesting that the commission appoint as temporary
13 directors the five persons named in the petition. The commission
14 shall appoint as temporary directors the five persons named in the
15 petition.

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

17 (1) the date permanent directors are elected under
18 Section 8006.0103; or

19 (2) September 1, 2027.

20 (c) If permanent directors have not been elected under
21 Section 8006.0103 and the terms of the temporary directors have
22 expired, successor temporary directors shall be appointed or
23 reappointed as provided by Subsection (d) to serve terms that
24 expire on the earlier of:

25 (1) the date permanent directors are elected under
26 Section 8006.0103; or

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

1 appointment or reappointment.

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

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 8006.0301. GENERAL POWERS AND DUTIES. The district
11 has the powers and duties necessary to accomplish the purposes for
12 which the district is created.

13 Sec. 8006.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
14 DUTIES. The district has the powers and duties provided by the
15 general law of this state, including Chapters 49 and 54, Water Code,
16 applicable to municipal utility districts created under Section 59,
17 Article XVI, Texas Constitution.

18 Sec. 8006.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
19 52, Article III, Texas Constitution, the district may design,
20 acquire, construct, finance, issue bonds for, improve, operate,
21 maintain, and convey to this state, a county, or a municipality for
22 operation and maintenance macadamized, graveled, or paved roads, or
23 improvements, including storm drainage, in aid of those roads.

24 Sec. 8006.0304. 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. 8006.0305. DIVISION OF DISTRICT. (a) The board, on
11 its own motion or on receipt of a petition signed by the owner or
12 owners of a majority of the assessed value of the real property in
13 the district, may adopt an order dividing the district.

14 (b) An order dividing a district may create one or more new
15 districts and may provide for the continuation of the district.

16 (c) An order dividing the district shall:

17 (1) name any new district;

18 (2) include the metes and bounds description of the
19 territory of each of the districts;

20 (3) appoint temporary directors for any new district;

21 and

22 (4) provide for the division of assets and liabilities
23 between the districts.

24 (d) The board may adopt an order dividing the district
25 before or after the date the board holds an election to confirm the
26 district's creation.

27 (e) The district may be divided only if the district:

1 (1) has no outstanding bonded debt; and

2 (2) is not imposing ad valorem taxes.

3 (f) A new district created by the division of the district
4 may not, at the time the new district is created, contain any land
5 outside the area described by Section 2 of the Act enacting this
6 chapter.

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

11 (h) This chapter applies to any new district created by the
12 division of the district, and a new district has all the powers and
13 duties of the district.

14 (i) A new district created by the division of the district
15 shall hold a confirmation and directors' election.

16 (j) If the creation of the new district is confirmed, the
17 new district shall provide the election date and results to the
18 commission.

19 (k) A new district created by the division of the district
20 must hold an election as required by this chapter to obtain voter
21 approval before the district may impose a maintenance tax or issue
22 bonds payable wholly or partly from ad valorem taxes.

23 (l) The district may continue to rely on confirmation,
24 directors', bond, or tax elections held prior to the division.

25 (m) Municipal consent to the creation of the district and to
26 the inclusion of land in the district acts as municipal consent to
27 the creation of any new district created by the division of the

1 district and to the inclusion of land in the new district.

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3 Sec. 8006.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)

4 The district may issue, without an election, bonds and other
5 obligations secured by:

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

7 (2) contract payments described by Section 8006.0403.

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

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

16 Sec. 8006.0402. OPERATION AND MAINTENANCE TAX. (a) If
17 authorized at an election held under Section 8006.0401, the
18 district may impose an operation and maintenance tax on taxable
19 property in the district in accordance with Section 49.107, Water
20 Code.

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

23 Sec. 8006.0403. CONTRACT TAXES. (a) In accordance with
24 Section 49.108, Water Code, the district may impose a tax other than
25 an operation and maintenance tax and use the revenue derived from
26 the tax to make payments under a contract after the provisions of
27 the contract have been approved by a majority of the district voters

1 voting at an election held for that purpose.

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

5 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

6 Sec. 8006.0501. AUTHORITY TO ISSUE BONDS AND OTHER
7 OBLIGATIONS. The district may issue bonds or other obligations
8 payable wholly or partly from ad valorem taxes, impact fees,
9 revenue, contract payments, grants, or other district money, or any
10 combination of those sources, to pay for any authorized district
11 purpose.

12 Sec. 8006.0502. TAXES FOR BONDS. At the time the district
13 issues bonds payable wholly or partly from ad valorem taxes, the
14 board shall provide for the annual imposition of a continuing
15 direct ad valorem tax, without limit as to rate or amount, while all
16 or part of the bonds are outstanding as required and in the manner
17 provided by Sections 54.601 and 54.602, Water Code.

18 Sec. 8006.0503. BONDS FOR ROAD PROJECTS. At the time of
19 issuance, the total principal amount of bonds or other obligations
20 issued or incurred to finance road projects and payable from ad
21 valorem taxes may not exceed one-fourth of the assessed value of the
22 real property in the district.

23 SECTION 2. The North Grayson County Municipal Utility
24 District No. 1 initially includes all the territory contained in
25 the following area:

26 TRACT 1:

27 BEING a tract of land located in the Otis Clapp Jr. Survey, Abstract

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1 No. 269, the John Reeves Survey, Abstract No. 1021, the Manuel
2 Manchaca Survey, Abstract No. 783, and the D. S. Southmayd Survey,
3 Abstract No. 1077, Grayson County, Texas, part of a called 160 acre
4 Parcel One Fourth Tract and all of a called 100 acre Parcel Four
5 described in the deed to Pickens Resource Corp. recorded in Volume
6 2195, Page 70 of the Official Records of Grayson County, Texas
7 (O.R.G.C.T.), and being more particularly described by metes and
8 bounds as follows:

9 BEGINNING at a point for the southeast corner of a called 25.00 acre
10 tract described in the Contract of Sale between the Veterans Land
11 Board of Texas and Bobby Darrell Reed recorded in Volume 1549, Page
12 668 O.R.G.C.T., same being on the northerly right-of-way line of
13 State Highway 56;

14 THENCE North $01^{\circ}26'36''$ East, departing the northerly right-of-way
15 line of State Highway 56, along the west line of said 100 acre
16 Parcel Four, the east line of said 25.00 acre tract and the east
17 line of a called 30.00 acre tract described in the deed to David
18 Vogel and wife, Linda Vogel, recorded in Volume 2538, Page 171
19 O.R.G.C.T., a distance of 2,387.18 feet to the northwest corner of
20 said 100 acre Parcel Four, same being in the southwest line of a
21 called 46.94 acre Tract One described in the deed to Allejen Ranch,
22 LLC, recorded in Document No. 2020-11770 O.R.G.C.T., for the
23 northeast corner of said 30.00 acre tract;

24 THENCE South $76^{\circ}32'32''$ East, along the southwest line of said 46.94
25 acre tract and the northeast line of said Parcel Four, a distance of
26 1,918.80 feet to a point for the southwest corner of a called 150
27 acre tract described in the deed to TX56 Sherman Venture LLC,

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1 recorded in Document No. 2022-11995 O.R.G.C.T., the southeast
2 corner of said 46.94 acre tract, the northwest corner of said Parcel
3 One Fourth Tract and the northeast corner of said Parcel Four;
4 THENCE South 63°11'32" East, along the southwest line of said 150
5 acre tract and the northeast line of said Parcel One Fourth Tract, a
6 distance of 1,632.15 feet to a point for corner;
7 THENCE South 00°48'35" West, the southwest line of said 150 acre
8 tract and the northeast line of said Parcel One Fourth Tract,
9 crossing said Parcel One Fourth Tract, a distance of 1,879.82 feet
10 to a point for corner on the southerly line of said Parcel One
11 Fourth Tract, same being on the northerly right-of-way line of said
12 State Highway 56;
13 THENCE North 78°36'53" West, along the northerly right-of-way line
14 of State Highway 56, a distance of 3,423.78 feet to the POINT OF
15 BEGINNING and containing 172.76 acres (7,525,326 square feet) of
16 land, more or less.

17 TRACT 2:

18 BEING a tract of land located in the D. S. Southmayd Survey,
19 Abstract No. 1077, and the C. H. Harwood Survey, Abstract No. 492,
20 Grayson County, Texas, part of a called 297 acre Parcel One First
21 Tract, all of a called 205.70 acre Parcel One Second Tract, part of
22 a called 159.8 acre Parcel One Third Tract, part of a called 160
23 acre Parcel One Fourth Tract, all of a called 100.17 acre Parcel One
24 Fifth Tract, all of a called 130 acre Parcel One Sixth Tract, part
25 of a called 151.9 acre Parcel Three First Tract, part of a called
26 150.27 acre Parcel Three Second Tract, and all of a called 155.494
27 acre Parcel Five, described in the deed to Pickens Resource Corp.

1 recorded in Volume 2195, Page 70 of the Official Records of Grayson
2 County, Texas (O.R.G.C.T.), and being more particularly described
3 by metes and bounds as follows:

4 BEGINNING at a point in the southerly right-of-way line of State
5 Highway 56 and the northeast corner of a called 106.4295 acre tract
6 described in the deed to DeLay Investments, LLC, recorded in Volume
7 4223, Page 621 O.R.G.C.T., same being on the west line of said
8 Parcel One Fourth Tract;

9 THENCE South 78°36'53" East, along the southerly right-of-way line
10 of State Highway 56, a distance of 1,511.09 feet to a point for
11 corner;

12 THENCE South 00°48'35" West, departing the southerly right-of-way
13 line of State Highway 56, crossing said Parcel One Fourth Tract, a
14 distance of 1,199.57 feet to a point for corner on the south line of
15 said Parcel One Fourth Tract and the northerly line of said Parcel
16 One Third Tract;

17 THENCE South 29°35'08" East, crossing said Parcel One Third Tract, a
18 distance of 730.50 feet to a point for corner;

19 THENCE South 24°42'52" East, continuing across said Parcel One Third
20 Tract, passing the south line of said Parcel One Third Tract and the
21 north line of said Parcel One First Tract, continuing across said
22 Parcel One First Tract, a distance of 2,621.47 feet to a point for
23 corner;

24 THENCE South 88°40'26" East, continuing across said Parcel One First
25 Tract, a distance of 400.00 feet to a point for corner on the east
26 line of said Parcel One First Tract and the west line of a called
27 206.189 acre tract described in the deed to Lawrence Wayne

1 Schroeder, Trustee, recorded in Volume 5329, Page 801 O.R.G.C.T.;

2 THENCE South 01°19'34" West, along the east line of said Parcel One

3 First Tract and the west line of said 206.189 acre tract, a distance

4 of 300.00 feet to a point for the southwest corner of said 206.189

5 acre tract and an interior corner of said Parcel One First Tract

6 THENCE South 88°56'34" East, along the south line of said 206.189

7 acre tract and the southerly north line of said Parcel One First

8 Tract, a distance of 390.29 feet to a point for the northwest corner

9 of a called 101.219 acre tract described in the deed to Michael D.

10 Allen, Trustee, and Richard Mercer Abernathy, Trustee, recorded in

11 Volume 4936, Page 863 O.R.G.C.T., and the southerly northeast

12 corner of said Parcel One First Tract;

13 THENCE South 01°33'14" West, departing the south line of said

14 206.189 acre tract, along the southerly east line of said Parcel One

15 First Tract, the west line of said 101.219 acre tract and the west

16 line of a called 102 acre Tract Two described in the deed to Michael

17 D. Allen, Trustee, and Marcy Allen Brown, Trustee, recorded in

18 Volume 4882, Page 516 O.R.G.C.T., a distance of 2,651.15 feet to a

19 point in the north line of said Parcel One Second Tract, for the

20 southwest corner of said 102 acre tract and the southeast corner of

21 said Parcel One First Tract;

22 THENCE South 88°32'38" East, along the south line of said 102 acre

23 tract, the north line of said Parcel One Second Tract and the north

24 line of said Parcel One Fifth Tract, a distance of 3,328.02 feet to

25 a point within the margins of Collin Road, in the west line of a

26 called 372.75 acre Parcel Two, described in the said deed to Pickens

27 Resource Corp. recorded in Volume 2195, Page 70 O.R.G.C.T., for the

1 southeast corner of said 102 acre tract and the northeast corner of
2 said Parcel One Fifth Tract;
3 THENCE South 01°15'46" West, along the east line of said Parcel One
4 Fifth Tract and the west line of said 372.75 acre Parcel Two, a
5 distance of 1,841.31 feet to a point for corner in the margins of
6 Swindle Road for the southwest corner of said 372.75 acre Parcel Two
7 and the easterly, southeast corner of said Parcel One Fifth Tract,
8 same also being on the north line of called 195,778 acre tract
9 described in the deed to KRE3 LLC recorded in Document
10 No. 2021-33451 O.R.G.C.T.;

11 THENCE North 89°05'42" West, within the margins of Swindle Road and
12 Collins Road, along the north line of said 195.778 acre tract and
13 the easterly south line of said Parcel One Fifth Tract, a distance
14 of 630.20 feet to the northwest corner of said 195.778 acre tract
15 and an interior corner of said Parcel One Fifth Tract;

16 THENCE South 00°47'11" East, continuing within the margins of
17 Collins Road, along the west line of said 195.778 acre tract, the
18 west line of a called 194.19 acre tract described in the deed to
19 Alvin J. Schroeder and Helen Lorene Schroeder, Trustees, recorded
20 in Volume 5178, Page 46 O.R.G.C.T., the southerly east line of said
21 Parcel One Fifth Tract, the east line of said Parcel Three Second
22 Tract, the east line of said Parcel Three First Tract and the east
23 line of said Parcel Five, a distance of 6,041.54 feet to a point at
24 the intersection Davis Road and Collins Road, for the northwest
25 corner of a called 5.46 acre tract described in the deed to Audie C.
26 Hall and wife, Janis Dee Hall, recorded in Volume 2727, Page 501
27 O.R.G.C.T., the northeast corner of a called 3.000 acre tract

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1 described in the deed to GF3 Partnership, LLC, recorded in Document
2 No. 2019-17471 O.R.G.C.T., the southwest corner of said 194.19 acre
3 tract, and the southeast corner of said Parcel Five;
4 THENCE North 88°45'13" West, within the margins of Davis Road, along
5 the south line of said Parcel Five, the north line of said 3.000
6 acre tract, the north line of a called 98.652 acre tract described
7 in the deed to GF3 Partnership, LLC, recorded in Document
8 No. 2019-17476 O.R.G.C.T., the north line of a called 9.992 acre
9 tract described in the deed to Cote Sutton and wife, Ashley Sutton,
10 recorded in Volume 5353, Page 685 O.R.G.C.T., the north line of a
11 called 24.112 acre tract described in the deed to Cote Sutton and
12 wife, Ashley Sutton, recorded in Volume 5353, Page 481 O.R.G.C.T.,
13 the north line of a called 2.000 acre Tract 1 described in the deed
14 to Value Property Group LLC recorded in Document No. 2022-6411
15 O.R.G.C.T., the north line of a called 16.008 acre tract described
16 in the deed to TLS Investments, L.P., recorded in Document
17 No. 2019-22263 O.R.G.C.T., the north line of a called 10.000 acre
18 tract described in the deed to Tony Ezell and wife, Brenda Ezell,
19 recorded in Volume 2831, Page 315 O.R.G.C.T., the north line of a
20 called 20.991 acre tract described in the deed to Nelva Dorothy
21 Brown recorded in Document No. 2018-4747 O.R.G.C.T., the north line
22 of a called 29.761 acre tract described in the deed to Michael D.
23 Oxford and wife, Hazel D. Oxford, recorded in Volume 2817, Page 651
24 O.R.G.C.T., and the northerly north line of a called 121.885 acre
25 Tract 1 described in the deed to Houillion Family Limited
26 Partnership recorded in Document No. 2018-9791 O.R.G.C.T., a
27 distance of 3,696.83 feet to a point for the southeast corner of a

1 called 150 acre tract described in the deed to Sammy W. Dolezalek
2 and wife, Donna Dolezalek, recorded in Voume 2958, Page 115
3 O.R.G.C.T., and the southwest corner of said Parcel Five;
4 THENCE North 00°00'02" West, departing the northerly north line of
5 said 121.885 acre tract, along the east line of said 150 acre
6 Dolezalek tract and the west line of said Parcel Five, a distance of
7 1,798.22 feet to a point for the southwest corner of a called
8 132.078 acre tract described in the deed to Pickens Financial
9 Group, LLC, recorded in Document No. 2021-23130 O.R.G.C.T. and the
10 northwest corner of said Parcel Five;
11 THENCE North 00°29'22" West, along the east line of said 150 acre
12 tract and the west line of said 132.078 acre tract, a distance of
13 324.53 feet to a point for the southeast corner of a called 97.812
14 acre tract described in the deed to SSMC Properties LLC recorded in
15 Document No. 2021-23790 O.R.G.C.T. and the northeast corner of said
16 150 acre tract;
17 THENCE North 00°07'27" East, along the east line of said 97.812 acre
18 tract and the west line of said 132.078 acre tract, a distance of
19 1,436.61 feet to a point for the southeast corner of a called 16.673
20 acre tract described in the deed to Adam Butler Irvin and Lindsey
21 Morgan Irvin recorded in Document No. 2021-5982 O.R.G.C.T. and the
22 northeast corner of said 97.812 acre tract;
23 THENCE North 00°03'38" West, along the east line of said 16.673 acre
24 tract, the east line of a called 41.680 acre tract described in the
25 deed to Adam Butler Irvin and Lindsey Morgan Irvin recorded in
26 Document No. 2021-6228 O.R.G.C.T., the east line of a called 25.00
27 acre tract described in the deed to Zlatan Dzebic recorded in Volume

1 5533, Page 317 O.R.G.C.T., the east line of said 24.967 acre North
2 Shook Road LLC tract and the west line of said 132.078 acre tract, a
3 distance of 1,810.64 feet to a point for corner;
4 THENCE South 89°26'34" West, continuing within the margins of Shook
5 Road, along the south line of said Parcel One Second Tract, the
6 south line of said Parcel One Sixth Tract, the north line of said
7 24.967 acre tract, the easterly north line of a called 9.894 acre
8 tract described in the deed to Larry D. Bolz recorded in Volume
9 2531, Page 161 O.R.G.C.T., and the north line of a called 2.99 acre
10 tract described in the deed to Jeffery Allen Johnson recorded in
11 Volume 5898, Page 105 O.R.G.C.T., a distance of 2,913.36 feet to a
12 point at the intersection of O'Hanlon Road and Shook Road, for the
13 northeast corner of a called 63.510 acre tract described in the deed
14 to Jose Gregorio Molina recorded in Volume 5178, Page 689
15 O.R.G.C.T., the southeast corner of a called 171.889 acre tract of
16 land described a deed to Plaza at Sherman Ranch 171 LLC, recorded in
17 Document No. 2022-18898 O.R.G.C.T., and being the southwest corner
18 of said Parcel One Sixth Tract;
19 THENCE North 01°19'05" East, within the margins of O'Hanlon Road,
20 along the east line of said 171.889 acre tract, the east line of a
21 called 50.000 acre tract described in the deed to Good Halsey Land
22 LLC recorded in Document No. 2020-33486 O.R.G.C.T., the east line
23 of a called 50.610 acre tract described in the deed to Phewa
24 Investment Group LLC recorded in Document No. 2020-26676
25 O.R.G.C.T., the east line of a called 21.013 acre tract described in
26 the deed to Mary C. Davies recorded in Volume 2670, Page 617
27 O.R.G.C.T., the west line of said Parcel One Sixth Tract and the

1 northerly west line of said Parcel One First Tract, a distance of
2 6,490.90 feet to a point for the southeast corner of a called 24.720
3 acre tract described in the deed to Kenneth Nunn and Angela Howard
4 recorded in Volume 3258, Page 566 O.R.G.C.T, the northeast corner
5 of said 21.013 acre tract, the southwest corner of said Parcel One
6 Third Tract and the northwest corner of said Parcel One First Tract;
7 THENCE North 01°27'37" East, continuing within the margins of
8 O'Hanlon Road, along the east line of said 24.720 acre tract, the
9 east line of a called 30.0 acre tract described in the deed to Lanny
10 C. Jaresh and wife, Cleta J. Jaresh, recorded in Volume 1281, Page
11 381 O.R.G.C.T., the east line of a called 1.000 acre tract described
12 in the deed to Donald and Judy Wooten recorded in Volume 5406, Page
13 670 O.R.G.C.T., the east line of a called 12.000 acre tract
14 described in the deed to George Adrian. O'Hanlon recorded in
15 Document No. 2022-9967 O.R.G.C.T., the east line of a called 19.088
16 acre tract described in the deed to Anthony O'Hanlon, Independent
17 Executor for the Estate of Betty J. O'Hanlon, recorded in Document
18 No. 2022-29020 O.R.G.C.T., the east line of a called 106.4295 acre
19 tract described in the deed to DeLay Investments, LLC, recorded in
20 Volume 4223, Page 621 O.R.G.C.T., the west line of said Parcel One
21 Third Tract and the west line of said Parcel One Fourth Tract, a
22 distance of 3,527.27 feet to the POINT OF BEGINNING and containing
23 1,317.33 acres (57,382,840 square feet) of land, more or less.

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

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

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

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

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

15 SECTION 4. (a) If this Act does not receive a two-thirds
16 vote of all the members elected to each house, Subchapter C, Chapter
17 8006, Special District Local Laws Code, as added by Section 1 of
18 this Act, is amended by adding Section 8006.0306 to read as follows:

19 Sec. 8006.0306. NO EMINENT DOMAIN POWER. The district may
20 not exercise the power of eminent domain.

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

24 SECTION 5. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 5340 was passed by the House on May 12, 2023, by the following vote: Yeas 102, Nays 38, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 5340 was passed by the Senate on May 24, 2023, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

APPROVED: _____

Date

Governor