

AN ACT

relating to the eligibility of certain retired firefighters, police officers, and emergency medical services providers to purchase continued health benefits coverage; the creation of certain special purpose districts and the name, powers, and duties of the 3 B&J Municipal Utility District; 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. Section 175.001, Local Government Code, is amended to read as follows:

Sec. 175.001. APPLICABILITY. (a) In this section, "township" means a special district with territory that only includes a census designated place, as designated by the United States Bureau of the Census.

(b) This chapter applies to a person who:

(1) retires from:

(A) county employment in a county with a population of 75,000 or more;

(B) employment by an appraisal district in a county with a population of 75,000 or more;

(C) municipal employment in a municipality with a population of 25,000 or more; ~~or~~

(D) employment as a firefighter or emergency

1 medical services provider by an emergency services district located  
2 wholly or partly in a county with a population of 150,000 or more;  
3 or

4 (E) employment as a firefighter, police officer,  
5 or emergency medical services provider by a township with a  
6 population of 110,000 or more; and

7 (2) is entitled to receive retirement benefits from a  
8 county, appraisal district, or municipal retirement plan, ~~[or]~~  
9 emergency services district, or township.

10 SECTION 2. (a) Subtitle C, Title 4, Special District Local  
11 Laws Code, is amended by adding Chapter 4001 to read as follows:

12 CHAPTER 4001. DENTON COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 2

13 SUBCHAPTER A. GENERAL PROVISIONS

14 Sec. 4001.0101. DEFINITIONS. In this chapter:

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

16 (2) "County" means Denton County, Texas.

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

18 (4) "District" means the Denton County Municipal  
19 Management District No. 2.

20 Sec. 4001.0102. NATURE OF DISTRICT. The Denton County  
21 Municipal Management District No. 2 is a special district created  
22 under Section 59, Article XVI, Texas Constitution.

23 Sec. 4001.0103. PURPOSE; DECLARATION OF INTENT. (a) The  
24 creation of the district is essential to accomplish the purposes of  
25 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
26 Texas Constitution, and other public purposes stated in this  
27 chapter.

1       (b) By creating the district and in authorizing the county  
2 and other political subdivisions to contract with the district, the  
3 legislature has established a program to accomplish the public  
4 purposes set out in Section 52-a, Article III, Texas Constitution.

5       (c) The creation of the district is necessary to promote,  
6 develop, encourage, and maintain employment, commerce,  
7 transportation, housing, tourism, recreation, the arts,  
8 entertainment, economic development, safety, and the public  
9 welfare in the district.

10       (d) This chapter and the creation of the district may not be  
11 interpreted to relieve the county from providing the level of  
12 services provided as of the effective date of the Act enacting this  
13 chapter to the area in the district. The district is created to  
14 supplement and not to supplant county services provided in the  
15 district.

16       Sec. 4001.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

17       (a) All land and other property included in the district will  
18 benefit from the improvements and services to be provided by the  
19 district under powers conferred by Sections 52 and 52-a, Article  
20 III, and Section 59, Article XVI, Texas Constitution, and other  
21 powers granted under this chapter.

22       (b) The district is created to serve a public use and  
23 benefit.

24       (c) The creation of the district is in the public interest  
25 and is essential to further the public purposes of:

26               (1) developing and diversifying the economy of the  
27 state;

1           (2) eliminating unemployment and underemployment; and  
2           (3) developing or expanding transportation and  
3 commerce.

4           (d) The district will:

5           (1) promote the health, safety, and general welfare of  
6 residents, employers, potential employees, employees, visitors,  
7 and consumers in the district, and of the public;

8           (2) provide needed funding for the district to  
9 preserve, maintain, and enhance the economic health and vitality of  
10 the district territory as a community and business center;

11           (3) promote the health, safety, welfare, and enjoyment  
12 of the public by providing pedestrian ways and by landscaping and  
13 developing certain areas in the district, which are necessary for  
14 the restoration, preservation, and enhancement of scenic beauty;  
15 and

16           (4) provide for water, wastewater, drainage, road, and  
17 recreational facilities for the district.

18           (e) Pedestrian ways along or across a street, whether at  
19 grade or above or below the surface, and street lighting, street  
20 landscaping, parking, and street art objects are parts of and  
21 necessary components of a street and are considered to be a street  
22 or road improvement.

23           (f) The district will not act as the agent or  
24 instrumentality of any private interest even though the district  
25 will benefit many private interests as well as the public.

26           Sec. 4001.0105. INITIAL DISTRICT TERRITORY. (a) The  
27 district is initially composed of the territory described by

1 Section 2(b) of the Act enacting this chapter.

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

6 (1) organization, existence, or validity;

7 (2) right to issue any type of bonds for the purposes  
8 for which the district is created or to pay the principal of and  
9 interest on the bonds;

10 (3) right to impose or collect an assessment or tax; or

11 (4) legality or operation.

12 Sec. 4001.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

13 All or any part of the area of the district is eligible to be  
14 included in:

15 (1) a tax increment reinvestment zone created under  
16 Chapter 311, Tax Code; or

17 (2) a tax abatement reinvestment zone created under  
18 Chapter 312, Tax Code.

19 Sec. 4001.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT  
20 DISTRICTS LAW. Except as otherwise provided by this chapter,  
21 Chapter 375, Local Government Code, applies to the district.

22 Sec. 4001.0108. CONSTRUCTION OF CHAPTER. This chapter  
23 shall be liberally construed in conformity with the findings and  
24 purposes stated in this chapter.

25 SUBCHAPTER B. BOARD OF DIRECTORS

26 Sec. 4001.0201. GOVERNING BODY; TERMS. (a) The district is  
27 governed by a board of five elected directors who serve staggered

1 terms of four years.

2 (b) Directors are elected in the manner provided by  
3 Subchapter D, Chapter 49, Water Code.

4 Sec. 4001.0202. COMPENSATION; EXPENSES. (a) The district  
5 may compensate each director in an amount not to exceed \$150 for  
6 each board meeting. The total amount of compensation for each  
7 director in one year may not exceed \$7,200.

8 (b) A director is entitled to reimbursement for necessary  
9 and reasonable expenses incurred in carrying out the duties and  
10 responsibilities of the board.

11 Sec. 4001.0203. TEMPORARY DIRECTORS. (a) On or after the  
12 effective date of the Act enacting this chapter, the owner or owners  
13 of a majority of the assessed value of the real property in the  
14 district may submit a petition to the Texas Commission on  
15 Environmental Quality requesting that the commission appoint as  
16 temporary directors the five persons named in the petition. The  
17 commission shall appoint as temporary directors the five persons  
18 named in the petition.

19 (b) The temporary or successor temporary directors shall  
20 hold an election to elect five permanent directors as provided by  
21 Section 49.102, Water Code.

22 (c) Temporary directors serve until the earlier of:

23 (1) the date permanent directors are elected under  
24 Subsection (b); or

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

27 (d) If permanent directors have not been elected under

1 Subsection (b) and the terms of the temporary directors have  
2 expired, successor temporary directors shall be appointed or  
3 reappointed as provided by Subsection (e) to serve terms that  
4 expire on the earlier of:

5 (1) the date permanent directors are elected under  
6 Subsection (b); or

7 (2) the fourth anniversary of the date of the  
8 appointment or reappointment.

9 (e) If Subsection (d) applies, the owner or owners of a  
10 majority of the assessed value of the real property in the district  
11 may submit a petition to the commission requesting that the  
12 commission appoint as successor temporary directors the five  
13 persons named in the petition. The commission shall appoint as  
14 successor temporary directors the five persons named in the  
15 petition.

16 SUBCHAPTER C. POWERS AND DUTIES

17 Sec. 4001.0301. GENERAL POWERS AND DUTIES. The district  
18 has the powers and duties necessary to accomplish the purposes for  
19 which the district is created.

20 Sec. 4001.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The  
21 district, using any money available to the district for the  
22 purpose, may provide, design, construct, acquire, improve,  
23 relocate, operate, maintain, or finance an improvement project or  
24 service authorized under this chapter or Chapter 375, Local  
25 Government Code.

26 (b) The district may contract with a governmental or private  
27 entity to carry out an action under Subsection (a).

1       (c) The implementation of a district project or service is a  
2 governmental function or service for the purposes of Chapter 791,  
3 Government Code.

4       Sec. 4001.0303. NONPROFIT CORPORATION. (a) The board by  
5 resolution may authorize the creation of a nonprofit corporation to  
6 assist and act for the district in implementing a project or  
7 providing a service authorized by this chapter.

8       (b) The nonprofit corporation:

9           (1) has each power of and is considered to be a local  
10 government corporation created under Subchapter D, Chapter 431,  
11 Transportation Code; and

12           (2) may implement any project and provide any service  
13 authorized by this chapter.

14       (c) The board shall appoint the board of directors of the  
15 nonprofit corporation. The board of directors of the nonprofit  
16 corporation shall serve in the same manner as the board of directors  
17 of a local government corporation created under Subchapter D,  
18 Chapter 431, Transportation Code, except that a board member is not  
19 required to reside in the district.

20       Sec. 4001.0304. LAW ENFORCEMENT SERVICES. To protect the  
21 public interest, the district may contract with a qualified party,  
22 including the county, to provide law enforcement services in the  
23 district for a fee.

24       Sec. 4001.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.  
25 The district may join and pay dues to a charitable or nonprofit  
26 organization that performs a service or provides an activity  
27 consistent with the furtherance of a district purpose.



1       Sec. 4001.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The  
2 district may engage in activities that accomplish the economic  
3 development purposes of the district.

4       (b) The district may establish and provide for the  
5 administration of one or more programs to promote state or local  
6 economic development and to stimulate business and commercial  
7 activity in the district, including programs to:

8               (1) make loans and grants of public money; and

9               (2) provide district personnel and services.

10       (c) The district may create economic development programs  
11 and exercise the economic development powers provided to  
12 municipalities by:

13               (1) Chapter 380, Local Government Code; and

14               (2) Subchapter A, Chapter 1509, Government Code.

15       Sec. 4001.0307. PARKING FACILITIES. (a) The district may  
16 acquire, lease as lessor or lessee, construct, develop, own,  
17 operate, and maintain parking facilities or a system of parking  
18 facilities, including lots, garages, parking terminals, or other  
19 structures or accommodations for parking motor vehicles off the  
20 streets and related appurtenances.

21       (b) The district's parking facilities serve the public  
22 purposes of the district and are owned, used, and held for a public  
23 purpose even if leased or operated by a private entity for a term of  
24 years.

25       (c) The district's parking facilities are parts of and  
26 necessary components of a street and are considered to be a street  
27 or road improvement.

1       (d) The development and operation of the district's parking  
2 facilities may be considered an economic development program.

3       Sec. 4001.0308. ADDING OR EXCLUDING LAND. The district may  
4 add or exclude land in the manner provided by Subchapter J, Chapter  
5 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

6       Sec. 4001.0309. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
7 board by resolution shall establish the number of directors'  
8 signatures and the procedure required for a disbursement or  
9 transfer of district money.

10       Sec. 4001.0310. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.  
11 Section 375.161, Local Government Code, does not apply to the  
12 district.

13       Sec. 4001.0311. EMINENT DOMAIN. The district may exercise  
14 the power of eminent domain in the manner provided by Section  
15 49.222, Water Code.

16       Sec. 4001.0312. DIVISION OF DISTRICT. (a) The district  
17 may be divided into two or more new districts only if the district:

18               (1) has no outstanding bonded debt; and

19               (2) is not imposing ad valorem taxes.

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

23       (c) Any new district created by the division of the district  
24 may not, at the time the new district is created, contain any land  
25 outside the area described by Section 2(b) of the Act enacting this  
26 chapter.

27       (d) The board, on its own motion or on receipt of a petition

1 signed by the owner or owners of a majority of the assessed value of  
2 the real property in the district, may adopt an order dividing the  
3 district.

4 (e) An order dividing the district must:

5 (1) name each new district;

6 (2) include the metes and bounds description of the  
7 territory of each new district;

8 (3) appoint temporary directors for each new  
9 district; and

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

12 (f) On or before the 30th day after the date of adoption of  
13 an order dividing the district, the district shall file the order  
14 with the Texas Commission on Environmental Quality and record the  
15 order in the real property records of each county in which the  
16 district is located.

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

21 (h) Municipal consent to the creation of the district and to  
22 the inclusion of land in the district granted under Section  
23 4001.0506 acts as municipal consent to the creation of any new  
24 district created by the division of the district and to the  
25 inclusion of land in the new district.

26 SUBCHAPTER D. ASSESSMENTS

27 Sec. 4001.0401. PETITION REQUIRED FOR FINANCING SERVICES

1 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
2 service or improvement project with assessments under this chapter  
3 unless a written petition requesting that service or improvement  
4 has been filed with the board.

5 (b) A petition filed under Subsection (a) must be signed by  
6 the owners of a majority of the assessed value of real property in  
7 the district subject to assessment according to the most recent  
8 certified tax appraisal roll for the county.

9 Sec. 4001.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
10 The board by resolution may impose and collect an assessment for any  
11 purpose authorized by this chapter in all or any part of the  
12 district.

13 (b) An assessment, a reassessment, or an assessment  
14 resulting from an addition to or correction of the assessment roll  
15 by the district, penalties and interest on an assessment or  
16 reassessment, an expense of collection, and reasonable attorney's  
17 fees incurred by the district:

18 (1) are a first and prior lien against the property  
19 assessed;

20 (2) are superior to any other lien or claim other than  
21 a lien or claim for county, school district, or municipal ad valorem  
22 taxes; and

23 (3) are the personal liability of and a charge against  
24 the owners of the property even if the owners are not named in the  
25 assessment proceedings.

26 (c) The lien is effective from the date of the board's  
27 resolution imposing the assessment until the date the assessment is

1 paid. The board may enforce the lien in the same manner that the  
2 board may enforce an ad valorem tax lien against real property.

3 (d) The board may make a correction to or deletion from the  
4 assessment roll that does not increase the amount of assessment of  
5 any parcel of land without providing notice and holding a hearing in  
6 the manner required for additional assessments.

7 SUBCHAPTER E. TAXES AND BONDS

8 Sec. 4001.0501. TAX ELECTION REQUIRED. (a) The district  
9 must hold an election in the manner provided by Chapter 49, Water  
10 Code, or, if applicable, Chapter 375, Local Government Code, to  
11 obtain voter approval before the district may impose an ad valorem  
12 tax.

13 (b) Section 375.243, Local Government Code, does not apply  
14 to the district.

15 Sec. 4001.0502. OPERATION AND MAINTENANCE TAX. (a) If  
16 authorized by a majority of the district voters voting at an  
17 election under Section 4001.0501, the district may impose an  
18 operation and maintenance tax on taxable property in the district  
19 in the manner provided by Section 49.107, Water Code, for any  
20 district purpose, including to:

- 21 (1) maintain and operate the district;  
22 (2) construct or acquire improvements; or  
23 (3) provide a service.

24 (b) The board shall determine the operation and maintenance  
25 tax rate. The rate may not exceed the rate approved at the  
26 election.

27 Sec. 4001.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE

1 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on  
2 terms determined by the board.

3 (b) The district may issue bonds, notes, or other  
4 obligations payable wholly or partly from ad valorem taxes,  
5 assessments, impact fees, revenue, contract payments, grants, or  
6 other district money, or any combination of those sources of money,  
7 to pay for any authorized district purpose.

8 Sec. 4001.0504. BONDS SECURED BY REVENUE OR CONTRACT  
9 PAYMENTS. The district may issue, without an election, bonds  
10 secured by:

11 (1) revenue other than ad valorem taxes, including  
12 contract revenues; or

13 (2) contract payments, provided that the requirements  
14 of Section 49.108, Water Code, have been met.

15 Sec. 4001.0505. BONDS SECURED BY AD VALOREM TAXES;  
16 ELECTIONS. (a) If authorized at an election under Section  
17 4001.0501, the district may issue bonds payable from ad valorem  
18 taxes.

19 (b) At the time the district issues bonds payable wholly or  
20 partly from ad valorem taxes, the board shall provide for the annual  
21 imposition of a continuing direct annual ad valorem tax, without  
22 limit as to rate or amount, for each year that all or part of the  
23 bonds are outstanding as required and in the manner provided by  
24 Sections 54.601 and 54.602, Water Code.

25 (c) All or any part of any facilities or improvements that  
26 may be acquired by a district by the issuance of its bonds may be  
27 submitted as a single proposition or as several propositions to be

1 voted on at the election.

2 Sec. 4001.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The  
3 board may not issue bonds until each municipality in whose  
4 corporate limits or extraterritorial jurisdiction the district is  
5 located has consented by ordinance or resolution to the creation of  
6 the district and to the inclusion of land in the district as  
7 required by applicable law.

8 (b) This section applies only to the district's first  
9 issuance of bonds payable from ad valorem taxes.

10 SUBCHAPTER I. DISSOLUTION

11 Sec. 4001.0901. DISSOLUTION. (a) The board shall dissolve  
12 the district on written petition filed with the board by the owners  
13 of:

14 (1) at least two-thirds of the assessed value of the  
15 property subject to assessment by the district based on the most  
16 recent certified county property tax rolls; or

17 (2) at least two-thirds of the surface area of the  
18 district, excluding roads, streets, highways, utility  
19 rights-of-way, other public areas, and other property exempt from  
20 assessment by the district according to the most recent certified  
21 county property tax rolls.

22 (b) The board by majority vote may dissolve the district at  
23 any time.

24 (c) The district may not be dissolved by its board under  
25 Subsection (a) or (b) if the district:

26 (1) has any outstanding bonded indebtedness until that  
27 bonded indebtedness has been repaid or defeased in accordance with

1 the order or resolution authorizing the issuance of the bonds;

2 (2) has a contractual obligation to pay money until  
3 that obligation has been fully paid in accordance with the  
4 contract; or

5 (3) owns, operates, or maintains public works,  
6 facilities, or improvements unless the district contracts with  
7 another person for the ownership, operation, or maintenance of the  
8 public works, facilities, or improvements.

9 (d) Sections 375.261, 375.262, and 375.264, Local  
10 Government Code, do not apply to the district.

11 (b) The Denton County Municipal Management District No. 2  
12 initially includes all territory contained in the following area:

13 TRACT I:

14 ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING  
15 SITUATED IN THE B. WAY SURVEY, ABSTRACT NUMBER 1350, W. JOHNSON  
16 SURVEY, ABSTRACT NUMBER 680, J. STEWART, ABSTRACT NUMBER 1199,  
17 DENTON COUNTY, TEXAS, AND BEING PART OF A TRACT DESCRIBED IN A DEED  
18 TO CLEAR CREEK RIDGE, LLC, RECORDED IN VOLUME 5127, PAGE 1955, AND  
19 VOLUME 5127, PAGE 1951, REAL PROPERTY RECORDS OF DENTON COUNTY,  
20 TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

21 BEGINNING AT A 1/2 INCH IRON PIN FOUND AT THE SOUTHERN MOST  
22 SOUTHEAST CORNER OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127,  
23 PAGE 1955 AND BEING ON THE WEST LINE OF A DEED TO F. JEFFERY CHARNEY,  
24 RECORDED IN VOLUME 3035, PAGE 534, REAL PROPERTY RECORDS, DENTON  
25 COUNTY, TEXAS, AND BEING ON THE NORTHERN MOST NORTHEAST CORNER OF A  
26 TRACT DESCRIBED IN A DEED TO ROYAL WHITE JONES, RECORDED IN VOLUME  
27 1231, PAGE 701, DEED RECORDS, DENTON COUNTY, TEXAS;



1           THENCE NORTH 71 DEGREES 47 MINUTES 53 SECONDS WEST WITH THE  
2 SOUTH LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE  
3 1955, A DISTANCE OF 5542.39 FEET TO A 1/2 INCH IRON PIN SET AT THE  
4 SOUTHERN MOST SOUTHWEST CORNER OF SAID CLEAR CREEK RIDGE TRACT IN  
5 VOLUME 5127, PAGE 1955, AN INNER ELL CORNER OF A TRACT DESCRIBED IN  
6 A DEED TO CASEY MARK HARRINGTON, RECORDED IN VOLUME 2031, PAGE 348,  
7 REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS;

8           THENCE NORTH WITH A WEST LINE OF SAID CLEAR CREEK RIDGE TRACT  
9 IN VOLUME 5127, PAGE 1955, A DISTANCE OF 240.00 FEET TO A 1/2 INCH  
10 IRON PIN SET AT A SOUTHWEST CORNER OF SAID CLEAR CREEK RIDGE TRACT  
11 IN VOLUME 5127, PAGE 1955;

12           THENCE SOUTH 89 DEGREES 24 MINUTES 00 SECONDS EAST, A  
13 DISTANCE OF 154.60 FEET TO A 1/2 INCH IRON PIN SET FOR CORNER AT AN  
14 INNER ELL CORNER OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127,  
15 PAGE 1955 AND THE SOUTHEAST CORNER OF A TRACT DESCRIBED IN A DEED TO  
16 MARY TOM CRAVENS CURNUTT, RECORDED IN VOLUME 2505, PAGE 298, REAL  
17 PROPERTY RECORDS, DENTON COUNTY, TEXAS;

18           THENCE NORTH 15 DEGREES 54 MINUTES 04 SECONDS EAST WITH THE  
19 WEST LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE 1955,  
20 A DISTANCE OF 2222.30 FEET TO A 1/2 INCH IRON PIN SET FOR CORNER;

21           THENCE SOUTH 82 DEGREES 47 MINUTES 03 SECONDS EAST WITH A  
22 SOUTH LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE  
23 1955, A DISTANCE OF 667.90 FEET TO A 1/2 INCH IRON PIN FOUND FOR  
24 CORNER;

25           THENCE NORTH 56 DEGREES 22 MINUTES 21 SECONDS EAST WITH A  
26 SOUTHWEST LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE  
27 1955, A DISTANCE OF 642.42 FEET TO A 1/2 INCH IRON PIN FOUND FOR

1 CORNER;

2 THENCE NORTH 50 DEGREES 04 MINUTES 04 SECONDS EAST WITH A  
3 SOUTHWEST LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE  
4 1955, A DISTANCE OF 311.43 FEET TO A 1/2 INCH IRON PIN FOUND FOR  
5 CORNER;

6 THENCE NORTH 36 DEGREES 03 MINUTES 57 SECONDS EAST WITH THE  
7 WEST LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE 1955,  
8 A DISTANCE OF 1119.19 FEET TO A 1/2 INCH IRON PIN FOUND FOR CORNER;

9 THENCE NORTH 26 DEGREES 07 MINUTES 18 SECONDS WEST WITH THE  
10 WEST LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE 1955,  
11 A DISTANCE OF 1390.50 FEET TO A 1/2 INCH IRON PIN SET FOR CORNER;

12 THENCE NORTH 00 DEGREES 14 MINUTES 50 SECONDS EAST WITH THE  
13 WEST LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE 1955,  
14 A DISTANCE OF 913.00 FEET TO A 1/2 INCH IRON PIN SET FOR CORNER ON  
15 THE NORTH LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE  
16 1955, AND THE SOUTH LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME  
17 5127, PAGE 1951;

18 THENCE NORTH 89 DEGREES 52 MINUTES 14 SECONDS WEST WITH A  
19 NORTH LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE 1955  
20 AND THE SOUTH LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127,  
21 PAGE 1951, A DISTANCE OF 771.47 FEET TO A 1/2 INCH IRON PIN SET FOR  
22 CORNER BEING ON A WEST LINE OF SAID CLEAR CREEK RIDGE TRACT IN  
23 VOLUME 5127, PAGE 1951 AND AN EAST LINE OF A TRACT DESCRIBED IN A  
24 DEED TO RAY HENGER, RECORDED IN VOLUME 4612, PAGE 567, REAL PROPERTY  
25 RECORDS, DENTON COUNTY, TEXAS;

26 THENCE NORTH 00 DEGREES 46 MINUTES 29 SECONDS WEST WITH A WEST  
27 LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE 1951 AND

1 AN EAST LINE OF SAID HENGER TRACT, A DISTANCE OF 1151.02 FEET TO A  
2 1/2 INCH IRON PIN SET FOR CORNER;

3 THENCE WITH CLEAR CREEK THE FOLLOWING FIFTY-FOUR (54) CALLS:

4 1.) NORTH 55 DEGREES 38 MINUTES 38 SECONDS EAST, A DISTANCE  
5 OF 110.80 FEET;

6 2.) NORTH 51 DEGREES 23 MINUTES 04 SECONDS EAST, A DISTANCE  
7 OF 278.21 FEET;

8 3.) SOUTH 70 DEGREES 46 MINUTES 01 SECONDS EAST, A DISTANCE  
9 OF 415.87 FEET;

10 4.) SOUTH 40 DEGREES 58 MINUTES 38 SECONDS EAST, A DISTANCE  
11 OF 604.83 FEET;

12 5.) SOUTH 51 DEGREES 09 MINUTES 01 SECONDS EAST, A DISTANCE  
13 OF 410.80 FEET;

14 6.) SOUTH 37 DEGREES 53 MINUTES 33 SECONDS EAST, A DISTANCE  
15 OF 82.37 FEET;

16 7.) SOUTH 18 DEGREES 46 MINUTES 16 SECONDS EAST, A DISTANCE  
17 OF 75.16 FEET;

18 8.) SOUTH 05 DEGREES 46 MINUTES 16 SECONDS WEST, A DISTANCE  
19 OF 49.39 FEET;

20 9.) SOUTH 22 DEGREES 04 MINUTES 06 SECONDS WEST, A DISTANCE  
21 OF 308.38 FEET;

22 10.) SOUTH 26 DEGREES 11 MINUTES 20 SECONDS WEST, A DISTANCE  
23 OF 76.63 FEET;

24 11.) SOUTH 26 DEGREES 11 MINUTES 20 SECONDS WEST, A DISTANCE  
25 OF 547.10 FEET;

26 12.) SOUTH 46 DEGREES 12 MINUTES 54 SECONDS EAST, A DISTANCE  
27 OF 174.23 FEET;

- 1           13.)   NORTH 86 DEGREES 27 MINUTES 32 SECONDS EAST, A DISTANCE  
2 OF 417.50 FEET;
- 3           14.)   NORTH 53 DEGREES 53 MINUTES 06 SECONDS EAST, A DISTANCE  
4 OF 225.22 FEET;
- 5           15.)   SOUTH 70 DEGREES 20 MINUTES 06 SECONDS EAST, A DISTANCE  
6 OF 93.57 FEET;
- 7           16.)   SOUTH 54 DEGREES 37 MINUTES 57 SECONDS EAST, A DISTANCE  
8 OF 330.11 FEET;
- 9           17.)   NORTH 64 DEGREES 44 MINUTES 37 SECONDS EAST, A DISTANCE  
10 OF 674.49 FEET;
- 11          18.)   NORTH 84 DEGREES 14 MINUTES 43 SECONDS EAST, A DISTANCE  
12 OF 100.20 FEET;
- 13          19.)   SOUTH 56 DEGREES 23 MINUTES 54 SECONDS EAST, A DISTANCE  
14 OF 116.40 FEET;
- 15          20.)   SOUTH 06 DEGREES 22 MINUTES 27 SECONDS WEST, A DISTANCE  
16 OF 228.98 FEET;
- 17          21.)   SOUTH 52 DEGREES 30 MINUTES 28 SECONDS WEST, A DISTANCE  
18 OF 271.35 FEET;
- 19          22.)   SOUTH 87 DEGREES 06 MINUTES 16 SECONDS WEST, A DISTANCE  
20 OF 326.84 FEET;
- 21          23.)   SOUTH 63 DEGREES 22 MINUTES 32 SECONDS WEST, A DISTANCE  
22 OF 93.18 FEET;
- 23          24.)   SOUTH 19 DEGREES 39 MINUTES 44 SECONDS WEST, A DISTANCE  
24 OF 274.65 FEET;
- 25          25.)   SOUTH 06 DEGREES 09 MINUTES 26 SECONDS EAST, A DISTANCE  
26 OF 129.80 FEET;
- 27          26.)   SOUTH 59 DEGREES 41 MINUTES 10 SECONDS EAST, A DISTANCE

- 1 OF 155.04 FEET;  
2 27.) NORTH 61 DEGREES 09 MINUTES 15 SECONDS EAST, A DISTANCE  
3 OF 459.27 FEET;  
4 28.) SOUTH 85 DEGREES 11 MINUTES 12 SECONDS EAST, A DISTANCE  
5 OF 101.67 FEET;  
6 29.) SOUTH 50 DEGREES 11 MINUTES 20 SECONDS EAST, A DISTANCE  
7 OF 160.52 FEET;  
8 30.) SOUTH 19 DEGREES 38 MINUTES 33 SECONDS EAST, A DISTANCE  
9 OF 218.07 FEET;  
10 31.) SOUTH 08 DEGREES 39 MINUTES 06 SECONDS WEST, A DISTANCE  
11 OF 110.67 FEET;  
12 32.) SOUTH 60 DEGREES 37 MINUTES 40 SECONDS WEST, A DISTANCE  
13 OF 111.17 FEET;  
14 33.) NORTH 71 DEGREES 44 MINUTES 44 SECONDS WEST, A DISTANCE  
15 OF 205.32 FEET;  
16 34.) NORTH 58 DEGREES 00 MINUTES 21 SECONDS WEST, A DISTANCE  
17 OF 175.42 FEET;  
18 35.) SOUTH 60 DEGREES 53 MINUTES 09 SECONDS WEST, A DISTANCE  
19 OF 81.38 FEET;  
20 36.) SOUTH 19 DEGREES 12 MINUTES 39 SECONDS EAST, A DISTANCE  
21 OF 180.46 FEET;  
22 37.) SOUTH 31 DEGREES 27 MINUTES 36 SECONDS EAST, A DISTANCE  
23 OF 348.51 FEET;  
24 38.) SOUTH 08 DEGREES 24 MINUTES 19 SECONDS WEST, A DISTANCE  
25 OF 80.11 FEET;  
26 39.) SOUTH 44 DEGREES 00 MINUTES 08 SECONDS WEST, A DISTANCE  
27 OF 157.91 FEET;

- 1           40.)   SOUTH 69 DEGREES 06 MINUTES 14 SECONDS WEST, A DISTANCE  
2 OF 188.37 FEET;
- 3           41.)   SOUTH 03 DEGREES 39 MINUTES 31 SECONDS WEST, A DISTANCE  
4 OF 190.40 FEET;
- 5           42.)   SOUTH 62 DEGREES 37 MINUTES 49 SECONDS EAST, A DISTANCE  
6 OF 165.30 FEET;
- 7           43.)   NORTH 43 DEGREES 07 MINUTES 44 SECONDS EAST, A DISTANCE  
8 OF 253.82 FEET;
- 9           44.)   NORTH 58 DEGREES 54 MINUTES 00 SECONDS EAST, A DISTANCE  
10 OF 135.83 FEET;
- 11          45.)   SOUTH 34 DEGREES 09 MINUTES 46 SECONDS EAST, A DISTANCE  
12 OF 149.30 FEET;
- 13          46.)   SOUTH 21 DEGREES 47 MINUTES 10 SECONDS WEST, A DISTANCE  
14 OF 518.33 FEET;
- 15          47.)   SOUTH 20 DEGREES 01 MINUTES 56 SECONDS EAST, A DISTANCE  
16 OF 329.19 FEET;
- 17          48.)   SOUTH 66 DEGREES 36 MINUTES 28 SECONDS EAST, A DISTANCE  
18 OF 195.08 FEET;
- 19          49.)   SOUTH 87 DEGREES 31 MINUTES 31 SECONDS EAST, A DISTANCE  
20 OF 403.76 FEET;
- 21          50.)   SOUTH 68 DEGREES 26 MINUTES 25 SECONDS EAST, A DISTANCE  
22 OF 144.04 FEET;
- 23          51.)   SOUTH 03 DEGREES 41 MINUTES 33 SECONDS WEST, A DISTANCE  
24 OF 91.78 FEET;
- 25          52.)   SOUTH 23 DEGREES 36 MINUTES 59 SECONDS WEST, A DISTANCE  
26 OF 322.95 FEET;
- 27          53.)   SOUTH 39 DEGREES 05 MINUTES 30 SECONDS EAST, A DISTANCE

1 OF 167.15 FEET;

2 54.) SOUTH 54 DEGREES 29 MINUTES 12 SECONDS EAST, A DISTANCE  
3 OF 152.28 FEET TO A 1/2 INCH IRON PIN FOUND ON AN EAST LINE OF SAID  
4 CLEAR CREEK RIDGE TRACT;

5 THENCE SOUTH 00 DEGREES 52 MINUTES 17 SECONDS EAST WITH AN  
6 EAST LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE 1955,  
7 A DISTANCE OF 3736.55 FEET TO THE POINT OF BEGINNING AND CONTAINING  
8 IN ALL 535.703 ACRES OF LAND.

9 (c) Section 4001.0311, Special District Local Laws Code, as  
10 added by Subsection (a) of this section, takes effect only if this  
11 Act receives a two-thirds vote of all the members elected to each  
12 house.

13 (d) If the Act enacting this section does not receive a  
14 two-thirds vote of all the members elected to each house,  
15 Subchapter C, Chapter 4001, Special District Local Laws Code, as  
16 added by Subsection (a) of this section, is amended by adding  
17 Section 4001.0311 to read as follows:

18 Sec. 4001.0311. NO EMINENT DOMAIN POWER. The district may  
19 not exercise the power of eminent domain.

20 SECTION 3. (a) Subtitle F, Title 6, Special District Local  
21 Laws Code, is amended by adding Chapter 7960 to read as follows:

22 CHAPTER 7960. DEER CREEK RANCH MUNICIPAL UTILITY DISTRICT NO. 1

23 SUBCHAPTER A. GENERAL PROVISIONS

24 Sec. 7960.0101. DEFINITIONS. In this chapter:

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

26 (2) "Commission" means the Texas Commission on  
27 Environmental Quality.

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

2           (4) "District" means the Deer Creek Ranch Municipal  
3 Utility District No. 1.

4           Sec. 7960.0102. NATURE OF DISTRICT. The district is a  
5 municipal utility district created under Section 59, Article XVI,  
6 Texas Constitution.

7           Sec. 7960.0103. CONFIRMATION AND DIRECTOR ELECTION  
8 REQUIRED. The temporary directors shall hold an election to  
9 confirm the creation of the district and to elect five permanent  
10 directors as provided by Section 49.102, Water Code.

11           Sec. 7960.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
12 temporary directors may not hold an election under Section  
13 7960.0103 until each municipality in whose corporate limits or  
14 extraterritorial jurisdiction the district is located has  
15 consented by ordinance or resolution to the creation of the  
16 district and to the inclusion of land in the district as required by  
17 applicable law.

18           Sec. 7960.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

27           Sec. 7960.0106. INITIAL DISTRICT TERRITORY. (a) The



1 district is initially composed of the territory described by  
2 Section 3(b) of the Act enacting this chapter.

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

7 (1) organization, existence, or validity;

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

11 (3) right to impose a tax; or

12 (4) legality or operation.

13 SUBCHAPTER B. BOARD OF DIRECTORS

14 Sec. 7960.0201. GOVERNING BODY; TERMS. (a) The district is  
15 governed by a board of five elected directors.

16 (b) Except as provided by Section 7960.0202, directors  
17 serve staggered four-year terms.

18 Sec. 7960.0202. TEMPORARY DIRECTORS. (a) On or after the  
19 effective date of the Act enacting this chapter, the owner or owners  
20 of a majority of the assessed value of the real property in the  
21 district may submit a petition to the commission requesting that  
22 the commission appoint as temporary directors the five persons  
23 named in the petition. The commission shall appoint as temporary  
24 directors the five persons named in the petition.

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

26 (1) the date permanent directors are elected under  
27 Section 7960.0103; or

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

3           (c) If permanent directors have not been elected under  
4 Section 7960.0103 and the terms of the temporary directors have  
5 expired, successor temporary directors shall be appointed or  
6 reappointed as provided by Subsection (d) to serve terms that  
7 expire on the earlier of:

8           (1) the date permanent directors are elected under  
9 Section 7960.0103; or

10           (2) the fourth anniversary of the date of the  
11 appointment or reappointment.

12           (d) If Subsection (c) applies, the owner or owners of a  
13 majority of the assessed value of the real property in the district  
14 may submit a petition to the commission requesting that the  
15 commission appoint as successor temporary directors the five  
16 persons named in the petition. The commission shall appoint as  
17 successor temporary directors the five persons named in the  
18 petition.

19                           SUBCHAPTER C. POWERS AND DUTIES

20           Sec. 7960.0301. GENERAL POWERS AND DUTIES. The district  
21 has the powers and duties necessary to accomplish the purposes for  
22 which the district is created.

23           Sec. 7960.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
24 DUTIES. The district has the powers and duties provided by the  
25 general law of this state, including Chapters 49 and 54, Water Code,  
26 applicable to municipal utility districts created under Section 59,  
27 Article XVI, Texas Constitution.

1       Sec. 7960.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
2 52, Article III, Texas Constitution, the district may design,  
3 acquire, construct, finance, issue bonds for, improve, operate,  
4 maintain, and convey to this state, a county, or a municipality for  
5 operation and maintenance macadamized, graveled, or paved roads, or  
6 improvements, including storm drainage, in aid of those roads.

7       Sec. 7960.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
8 road project must meet all applicable construction standards,  
9 zoning and subdivision requirements, and regulations of each  
10 municipality in whose corporate limits or extraterritorial  
11 jurisdiction the road project is located.

12       (b) If a road project is not located in the corporate limits  
13 or extraterritorial jurisdiction of a municipality, the road  
14 project must meet all applicable construction standards,  
15 subdivision requirements, and regulations of each county in which  
16 the road project is located.

17       (c) If the state will maintain and operate the road, the  
18 Texas Transportation Commission must approve the plans and  
19 specifications of the road project.

20       Sec. 7960.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
21 ORDINANCE OR RESOLUTION. The district shall comply with all  
22 applicable requirements of any ordinance or resolution that is  
23 adopted under Section 54.016 or 54.0165, Water Code, and that  
24 consents to the creation of the district or to the inclusion of land  
25 in the district.

26       Sec. 7960.0306. DIVISION OF DISTRICT. (a) The board, on  
27 its own motion or on receipt of a petition signed by the owner or

1 owners of a majority of the assessed value of the real property in  
2 the district, may adopt an order dividing the district.

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

5 (c) An order dividing the district shall:

6 (1) name any new district;

7 (2) include the metes and bounds description of the  
8 territory of each of the districts;

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

10 and

11 (4) provide for the division of assets and liabilities  
12 between the districts.

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

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

17 (1) has never issued any bonds; and

18 (2) is not imposing ad valorem taxes.

19 (f) A new district created by the division of the district  
20 may not, at the time the new district is created, contain any land  
21 outside the area described by Section 3(b) of the Act enacting this  
22 chapter.

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

27 (h) This chapter applies to any new district created by the

1 division of the district, and a new district has all the powers and  
2 duties of the district.

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

5 (j) If the creation of the new district is confirmed, the  
6 new district shall provide the election date and results to the  
7 commission.

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

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

14 (m) Municipal consent to the creation of the district and to  
15 the inclusion of land in the district acts as municipal consent to  
16 the creation of any new district created by the division of the  
17 district and to the inclusion of land in the new district.

18 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

19 Sec. 7960.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
20 The district may issue, without an election, bonds and other  
21 obligations secured by:

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

23 (2) contract payments described by Section 7960.0403.

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

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

5       Sec. 7960.0402. OPERATION AND MAINTENANCE TAX. (a) If  
6 authorized at an election held under Section 7960.0401, the  
7 district may impose an operation and maintenance tax on taxable  
8 property in the district in accordance with Section 49.107, Water  
9 Code.

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

12       Sec. 7960.0403. CONTRACT TAXES. (a) In accordance with  
13 Section 49.108, Water Code, the district may impose a tax other than  
14 an operation and maintenance tax and use the revenue derived from  
15 the tax to make payments under a contract after the provisions of  
16 the contract have been approved by a majority of the district voters  
17 voting at an election held for that purpose.

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

21               SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

22       Sec. 7960.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
23 OBLIGATIONS. The district may issue bonds or other obligations  
24 payable wholly or partly from ad valorem taxes, impact fees,  
25 revenue, contract payments, grants, or other district money, or any  
26 combination of those sources, to pay for any authorized district  
27 purpose.

1       Sec. 7960.0502. TAXES FOR BONDS. At the time the district  
2 issues bonds payable wholly or partly from ad valorem taxes, the  
3 board shall provide for the annual imposition of a continuing  
4 direct ad valorem tax, without limit as to rate or amount, while all  
5 or part of the bonds are outstanding as required and in the manner  
6 provided by Sections 54.601 and 54.602, Water Code.

7       Sec. 7960.0503. BONDS FOR ROAD PROJECTS. At the time of  
8 issuance, the total principal amount of bonds or other obligations  
9 issued or incurred to finance road projects and payable from ad  
10 valorem taxes may not exceed one-fourth of the assessed value of the  
11 real property in the district.

12       (b) The Deer Creek Ranch Municipal Utility District No. 1  
13 initially includes all the territory contained in the following  
14 area:

15       A 685.400 ACRE TRACT OF LAND SITUATED IN THE THOMAS POLK  
16 SURVEY, ABSTRACT NO. 703, THE HENRY ASKEW SURVEY, ABSTRACT NO. 35,  
17 ABSTRACT NO. 703, THE HENRY ASKEW SURVEY, ABSTRACT NO. 396, THE  
18 SAMUEL W. DAVIS SURVEY, ABSTRACT NO. 1087 AND THE SAMUEL W. DAVIS  
19 SURVEY, ABSTRACT NO. 165, LOCATED IN BELL COUNTY, TEXAS AND  
20 McCLENNAN COUNTY, TEXAS AND BEING A PORTION OF A CALLED 730.417 ACRE  
21 TRACT OF LAND CONVEYED TO VWB TRUST BY INSTRUMENTS RECORDED IN  
22 DOCUMENT NO. 20160034747 OF THE OFFICIAL PPUBLIC RECORDS OF BELL  
23 COUNTY, TEXAS AND IN DOCUMENT NO. 2016029961 OF THE OFFICIAL PUBLIC  
24 RECORDS OF McCLENNAN COUNTY, TEXAS. SAID 685.400 ACRE TRACT BEING  
25 MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH  
26 AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS  
27 COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

1 BEGINNING at a 1/2" iron rod found on a point being the  
2 northeast corner of said 730.417-acre tract of land, for the  
3 northeast corner and POINT OF BEGINNING hereof;

4 THENCE with the east boundary line of said 730.417-acre  
5 tract, the following three (3) courses and distances:

6 1. S 29°39'16" E for a distance of 23.01 feet to an angle point  
7 hereof,

8 2. S 29°37'25" E for a distance of 486.87 feet to an angle point  
9 hereof, and

10 3. S 29°29'03" E for a distance of 493.85 feet to a point being the  
11 northeast corner of a called 5.525-acre tract of land conveyed to  
12 Larry Pietsch et ux, by instrument recorded in Document  
13 No. 2010000488 of the Official Public Records of Falls County,  
14 Texas, for an angle point hereof;

15 THENCE with the north boundary line of said 5.525-acre tract,  
16 the following two (2) courses and distances:

17 1. S 57°58'39" W for a distance of 542.26 feet to an angle point  
18 hereof, and

19 2. S 56°02'27" W for a distance of 58.49 feet to a point being the  
20 northwest corner of said 5.525-acre tract, for an angle point  
21 hereof;

22 THENCE with west boundary line of said 5.525-acre tract,  
23 S 32°56'37" E for a distance of 396.46 feet to a point being the  
24 northwest corner of a called 5.075-acre tract of land conveyed to  
25 Larry Pietsch et ux, by instrument recorded in Document no.  
26 2010000485 of the Official Public Records of Falls County, Texas,  
27 same being the southwest corner of said 5.525-acre tract, for an



1 angle point hereof;

2           THENCE with the west boundary line of said 5.075-acre tract,  
3 S 14°23'05" E for a distance of 363.73 feet to a point being the  
4 southwest corner of said 5.075-acre tract for an angle point  
5 hereof;

6           THENCE with the south boundary line of said 5.075-acre tract  
7 N 59°41'47" E for a distance of 143.92 feet to a point in the  
8 approximate west boundary line of Falls County, Texas, same being  
9 the approximate east boundary line of Bell County, Texas, for an  
10 angle point hereof;

11           THENCE departing the south boundary line of said 5.075-acre  
12 tract with the approximate west boundary line of Falls County,  
13 Texas, same being the approximate east boundary line of Bell  
14 County, Texas and through the interior of said 730.417 acre tract,  
15 S 32°52'48" E for a distance of 2076.93 feet to a point in the north  
16 right-of-way line of County Road 498 (right-of-way width varies),  
17 same being the southern boundary line of said 730.417-acre tract  
18 for the southeast corner hereof;

19           THENCE with the north right-of-way line of County Road 498,  
20 same being the southern boundary line of said 730.417-acre tract,  
21 the following six (6) courses and distances:

- 22 1. S 59°45'11" W for a distance of 307.98 feet to a point  
23 2. S 56°40'31" W for a distance of 452.77 feet to an angle point  
24 hereof,  
25 3. S 59°50'03" W for a distance of 818.71 feet to an angle point  
26 hereof,  
27 4. S 59°28'26" W for a distance of 725.73 feet to an angle point

1 hereof,

2 5. S 59°11'05" W for a distance of 653.72 feet to 1/2" iron rod  
3 found on a point, for an angle point hereof, and

4 6. S 15°31'38" W for a distance of 522.86 feet to a 1/2" iron rod  
5 found on a point being the northeasterly corner of a called 125-acre  
6 tract of land conveyed to Jackie Elizabeth Bounds, et al by  
7 instrument recorded on Document No. 2020014897 of the Official  
8 Public Records of Bell County, Texas, same being a southeasterly  
9 corner of said 730.417-acre tract, for a southeasterly corner  
10 hereof;

11 THENCE with the northerly boundary line of said 125-acre  
12 tract, same being the southerly boundary line of said 730.417-acre  
13 tract, the following four (4) courses and distances:

14 1. N 68°17'07" W for a distance of 1982.29 feet to an angle point  
15 hereof,

16 2. S 20°13'41" W for a distance of 1194.63 feet to a 1/2" iron rod  
17 found on an angle point hereof,

18 3. N 70°00'40" W for a distance of 1040.46 feet to a 1/2" iron rod  
19 found on an angle point hereof, and

20 4. S 20°16'01" W for a distance of 913.53 feet to a point in the  
21 north boundary line of called 50.00-acre tract of land conveyed to  
22 Howard Thomas Daye and Glenda Marie Daye, by instrument recorded in  
23 Document No. 20085002539 of the Official Public Records of Bell  
24 County, Texas, same being the southwesterly corner of said 125-acre  
25 tract, for an angle point hereof;

26 THENCE with, in part, the northerly boundary lines of: said  
27 50.002-acre tract, a called 9.68-acre tract conveyed to Arthur

H.B. No. 5344

1 Poston, by instrument recorded in Volume 5990, Page 314 of the  
2 Probate Records of Bell County, Texas and a called 64-acre tract of  
3 land conveyed to John D. Price and Vi Price, by instrument recorded  
4 in Volume 3324, Page 204 of the Deed Records of Bell County, Texas,  
5 respectively, same being the southerly boundary line of said  
6 730.417-acre tract, N 69°43'06" W for a distance of 1577.88 feet to  
7 a 1/2" iron rod found on a point in the southeasterly boundary line  
8 of a called 89.5-acre tract of land conveyed to the H.B. Hillyard,  
9 Jr. and Julia I. Hillyard Revocable Living Trust, by instrument  
10 recorded in Volume 1845, Page 808 of the Deed Records of McClennan  
11 County, Texas, for an angle point hereof;

12         THENCE with the southeasterly boundary line of said 89.5-acre  
13 tract, same being the southerly boundary line of said 730.417-acre  
14 tract, N 57°14'15" E for a distance of 1017.80 feet to a 1/2" iron  
15 rod found on a point being the northeast corner of said 89.5-acre  
16 tract, for an angle point hereof;

17         THENCE with the northerly boundary line of said 89.5-acre  
18 tract, same being the southerly boundary line of said 730.417-acre  
19 tract, N 73°22'08" W for a distance of 2682.51 feet to a to a 1/2"  
20 iron rod found on a point in the easterly right-of-way of Neal Road  
21 (right-of-way width varies), said point being the northwest corner  
22 of said 89.5-acre tract, same being the southwesterly corner of  
23 said 730.417-acre tract, for the southwesterly corner hereof;

24         THENCE with the easterly right-of-way line of said Neal Road,  
25 same being the westerly boundary line of said 730.417-acre tract,  
26 the following two (2) courses and distances:

27                 N 16°44'59" E for a distance of 641.51 feet to an angle

1 point hereof, and

2 N 16°43'27" E for a distance of 1649.96 feet to a 1/2:"  
3 iron rod found on a point in the southerly margin of Franklin  
4 Road, said point being the northwest corner of said  
5 730.417-acre tract, for the northwest corner hereof;

6 THENCE with the southerly margin of said Franklin Road, same  
7 being the northwesterly boundary line of said 730.417-acre tract,  
8 the following three (3) courses and distances:

9 1. N 88°45'56" E for a distance of 1956.89 feet to an angle point  
10 hereof,

11 2. S 89°44'59" E for a distance of 1153.82 feet to a 1/2" iron rod  
12 found on for an angle point hereof, and

13 3. N 59°40'59" E for a distance of 1208.65 feet to an angle point  
14 hereof;

15 THENCE departing the southerly margin of Franklin Road,  
16 through the interior of said 730.417-acre tract, S 61°17'12" E for a  
17 distance of 29.19 feet to a point being the northwesterly corner of  
18 a called 10.00-acre tract of land conveyed to Kimberly Worthington,  
19 by instrument recorded in Document No. 2021020842 of the Official  
20 Public Records of McClennan County, Texas, for an angle point  
21 hereof;

22 THENCE with the westerly, southerly and easterly boundary  
23 lines, respectively, of said 10.00-acre tract the following twelve  
24 (12) courses and distances:

25 1. S 61°17'12" E for a distance of 324.55 feet to an angle point  
26 hereof,

27 2. N 06°20'39" E for a distance of 80.42 feet to an angle point

- 1 hereof,  
2 3. N 57°20'12" E for a distance of 81.81 feet to an angle point  
3 hereof,  
4 4. S 23°32'20" E for a distance of 67.80 feet to an angle point  
5 hereof,  
6 5. S 08°42'13" E for a distance of 181.25 feet to an angle point  
7 hereof,  
8 6. N 39°25'15" E for a distance of 103.44 feet to an angle point  
9 hereof,  
10 7. S 22°37'59" E for a distance of 186.24 feet to an angle point  
11 hereof,  
12 8. N 57°23'30" E for a distance of 88.53 feet to an angle point  
13 hereof,  
14 9. S 29°10'57" E for a distance of 72.30 feet to an angle point  
15 hereof,  
16 10. N 59°40'57" E for a distance of 20.00 feet to an angle point  
17 hereof,  
18 11. N 59°40'57" E for a distance of 489.21 feet to an angle point  
19 hereof, and  
20 12. N 30°19'01" W for a distance of 663.75 feet to a point being the  
21 northeasterly corner of said 10.00-acre tract for an angle point  
22 hereof;

23       THENCE departing the boundary line of said 10.00-acre tract,  
24 through the interior of said 730.417-acre tract, N 30°19'01" W for a  
25 distance of 25.02 feet to a point in the southerly margin of  
26 Franklin Road, same being the northwesterly boundary line of said  
27 730.417-acre tract, the following three (3) courses and distances:

- 1 1. N 59°40'59" E for a distance of 701.97 feet to an angle point  
2 hereof,  
3 2. N 60°40'09" E for a distance of 1305.59 feet to an angle point  
4 hereof, and  
5 3. N 60°36'34" E for a distance of 617.98 feet to a point to the  
6 POINT OF BEGINNING and containing 685.400 acres in the McClennan  
7 County, Texas and Bell County, Texas. Said tract being described in  
8 accordance with a survey prepared under Job No. 59012-22 by  
9 Pape-Dawson Engineers, Inc.

10 (c) If the Act enacting this section does not receive a  
11 two-thirds vote of all the members elected to each house,  
12 Subchapter C, Chapter 7960, Special District Local Laws Code, as  
13 added by Subsection (a) of this section, is amended by adding  
14 Section 7960.0307 to read as follows:

15 Sec. 7960.0307. NO EMINENT DOMAIN POWER. The district may  
16 not exercise the power of eminent domain.

17 (d) Section 3(c) of this Act is not intended to be an  
18 expression of a legislative interpretation of the requirements of  
19 Section 17(c), Article I, Texas Constitution.

20 SECTION 4. (a) Subtitle F, Title 6, Special District Local  
21 Laws Code, is amended by adding Chapter 7962 to read as follows:

22 CHAPTER 7962. JARRELL ESTATES MUNICIPAL UTILITY DISTRICT NO. 1

23 SUBCHAPTER A. GENERAL PROVISIONS

24 Sec. 7962.0101. DEFINITIONS. In this chapter:

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

26 (2) "Commission" means the Texas Commission on  
27 Environmental Quality.

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

2           (4) "District" means the Jarrell Estates Municipal  
3 Utility District No. 1.

4           Sec. 7962.0102. NATURE OF DISTRICT. The district is a  
5 municipal utility district created under Section 59, Article XVI,  
6 Texas Constitution.

7           Sec. 7962.0103. CONFIRMATION AND DIRECTORS' ELECTION  
8 REQUIRED. The temporary directors shall hold an election to  
9 confirm the creation of the district and to elect five permanent  
10 directors as provided by Section 49.102, Water Code.

11           Sec. 7962.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
12 temporary directors may not hold an election under Section  
13 7962.0103 until each municipality in whose corporate limits or  
14 extraterritorial jurisdiction the district is located has  
15 consented by ordinance or resolution to the creation of the  
16 district and to the inclusion of land in the district.

17           Sec. 7962.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

26           Sec. 7962.0106. INITIAL DISTRICT TERRITORY. (a) The  
27 district is initially composed of the territory described by

1 Section 4(b) of the Act enacting this chapter.

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

6 (1) organization, existence, or validity;

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

10 (3) right to impose a tax; or

11 (4) legality or operation.

12 SUBCHAPTER B. BOARD OF DIRECTORS

13 Sec. 7962.0201. GOVERNING BODY; TERMS. (a) The district is  
14 governed by a board of five elected directors.

15 (b) Except as provided by Section 7962.0202, directors  
16 serve staggered four-year terms.

17 Sec. 7962.0202. TEMPORARY DIRECTORS. (a) The temporary  
18 board consists of:

19 (1) Jake Newman;

20 (2) Davis Craig;

21 (3) Brad Harwick;

22 (4) LouAnn Covington; and

23 (5) Stephen Fowler.

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

25 (1) the date permanent directors are elected under  
26 Section 7962.0103; or

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



1 the Act enacting this chapter.

2 (c) If permanent directors have not been elected under  
3 Section 7962.0103 and the terms of the temporary directors have  
4 expired, successor temporary directors shall be appointed or  
5 reappointed as provided by Subsection (d) to serve terms that  
6 expire on the earlier of:

7 (1) the date permanent directors are elected under  
8 Section 7962.0103; or

9 (2) the fourth anniversary of the date of the  
10 appointment or reappointment.

11 (d) If Subsection (c) applies, the owner or owners of a  
12 majority of the assessed value of the real property in the district  
13 may submit a petition to the commission requesting that the  
14 commission appoint as successor temporary directors the five  
15 persons named in the petition. The commission shall appoint as  
16 successor temporary directors the five persons named in the  
17 petition.

18 SUBCHAPTER C. POWERS AND DUTIES

19 Sec. 7962.0301. GENERAL POWERS AND DUTIES. The district  
20 has the powers and duties necessary to accomplish the purposes for  
21 which the district is created.

22 Sec. 7962.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
23 DUTIES. The district has the powers and duties provided by the  
24 general law of this state, including Chapters 49 and 54, Water Code,  
25 applicable to municipal utility districts created under Section 59,  
26 Article XVI, Texas Constitution.

27 Sec. 7962.0303. AUTHORITY FOR ROAD PROJECTS. Under Section

1 52, Article III, Texas Constitution, the district may design,  
2 acquire, construct, finance, issue bonds for, improve, operate,  
3 maintain, and convey to this state, a county, or a municipality for  
4 operation and maintenance macadamized, graveled, or paved roads, or  
5 improvements, including storm drainage, in aid of those roads.

6 Sec. 7962.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
7 road project must meet all applicable construction standards,  
8 zoning and subdivision requirements, and regulations of each  
9 municipality in whose corporate limits or extraterritorial  
10 jurisdiction the road project is located.

11 (b) If a road project is not located in the corporate limits  
12 or extraterritorial jurisdiction of a municipality, the road  
13 project must meet all applicable construction standards,  
14 subdivision requirements, and regulations of each county in which  
15 the road project is located.

16 (c) If the state will maintain and operate the road, the  
17 Texas Transportation Commission must approve the plans and  
18 specifications of the road project.

19 Sec. 7962.0305. COMPLIANCE WITH MUNICIPAL REGULATIONS. Any  
20 water, sanitary sewer, road, drainage, or other infrastructure or  
21 public facilities constructed, acquired, improved, maintained, or  
22 operated by the district shall comply with any subdivision or other  
23 applicable regulations of any municipality in whose corporate  
24 limits or extraterritorial jurisdiction the infrastructure or  
25 public facilities are located unless other regulations are  
26 specified in a development agreement between the district and the  
27 municipality.

1       Sec. 7962.0306. COMPLIANCE WITH MUNICIPAL CONSENT  
2 ORDINANCE OR RESOLUTION. The district shall comply with all  
3 applicable requirements of any ordinance or resolution that is  
4 adopted under Section 54.016 or 54.0165, Water Code, and that  
5 consents to the creation of the district or to the inclusion of land  
6 in the district.

7       Sec. 7962.0307. DIVISION OF DISTRICT. (a) The district may  
8 be divided into two or more new districts only if the district:

9           (1) has no outstanding bonded debt; and

10          (2) is not imposing ad valorem taxes.

11       (b) 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       (c) Any new district created by the division of the district  
15 may not, at the time the new district is created, contain any land  
16 outside the area described by Section 4(b) of the Act enacting this  
17 chapter.

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

22       (e) The board may adopt an order dividing the district  
23 before or after the date the board holds an election under Section  
24 7962.0103 to confirm the district's creation.

25       (f) An order dividing the district shall:

26           (1) name each new district;

27           (2) include the metes and bounds description of the

1 territory of each new district;

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

3 and

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

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

10 (h) Any new district created by the division of the district  
11 shall hold a confirmation and directors' election as required by  
12 Section 7962.0103. If the voters of a new district do not confirm  
13 the creation of the new district, the assets, obligations,  
14 territory, and governance of the new district revert to the  
15 original district.

16 (i) 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 (j) Municipal consent to the creation of the district and to  
20 the inclusion of land in the district granted under Section  
21 7962.0104 acts as municipal consent to the creation of any new  
22 district created by the division of the district and to the  
23 inclusion of land in the new district.

24 (k) Any new district created by the division of the district  
25 must hold an election as required by this chapter to obtain voter  
26 approval before the district may impose a maintenance tax or issue  
27 bonds payable wholly or partly from ad valorem taxes.

1           SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2           Sec. 7962.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)

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

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

6           (2) contract payments described by Section 7962.0403.

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

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

15           Sec. 7962.0402. OPERATION AND MAINTENANCE TAX. (a) If  
16 authorized at an election held under Section 7962.0401, the  
17 district may impose an operation and maintenance tax on taxable  
18 property in the district in accordance with Section 49.107, Water  
19 Code.

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

22           (c) Section 49.107(f), Water Code, does not apply to  
23 reimbursements for projects constructed or acquired under Section  
24 7962.0303.

25           Sec. 7962.0403. CONTRACT TAXES. (a) In accordance with  
26 Section 49.108, Water Code, the district may impose a tax other than  
27 an operation and maintenance tax and use the revenue derived from

1 the tax to make payments under a contract after the provisions of  
2 the contract have been approved by a majority of the district voters  
3 voting at an election held for that purpose.

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

7 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

8 Sec. 7962.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
9 OBLIGATIONS. The district may issue bonds or other obligations  
10 payable wholly or partly from ad valorem taxes, impact fees,  
11 revenue, contract payments, grants, or other district money, or any  
12 combination of those sources, to pay for any authorized district  
13 purpose.

14 Sec. 7962.0502. TAXES FOR BONDS. At the time the district  
15 issues bonds payable wholly or partly from ad valorem taxes, the  
16 board shall provide for the annual imposition of a continuing  
17 direct ad valorem tax, without limit as to rate or amount, while all  
18 or part of the bonds are outstanding as required and in the manner  
19 provided by Sections 54.601 and 54.602, Water Code.

20 Sec. 7962.0503. BONDS FOR ROAD PROJECTS. At the time of  
21 issuance, the total principal amount of bonds or other obligations  
22 issued or incurred to finance road projects and payable from ad  
23 valorem taxes may not exceed one-fourth of the assessed value of the  
24 real property in the district.

25 (b) The Jarrell Estates Municipal Utility District No. 1  
26 initially includes all the territory contained in the following  
27 area:

1 (a) BEGINNING: At a 2" pipe post found in the North line of  
2 County Road 232 for the lower Southeast corner of a 649.53 Acre  
3 Tract (Document #2004074055, Official Public Records, described in  
4 Volume 2520, Page 200 and Volume 2598, Page 457, Official Public  
5 Records) and an exterior corner of said 3072.64 Acre Tract and of  
6 this tract from which a 2" pipe post found in the South line of said  
7 county road for the Northwest corner of a 48.65 Acre Tract (surveyed  
8 March 10, 2022) bears S 00° 18' 48" W 56.15 feet;

9 THENCE: Along a fence with the lower East line of said 649.53  
10 Acre Tract and a West line of said 3072.64 Acre Tract and of this  
11 tract as follows:

12 N 04° 31' 43" W 735.20 feet to a 3" pipe post found for an angle  
13 point;

14 N 10° 51' 27" W 14.01 feet to a 3" pipe post found for an  
15 interior corner of said 649.53 Acre Tract and an exterior corner of  
16 said 3072.64 Acre Tract and of this tract;

17 THENCE: Along a fence with the upper South line of said 649.53  
18 Acre Tract and a North line of said 3072.64 Acre Tract and of this  
19 tract as follows:

20 N 65° 24' 32" E 680.46 feet to a 2" pipe post found for an angle  
21 point;

22 N 65° 28' 50" E 651.69 feet to a 2" pipe post found for an angle  
23 point;

24 N 68° 01' 01" E 2635.82 feet to a 100D nail set for the  
25 Southeast corner of said 649.53 Acre Tract and an interior corner of  
26 said 3072.64 Acre Tract and of this tract;

27 THENCE: Along a fence with the East line of Abstract No. 358,

1 Survey No. 1, and said 649.53 Acre Tract, the lower East line of a  
2 1209.24 Acre Tract (Document #2014012037, Official Public  
3 Records), the West line of Survey No. 21, and the upper West line of  
4 said 3072.64 Acre Tract and of this tract as follows:

5 N 21° 16' 42" W 2553.70 feet to a 2" pipe post found for an  
6 angle point;

7 N 21° 14' 51" W 877.13 feet to a steel post found for an angle  
8 point;

9 N 20° 54' 03" W 2216.78 feet to a 3" pipe post found for the  
10 Northeast corner of said 649.53 Acre Tract and an angle point of  
11 this tract;

12 S 69° 04' 53" W 13.57 feet with the North line of said 649.53  
13 Acre Tract to a 3" pipe post found for the Southeast corner of said  
14 1209.24 Acre Tract and an angle point of this tract;

15 N 20° 05' 30" W 1230.33 feet to a 2" pipe post found for an  
16 interior corner of said 1209.24 Acre Tract and the upper Northwest  
17 corner of said 3072.64 Acre Tract and of this tract;

18 THENCE: Along a fence with the upper South line of said  
19 1209.24 Acre Tract, the South line of a 5611 Acre Tract (Volume 365,  
20 Page 115, Deed Records) and the North line of said 3072.64 Acre  
21 Tract and of this tract as follows:

22 N 68° 20' 52" E 277.73 feet to a 1/2" iron pin found by 10"  
23 cedar post for the upper Southeast corner of said 1209.24 Acre  
24 Tract, the upper Southwest corner of said 5611 Acre Tract, and an  
25 angle point of this tract;

26 N 68° 26' 45" E 5079.62 feet to a 2" pipe post found for an  
27 angle point;



1           S 86° 22' 04" E 411.00 feet to a 1/2" iron pin found by 6" cedar  
2 post for an interior corner of said 5611 Acre Tract and the upper  
3 Northeast corner of this tract;

4           S 20° 51' 48" E 2076.49 feet to a 5/8" iron pin found by 3" pipe  
5 post for an exterior corner of said 5611 Acre Tract and an interior  
6 corner of this tract;

7           N 69° 23' 59" E 1379.50 feet to a 3" pipe post found for an  
8 interior corner of said 5611 Acre Tract and an exterior corner of  
9 this tract;

10          S 21° 50' 49" E 1736.87 feet to a 3" pipe post found for an  
11 angle point;

12          S 20° 41' 55" E 1761.43 feet to a 3" pipe post found for the  
13 lower Southwest corner of said 5611 Acre Tract, an interior corner  
14 of said 3072.64 Acre Tract, an exterior corner of a 1205.00 Acre  
15 Tract (this day surveyed), and an angle point of this tract;

16          S 21° 05' 42" E 540.16 feet into said 3072.64 Acre Tract to a  
17 5/8" iron pin set for an interior corner of said 1205.00 Acre Tract  
18 and the upper Southeast corner of this tract;

19          THENCE: S 68° 43' 40" W 5320.62 feet to a 5/8" iron pin set for  
20 the Northwest corner of said 1205.00 Acre Tract and an interior  
21 corner of this tract;

22          THENCE: S 21° 02' 32" E 5182.49 feet, at 2584.32 feet pass a  
23 5/8" iron pin set for an angle point of said 1205.00 Acre Tract and  
24 the upper Northwest corner of a 514.30 Acre Tract (this day  
25 surveyed), continuing to a 5/8" iron pin set for an interior corner  
26 of said 514.30 Acre Tract and an exterior corner of this tract;

27          THENCE: S 68° 57' 28" W 1870.94 feet to a 5/8" iron pin set for

1 the lower Northwest corner of said 514.30 Acre Tract and the lower  
2 Southwest corner of this tract;

3       THENCE: N 20° 44' 59" W 1603.97 feet along a fence with the  
4 East line of Survey No. 13 and a 195.5 Acre Tract (Volume 2458, Page  
5 859, Deed Records) and the West line of Survey No. 21 to a 1/2" iron  
6 pin found by 10" cedar post for the Northeast corner of Survey  
7 No. 13 and said 195.5 Acre Tract, the Southeast corner of Abstract  
8 No. 358, and an interior corner of said 3072.64 Acre Tract and of  
9 this tract;

10       THENCE: S 68° 20' 05" W 3102.03 feet along a fence with the  
11 North line of Survey No. 13 and the South line of Abstract No. 358  
12 to a 6" cedar post found for an exterior corner of said 3072.64 Acre  
13 Tract and of this tract;

14       THENCE: Along a fence with the East line of said county road  
15 and a West line of said 3072.64 Acre Tract and of this tract passing  
16 2" pipe posts found as follows:

17       N 32° 07' 47" W 379.77 feet to an angle point;

18       N 33° 01' 44" W 321.50 feet to an angle point;

19       N 50° 45' 25" W 315.12 feet to an angle point;

20       N 41° 41' 33" W 368.36 feet to an angle point;

21       N 17° 54' 39" W 267.13 feet to an angle point;

22       N 22° 26' 20" W 168.35 feet to an angle point;

23       N 46° 44' 55" W 100.13 feet to an angle point;

24       N 71° 41' 21" W 102.15 feet to an angle point;

25       N 81° 36' 11" W 539.79 feet to the POINT OF BEGINNING.

26       (b) BEGINNING: At a 5/8" iron pin set under fence in the West  
27 line of a 673.33 Acre Tract (Document #2021159264, Official Public

1 Records) and the lower East line of said 3072.64 Acre Tract for the  
2 lower Southeast corner of a 1205.00 Acre Tract (this day surveyed)  
3 and the lower Northeast corner of this tract from which a 1/2" iron  
4 pin found for an angle point of said 1205.00 Acre Tract bears N 20°  
5 43' 12med" W 159.01 feet;

6           THENCE: Along a fence with the West line of said 673.33 Acre  
7 Tract and the lower East line of said 3072.64 Acre Tract and of this  
8 tract as follows:

9           S 20° 43' 10" E 519.72 feet to a 1/2" iron pin found for an  
10 angle point;

11           S 12° 01' 50" E 291.83 feet to a 5/8" iron pin found for an  
12 interior corner of said 673.33 Acre Tract, an exterior corner of  
13 said 3072.64 Acre Tract, and the upper Southeast corner of this  
14 tract;

15           THENCE: Along a fence with the North line of Survey No. 20,  
16 the lower North line of said 673.33 Acre Tract, and the North line  
17 of a 30-foot Nature Trail of Spear's Ranch on Salado Creek Section  
18 One (Cabinet T, Slides 209 thru 223, Plat Records), and the South  
19 line of Survey No. 21, and a South line of this tract as follows:

20           S 69° 56' 54" W 252.66 feet to a 1/2" iron pin found by 3" pipe  
21 post for the lower Northwest corner of said 673.33 Acre Tract, the  
22 Northeast corner of said nature trail, and an angle point of this  
23 tract;

24           S 69° 04' 11" W 416.61 feet to an angle point;

25           S 69° 08' 40" W 1831.06 feet to an angle point;

26           S 68° 48' 01" W 760.40 feet to an angle point;

27           S 67° 55' 49" W 1390.64 feet to an angle point;

1           S 69° 24' 50" W 1554.14 feet to a 2" pipe post found for the  
2 Northwest corner of said nature trail, the Northeast corner of said  
3 67.66 Acre Tract, and an interior corner of this tract;

4           THENCE: Along a fence with the West line of said nature trail,  
5 the East line of said 67.66 Acre Tract, and the lower East line of  
6 this tract as follows:

7           S 02° 25' 02" E 30.04 feet to a 1/2" iron pin found by 26" Live  
8 Oak tree for an angle point;

9           S 26° 21' 04" E 218.30 feet to a 3/8" iron pin found for an  
10 angle point;

11          S 26° 19' 50" E 456.50 feet to a 3/8" iron pin found by 16" Live  
12 Oak tree for an angle point;

13          S 25° 01' 14" E 305.56 feet to an 18" Oak tree found for an  
14 angle point;

15          S 21° 39' 46" E 165.35 feet to a 3/8" iron pin found for an  
16 angle point;

17          S 16° 12' 10" E 339.66 feet to an 18" Cedar tree found for an  
18 angle point;

19          S 14° 12' 03" E 533.49 feet to a 1/2" iron pin found by 18" Oak  
20 tree for an angle point;

21          S 19° 05' 16" E 202.66 feet to a 3/8" iron pin found by 12" Live  
22 Oak for an angle point;

23          S 14° 09' 26" E 650.74 feet to a 3/8" iron pin found by 4" cedar  
24 post for an angle point;

25          S 15° 16' 20" E 383.91 feet to a 10" cedar post found for the  
26 Northeast corner of the remainder of a 2161.001 Acre Tract  
27 (Document #2000028918, Official Public Records), the Southeast

1 corner of said 67.66 Acre Tract, and the lower Southeast corner of  
2 this tract;

3       THENCE: S 71° 03' 19" W 770.90 feet along a fence to a 1/2"  
4 iron pin found by 10" creosote post for the Northwest corner of the  
5 remainder of said 2161.001 Acre Tract, the Southwest corner of said  
6 67.66 Acre Tract, and the lower Southwest corner of this tract;

7       THENCE: N 21° 37' 35" W 1396.02 feet along a fence with the  
8 East line of Survey No. 13 and a 106.95 Acre Tract (Volume 2255,  
9 Page 742, Official Public Records) and the West line of Survey  
10 No. 20 to a 1/2" iron pin found by 8" creosote post for the  
11 Northeast corner of said 106.95 Acre Tract, an angle point of said  
12 67.66 Acre Tract, an exterior corner of said 3072.64 Acre Tract, and  
13 an interior corner of this tract;

14       THENCE: Along a fence with the North line of said 106.95 Acre  
15 Tract and a South line of said 3072.64 Acre Tract and of this tract  
16 as follows:

17       S 68° 18' 48" W 1267.81 feet to a 1/2" iron pin found for an  
18 angle point;

19       S 76° 37' 01" W 136.62 feet to a 40D nail found by Elm for an  
20 angle point;

21       S 83° 29' 14" W 102.48 feet to a 40D nail found by Elm for an  
22 angle point;

23       N 61° 35' 19" W 10.73 feet to a 6" cedar post found for an angle  
24 point;

25       N 87° 05' 38" W 119.71 feet to a 1/2" iron pin found by 2" pipe  
26 post for an angle point;

27       S 06° 13' 12" E 175.36 feet to a 1/2" iron pin found by 2" pipe

1 post for an angle point;

2 S 56° 36' 48" W 75.04 feet to a 1/2" iron pin found for an angle  
3 point;

4 S 44° 41' 09" W 113.47 feet to a 2" pipe post found for an angle  
5 point;

6 S 42° 07' 36" W 152.96 feet to a 5/8" iron pin set for the  
7 Northwest corner of said 106.95 Acre Tract and an exterior corner of  
8 said 3072.64 Acre Tract and of this tract;

9 THENCE: Along a fence with the East line of County Road 232  
10 and a West line of said 3072.64 Acre Tract and of this tract as  
11 follows:

12 N 19° 17' 35" E 134.40 feet to an angle point;

13 N 24° 00' 25" W 138.58 feet to an angle point;

14 N 38° 19' 18" W 658.87 feet to a 1/2" iron pin found by 2" pipe  
15 post for an angle point;

16 N 39° 31' 29" W 250.06 feet, at 51.76 feet pass the South  
17 terminus of a 50-foot Road Easement (this day surveyed), continuing  
18 to an angle point;

19 N 44° 04' 25" W 261.31 feet to an angle point;

20 N 44° 10' 37" W 593.32 feet to a 2" pipe post found for an angle  
21 point;

22 N 14° 32' 04" W 211.93 feet to an angle point;

23 N 04° 30' 47" W 470.65 feet to a 1/2" iron pin found in the  
24 South line of a 195.5 Acre Tract (Volume 2458, Page 859, Deed  
25 Records) and an exterior corner of said 3072.64 Acre Tract and of  
26 this tract;

27 THENCE: N 68° 15' 37" E 2341.32 feet along a fence to a 10"

1 cedar post found for the Southeast corner of said 195.5 Acre Tract  
2 and an interior corner of said 3072.64 Acre Tract and of this tract;

3       THENCE: N 20° 44' 59" W 702.86 feet along a fence with the  
4 East line of Survey No. 13 and said 195.5 Acre Tract and the West  
5 line of Survey No. 21 and said 3072.64 Acre Tract to a 5/8" iron pin  
6 set for an exterior corner of a 1419.57 Acre Tract (this day  
7 surveyed) and the lower Northwest corner of this tract;

8       THENCE: Crossing said 3072.64 Acre Tract with the North line  
9 of this tract as follows:

10       N 68° 57' 28" E 1870.94 feet to a 5/8" iron pin set for the  
11 lower Southeast corner of said 1419.57 Acre Tract and an interior  
12 corner of this tract;

13       N 21° 02' 32" W 2598.17 feet with the lower East line of said  
14 1419.57 Acre Tract to a 5/8" iron pin set for an angle point of said  
15 1205.00 Acre Tract and the upper Northwest corner of this tract;

16       Continuing with the North line of this tract and the South  
17 line of said 1205.00 Acre Tract as follows:

18       S 64° 48' 25" E 1376.79 feet, at 618.20 feet pass the North  
19 terminus of said road easement, continuing to a 5/8" iron pin set  
20 for an angle point;

21       N 72° 00' 34" E 2659.37 feet to a 5/8" iron pin set for an  
22 interior corner of said 1205.00 Acre Tract and the upper Northeast  
23 corner of this tract;

24       S 20° 22' 11" E 1911.75 feet to a 5/8" iron pin set for the  
25 Southwest corner of said 1205.00 Acre Tract and an interior corner  
26 of this tract;

27       N 67° 49' 03" E 1727.05 feet to the POINT OF BEGINNING.

1 (c) BEGINNING: At a 1/2" iron pin found in the West line of  
2 County Road 232 and the South line of a 195.5 Acre Tract (Volume  
3 2458, Page 859, Deed Records) for the Northeast corner of this tract  
4 from which a 1/2" iron pin found in the East line of said county road  
5 for an exterior corner of a 514.30 Acre Tract (this day surveyed)  
6 bears N 68° 50' 18" E 54.24 feet;

7 THENCE: With the West line of said road and the East line of  
8 this tract passing 1/2" iron pins found as follows:

9 S 04° 49' 16" E 455.90 feet to an angle point;

10 S 14° 52' 48" E 238.88 feet to an angle point;

11 S 44° 15' 55" E 602.34 feet to an angle point;

12 S 44° 13' 37" E 256.82 feet to an angle point;

13 S 39° 27' 01" E 248.02 feet to an angle point;

14 S 38° 18' 33" E 658.46 feet to an angle point;

15 S 24° 31' 17" E 109.18 feet to a 1/2" iron pin found for the  
16 Southeast corner of this tract;

17 THENCE: With the North line of said county road and the South  
18 line of this tract as follows:

19 S 18° 59' 07" W 95.53 feet to a 5/8" iron pin set for an angle  
20 point;

21 S 44° 19' 36" W 271.53 feet to a 5/8" iron pin set for an angle  
22 point;

23 S 43° 01' 41" W 369.83 feet to a 1/2" iron pin found for an  
24 angle point;

25 S 42° 33' 02" W 219.62 feet to a 1/2" iron pin found for an  
26 angle point;

27 S 04° 07' 18" W 76.42 feet to a 5/8" iron pin set for an angle



1 point;

2 S 37° 56' 47" W 139.57 feet, at 79.09 feet pass a found 2" pipe  
3 post, continuing to the Southwest corner of this tract;

4 THENCE: Along the center of North Salado Creek with the East  
5 line of a 12.00 Acre Tract (Document #2020075231, Official Public  
6 Records) and a 124.74 Acre Tract (Document #2016095553, Official  
7 Public Records) and the West line of this tract as follows:

- 8 N 41° 03' 59" W 131.42 feet to an angle point;
- 9 N 11° 53' 19" W 40.63 feet to an angle point;
- 10 N 76° 36' 27" W 45.17 feet to an angle point;
- 11 N 30° 48' 05" W 126.68 feet to an angle point;
- 12 N 78° 57' 33" W 87.41 feet to an angle point;
- 13 N 12° 44' 59" E 79.02 feet to an angle point;
- 14 N 11° 00' 13" W 73.47 feet to an angle point;
- 15 S 88° 36' 10" W 82.16 feet to an angle point;
- 16 N 66° 02' 15" W 98.65 feet to an angle point;
- 17 N 06° 27' 32" W 106.86 feet to an angle point;
- 18 N 30° 17' 17" E 145.33 feet to an angle point;
- 19 N 03° 28' 06" W 75.42 feet to an angle point;
- 20 N 37° 44' 59" W 146.89 feet to an angle point;
- 21 N 63° 26' 06" W 145.44 feet to an angle point;
- 22 N 38° 31' 49" W 136.06 feet to an angle point;
- 23 N 12° 39' 09" W 86.38 feet to an angle point;
- 24 N 04° 05' 08" W 70.68 feet to an angle point;
- 25 S 86° 18' 31" W 52.15 feet to an angle point;
- 26 N 76° 52' 51" W 106.01 feet to an angle point;
- 27 N 12° 38' 00" W 83.15 feet to an angle point;

1 N 23° 29' 55" W 105.25 feet to an angle point;  
2 N 10° 37' 11" E 136.64 feet to an angle point;  
3 N 04° 47' 52" W 86.56 feet to an angle point;  
4 N 34° 45' 21" W 139.44 feet to an angle point;  
5 N 06° 54' 40" W 77.72 feet to an angle point;  
6 N 17° 40' 47" E 51.12 feet to an angle point;  
7 N 52° 40' 44" E 193.31 feet to an angle point;  
8 N 18° 45' 31" E 85.20 feet to an angle point;  
9 N 23° 41' 26" W 105.23 feet to an angle point;  
10 N 86° 35' 59" W 152.93 feet to an angle point;  
11 N 60° 31' 27" W 77.06 feet to an angle point;  
12 N 30° 15' 23" W 81.04 feet to an angle point;  
13 N 67° 37' 12" W 107.25 feet to an angle point;  
14 S 79° 56' 22" W 183.67 feet to an angle point;  
15 N 73° 48' 39" W 94.15 feet to an angle point;  
16 S 88° 10' 54" W 91.93 feet to an angle point;  
17 N 53° 44' 46" W 180.85 feet to an angle point;  
18 N 74° 50' 45" W 120.88 feet to an angle point;  
19 N 39° 12' 26" W 60.40 feet to the Southwest corner of said  
20 195.5 Acre Tract and the Northwest corner of this tract;

21 THENCE: N 68° 20' 39" E 1386.29 feet with the South line of  
22 said 195.5 Acre Tract, at 19.37 feet pass a found 12" Pecan stump,  
23 continuing along a fence to the POINT OF BEGINNING.

24 (d) BEGINNING: At a 2" pipe post found in the South line of  
25 County Road 232 and the lower East line of a 649.53 Acre Tract  
26 (Document # #2004074055, Official Public Records, described in  
27 Volume 2520, Page 200 and Volume 2598, Page 457, Official Public

1 Records) for the Northwest corner of this tract from which a 2" pipe  
2 post found in the North line of said county road for the upper  
3 Southwest corner of a 1419.57 Acre Tract (this day surveyed) bears N  
4  $00^{\circ} 18' 48''$  E 56.15 feet;

5       THENCE: Along a fence with the South and West line of said  
6 county road and the North and East line of this tract as follows:

7       S  $83^{\circ} 15' 32''$  E 491.41 feet to a 6" cedar post found for an  
8 angle point;

9       S  $71^{\circ} 41' 57''$  E 76.53 feet to a 6" cedar post found for an angle  
10 point;

11       S  $48^{\circ} 56' 34''$  E 139.44 feet to a 6" cedar post found for an  
12 angle point;

13       S  $19^{\circ} 57' 48''$  E 414.71 feet to a 5" cedar post found for an  
14 angle point;

15       S  $41^{\circ} 43' 21''$  E 317.47 feet to a 5" cedar post found for an  
16 angle point;

17       S  $49^{\circ} 16' 01''$  E 370.58 feet to a 6" cedar post found for an  
18 angle point;

19       S  $32^{\circ} 42' 02''$  E 683.73 feet to a 2" pipe post found for the  
20 Southeast corner of this tract;

21       THENCE: S  $68^{\circ} 22' 29''$  W 1256.52 feet along a fence with the  
22 North line of Survey No. 13 and a 195.5 Acre Tract (Volume 2458,  
23 Page 859, Deed Records) and the South line of Abstract No. 358, at  
24 1209.80 feet pass a 1/2" iron pin found by 14" Elm, continuing  
25 without fence to the Northwest corner of said 195.5 Acre Tract and  
26 the lower Southwest corner of this tract;

27       THENCE: Along the center of North Salado Creek with the North

1 line of a 61.80 Acre Tract (Document #2010063430, Official Public  
2 Records) and the South line of this tract as follows:

3 N 02° 31' 01" W 103.87 feet to an angle point;  
4 N 52° 32' 58" W 74.50 feet to an angle point;  
5 N 84° 29' 40" W 104.92 feet to an angle point;  
6 S 85° 34' 16" W 152.08 feet to an angle point;  
7 N 80° 01' 20" W 218.89 feet to the lower Southeast corner of  
8 said 649.53 Acre Tract and the Southwest corner of this tract;

9 THENCE: With the lower East line of said 649.53 Acre Tract  
10 and the West line of this tract as follows:

11 N 04° 31' 03" E 649.14 feet, at 72.82 feet pass a found 2" pipe  
12 post, continuing along a fence to a 12" cedar post found for an  
13 angle point;

14 N 02° 28' 22" E 641.86 feet along a fence to a 2" pipe post  
15 found for an angle point;

16 N 04° 10' 33" W 608.21 feet along a fence to the POINT OF  
17 BEGINNING.

18 (c) If the Act enacting this section does not receive a  
19 two-thirds vote of all the members elected to each house,  
20 Subchapter C, Chapter 7962, Special District Local Laws Code, as  
21 added by Subsection (a) of this section, is amended by adding  
22 Section 7962.0308 to read as follows:

23 Sec. 7962.0308. NO EMINENT DOMAIN POWER. The district may  
24 not exercise the power of eminent domain.

25 (d) Subsection (c) of this section is not intended to be an  
26 expression of a legislative interpretation of the requirements of  
27 Section 17(c), Article I, Texas Constitution.

1 SECTION 5. (a) Subtitle F, Title 6, Special District Local  
2 Laws Code, is amended by adding Chapter 7968A to read as follows:

3 CHAPTER 7968A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT

4 NO. 236

5 SUBCHAPTER A. GENERAL PROVISIONS

6 Sec. 7968A.0101. DEFINITIONS. In this chapter:

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

8 (2) "Commission" means the Texas Commission on  
9 Environmental Quality.

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

11 (4) "District" means the Montgomery County Municipal  
12 Utility District No. 236.

13 Sec. 7968A.0102. NATURE OF DISTRICT. The district is a  
14 municipal utility district created under Section 59, Article XVI,  
15 Texas Constitution.

16 Sec. 7968A.0103. CONFIRMATION AND DIRECTOR ELECTION  
17 REQUIRED. The temporary directors shall hold an election to  
18 confirm the creation of the district and to elect five permanent  
19 directors as provided by Section 49.102, Water Code.

20 Sec. 7968A.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
21 temporary directors may not hold an election under Section  
22 7968A.0103 until each municipality in whose corporate limits or  
23 extraterritorial jurisdiction the district is located has  
24 consented by ordinance or resolution to the creation of the  
25 district and to the inclusion of land in the district as required by  
26 applicable law.

27 Sec. 7968A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

9 Sec. 7968A.0106. INITIAL DISTRICT TERRITORY. (a) The  
10 district is initially composed of the territory described by  
11 Section 5(b) of the Act enacting this chapter.

12 (b) The boundaries and field notes contained in Section 5(b)  
13 of the Act enacting this chapter form a closure. A mistake made in  
14 the field notes or in copying the field notes in the legislative  
15 process does not affect the district's:

16 (1) organization, existence, or validity;

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

20 (3) right to impose a tax; or

21 (4) legality or operation.

22 SUBCHAPTER B. BOARD OF DIRECTORS

23 Sec. 7968A.0201. GOVERNING BODY; TERMS. (a) The district  
24 is governed by a board of five elected directors.

25 (b) Except as provided by Section 7968A.0202, directors  
26 serve staggered four-year terms.

27 Sec. 7968A.0202. TEMPORARY DIRECTORS. (a) On or after the

1 effective date of the Act enacting this chapter, the owner or owners  
2 of a majority of the assessed value of the real property in the  
3 district may submit a petition to the commission requesting that  
4 the commission appoint as temporary directors the five persons  
5 named in the petition. The commission shall appoint as temporary  
6 directors the five persons named in the petition.

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

8 (1) the date permanent directors are elected under  
9 Section 7968A.0103; or

10 (2) the fourth anniversary of the effective date of  
11 the Act enacting this chapter.

12 (c) If permanent directors have not been elected under  
13 Section 7968A.0103 and the terms of the temporary directors have  
14 expired, successor temporary directors shall be appointed or  
15 reappointed as provided by Subsection (d) to serve terms that  
16 expire on the earlier of:

17 (1) the date permanent directors are elected under  
18 Section 7968A.0103; or

19 (2) the fourth anniversary of the date of the  
20 appointment or reappointment.

21 (d) If Subsection (c) applies, the owner or owners of a  
22 majority of the assessed value of the real property in the district  
23 may submit a petition to the commission requesting that the  
24 commission appoint as successor temporary directors the five  
25 persons named in the petition. The commission shall appoint as  
26 successor temporary directors the five persons named in the  
27 petition.

1                   SUBCHAPTER C. POWERS AND DUTIES

2           Sec. 7968A.0301. GENERAL POWERS AND DUTIES. The district  
3 has the powers and duties necessary to accomplish the purposes for  
4 which the district is created.

5           Sec. 7968A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
6 DUTIES. The district has the powers and duties provided by the  
7 general law of this state, including Chapters 49 and 54, Water Code,  
8 applicable to municipal utility districts created under Section 59,  
9 Article XVI, Texas Constitution.

10          Sec. 7968A.0303. AUTHORITY FOR ROAD PROJECTS. Under  
11 Section 52, Article III, Texas Constitution, the district may  
12 design, acquire, construct, finance, issue bonds for, improve,  
13 operate, maintain, and convey to this state, a county, or a  
14 municipality for operation and maintenance macadamized, graveled,  
15 or paved roads, or improvements, including storm drainage, in aid  
16 of those roads.

17          Sec. 7968A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
18 road project must meet all applicable construction standards,  
19 zoning and subdivision requirements, and regulations of each  
20 municipality in whose corporate limits or extraterritorial  
21 jurisdiction the road project is located.

22           (b) If a road project is not located in the corporate limits  
23 or extraterritorial jurisdiction of a municipality, the road  
24 project must meet all applicable construction standards,  
25 subdivision requirements, and regulations of each county in which  
26 the road project is located.

27           (c) If the state will maintain and operate the road, the



1 Texas Transportation Commission must approve the plans and  
2 specifications of the road project.

3 Sec. 7968A.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
4 ORDINANCE OR RESOLUTION. The district shall comply with all  
5 applicable requirements of any ordinance or resolution that is  
6 adopted under Section 54.016 or 54.0165, Water Code, and that  
7 consents to the creation of the district or to the inclusion of land  
8 in the district.

9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

10 Sec. 7968A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
11 The district may issue, without an election, bonds and other  
12 obligations secured by:

- 13 (1) revenue other than ad valorem taxes; or  
14 (2) contract payments described by Section  
15 7968A.0403.

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

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

24 Sec. 7968A.0402. OPERATION AND MAINTENANCE TAX. (a) If  
25 authorized at an election held under Section 7968A.0401, the  
26 district may impose an operation and maintenance tax on taxable  
27 property in the district in accordance with Section 49.107, Water

1 Code.

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

4 Sec. 7968A.0403. CONTRACT TAXES. (a) In accordance with  
5 Section 49.108, Water Code, the district may impose a tax other than  
6 an operation and maintenance tax and use the revenue derived from  
7 the tax to make payments under a contract after the provisions of  
8 the contract have been approved by a majority of the district voters  
9 voting at an election held for that purpose.

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

13 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

14 Sec. 7968A.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
15 OBLIGATIONS. The district may issue bonds or other obligations  
16 payable wholly or partly from ad valorem taxes, impact fees,  
17 revenue, contract payments, grants, or other district money, or any  
18 combination of those sources, to pay for any authorized district  
19 purpose.

20 Sec. 7968A.0502. TAXES FOR BONDS. At the time the district  
21 issues bonds payable wholly or partly from ad valorem taxes, the  
22 board shall provide for the annual imposition of a continuing  
23 direct ad valorem tax, without limit as to rate or amount, while all  
24 or part of the bonds are outstanding as required and in the manner  
25 provided by Sections 54.601 and 54.602, Water Code.

26 Sec. 7968A.0503. BONDS FOR ROAD PROJECTS. At the time of  
27 issuance, the total principal amount of bonds or other obligations

1 issued or incurred to finance road projects and payable from ad  
2 valorem taxes may not exceed one-fourth of the assessed value of the  
3 real property in the district.

4 (b) Montgomery County Municipal Utility District No. 236  
5 initially includes all the territory contained in the following  
6 area:

7 A 231.1123 ACRE TRACT OF LAND IN THE S. TERRY SURVEY, ABSTRACT  
8 NO. 564, MONTGOMERY COUNTY, TEXAS, BEING OUT OF AND A PART OF A  
9 CALLED 1,702.2 ACRE TRACT CONVEYED TO DAYAKAR PUSKOOR, TRUSTEE OF  
10 1992 GUNIGANTI CREDIT SHELTER TRUSTS, AKA THE GUNIGANTI FAMILY  
11 TRUSTS AS RECORDED UNDER MONTGOMERY COUNTY CLERK'S FILE NUMBER  
12 (M.C.C.F. NO.) 2019097078 (DESCRIBED UNDER M.C.C.F. NO.  
13 2012127211), THE SAID 231.1123 ACRE TRACT BEING MORE PARTICULARLY  
14 DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (WITH BEARINGS BASED ON  
15 THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE, AS DETERMINED BY  
16 GPS MEASUREMENTS):

17 COMMENCING at a 3/4-inch iron rod found marking an angle in  
18 the west line of said 1,702.2 acre tract, and the west line of a  
19 called 150.00 acre tract, conveyed to TC LB Royal Pines, LP as  
20 recorded under M.C.C.F. NO. 2021171601;

21 THENCE, North 03°35'35" West, along the west line of said  
22 1,702.2 acre tract, and said 150.00 acre tract, passing at a  
23 distance of 10.54 feet, a found 5/8" iron rod with cap stamped  
24 "TERRA", passing at a distance of 874 feet, the approximate  
25 centerline of White Oak Creek, being the northwest corner of the  
26 said 150.00 acre tract, continuing along the west line of said  
27 1,702.2 acre tract a total distance of 4,572.60 feet, to a 1/2" iron

1 rod found marking the northeast corner of Lot 6, Block 3, White Oak  
2 Crossing Sec 4 (WOC4), map or plat thereof recorded under Cabinet  
3 (Cab.) Z, Sheet (Sht.) 3640 Montgomery County Map Records  
4 (M.C.M.R.), and an interior corner of said 1,702.2 acre tract, and  
5 the herein described tract;

6       THENCE, South 87°08'26" West, along the north lines of said  
7 WOC4, and White Oak Crossing Sec 3 (WOC3), map or plat thereof  
8 recorded under Cab. Z, Sht. 2286 M.C.M.R., common with the  
9 southerly line of said 1,702.2 acre tract and the herein described  
10 tract, a distance of 2,132.46 feet, to a 5/8" iron rod with cap  
11 stamped "HOVIS" found marking the northwest corner of Lot 19, Block  
12 5, of said WOC3;

13       THENCE, North 07°21'12" West, departing said common line,  
14 over and across said WCO3, A 19.14 acre tract conveyed to Prabhakar  
15 R. Guniganti as recorded under M.C.C.F. NO. 2016114018, and said  
16 1,702.2 acre tract, a distance of 4,946.84 feet, to the west line of  
17 said 1,702.2 acre tract marking the southwest corner, and POINT OF  
18 BEGINNING of the herein described tract;

19       THENCE, North 02°19'57" West, along the west line of said  
20 1,702.2 acre tract, passing at a distance of 7.13 feet the southerly  
21 Right-Of-Way (R.O.W.) line of State Highway 99 (A.K.A. Grand  
22 Parkway), as described in the agreed final judgement recorded under  
23 M.C.C.F. NO. 2022115684, passing at a distance of 407.22 feet, the  
24 northerly R.O.W. line of said State Highway 99, continuing a total  
25 distance of 2,694.43 feet, to the northwest corner of said 1,702.2  
26 acre tract and the herein described tract;

27       THENCE, North 86°56'15" East, along the northerly line of said

1 1,702.2 acre tract, a distance of 2,313.87 feet, to an angle in the  
2 north line of said 1,702.2 acre tract and the herein described  
3 tract;

4       THENCE, North 88°18'37" East, along the northerly line of said  
5 1,702.2 acre tract, a distance of 84.62 feet, to the northeast  
6 corner of the herein described tract;

7       THENCE, over and across said 1,702.2 acre tract, the  
8 following twenty nine (29) courses and distances:

9       South 01°34'11" East, a distance of 523.07 feet, to an angle  
10 in the east line of the herein described tract;

11       South 88°20'05" East, a distance of 320.48 feet, to an angle  
12 in the east line of the herein described tract;

13       South 72°57'20" East, a distance of 524.04 feet, to an angle  
14 in the east line of the herein described tract;

15       South 55°07'09" East, a distance of 242.85 feet, to an angle  
16 in the east line of the herein described tract;

17       South 26°44'17" East, a distance of 274.37 feet, to an angle  
18 in the east line of the herein described tract;

19       South 34°39'23" East, a distance of 466.61 feet, to an angle  
20 in the east line of the herein described tract;

21       South 29°43'18" East, a distance of 94.04 feet, to an angle in  
22 the east line of the herein described tract;

23       South 03°45'41" West, a distance of 196.73 feet, to an angle  
24 in the east line of the herein described tract;

25       South 27°52'41" East, a distance of 382.54 feet, to an angle  
26 in the east line of the herein described tract;

27       South 29°14'09" East, a distance of 98.06 feet, to an angle in

1 the east line of the herein described tract;

2 South 18°42'01" West, a distance of 156.58 feet, to an angle  
3 in the east line of the herein described tract;

4 South 45°05'06" West, a distance of 138.46 feet, to an angle  
5 in the east line of the herein described tract;

6 South 72°00'22" West, a distance of 171.11 feet, to an angle  
7 in the east line of the herein described tract;

8 South 64°09'37" West, a distance of 133.85 feet, to the  
9 beginning of a curve to the right;

10 In a southwesterly direction, along said curve to the right,  
11 having a radius of 3,014.66 feet, a central angle of 01°26'03"  
12 (chord bears South 64°04'47" West, 75.45 feet) and an arc distance  
13 of 75.45 feet, to the beginning of a reverse curve to the left;

14 In a southwesterly direction, along said reverse curve to the  
15 left, having a radius of 100.00 feet, a central angle of 13°17'38"  
16 (chord bears South 57°47'21" West, 23.15 feet) and an arc distance  
17 of 23.20 feet, to the beginning of a reverse curve to the right;

18 In a southwesterly direction, along said reverse curve to the  
19 right, having a radius of 500.00 feet, a central angle of 12°42'15"  
20 (chord bears South 57°29'40" West, 110.64 feet) and an arc distance  
21 of 110.86 feet, to the beginning of a reverse curve to the left;

22 In a southwesterly direction, along said reverse curve to the  
23 left, having a radius of 100.00 feet, a central angle of 07°23'59"  
24 (chord bears South 60°08'48" West, 12.91 feet) and an arc distance  
25 of 12.92 feet, to the beginning of a reverse curve to the right;

26 In a southwesterly direction, along said reverse curve to the  
27 right, having a radius of 100.00 feet, a central angle of 23°30'02"

1 (chord bears South 68°11'50" West, 40.73 feet) and an arc distance  
2 of 41.02 feet, to the point of tangency;

3 South 79°56'51" West, a distance of 52.57 feet, to the  
4 beginning of a curve to the right;

5 In a westerly direction, along said curve to the right,  
6 having a radius of 100.00 feet, a central angle of 24°12'11" (chord  
7 bears North 87°57'04" West, 41.93 feet) and an arc distance of 42.24  
8 feet, to the point of compound curvature;

9 In a northwesterly direction, along said compound curve to  
10 the right, having a radius of 500.00 feet, a central angle of  
11 01°07'37" (chord bears North 75°17'10" West, 9.83 feet) and an arc  
12 distance of 9.83 feet, to the point of reverse curvature;

13 In a southwesterly direction, along said reverse curve to the  
14 left, having a radius of 100.00 feet, a central angle of 59°15'48"  
15 (chord bears South 75°38'44" West, 98.88 feet) and an arc distance  
16 of 103.43 feet, to the point of tangency;

17 South 46°00'50" West, a distance of 240.66 feet, to an angle  
18 in the southerly line of the herein described tract;

19 North 47°45'22" West, a distance of 351.90 feet, to the  
20 beginning of a curve to the right;

21 In a northwesterly direction, along said curve to the right,  
22 having a radius of 1,250.00 feet, a central angle of 01°33'58"  
23 (chord bears North 46°58'23" West, 34.17 feet) and an arc distance  
24 of 34.17 feet, to the point of tangency;

25 South 53°50'57" West, a distance of 302.10 feet, to the  
26 beginning of a curve to the left;

27 In a southwesterly direction, along said curve to the left,

1 having a radius of 2,000.00 feet, a central angle of 17°35'11"  
2 (chord bears South 45°03'21" West, 611.48 feet) and an arc distance  
3 of 613.89 feet, to the point of tangency;

4 South 36°15'45" West, a distance of 406.05 feet, to an angle  
5 in the southerly line of the herein described tract;

6 THENCE, North 68°09'29" West, a distance of 1,868.05 feet, to  
7 the POINT OF BEGINNING, and containing 231.1123 acres of land.

8 (c) If the Act enacting this section does not receive a  
9 two-thirds vote of all the members elected to each house,  
10 Subchapter C, Chapter 7968A, Special District Local Laws Code, as  
11 added by Subsection (a) of this section, is amended by adding  
12 Section 7968A.0306 to read as follows:

13 Sec. 7968A.0306. NO EMINENT DOMAIN POWER. The district may  
14 not exercise the power of eminent domain.

15 (d) Subsection (c) of this section is not intended to be an  
16 expression of a legislative interpretation of the requirements of  
17 Section 17(c), Article I, Texas Constitution.

18 SECTION 6. (a) Subtitle F, Title 6, Special District Local  
19 Laws Code, is amended by adding Chapter 8010A to read as follows:

20 CHAPTER 8010A. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 49

21 SUBCHAPTER A. GENERAL PROVISIONS

22 Sec. 8010A.0101. DEFINITIONS. In this chapter:

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

24 (2) "Commission" means the Texas Commission on  
25 Environmental Quality.

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

27 (4) "District" means the Williamson County Municipal



1 Utility District No. 49.

2 Sec. 8010A.0102. NATURE OF DISTRICT. The district is a  
3 municipal utility district created under Section 59, Article XVI,  
4 Texas Constitution.

5 Sec. 8010A.0103. CONFIRMATION AND DIRECTOR ELECTION  
6 REQUIRED. The temporary directors shall hold an election to  
7 confirm the creation of the district and to elect five permanent  
8 directors as provided by Section 49.102, Water Code.

9 Sec. 8010A.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
10 temporary directors may not hold an election under Section  
11 8010A.0103 until each municipality in whose corporate limits or  
12 extraterritorial jurisdiction the district is located has  
13 consented by ordinance or resolution to the creation of the  
14 district and to the inclusion of land in the district as required by  
15 applicable law.

16 Sec. 8010A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

25 Sec. 8010A.0106. INITIAL DISTRICT TERRITORY. (a) The  
26 district is initially composed of the territory described by  
27 Section 6(b) of the Act enacting this chapter.

1       (b) The boundaries and field notes contained in Section 6(b)  
2 of the Act enacting this chapter form a closure. A mistake made in  
3 the field notes or in copying the field notes in the legislative  
4 process does not affect the district's:

5           (1) organization, existence, or validity;

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

9           (3) right to impose a tax; or

10          (4) legality or operation.

11                   SUBCHAPTER B. BOARD OF DIRECTORS

12       Sec. 8010A.0201. GOVERNING BODY; TERMS. (a) The district  
13 is governed by a board of five elected directors.

14       (b) Except as provided by Section 8010A.0202, directors  
15 serve staggered four-year terms.

16       Sec. 8010A.0202. TEMPORARY DIRECTORS. (a) The temporary  
17 board consists of:

18           (1) Mark Tickner;

19           (2) Nick Easley;

20           (3) Walter Duke;

21           (4) Zachary Summers; and

22           (5) Noah Terrazas.

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

24           (1) the date permanent directors are elected under  
25 Section 8010A.0103; or

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

1       (c) If permanent directors have not been elected under  
2 Section 8010A.0103 and the terms of the temporary directors have  
3 expired, successor temporary directors shall be appointed or  
4 reappointed as provided by Subsection (d) to serve terms that  
5 expire on the earlier of:

6           (1) the date permanent directors are elected under  
7 Section 8010A.0103; or

8           (2) the fourth anniversary of the date of the  
9 appointment or reappointment.

10       (d) If Subsection (c) applies, the owner or owners of a  
11 majority of the assessed value of the real property in the district  
12 may submit a petition to the commission requesting that the  
13 commission appoint as successor temporary directors the five  
14 persons named in the petition. The commission shall appoint as  
15 successor temporary directors the five persons named in the  
16 petition.

17                   SUBCHAPTER C. POWERS AND DUTIES

18       Sec. 8010A.0301. GENERAL POWERS AND DUTIES. The district  
19 has the powers and duties necessary to accomplish the purposes for  
20 which the district is created.

21       Sec. 8010A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
22 DUTIES. The district has the powers and duties provided by the  
23 general law of this state, including Chapters 49 and 54, Water Code,  
24 applicable to municipal utility districts created under Section 59,  
25 Article XVI, Texas Constitution.

26       Sec. 8010A.0303. AUTHORITY FOR ROAD PROJECTS. Under  
27 Section 52, Article III, Texas Constitution, the district may

1 design, acquire, construct, finance, issue bonds for, improve,  
2 operate, maintain, and convey to this state, a county, or a  
3 municipality for operation and maintenance macadamized, graveled,  
4 or paved roads, or improvements, including storm drainage, in aid  
5 of those roads.

6 Sec. 8010A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
7 road project must meet all applicable construction standards,  
8 zoning and subdivision requirements, and regulations of each  
9 municipality in whose corporate limits or extraterritorial  
10 jurisdiction the road project is located.

11 (b) If a road project is not located in the corporate limits  
12 or extraterritorial jurisdiction of a municipality, the road  
13 project must meet all applicable construction standards,  
14 subdivision requirements, and regulations of each county in which  
15 the road project is located.

16 (c) If the state will maintain and operate the road, the  
17 Texas Transportation Commission must approve the plans and  
18 specifications of the road project.

19 Sec. 8010A.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
20 ORDINANCE OR RESOLUTION. The district shall comply with all  
21 applicable requirements of any ordinance or resolution that is  
22 adopted under Section 54.016 or 54.0165, Water Code, and that  
23 consents to the creation of the district or to the inclusion of land  
24 in the district.

25 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

26 Sec. 8010A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
27 The district may issue, without an election, bonds and other

1 obligations secured by:

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

3 (2) contract payments described by Section  
4 8010A.0403.

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

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

13 Sec. 8010A.0402. OPERATION AND MAINTENANCE TAX. (a) If  
14 authorized at an election held under Section 8010A.0401, the  
15 district may impose an operation and maintenance tax on taxable  
16 property in the district in accordance with Section 49.107, Water  
17 Code.

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

20 Sec. 8010A.0403. CONTRACT TAXES. (a) In accordance with  
21 Section 49.108, Water Code, the district may impose a tax other than  
22 an operation and maintenance tax and use the revenue derived from  
23 the tax to make payments under a contract after the provisions of  
24 the contract have been approved by a majority of the district voters  
25 voting at an election held for that purpose.

26 (b) A contract approved by the district voters may contain a  
27 provision stating that the contract may be modified or amended by

1 the board without further voter approval.

2 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3 Sec. 8010A.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
4 OBLIGATIONS. The district may issue bonds or other obligations  
5 payable wholly or partly from ad valorem taxes, impact fees,  
6 revenue, contract payments, grants, or other district money, or any  
7 combination of those sources, to pay for any authorized district  
8 purpose.

9 Sec. 8010A.0502. TAXES FOR BONDS. At the time the district  
10 issues bonds payable wholly or partly from ad valorem taxes, the  
11 board shall provide for the annual imposition of a continuing  
12 direct ad valorem tax, without limit as to rate or amount, while all  
13 or part of the bonds are outstanding as required and in the manner  
14 provided by Sections 54.601 and 54.602, Water Code.

15 Sec. 8010A.0503. BONDS FOR ROAD PROJECTS. At the time of  
16 issuance, the total principal amount of bonds or other obligations  
17 issued or incurred to finance road projects and payable from ad  
18 valorem taxes may not exceed one-fourth of the assessed value of the  
19 real property in the district.

20 (b) The Williamson County Municipal Utility District No. 49  
21 initially includes all the territory contained in the following  
22 area:

23 TRACT 1:

24 A 59.891 ACRE TRACT OF LAND SITUATED IN THE ELISHA DAVIS  
25 SURVEY, SECTION NO. 23, ABSTRACT NO. 172, IN WILLIAMSON COUNTY,  
26 TEXAS, BEING OUT OF A CALLED 60.57 ACRE TRACT CONVEYED TO LETTS  
27 FAMILY TRUST BY INSTRUMENT RECORDED IN VOLUME 528, PAGE 376 OF THE

1 DEED RECORDS OF WILLIAMSON COUNTY, TEXAS A 59.891 ACRE TRACT OF LAND  
2 SITUATED IN THE ELISHA DAVIS SURVEY, SECTION NO. 23, ABSTRACT NO.  
3 172, IN WILLIAMSON COUNTY, TEXAS, BEING OUT OF A CALLED 60.57 ACRE  
4 TRACT CONVEYED TO LETTS FAMILY TRUST BY INSTRUMENT RECORDED IN  
5 VOLUME 528, PAGE 376 OF THE DEED RECORDS OF WILLIAMSON COUNTY,  
6 TEXAS. SAID 59.891 ACRE TRACT BEING MORE FULLY DESCRIBED AS  
7 FOLLOWS, WITH BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM  
8 ESTABLISHED FOR THE CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF  
9 1983 NAD 83 (NA2011) EPOCH 2010.00.:

10 BEGINNING at a 1/2" iron rod found in the west right-of-way  
11 line of County Road 308, said point being the northeast corner of  
12 said 60.57-acre tract, for the northeast corner and POINT OF  
13 BEGINNING hereof;

14 THENCE S 20°52'36" E, with the west right-of-way line of said  
15 County Road 308, same being the east boundary line of said  
16 60.57-acre tract, a distance of 2045.72 feet to a 1/2" iron rod with  
17 yellow cap marked "Pape-Dawson" set in the north right-of-way line  
18 of County Road 305, same being the north boundary line of a called  
19 0.5039 acre tract of land conveyed to Williamson County, Texas by  
20 instrument recorded in Document No. 9820041 of the Official Public  
21 Records of said County, for the southeast corner hereof;

22 THENCE S 68°21'23" W, with the north boundary line of said  
23 0.5039-acre tract, same being the north right-of-way line of said  
24 County Road 305, through the interior of said 60.57-acre tract, a  
25 distance of 1258.78 feet to a 1/2" iron rod found on a point in the  
26 east boundary line of a called 3.92-acre tract of land conveyed to  
27 Gary R. Sheley and Rosita R. Sheley, by instrument recorded in

1 Document No. 2009090657 of said Official Public Records, same being  
2 the west boundary line of said 60.57-acre tract, for the southwest  
3 corner hereof;

4       THENCE N 21°39'56" W, departing the north right-of-way line of  
5 said County Road 305, with, in part, the east boundary lines of:  
6 said 3.92-acre tract, a called 10.00-acre tract of land conveyed to  
7 Dudley K. Bukowsky and Tami Bukowsky by instrument recorded in  
8 Document No. 2008016420 of said Official Public Records, Lot 5,  
9 Bukowsky Subdivision, recorded in Document No. 2019064044 of said  
10 Official Public Records, a called 10.51-acre tract of land conveyed  
11 to Kerry Conaway, Jr., by instrument recorded in Document  
12 No. 2006005509 of said Official Public Records and a called  
13 10.51-acre tract of land conveyed to Darral Henderson and Elaine  
14 Henderson by instrument recorded in Document No. 2006032860 of said  
15 Official Public Records, a distance of 2053.57 feet to a 1/2" iron  
16 rod with yellow cap marked "Pape-Dawson" set, for the southwest  
17 corner of a called 60.99-acre tract of land conveyed to Wayne E.  
18 Cavalier and Cyndi Pietan Cavalier, by instrument recorded in  
19 Document No. 2012099245 of said Official Public Records, for the  
20 northwest corner hereof;

21       THENCE N 68°48'58" E, with the south boundary line of said  
22 60.99-acre tract, same being the north boundary line of said  
23 60.57-acre tract, a distance of 1286.98 feet to the POINT OF  
24 BEGINNING and containing 59.891 acres of land in Williamson County,  
25 Texas. Said tract being described in accordance with a survey  
26 prepared by Pape Dawson Engineers, Inc. under Job No. 51303-00.

27       TRACT 2:



1           A 110.720 ACRE TRACT OF LAND SITUATED IN THE ELISHA DAVIS  
2 SURVEY, SECTION NO. 23, ABSTRACT NO. 172, IN WILLIAMSON COUNTY,  
3 TEXAS. BEING ALL OF A CALLED 113 ACRE TRACT CONVEYED TO LETTS FAMILY  
4 TRUST BY INSTRUMENT RECORDED IN VOLUME 486, PAGE 442 OF THE DEED  
5 RECORDS OF WILLIAMSON COUNTY, TEXAS, A 110.720 ACRE TRACT OF LAND  
6 SITUATED IN THE ELISHA DAVIS SURVEY, SECTION NO. 23, ABSTRACT NO.  
7 172, IN WILLIAMSON COUNTY, TEXAS. BEING ALL OF A CALLED 113 ACRE  
8 TRACT CONVEYED TO LETTS FAMILY TRUST BY INSTRUMENT RECORDED IN  
9 VOLUME 486, PAGE 442 OF THE DEED RECORDS OF WILLIAMSON COUNTY,  
10 TEXAS, SAID 110.720 ACRE TRACT BEING MORE FULLY DESCRIBED AS  
11 FOLLOWS, WITH BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM  
12 ESTABLISHED FOR THE CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF  
13 1983 NAD 83 (NA2011) EPOCH 2010.00.:

14           BEGINNING at a 1/2" iron rod with yellow cap marked  
15 "Pape-Dawson" set in the east right-of-way line of County Road 308,  
16 said point being the northwest corner of a called 169.5 acre tract  
17 of land conveyed to R.D. Hopper and Margaret Hopper Letts by  
18 instrument recorded in Volume 478, Page 349 of said Deed Records,  
19 same being the southwest corner of said 113 acre tract, for the  
20 southeast corner and POINT OF BEGINNING hereof;

21           THENCE N 21°22'58" W, with the east right-of-way line of said  
22 County Road 308, same being the west boundary line of said 113-acre  
23 tract, a distance of 2048.33 feet to a 5/8" iron rod found for the  
24 southwest corner of a called 17.0 acre tract of land conveyed to  
25 Gertrude Ann Braband by instrument recorded in Document  
26 No. 2016033164 of the Official Public Records of said County, same  
27 being the northwest corner of said 113-acre tract, for the

1 northwest corner hereof;

2           THENCE N 69°02'46" E, departing the east right-of-way line of  
3 said County Road 308, with the south boundary line of said 17.0 acre  
4 tract, same being the north boundary line of said 113 acre tract,  
5 for a distance of 1268.96 feet to a 5/8" iron rod found for the  
6 southeast corner of said 17.0 acre tract, same being an interior ell  
7 corner in said 113 acre tract, for an ell corner hereof;

8           THENCE N 21°00'19" W, with the east boundary line of said 17.0  
9 acre tract, same being a west boundary line of said 113 acre tract,  
10 a distance of 582.80 feet to a 1/2" iron rod found for the southwest  
11 corner of a called 64.797 acre tract of land conveyed to Jose G.  
12 Garcia, by instrument recorded in Document No. 2017005987 of said  
13 Official Public records, same being the southeast corner of called  
14 10.789 acre tract of land conveyed to the Belinda Ramsey Living  
15 Trust, by instrument recorded in Document No. 2019022035 of said  
16 Official Public Records, same being the northeast corner of said  
17 17.0 acre tract, also being the northernmost northwest corner of  
18 said 113 acre tract, for the northernmost northwest hereof;

19           THENCE N 68°21'45" E, with the south boundary line of said  
20 64.797 acre tract, same being the north boundary line of said 113  
21 acre tract, a distance of 993.87 feet to a 1/2" iron rod found being  
22 the northwest corner of a called 177.5 acre tract of land conveyed  
23 to Charles D. Tonn and Ronald D. Tonn by instrument recorded in  
24 Document No. 9601061 of said Official Public Records, same being  
25 the north east corner of said 113-acre tract, for the northeast  
26 corner hereof:

27           THENCE S 21°08'10" E, departing the south boundary line of

1 said 64.797 acre tract, with the west boundary line of said 177.5  
2 acre tract, same being the east boundary line of said 113 acre  
3 tract, a distance of 2244.92 feet to a 1/2" iron rod with yellow cap  
4 marked "Pape-Dawson" set in the north boundary line of said 169.5  
5 acre tract, said point being the southwest corner of said 177.5 acre  
6 tract, same being the southeast corner of said 113 acre tract, for  
7 the southeast corner hereof;

8       THENCE with the north boundary line of said 169.5 acre tract,  
9 same being the south boundary line of said 113 acre tract, the  
10 following three (3) courses and distances:

11       1. S 68°41'10" W, a distance of 982.01 feet to a 1/2" iron rod  
12 with yellow cap marked "Pape-Dawson" set for an angle point hereof,

13       2. S 21°25'27" E, a distance of 386.24 feet to a 1/2" iron rod  
14 with yellow cap marked "Pape-Dawson" set for an angle point hereof,  
15 and

16       3. S 68°47'37" W, a distance of 1275.22 feet to the POINT OF  
17 BEGINNING and containing 110.720 acres of land in Williamson  
18 County, Texas. Said tract being described in accordance with a  
19 survey prepared by Pape Dawson Engineers, Inc. under Job  
20 No. 51303-00.

21       TRACT 3:

22       A 172.890 ACRE TRACT OF LAND SITUATED IN THE ELISHA DAVIS  
23 SURVEY, SECTION 23, ABSTRACT NO. 172, IN WILLIAMSON COUNTY, TEXAS,  
24 BEING ALL OF A CALLED 169.5 ACRE TRACT CONVEYED TO R.D. HOPPER AND  
25 MARGARET HOPPER LETT BY A 172.890 ACRE TRACT OF LAND SITUATED IN THE  
26 ELISHA DAVIS SURVEY, SECTION 23, ABSTRACT NO. 172, IN WILLIAMSON  
27 COUNTY, TEXAS. BEING ALL OF A CALLED 169.5 ACRE TRACT CONVEYED TO

1 R.D. HOPPER AND MARGARET HOPPER LETT BY INSTRUMENT RECORDED IN  
2 VOLUME 478, PAGE 349 OF THE DEED RECORDS OF WILLIAMSON COUNTY,  
3 TEXAS. SAID 172.890 ACRE TRACT BEING MORE FULLY DESCRIBED AS  
4 FOLLOWS, WITH BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM  
5 ESTABLISHED FOR THE CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF  
6 1983 NAD 83 (NA2011) EPOCH 2010.00.:

7 COMMENCING at a 60D nail found in the north right-of-way line  
8 of County Road 305, same being the southeast corner of a called 0.58  
9 acre tract of land conveyed to Dewey Roger Blackman by instrument  
10 recorded in Volume 742, Page 777 of said Deed Records, also being  
11 the southwest corner of a called 47.5 acre tract recorded in Volume  
12 734, Page 931 of said Deed Records;

13 THENCE S 68°58'06" W, departing the west boundary line of said  
14 47.5 acre tract, with the north right-of-way line of said County  
15 Road 305, same being the south boundary line of said 0.58 acre  
16 tract, a distance of 110.09 feet to a 1/2" iron rod with yellow cap  
17 marked "Pape-Dawson" set on the southwest corner of said 0.58 acre  
18 tract, same being the southeast corner of said 169.5 acre tract, for  
19 the southeast corner and POINT OF BEGINNING hereof;

20 THENCE S 68°58'06" W, continuing with the north right-of-way  
21 line of said County Road 305, and in part, crossing through the  
22 right-of-way of County Road 308, same being the south boundary line  
23 of said 169.5-acre tract, a distance of 3188.95 feet to an 1/2" iron  
24 rod with yellow cap marked "Pape-Dawson" set for the southwest  
25 corner hereof;

26 THENCE N 21°05'48" W, with the west boundary line of said  
27 169.5-acre tract, and in part, crossing through the right-of-way of

1 said County Road 308, a distance of 2071.04 feet to a 1/2" iron rod  
2 with yellow cap marked "Pape-Dawson" set, being the southwest  
3 corner of a called 113 acre tract of land conveyed to the Letts  
4 Family Trust, by instrument recorded in Volume 486, Page 442 of said  
5 deed records, same being the northwest corner of said 169.5-acre  
6 tract, for the northwest corner hereof, from which a 5/8" iron rod  
7 found for the northwest corner of said 113 acre tract bears N  
8 21°22'58" W, 2048.33 feet;

9       THENCE departing the east right-of-way line of said County  
10 Road 308, with, in part, the south boundary line of said 113-acre  
11 tract and, in part, the south boundary line of a called 177.5 acre  
12 tract of land conveyed to Charles D. Tonn and Ronald D. Tonn by  
13 instrument recorded in Document No. 9601061 of the Official Public  
14 Records of said County, same being the north boundary line of said  
15 169.5-acre tract, the following three (3) courses and distances:

16       1. N 68°47'37" E, a distance of 1275.22 feet to a 1/2" iron  
17 rod with yellow cap marked "Pape-Dawson" set for an angle point  
18 hereof,

19       2. N 21°25'27" W, a distance of 386.24 feet to a 1/2" iron rod  
20 with yellow cap marked "Pape-Dawson" set for an angle point hereof,  
21 and

22       3. N 68°41'10" E, a distance of 2332.32 feet to a 1/2" iron  
23 rod with yellow cap marked "Pape-Dawson" set being the northeast  
24 corner of said 169.5-acre tract, for the northeast corner hereof;

25       THENCE S 22°06'37" E, with the south boundary line of said  
26 177.5-acre tract, same being the east boundary line of said  
27 169.5-acre tract, a distance of 392.10 feet to a 1/2" iron rod with

1 yellow cap marked "Pape-Dawson" set in the north boundary line of a  
2 called 50-acre tract of land conveyed to Cheryl A. Chamberlain, by  
3 instrument recorded in Document No. 2013019239 of the Official  
4 Public Records of said County, same being an angle point in the east  
5 boundary line of said 169.5-acre tract, for an angle point hereof;

6       THENCE S 68°53'39" W, with the north boundary line of said  
7 50-acre tract, same being the east boundary line of said 169.5-acre  
8 tract, a distance of 419.61 feet to a 1/2" iron rod with yellow cap  
9 marked "Pape-Dawson" set, being the northwest corner of said  
10 50-acre tract, same being an angle point in the east boundary line  
11 of said 169.5-acre tract, for an angle point hereof;

12       THENCE S 20°59'42" E, with, in part, the west boundary line of  
13 said 50-acre tract and, in part, the west boundary line of a called  
14 47.5 acre tract of land conveyed to D.C. Blackman, by instrument  
15 recorded in Volume 734, Page 931 of said Deed Records and, in part,  
16 the west boundary line of the aforementioned 0.58-acre tract, same  
17 being the east boundary line of said 169.5-acre tract, a distance of  
18 2080.08 feet to the POINT OF BEGINNING and containing 172.890 acres  
19 of land in Williamson County, Texas. Said tract being described in  
20 accordance with a survey prepared by Pape Dawson Engineers, Inc.  
21 under Job No. 51303-00.

22       (c) If the Act enacting this section does not receive a  
23 two-thirds vote of all the members elected to each house,  
24 Subchapter C, Chapter 8010A, Special District Local Laws Code, as  
25 added by Subsection (a) of this section, is amended by adding  
26 Section 8010A.0306 to read as follows:

27       Sec. 8010A.0306. NO EMINENT DOMAIN POWER. The district may

1 not exercise the power of eminent domain.

2 (d) Subsection (c) of this section is not intended to be an  
3 expression of a legislative interpretation of the requirements of  
4 Section 17(c), Article I, Texas Constitution.

5 SECTION 7. (a) The heading to Chapter 8221, Special  
6 District Local Laws Code, is amended to read as follows:

7 CHAPTER 8221. WILLIAMSON COUNTY [~~3-B&J~~] MUNICIPAL UTILITY DISTRICT  
8 NO. 51

9 (b) Section 8221.001(3), Special District Local Laws Code,  
10 is amended to read as follows:

11 (3) "District" means the Williamson County [~~3-B&J~~]  
12 Municipal Utility District No. 51.

13 (c) Section 8221.202, Special District Local Laws Code, is  
14 amended to read as follows:

15 Sec. 8221.202. TAXES FOR BONDS AND OTHER OBLIGATIONS. At  
16 the time bonds or other obligations payable wholly or partly from ad  
17 valorem taxes are issued, [~~+~~

18 [~~(1)~~] the board shall provide for the annual  
19 imposition of [~~impose~~] a continuing direct annual ad valorem tax,  
20 without limit to the rate or amount of the tax while all or part of  
21 the bonds are outstanding as provided by Sections 54.601 and  
22 54.602, Water Code [~~at a rate not to exceed the rate approved at an~~  
23 ~~election held under Section 8221.151, for each year that all or part~~  
24 ~~of the bonds are outstanding, and~~

25 [~~(2)~~] ~~the district annually shall impose an ad valorem~~  
26 ~~tax on all taxable property in the district in an amount sufficient~~  
27 ~~to:~~

1                   ~~[(A) pay the interest on the bonds or other~~  
2 ~~obligations as the interest becomes due;~~

3                   ~~[(B) create a sinking fund for the payment of the~~  
4 ~~principal of the bonds or other obligations when due or the~~  
5 ~~redemption price at any earlier required redemption date; and~~

6                   ~~[(C) pay the expenses of imposing the taxes].~~

7           (d) The Williamson County Municipal Utility District No. 51  
8 retains all the rights, powers, privileges, authority, duties, and  
9 functions that it had before the effective date of this Act.

10           (e) The legislature validates and confirms all governmental  
11 acts and proceedings of the Williamson County Municipal Utility  
12 District No. 51 that were taken before the effective date of this  
13 Act.

14           (f) The legislature validates and confirms all governmental  
15 acts and proceedings relating to the creation and the consent to the  
16 creation of the Williamson County Municipal Utility District  
17 No. 51.

18           (g) Subsections (e) and (f) of this section do not apply to  
19 any matter that on the effective date of this Act:

20                   (1) is involved in litigation if the litigation  
21 ultimately results in the matter being held invalid by a final court  
22 judgment; or

23                   (2) has been held invalid by a final court judgment.

24           SECTION 8. Sections [8221.003\(b\)](#), [8221.105](#), [8221.106](#),  
25 [8221.107](#), and [8221.108](#), Special District Local Laws Code, are  
26 repealed.

27           SECTION 9. (a) The legal notice of the intention to file



1 bills creating or affecting each district described by this Act, as  
2 applicable, has been published as provided by law, and the notice  
3 and a copy of this Act have been furnished to all persons, agencies,  
4 officials, or entities to which they are required to be furnished  
5 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
6 Government Code.

7 (b) The governor, one of the required recipients, has  
8 submitted the notice and a copy of a bill to create or affect each  
9 applicable district described by this Act to the Texas Commission  
10 on Environmental Quality.

11 (c) The Texas Commission on Environmental Quality has filed  
12 its recommendations relating to each bill to create or affect each  
13 applicable district described by this Act with the governor, the  
14 lieutenant governor, and the speaker of the house of  
15 representatives within the required time.

16 (d) All requirements of the constitution and laws of this  
17 state and the rules and procedures of the legislature with respect  
18 to the notice, introduction, and passage of each bill to create or  
19 affect each applicable district described by this Act are fulfilled  
20 and accomplished.

21 SECTION 10. (a) Chapter 175, Local Government Code, as  
22 amended by this Act, applies according to its terms to all eligible  
23 persons who leave employment with a township on or after January 1,  
24 2024.

25 (b) A township that is required by Chapter 175, Local  
26 Government Code, as amended by this Act, to provide continued  
27 health benefits coverage but that is not allowed to provide the

1 coverage under the terms of the township's existing group health  
2 plan shall ensure that the required continued health benefits  
3 coverage is provided for in any new plan that is adopted by the  
4 township on or after January 1, 2024, unless the township is  
5 exempted under Section 175.007, Local Government Code.

6 SECTION 11. (a) Except as provided by Subsection (b) of  
7 this section, this Act takes effect immediately if it receives a  
8 vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2023.

12 (b) Sections 1 and 10 of this Act take effect September 1,  
13 2023.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 5344 was passed by the House on May 9, 2023, by the following vote: Yeas 108, Nays 34, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 5344 on May 26, 2023, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 5344 on May 28, 2023, by the following vote: Yeas 119, Nays 21, 2 present, not voting.

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Chief Clerk of the House

H.B. No. 5344

I certify that H.B. No. 5344 was passed by the Senate, with amendments, on May 24, 2023, by the following vote: Yeas 27, Nays 3, 1 present, not voting; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 5344 on May 28, 2023, by the following vote: Yeas 27, Nays 4.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor