

1-1 By: Smith (Senate Sponsor - Springer) H.B. No. 5340  
 1-2 (In the Senate - Received from the House May 15, 2023;  
 1-3 May 15, 2023, read first time and referred to Committee on Local  
 1-4 Government; May 22, 2023, reported favorably by the following  
 1-5 vote: Yeas 8, Nays 0; May 22, 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 North Grayson County Municipal  
 1-20 Utility District No. 1; 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 8006 to read as follows:

1-26 CHAPTER 8006. NORTH GRAYSON COUNTY MUNICIPAL UTILITY DISTRICT  
 1-27 NO. 1

1-28 SUBCHAPTER A. GENERAL PROVISIONS

1-29 Sec. 8006.0101. 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 North Grayson County  
 1-35 Municipal Utility District No. 1.

1-36 Sec. 8006.0102. 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. 8006.0103. 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. 8006.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
 1-44 temporary directors may not hold an election under Section  
 1-45 8006.0103 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. 8006.0105. 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. 8006.0106. 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. 8006.0201. GOVERNING BODY; TERMS. (a) The district is  
 2-13 governed by a board of five elected directors.

2-14           (b) Except as provided by Section 8006.0202, directors  
 2-15 serve staggered four-year terms.

2-16           Sec. 8006.0202. TEMPORARY DIRECTORS. (a) On or after  
 2-17 September 1, 2023, the owner or owners of a majority of the assessed  
 2-18 value of the real property in the district may submit a petition to  
 2-19 the commission requesting that the commission appoint as temporary  
 2-20 directors the five persons named in the petition. The commission  
 2-21 shall appoint as temporary directors the five persons named in the  
 2-22 petition.

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

- 2-24                     (1) the date permanent directors are elected under  
 2-25 Section 8006.0103; or
- 2-26                     (2) September 1, 2027.

2-27           (c) If permanent directors have not been elected under  
 2-28 Section 8006.0103 and the terms of the temporary directors have  
 2-29 expired, successor temporary directors shall be appointed or  
 2-30 reappointed as provided by Subsection (d) to serve terms that  
 2-31 expire on the earlier of:

- 2-32                     (1) the date permanent directors are elected under  
 2-33 Section 8006.0103; or
- 2-34                     (2) the fourth anniversary of the date of the  
 2-35 appointment or reappointment.

2-36           (d) If Subsection (c) applies, the owner or owners of a  
 2-37 majority of the assessed value of the real property in the district  
 2-38 may submit a petition to the commission requesting that the  
 2-39 commission appoint as successor temporary directors the five  
 2-40 persons named in the petition. The commission shall appoint as  
 2-41 successor temporary directors the five persons named in the  
 2-42 petition.

2-43                    SUBCHAPTER C. POWERS AND DUTIES

2-44           Sec. 8006.0301. GENERAL POWERS AND DUTIES. The district  
 2-45 has the powers and duties necessary to accomplish the purposes for  
 2-46 which the district is created.

2-47           Sec. 8006.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-48 DUTIES. The district has the powers and duties provided by the  
 2-49 general law of this state, including Chapters 49 and 54, Water Code,  
 2-50 applicable to municipal utility districts created under Section 59,  
 2-51 Article XVI, Texas Constitution.

2-52           Sec. 8006.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
 2-53 52, Article III, Texas Constitution, the district may design,  
 2-54 acquire, construct, finance, issue bonds for, improve, operate,  
 2-55 maintain, and convey to this state, a county, or a municipality for  
 2-56 operation and maintenance macadamized, graveled, or paved roads, or  
 2-57 improvements, including storm drainage, in aid of those roads.

2-58           Sec. 8006.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 2-59 road project must meet all applicable construction standards,  
 2-60 zoning and subdivision requirements, and regulations of each  
 2-61 municipality in whose corporate limits or extraterritorial  
 2-62 jurisdiction the road project is located.

2-63           (b) If a road project is not located in the corporate limits  
 2-64 or extraterritorial jurisdiction of a municipality, the road  
 2-65 project must meet all applicable construction standards,  
 2-66 subdivision requirements, and regulations of each county in which  
 2-67 the road project is located.

2-68           (c) If the state will maintain and operate the road, the  
 2-69 Texas Transportation Commission must approve the plans and

3-1 specifications of the road project.

3-2 Sec. 8006.0305. DIVISION OF DISTRICT. (a) The board, on  
 3-3 its own motion or on receipt of a petition signed by the owner or  
 3-4 owners of a majority of the assessed value of the real property in  
 3-5 the district, may adopt an order dividing the district.

3-6 (b) An order dividing a district may create one or more new  
 3-7 districts and may provide for the continuation of the district.

3-8 (c) An order dividing the district shall:

3-9 (1) name any new district;

3-10 (2) include the metes and bounds description of the  
 3-11 territory of each of the districts;

3-12 (3) appoint temporary directors for any new district;  
 3-13 and

3-14 (4) provide for the division of assets and liabilities  
 3-15 between the districts.

3-16 (d) The board may adopt an order dividing the district  
 3-17 before or after the date the board holds an election to confirm the  
 3-18 district's creation.

3-19 (e) The district may be divided only if the district:

3-20 (1) has no outstanding bonded debt; and

3-21 (2) is not imposing ad valorem taxes.

3-22 (f) A new district created by the division of the district  
 3-23 may not, at the time the new district is created, contain any land  
 3-24 outside the area described by Section 2 of the Act enacting this  
 3-25 chapter.

3-26 (g) On or before the 30th day after the date of adoption of  
 3-27 an order dividing the district, the district shall file the order  
 3-28 with the commission and record the order in the real property  
 3-29 records of each county in which the district is located.

3-30 (h) This chapter applies to any new district created by the  
 3-31 division of the district, and a new district has all the powers and  
 3-32 duties of the district.

3-33 (i) A new district created by the division of the district  
 3-34 shall hold a confirmation and directors' election.

3-35 (j) If the creation of the new district is confirmed, the  
 3-36 new district shall provide the election date and results to the  
 3-37 commission.

3-38 (k) A new district created by the division of the district  
 3-39 must hold an election as required by this chapter to obtain voter  
 3-40 approval before the district may impose a maintenance tax or issue  
 3-41 bonds payable wholly or partly from ad valorem taxes.

3-42 (l) The district may continue to rely on confirmation,  
 3-43 directors', bond, or tax elections held prior to the division.

3-44 (m) Municipal consent to the creation of the district and to  
 3-45 the inclusion of land in the district acts as municipal consent to  
 3-46 the creation of any new district created by the division of the  
 3-47 district and to the inclusion of land in the new district.

#### 3-48 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-49 Sec. 8006.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
 3-50 The district may issue, without an election, bonds and other  
 3-51 obligations secured by:

3-52 (1) revenue other than ad valorem taxes; or

3-53 (2) contract payments described by Section 8006.0403.

3-54 (b) The district must hold an election in the manner  
 3-55 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
 3-56 before the district may impose an ad valorem tax or issue bonds  
 3-57 payable from ad valorem taxes.

3-58 (c) The district may not issue bonds payable from ad valorem  
 3-59 taxes to finance a road project unless the issuance is approved by a  
 3-60 vote of a two-thirds majority of the district voters voting at an  
 3-61 election held for that purpose.

3-62 Sec. 8006.0402. OPERATION AND MAINTENANCE TAX. (a) If  
 3-63 authorized at an election held under Section 8006.0401, the  
 3-64 district may impose an operation and maintenance tax on taxable  
 3-65 property in the district in accordance with Section 49.107, Water  
 3-66 Code.

3-67 (b) The board shall determine the tax rate. The rate may not  
 3-68 exceed the rate approved at the election.

3-69 Sec. 8006.0403. CONTRACT TAXES. (a) In accordance with

4-1 Section 49.108, Water Code, the district may impose a tax other than  
4-2 an operation and maintenance tax and use the revenue derived from  
4-3 the tax to make payments under a contract after the provisions of  
4-4 the contract have been approved by a majority of the district voters  
4-5 voting at an election held for that purpose.

4-6 (b) A contract approved by the district voters may contain a  
4-7 provision stating that the contract may be modified or amended by  
4-8 the board without further voter approval.

4-9 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-10 Sec. 8006.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
4-11 OBLIGATIONS. The district may issue bonds or other obligations  
4-12 payable wholly or partly from ad valorem taxes, impact fees,  
4-13 revenue, contract payments, grants, or other district money, or any  
4-14 combination of those sources, to pay for any authorized district  
4-15 purpose.

4-16 Sec. 8006.0502. TAXES FOR BONDS. At the time the district  
4-17 issues bonds payable wholly or partly from ad valorem taxes, the  
4-18 board shall provide for the annual imposition of a continuing  
4-19 direct ad valorem tax, without limit as to rate or amount, while all  
4-20 or part of the bonds are outstanding as required and in the manner  
4-21 provided by Sections 54.601 and 54.602, Water Code.

4-22 Sec. 8006.0503. BONDS FOR ROAD PROJECTS. At the time of  
4-23 issuance, the total principal amount of bonds or other obligations  
4-24 issued or incurred to finance road projects and payable from ad  
4-25 valorem taxes may not exceed one-fourth of the assessed value of the  
4-26 real property in the district.

4-27 SECTION 2. The North Grayson County Municipal Utility  
4-28 District No. 1 initially includes all the territory contained in  
4-29 the following area:

4-30 TRACT 1:

4-31 BEING a tract of land located in the Otis Clapp Jr. Survey, Abstract  
4-32 No. 269, the John Reeves Survey, Abstract No. 1021, the Manuel  
4-33 Manchaca Survey, Abstract No. 783, and the D. S. Southmayd Survey,  
4-34 Abstract No. 1077, Grayson County, Texas, part of a called 160 acre  
4-35 Parcel One Fourth Tract and all of a called 100 acre Parcel Four  
4-36 described in the deed to Pickens Resource Corp. recorded in Volume  
4-37 2195, Page 70 of the Official Records of Grayson County, Texas  
4-38 (O.R.G.C.T.), and being more particularly described by metes and  
4-39 bounds as follows:

4-40 BEGINNING at a point for the southeast corner of a called 25.00 acre  
4-41 tract described in the Contract of Sale between the Veterans Land  
4-42 Board of Texas and Bobby Darrell Reed recorded in Volume 1549, Page  
4-43 668 O.R.G.C.T., same being on the northerly right-of-way line of  
4-44 State Highway 56;

4-45 THENCE North 01°26'36" East, departing the northerly right-of-way  
4-46 line of State Highway 56, along the west line of said 100 acre  
4-47 Parcel Four, the east line of said 25.00 acre tract and the east  
4-48 line of a called 30.00 acre tract described in the deed to David  
4-49 Vogel and wife, Linda Vogel, recorded in Volume 2538, Page 171  
4-50 O.R.G.C.T., a distance of 2,387.18 feet to the northwest corner of  
4-51 said 100 acre Parcel Four, same being in the southwest line of a  
4-52 called 46.94 acre Tract One described in the deed to Allejen Ranch,  
4-53 LLC, recorded in Document No. 2020-11770 O.R.G.C.T., for the  
4-54 northeast corner of said 30.00 acre tract;

4-55 THENCE South 76°32'32" East, along the southwest line of said 46.94  
4-56 acre tract and the northeast line of said Parcel Four, a distance of  
4-57 1,918.80 feet to a point for the southwest corner of a called 150  
4-58 acre tract described in the deed to TX56 Sherman Venture LLC,  
4-59 recorded in Document No. 2022-11995 O.R.G.C.T., the southeast  
4-60 corner of said 46.94 acre tract, the northwest corner of said Parcel  
4-61 One Fourth Tract and the northeast corner of said Parcel Four;

4-62 THENCE South 63°11'32" East, along the southwest line of said 150  
4-63 acre tract and the northeast line of said Parcel One Fourth Tract, a  
4-64 distance of 1,632.15 feet to a point for corner;

4-65 THENCE South 00°48'35" West, the southwest line of said 150 acre  
4-66 tract and the northeast line of said Parcel One Fourth Tract,  
4-67 crossing said Parcel One Fourth Tract, a distance of 1,879.82 feet  
4-68 to a point for corner on the southerly line of said Parcel One  
4-69 Fourth Tract, same being on the northerly right-of-way line of said

5-1 State Highway 56;  
5-2 THENCE North 78°36'53" West, along the northerly right-of-way line  
5-3 of State Highway 56, a distance of 3,423.78 feet to the POINT OF  
5-4 BEGINNING and containing 172.76 acres (7,525,326 square feet) of  
5-5 land, more or less.  
5-6 TRACT 2:  
5-7 BEING a tract of land located in the D. S. Southmayd Survey,  
5-8 Abstract No. 1077, and the C. H. Harwood Survey, Abstract No. 492,  
5-9 Grayson County, Texas, part of a called 297 acre Parcel One First  
5-10 Tract, all of a called 205.70 acre Parcel One Second Tract, part of  
5-11 a called 159.8 acre Parcel One Third Tract, part of a called 160  
5-12 acre Parcel One Fourth Tract, all of a called 100.17 acre Parcel One  
5-13 Fifth Tract, all of a called 130 acre Parcel One Sixth Tract, part  
5-14 of a called 151.9 acre Parcel Three First Tract, part of a called  
5-15 150.27 acre Parcel Three Second Tract, and all of a called 155.494  
5-16 acre Parcel Five, described in the deed to Pickens Resource Corp.  
5-17 recorded in Volume 2195, Page 70 of the Official Records of Grayson  
5-18 County, Texas (O.R.G.C.T.), and being more particularly described  
5-19 by metes and bounds as follows:  
5-20 BEGINNING at a point in the southerly right-of-way line of State  
5-21 Highway 56 and the northeast corner of a called 106.4295 acre tract  
5-22 described in the deed to DeLay Investments, LLC, recorded in Volume  
5-23 4223, Page 621 O.R.G.C.T., same being on the west line of said  
5-24 Parcel One Fourth Tract;  
5-25 THENCE South 78°36'53" East, along the southerly right-of-way line  
5-26 of State Highway 56, a distance of 1,511.09 feet to a point for  
5-27 corner;  
5-28 THENCE South 00°48'35" West, departing the southerly right-of-way  
5-29 line of State Highway 56, crossing said Parcel One Fourth Tract, a  
5-30 distance of 1,199.57 feet to a point for corner on the south line of  
5-31 said Parcel One Fourth Tract and the northerly line of said Parcel  
5-32 One Third Tract;  
5-33 THENCE South 29°35'08" East, crossing said Parcel One Third Tract, a  
5-34 distance of 730.50 feet to a point for corner;  
5-35 THENCE South 24°42'52" East, continuing across said Parcel One Third  
5-36 Tract, passing the south line of said Parcel One Third Tract and the  
5-37 north line of said Parcel One First Tract, continuing across said  
5-38 Parcel One First Tract, a distance of 2,621.47 feet to a point for  
5-39 corner;  
5-40 THENCE South 88°40'26" East, continuing across said Parcel One First  
5-41 Tract, a distance of 400.00 feet to a point for corner on the east  
5-42 line of said Parcel One First Tract and the west line of a called  
5-43 206.189 acre tract described in the deed to Lawrence Wayne  
5-44 Schroeder, Trustee, recorded in Volume 5329, Page 801 O.R.G.C.T.;  
5-45 THENCE South 01°19'34" West, along the east line of said Parcel One  
5-46 First Tract and the west line of said 206.189 acre tract, a distance  
5-47 of 300.00 feet to a point for the southwest corner of said 206.189  
5-48 acre tract and an interior corner of said Parcel One First Tract  
5-49 THENCE South 88°56'34" East, along the south line of said 206.189  
5-50 acre tract and the southerly north line of said Parcel One First  
5-51 Tract, a distance of 390.29 feet to a point for the northwest corner  
5-52 of a called 101.219 acre tract described in the deed to Michael D.  
5-53 Allen, Trustee, and Richard Mercer Abernathy, Trustee, recorded in  
5-54 Volume 4936, Page 863 O.R.G.C.T., and the southerly northeast  
5-55 corner of said Parcel One First Tract;  
5-56 THENCE South 01°33'14" West, departing the south line of said  
5-57 206.189 acre tract, along the southerly east line of said Parcel One  
5-58 First Tract, the west line of said 101.219 acre tract and the west  
5-59 line of a called 102 acre Tract Two described in the deed to Michael  
5-60 D. Allen, Trustee, and Marcy Allen Brown, Trustee, recorded in  
5-61 Volume 4882, Page 516 O.R.G.C.T., a distance of 2,651.15 feet to a  
5-62 point in the north line of said Parcel One Second Tract, for the  
5-63 southwest corner of said 102 acre tract and the southeast corner of  
5-64 said Parcel One First Tract;  
5-65 THENCE South 88°32'38" East, along the south line of said 102 acre  
5-66 tract, the north line of said Parcel One Second Tract and the north  
5-67 line of said Parcel One Fifth Tract, a distance of 3,328.02 feet to  
5-68 a point within the margins of Collin Road, in the west line of a  
5-69 called 372.75 acre Parcel Two, described in the said deed to Pickens

6-1 Resource Corp. recorded in Volume 2195, Page 70 O.R.G.C.T., for the  
6-2 southeast corner of said 102 acre tract and the northeast corner of  
6-3 said Parcel One Fifth Tract;  
6-4 THENCE South 01°15'46" West, along the east line of said Parcel One  
6-5 Fifth Tract and the west line of said 372.75 acre Parcel Two, a  
6-6 distance of 1,841.31 feet to a point for corner in the margins of  
6-7 Swindle Road for the southwest corner of said 372.75 acre Parcel Two  
6-8 and the easterly, southeast corner of said Parcel One Fifth Tract,  
6-9 same also being on the north line of called 195,778 acre tract  
6-10 described in the deed to KRE3 LLC recorded in Document  
6-11 No. 2021-33451 O.R.G.C.T.;  
6-12 THENCE North 89°05'42" West, within the margins of Swindle Road and  
6-13 Collins Road, along the north line of said 195.778 acre tract and  
6-14 the easterly south line of said Parcel One Fifth Tract, a distance  
6-15 of 630.20 feet to the northwest corner of said 195.778 acre tract  
6-16 and an interior corner of said Parcel One Fifth Tract;  
6-17 THENCE South 00°47'11" East, continuing within the margins of  
6-18 Collins Road, along the west line of said 195.778 acre tract, the  
6-19 west line of a called 194.19 acre tract described in the deed to  
6-20 Alvin J. Schroeder and Helen Lorene Schroeder, Trustees, recorded  
6-21 in Volume 5178, Page 46 O.R.G.C.T., the southerly east line of said  
6-22 Parcel One Fifth Tract, the east line of said Parcel Three Second  
6-23 Tract, the east line of said Parcel Three First Tract and the east  
6-24 line of said Parcel Five, a distance of 6,041.54 feet to a point at  
6-25 the intersection Davis Road and Collins Road, for the northwest  
6-26 corner of a called 5.46 acre tract described in the deed to Audie C.  
6-27 Hall and wife, Janis Dee Hall, recorded in Volume 2727, Page 501  
6-28 O.R.G.C.T., the northeast corner of a called 3.000 acre tract  
6-29 described in the deed to GF3 Partnership, LLC, recorded in Document  
6-30 No. 2019-17471 O.R.G.C.T., the southwest corner of said 194.19 acre  
6-31 tract, and the southeast corner of said Parcel Five;  
6-32 THENCE North 88°45'13" West, within the margins of Davis Road, along  
6-33 the south line of said Parcel Five, the north line of said 3.000  
6-34 acre tract, the north line of a called 98.652 acre tract described  
6-35 in the deed to GF3 Partnership, LLC, recorded in Document  
6-36 No. 2019-17476 O.R.G.C.T., the north line of a called 9.992 acre  
6-37 tract described in the deed to Cote Sutton and wife, Ashley Sutton,  
6-38 recorded in Volume 5353, Page 685 O.R.G.C.T., the north line of a  
6-39 called 24.112 acre tract described in the deed to Cote Sutton and  
6-40 wife, Ashley Sutton, recorded in Volume 5353, Page 481 O.R.G.C.T.,  
6-41 the north line of a called 2.000 acre Tract 1 described in the deed  
6-42 to Value Property Group LLC recorded in Document No. 2022-6411  
6-43 O.R.G.C.T., the north line of a called 16.008 acre tract described  
6-44 in the deed to TLS Investments, L.P., recorded in Document  
6-45 No. 2019-22263 O.R.G.C.T., the north line of a called 10.000 acre  
6-46 tract described in the deed to Tony Ezell and wife, Brenda Ezell,  
6-47 recorded in Volume 2831, Page 315 O.R.G.C.T., the north line of a  
6-48 called 20.991 acre tract described in the deed to Nelva Dorothy  
6-49 Brown recorded in Document No. 2018-4747 O.R.G.C.T., the north line  
6-50 of a called 29.761 acre tract described in the deed to Michael D.  
6-51 Oxford and wife, Hazel D. Oxford, recorded in Volume 2817, Page 651  
6-52 O.R.G.C.T., and the northerly north line of a called 121.885 acre  
6-53 Tract 1 described in the deed to Houillion Family Limited  
6-54 Partnership recorded in Document No. 2018-9791 O.R.G.C.T., a  
6-55 distance of 3,696.83 feet to a point for the southeast corner of a  
6-56 called 150 acre tract described in the deed to Sammy W. Dolezalek  
6-57 and wife, Donna Dolezalek, recorded in Voume 2958, Page 115  
6-58 O.R.G.C.T., and the southwest corner of said Parcel Five;  
6-59 THENCE North 00°00'02" West, departing the northerly north line of  
6-60 said 121.885 acre tract, along the east line of said 150 acre  
6-61 Dolezalek tract and the west line of said Parcel Five, a distance of  
6-62 1,798.22 feet to a point for the southwest corner of a called  
6-63 132.078 acre tract described in the deed to Pickens Financial  
6-64 Group, LLC, recorded in Document No. 2021-23130 O.R.G.C.T. and the  
6-65 northwest corner of said Parcel Five;  
6-66 THENCE North 00°29'22" West, along the east line of said 150 acre  
6-67 tract and the west line of said 132.078 acre tract, a distance of  
6-68 324.53 feet to a point for the southeast corner of a called 97.812  
6-69 acre tract described in the deed to SSMC Properties LLC recorded in

7-1 Document No. 2021-23790 O.R.G.C.T. and the northeast corner of said  
7-2 150 acre tract;  
7-3 THENCE North 00°07'27" East, along the east line of said 97.812 acre  
7-4 tract and the west line of said 132.078 acre tract, a distance of  
7-5 1,436.61 feet to a point for the southeast corner of a called 16.673  
7-6 acre tract described in the deed to Adam Butler Irvin and Lindsey  
7-7 Morgan Irvin recorded in Document No. 2021-5982 O.R.G.C.T. and the  
7-8 northeast corner of said 97.812 acre tract;  
7-9 THENCE North 00°03'38" West, along the east line of said 16.673 acre  
7-10 tract, the east line of a called 41.680 acre tract described in the  
7-11 deed to Adam Butler Irvin and Lindsey Morgan Irvin recorded in  
7-12 Document No. 2021-6228 O.R.G.C.T., the east line of a called 25.00  
7-13 acre tract described in the deed to Zlatan Dzebic recorded in Volume  
7-14 5533, Page 317 O.R.G.C.T., the east line of said 24.967 acre North  
7-15 Shook Road LLC tract and the west line of said 132.078 acre tract, a  
7-16 distance of 1,810.64 feet to a point for corner;  
7-17 THENCE South 89°26'34" West, continuing within the margins of Shook  
7-18 Road, along the south line of said Parcel One Second Tract, the  
7-19 south line of said Parcel One Sixth Tract, the north line of said  
7-20 24.967 acre tract, the easterly north line of a called 9.894 acre  
7-21 tract described in the deed to Larry D. Bolz recorded in Volume  
7-22 2531, Page 161 O.R.G.C.T., and the north line of a called 2.99 acre  
7-23 tract described in the deed to Jeffery Allen Johnson recorded in  
7-24 Volume 5898, Page 105 O.R.G.C.T., a distance of 2,913.36 feet to a  
7-25 point at the intersection of O'Hanlon Road and Shook Road, for the  
7-26 northeast corner of a called 63.510 acre tract described in the deed  
7-27 to Jose Gregorio Molina recorded in Volume 5178, Page 689  
7-28 O.R.G.C.T., the southeast corner of a called 171.889 acre tract of  
7-29 land described a deed to Plaza at Sherman Ranch 171 LLC, recorded in  
7-30 Document No. 2022-18898 O.R.G.C.T., and being the southwest corner  
7-31 of said Parcel One Sixth Tract;  
7-32 THENCE North 01°19'05" East, within the margins of O'Hanlon Road,  
7-33 along the east line of said 171.889 acre tract, the east line of a  
7-34 called 50.000 acre tract described in the deed to Good Halsey Land  
7-35 LLC recorded in Document No. 2020-33486 O.R.G.C.T., the east line  
7-36 of a called 50.610 acre tract described in the deed to Phewa  
7-37 Investment Group LLC recorded in Document No. 2020-26676  
7-38 O.R.G.C.T., the east line of a called 21.013 acre tract described in  
7-39 the deed to Mary C. Davies recorded in Volume 2670, Page 617  
7-40 O.R.G.C.T., the west line of said Parcel One Sixth Tract and the  
7-41 northerly west line of said Parcel One First Tract, a distance of  
7-42 6,490.90 feet to a point for the southeast corner of a called 24.720  
7-43 acre tract described in the deed to Kenneth Nunn and Angela Howard  
7-44 recorded in Volume 3258, Page 566 O.R.G.C.T, the northeast corner  
7-45 of said 21.013 acre tract, the southwest corner of said Parcel One  
7-46 Third Tract and the northwest corner of said Parcel One First Tract;  
7-47 THENCE North 01°27'37" East, continuing within the margins of  
7-48 O'Hanlon Road, along the east line of said 24.720 acre tract, the  
7-49 east line of a called 30.0 acre tract described in the deed to Lanny  
7-50 C. Jaresh and wife, Cleta J. Jaresh, recorded in Volume 1281, Page  
7-51 381 O.R.G.C.T., the eastline of a called 1.000 acre tract described  
7-52 in the deed to Donald and Judy Wooten recorded in Volume 5406, Page  
7-53 670 O.R.G.C.T., the east line of a called 12.000 acre tract  
7-54 described in the deed to George Adrian. O'Hanlon recorded in  
7-55 Document No. 2022-9967 O.R.G.C.T., the east line of a called 19.088  
7-56 acre tract described in the deed to Anthony O'Hanlon, Independent  
7-57 Executor for the Estate of Betty J. O'Hanlon, recorded in Document  
7-58 No. 2022-29020 O.R.G.C.T., the east line of a called 106.4295 acre  
7-59 tract described in the deed to DeLay Investments, LLC, recorded in  
7-60 Volume 4223, Page 621 O.R.G.C.T., the west line of said Parcel One  
7-61 Third Tract and the west line of said Parcel One Fourth Tract, a  
7-62 distance of 3,527.27 feet to the POINT OF BEGINNING and containing  
7-63 1,317.33 acres (57,382,840 square feet) of land, more or less.  
7-64 SECTION 3. (a) The legal notice of the intention to  
7-65 introduce this Act, setting forth the general substance of this  
7-66 Act, has been published as provided by law, and the notice and a  
7-67 copy of this Act have been furnished to all persons, agencies,  
7-68 officials, or entities to which they are required to be furnished  
7-69 under Section 59, Article XVI, Texas Constitution, and Chapter 313,

8-1 Government Code.

8-2 (b) The governor, one of the required recipients, has  
8-3 submitted the notice and Act to the Texas Commission on  
8-4 Environmental Quality.

8-5 (c) The Texas Commission on Environmental Quality has filed  
8-6 its recommendations relating to this Act with the governor, the  
8-7 lieutenant governor, and the speaker of the house of  
8-8 representatives within the required time.

8-9 (d) All requirements of the constitution and laws of this  
8-10 state and the rules and procedures of the legislature with respect  
8-11 to the notice, introduction, and passage of this Act are fulfilled  
8-12 and accomplished.

8-13 SECTION 4. (a) If this Act does not receive a two-thirds  
8-14 vote of all the members elected to each house, Subchapter C, Chapter  
8-15 8006, Special District Local Laws Code, as added by Section 1 of  
8-16 this Act, is amended by adding Section 8006.0306 to read as follows:

8-17 Sec. 8006.0306. NO EMINENT DOMAIN POWER. The district may  
8-18 not exercise the power of eminent domain.

8-19 (b) This section is not intended to be an expression of a  
8-20 legislative interpretation of the requirements of Section 17(c),  
8-21 Article I, Texas Constitution.

8-22 SECTION 5. This Act takes effect September 1, 2023.

8-23

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