

Suspending limitations on conference committee jurisdiction, H.B. 5344 (Bell of Montgomery/Creighton)

By: Creighton

S.R. No. 710

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 88th Legislature, Regular Session, 2023, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 5344 (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) to consider and take action on the following matters:

(1) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill by adding the following new SECTIONS to the bill:

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

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

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

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

CHAPTER 4001. DENTON COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 4001.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

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

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

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

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

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

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

Sec. 4001.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) All land and other property included in the district will benefit from the improvements and services to be provided by the

district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

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

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

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

(2) eliminating unemployment and underemployment;  
and

(3) developing or expanding transportation and commerce.

(d) The district will:

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

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

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

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

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

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

Sec. 4001.0105. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2(b) of the Act enacting this chapter.

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

(1) organization, existence, or validity;

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

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

or

(4) legality or operation.

Sec. 4001.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:

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

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

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

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

SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

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

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

commission shall appoint as temporary directors the five persons named in the petition.

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

(c) Temporary directors serve until the earlier of:

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

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

(d) If permanent directors have not been elected under Subsection (b) and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (e) to serve terms that expire on the earlier of:

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

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

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

SUBCHAPTER C. POWERS AND DUTIES

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

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

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

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

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

(b) The nonprofit corporation:

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

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

(c) The board shall appoint the board of directors of the nonprofit corporation. The board of directors of the nonprofit



corporation shall serve in the same manner as the board of directors of a local government corporation created under Subchapter D, Chapter 431, Transportation Code, except that a board member is not required to reside in the district.

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

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

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

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

- (1) make loans and grants of public money; and
- (2) provide district personnel and services.

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

- (1) Chapter 380, Local Government Code; and
- (2) Subchapter A, Chapter 1509, Government Code.

Sec. 4001.0307. PARKING FACILITIES. (a) The district

may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

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

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

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

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

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

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

Sec. 4001.0311. EMINENT DOMAIN. The district may

exercise the power of eminent domain in the manner provided by Section 49.222, Water Code.

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

- (1) has no outstanding bonded debt; and
- (2) is not imposing ad valorem taxes.

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

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

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

(e) An order dividing the district must:

- (1) name each new district;
- (2) include the metes and bounds description of the territory of each new district;
- (3) appoint temporary directors for each new district; and
- (4) provide for the division of assets and liabilities between or among the new districts.

(f) On or before the 30th day after the date of adoption

of an order dividing the district, the district shall file the order with the Texas Commission on Environmental Quality and record the order in the real property records of each county in which the district is located.

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

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

#### SUBCHAPTER D. ASSESSMENTS

Sec. 4001.0401. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

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

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

district.

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

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

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

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

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

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

SUBCHAPTER E. TAXES AND BONDS

Sec. 4001.0501. TAX ELECTION REQUIRED. (a) The district must hold an election in the manner provided by Chapter 49, Water

Code, or, if applicable, Chapter 375, Local Government Code, to obtain voter approval before the district may impose an ad valorem tax.

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

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

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

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

Sec. 4001.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board.

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

Sec. 4001.0504. BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds

secured by:

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

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

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

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

(c) All or any part of any facilities or improvements that may be acquired by a district by the issuance of its bonds may be submitted as a single proposition or as several propositions to be voted on at the election.

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

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

SUBCHAPTER I. DISSOLUTION

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

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

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

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

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

(1) has any outstanding bonded indebtedness until that bonded indebtedness has been repaid or defeased in accordance with the order or resolution authorizing the issuance of the bonds;

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

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



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

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

TRACT I:

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

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

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

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348, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS;

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

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

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

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

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

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

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

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

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

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

THENCE NORTH 00 DEGREES 46 MINUTES 29 SECONDS WEST WITH A WEST LINE OF SAID CLEAR CREEK RIDGE TRACT IN VOLUME 5127, PAGE 1951 AND AN EAST LINE OF SAID HENGER TRACT, A DISTANCE OF 1151.02 FEET TO A 1/2 INCH IRON PIN SET FOR CORNER;

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

CALLS:

- 1.) NORTH 55 DEGREES 38 MINUTES 38 SECONDS EAST, A  
DISTANCE OF 110.80 FEET;
- 2.) NORTH 51 DEGREES 23 MINUTES 04 SECONDS EAST, A  
DISTANCE OF 278.21 FEET;
- 3.) SOUTH 70 DEGREES 46 MINUTES 01 SECONDS EAST, A  
DISTANCE OF 415.87 FEET;
- 4.) SOUTH 40 DEGREES 58 MINUTES 38 SECONDS EAST, A  
DISTANCE OF 604.83 FEET;
- 5.) SOUTH 51 DEGREES 09 MINUTES 01 SECONDS EAST, A  
DISTANCE OF 410.80 FEET;
- 6.) SOUTH 37 DEGREES 53 MINUTES 33 SECONDS EAST, A  
DISTANCE OF 82.37 FEET;
- 7.) SOUTH 18 DEGREES 46 MINUTES 16 SECONDS EAST, A  
DISTANCE OF 75.16 FEET;
- 8.) SOUTH 05 DEGREES 46 MINUTES 16 SECONDS WEST, A  
DISTANCE OF 49.39 FEET;
- 9.) SOUTH 22 DEGREES 04 MINUTES 06 SECONDS WEST, A  
DISTANCE OF 308.38 FEET;
- 10.) SOUTH 26 DEGREES 11 MINUTES 20 SECONDS WEST, A  
DISTANCE OF 76.63 FEET;
- 11.) SOUTH 26 DEGREES 11 MINUTES 20 SECONDS WEST, A  
DISTANCE OF 547.10 FEET;
- 12.) SOUTH 46 DEGREES 12 MINUTES 54 SECONDS EAST, A  
DISTANCE OF 174.23 FEET;
- 13.) NORTH 86 DEGREES 27 MINUTES 32 SECONDS EAST, A  
DISTANCE OF 417.50 FEET;

14.) NORTH 53 DEGREES 53 MINUTES 06 SECONDS EAST, A  
DISTANCE OF 225.22 FEET;

15.) SOUTH 70 DEGREES 20 MINUTES 06 SECONDS EAST, A  
DISTANCE OF 93.57 FEET;

16.) SOUTH 54 DEGREES 37 MINUTES 57 SECONDS EAST, A  
DISTANCE OF 330.11 FEET;

17.) NORTH 64 DEGREES 44 MINUTES 37 SECONDS EAST, A  
DISTANCE OF 674.49 FEET;

18.) NORTH 84 DEGREES 14 MINUTES 43 SECONDS EAST, A  
DISTANCE OF 100.20 FEET;

19.) SOUTH 56 DEGREES 23 MINUTES 54 SECONDS EAST, A  
DISTANCE OF 116.40 FEET;

20.) SOUTH 06 DEGREES 22 MINUTES 27 SECONDS WEST, A  
DISTANCE OF 228.98 FEET;

21.) SOUTH 52 DEGREES 30 MINUTES 28 SECONDS WEST, A  
DISTANCE OF 271.35 FEET;

22.) SOUTH 87 DEGREES 06 MINUTES 16 SECONDS WEST, A  
DISTANCE OF 326.84 FEET;

23.) SOUTH 63 DEGREES 22 MINUTES 32 SECONDS WEST, A  
DISTANCE OF 93.18 FEET;

24.) SOUTH 19 DEGREES 39 MINUTES 44 SECONDS WEST, A  
DISTANCE OF 274.65 FEET;

25.) SOUTH 06 DEGREES 09 MINUTES 26 SECONDS EAST, A  
DISTANCE OF 129.80 FEET;

26.) SOUTH 59 DEGREES 41 MINUTES 10 SECONDS EAST, A  
DISTANCE OF 155.04 FEET;

27.) NORTH 61 DEGREES 09 MINUTES 15 SECONDS EAST, A

DISTANCE OF 459.27 FEET;

28.) SOUTH 85 DEGREES 11 MINUTES 12 SECONDS EAST, A

DISTANCE OF 101.67 FEET;

29.) SOUTH 50 DEGREES 11 MINUTES 20 SECONDS EAST, A

DISTANCE OF 160.52 FEET;

30.) SOUTH 19 DEGREES 38 MINUTES 33 SECONDS EAST, A

DISTANCE OF 218.07 FEET;

31.) SOUTH 08 DEGREES 39 MINUTES 06 SECONDS WEST, A

DISTANCE OF 110.67 FEET;

32.) SOUTH 60 DEGREES 37 MINUTES 40 SECONDS WEST, A

DISTANCE OF 111.17 FEET;

33.) NORTH 71 DEGREES 44 MINUTES 44 SECONDS WEST, A

DISTANCE OF 205.32 FEET;

34.) NORTH 58 DEGREES 00 MINUTES 21 SECONDS WEST, A

DISTANCE OF 175.42 FEET;

35.) SOUTH 60 DEGREES 53 MINUTES 09 SECONDS WEST, A

DISTANCE OF 81.38 FEET;

36.) SOUTH 19 DEGREES 12 MINUTES 39 SECONDS EAST, A

DISTANCE OF 180.46 FEET;

37.) SOUTH 31 DEGREES 27 MINUTES 36 SECONDS EAST, A

DISTANCE OF 348.51 FEET;

38.) SOUTH 08 DEGREES 24 MINUTES 19 SECONDS WEST, A

DISTANCE OF 80.11 FEET;

39.) SOUTH 44 DEGREES 00 MINUTES 08 SECONDS WEST, A

DISTANCE OF 157.91 FEET;

40.) SOUTH 69 DEGREES 06 MINUTES 14 SECONDS WEST, A

DISTANCE OF 188.37 FEET;

41.) SOUTH 03 DEGREES 39 MINUTES 31 SECONDS WEST, A  
DISTANCE OF 190.40 FEET;

42.) SOUTH 62 DEGREES 37 MINUTES 49 SECONDS EAST, A  
DISTANCE OF 165.30 FEET;

43.) NORTH 43 DEGREES 07 MINUTES 44 SECONDS EAST, A  
DISTANCE OF 253.82 FEET;

44.) NORTH 58 DEGREES 54 MINUTES 00 SECONDS EAST, A  
DISTANCE OF 135.83 FEET;

45.) SOUTH 34 DEGREES 09 MINUTES 46 SECONDS EAST, A  
DISTANCE OF 149.30 FEET;

46.) SOUTH 21 DEGREES 47 MINUTES 10 SECONDS WEST, A  
DISTANCE OF 518.33 FEET;

47.) SOUTH 20 DEGREES 01 MINUTES 56 SECONDS EAST, A  
DISTANCE OF 329.19 FEET;

48.) SOUTH 66 DEGREES 36 MINUTES 28 SECONDS EAST, A  
DISTANCE OF 195.08 FEET;

49.) SOUTH 87 DEGREES 31 MINUTES 31 SECONDS EAST, A  
DISTANCE OF 403.76 FEET;

50.) SOUTH 68 DEGREES 26 MINUTES 25 SECONDS EAST, A  
DISTANCE OF 144.04 FEET;

51.) SOUTH 03 DEGREES 41 MINUTES 33 SECONDS WEST, A  
DISTANCE OF 91.78 FEET;

52.) SOUTH 23 DEGREES 36 MINUTES 59 SECONDS WEST, A  
DISTANCE OF 322.95 FEET;

53.) SOUTH 39 DEGREES 05 MINUTES 30 SECONDS EAST, A  
DISTANCE OF 167.15 FEET;

54.) SOUTH 54 DEGREES 29 MINUTES 12 SECONDS EAST, A

DISTANCE OF 152.28 FEET TO A 1/2 INCH IRON PIN FOUND ON AN EAST LINE OF SAID CLEAR CREEK RIDGE TRACT;

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

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

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

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

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

CHAPTER 7962. JARRELL ESTATES MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7962.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.



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

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

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

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

Sec. 7962.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.  
(a) The district is created to serve a public purpose and benefit.

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

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

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

Sec. 7962.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 4(b) of the Act enacting this chapter.

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

- (1) organization, existence, or validity;
- (2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;
- (3) right to impose a tax; or
- (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

- (1) Jake Newman;
  - (2) Davis Craig;
  - (3) Brad Harwick;
  - (4) LouAnn Covington; and
  - (5) Stephen Fowler.
- (b) Temporary directors serve until the earlier of:
- (1) the date permanent directors are elected under

Section 7962.0103; or

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

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

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

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

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

SUBCHAPTER C. POWERS AND DUTIES

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

Sec. 7962.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under

Section 59, Article XVI, Texas Constitution.

Sec. 7962.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

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

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

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

Sec. 7962.0305. COMPLIANCE WITH MUNICIPAL REGULATIONS. Any water, sanitary sewer, road, drainage, or other infrastructure or public facilities constructed, acquired, improved, maintained, or operated by the district shall comply with any subdivision or other applicable regulations of any municipality in whose corporate limits or extraterritorial

jurisdiction the infrastructure or public facilities are located unless other regulations are specified in a development agreement between the district and the municipality.

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

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

- (1) has no outstanding bonded debt; and
- (2) is not imposing ad valorem taxes.

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

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

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

(e) The board may adopt an order dividing the district before or after the date the board holds an election under

Section 7962.0103 to confirm the district's creation.

(f) An order dividing the district shall:

(1) name each new district;

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

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

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

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

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

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

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

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

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7962.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

- (1) revenue other than ad valorem taxes; or
- (2) contract payments described by Section 7962.0403.

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

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

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

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

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

Sec. 7962.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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

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

Sec. 7962.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other



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

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

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

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

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

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

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

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

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

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

THENCE: Along a fence with the East line of Abstract No. 358, Survey No. 1, and said 649.53 Acre Tract, the lower East line of a 1209.24 Acre Tract (Document #2014012037, Official Public Records), the West line of Survey No. 21, and the upper West line of said 3072.64 Acre Tract and of this tract as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

interior corner of this tract;

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

THENCE: S 68° 57' 28" W 1870.94 feet to a 5/8" iron pin set for the lower Northwest corner of said 514.30 Acre Tract and the lower Southwest corner of this tract;

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

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

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

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

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

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

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N 41° 41' 33" W 368.36 feet to an angle point;  
N 17° 54' 39" W 267.13 feet to an angle point;  
N 22° 26' 20" W 168.35 feet to an angle point;  
N 46° 44' 55" W 100.13 feet to an angle point;  
N 71° 41' 21" W 102.15 feet to an angle point;  
N 81° 36' 11" W 539.79 feet to the POINT OF BEGINNING.

(b) BEGINNING: At a 5/8" iron pin set under fence in the West line of a 673.33 Acre Tract (Document #2021159264, Official Public Records) and the lower East line of said 3072.64 Acre Tract for the lower Southeast corner of a 1205.00 Acre Tract (this day surveyed) and the lower Northeast corner of this tract from which a 1/2" iron pin found for an angle point of said 1205.00 Acre Tract bears N 20° 43' 12med" W 159.01 feet;

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

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

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

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

follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

S 15° 16' 20" E 383.91 feet to a 10" cedar post found for the Northeast corner of the remainder of a 2161.001 Acre Tract (Document #2000028918, Official Public Records), the Southeast corner of said 67.66 Acre Tract, and the lower Southeast corner of this tract;

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

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

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

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

angle point;

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

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

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

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

S 06° 13' 12" E 175.36 feet to a 1/2" iron pin found by 2" pipe post for an angle point;

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

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

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

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

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

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

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

N 39° 31' 29" W 250.06 feet, at 51.76 feet pass the South terminus of a 50-foot Road Easement (this day surveyed),



continuing to an angle point;

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

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

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

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

THENCE: N 68° 15' 37" E 2341.32 feet along a fence to a 10" cedar post found for the Southeast corner of said 195.5 Acre Tract and an interior corner of said 3072.64 Acre Tract and of this tract;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

S 24° 31' 17" E 109.18 feet to a 1/2" iron pin found for the

Southeast corner of this tract;

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

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

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

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

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

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

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

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

N 41° 03' 59" W 131.42 feet to an angle point;

N 11° 53' 19" W 40.63 feet to an angle point;

N 76° 36' 27" W 45.17 feet to an angle point;

N 30° 48' 05" W 126.68 feet to an angle point;

N 78° 57' 33" W 87.41 feet to an angle point;

N 12° 44' 59" E 79.02 feet to an angle point;

N 11° 00' 13" W 73.47 feet to an angle point;

S 88° 36' 10" W 82.16 feet to an angle point;  
N 66° 02' 15" W 98.65 feet to an angle point;  
N 06° 27' 32" W 106.86 feet to an angle point;  
N 30° 17' 17" E 145.33 feet to an angle point;  
N 03° 28' 06" W 75.42 feet to an angle point;  
N 37° 44' 59" W 146.89 feet to an angle point;  
N 63° 26' 06" W 145.44 feet to an angle point;  
N 38° 31' 49" W 136.06 feet to an angle point;  
N 12° 39' 09" W 86.38 feet to an angle point;  
N 04° 05' 08" W 70.68 feet to an angle point;  
S 86° 18' 31" W 52.15 feet to an angle point;  
N 76° 52' 51" W 106.01 feet to an angle point;  
N 12° 38' 00" W 83.15 feet to an angle point;  
N 23° 29' 55" W 105.25 feet to an angle point;  
N 10° 37' 11" E 136.64 feet to an angle point;  
N 04° 47' 52" W 86.56 feet to an angle point;  
N 34° 45' 21" W 139.44 feet to an angle point;  
N 06° 54' 40" W 77.72 feet to an angle point;  
N 17° 40' 47" E 51.12 feet to an angle point;  
N 52° 40' 44" E 193.31 feet to an angle point;  
N 18° 45' 31" E 85.20 feet to an angle point;  
N 23° 41' 26" W 105.23 feet to an angle point;  
N 86° 35' 59" W 152.93 feet to an angle point;  
N 60° 31' 27" W 77.06 feet to an angle point;  
N 30° 15' 23" W 81.04 feet to an angle point;  
N 67° 37' 12" W 107.25 feet to an angle point;  
S 79° 56' 22" W 183.67 feet to an angle point;

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N 73° 48' 39" W 94.15 feet to an angle point;  
S 88° 10' 54" W 91.93 feet to an angle point;  
N 53° 44' 46" W 180.85 feet to an angle point;  
N 74° 50' 45" W 120.88 feet to an angle point;  
N 39° 12' 26" W 60.40 feet to the Southwest corner of said  
195.5 Acre Tract and the Northwest corner of this tract;

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

(d) BEGINNING: At a 2" pipe post found in the South line  
of County Road 232 and the lower East line of a 649.53 Acre Tract  
(Document # #2004074055, Official Public Records, described in  
Volume 2520, Page 200 and Volume 2598, Page 457, Official Public  
Records) for the Northwest corner of this tract from which a 2"  
pipe post found in the North line of said county road for the  
upper Southwest corner of a 1419.57 Acre Tract (this day  
surveyed) bears N 00° 18' 48" E 56.15 feet;

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

S 83° 15' 32" E 491.41 feet to a 6" cedar post found for an  
angle point;

S 71° 41' 57" E 76.53 feet to a 6" cedar post found for an  
angle point;

S 48° 56' 34" E 139.44 feet to a 6" cedar post found for an  
angle point;

S 19° 57' 48" E 414.71 feet to a 5" cedar post found for an  
angle point;

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S 41° 43' 21" E 317.47 feet to a 5" cedar post found for an angle point;

S 49° 16' 01" E 370.58 feet to a 6" cedar post found for an angle point;

S 32° 42' 02" E 683.73 feet to a 2" pipe post found for the Southeast corner of this tract;

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

THENCE: Along the center of North Salado Creek with the North line of a 61.80 Acre Tract (Document #2010063430, Official Public Records) and the South line of this tract as follows:

N 02° 31' 01" W 103.87 feet to an angle point;

N 52° 32' 58" W 74.50 feet to an angle point;

N 84° 29' 40" W 104.92 feet to an angle point;

S 85° 34' 16" W 152.08 feet to an angle point;

N 80° 01' 20" W 218.89 feet to the lower Southeast corner of said 649.53 Acre Tract and the Southwest corner of this tract;

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

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

N 02° 28' 22" E 641.86 feet along a fence to a 2" pipe post

found for an angle point;

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

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

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

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

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

CHAPTER 8010A. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT

NO. 49

SUBCHAPTER A. GENERAL PROVISIONS

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

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

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

(3) "Director" means a board member.

(4) "District" means the Williamson County Municipal Utility District No. 49.

Sec. 8010A.0102. NATURE OF DISTRICT. The district is a

municipal utility district created under Section 59, Article XVI, Texas Constitution.

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

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

Sec. 8010A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

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

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

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

Sec. 8010A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by



Section 6(b) of the Act enacting this chapter.

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

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

(1) Mark Tickner;

(2) Nick Easley;

(3) Walter Duke;

(4) Zachary Summers; and

(5) Noah Terrazas.

(b) Temporary directors serve until the earlier of:

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

(2) the fourth anniversary of the effective date of

the Act enacting this chapter.

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

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

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

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

#### SUBCHAPTER C. POWERS AND DUTIES

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

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

Sec. 8010A.0303. AUTHORITY FOR ROAD PROJECTS. Under

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

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

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

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

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

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8010A.0401. ELECTIONS REGARDING TAXES OR BONDS.

(a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

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

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

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

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

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

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

(b) A contract approved by the district voters may

contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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

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

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

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

TRACT 1:

A 59.891 ACRE TRACT OF LAND SITUATED IN THE ELISHA DAVIS SURVEY, SECTION NO. 23, ABSTRACT NO. 172, IN WILLIAMSON COUNTY,

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

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

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

THENCE S 68°212'37" W, with the north boundary line of said 0.5039-acre tract, same being the north right-of-way line of said County Road 305, through the interior of said 60.57-acre tract, a

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distance of 1258.78 feet to a 1/2" iron rod found on a point in the east boundary line of a called 3.92-acre tract of land conveyed to Gary R. Sheley and Rosita R. Sheley, by instrument recorded in Document No. 2009090657 of said Official Public Records, same being the west boundary line of said 60.57-acre tract, for the southwest corner hereof;

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

THENCE N 68°48'58" E, with the south boundary line of said 60.99-acre tract, same being the north boundary line of said 60.57-acre tract, a distance of 1286.98 feet to the POINT OF

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BEGINNING and containing 59.891 acres of land in Williamson County, Texas. Said tract being described in accordance with a survey prepared by Pape Dawson Engineers, Inc. under Job No. 51303-00.

TRACT 2:

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

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

THENCE N 21°22'58" W, with the east right-of-way line of said County Road 308, same being the west boundary line of said



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113-acre tract, a distance of 2048.33 feet to a 5/8" iron rod found for the southwest corner of a called 17.0 acre tract of land conveyed to Gertrude Ann Braband by instrument recorded in Document No. 2016033164 of the Official Public Records of said County, same being the northwest corner of said 113-acre tract, for the northwest corner hereof;

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

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

THENCE N 68°21'45" E, with the south boundary line of said 64.797 acre tract, same being the north boundary line of said 113

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acre tract, a distance of 993.87 feet to a 1/2" iron rod found being the northwest corner of a called 177.5 acre tract of land conveyed to Charles D. Tonn and Ronald D. Tonn by instrument recorded in Document No. 9601061 of said Official Public Records, same being the north east corner of said 113-acre tract, for the northeast corner hereof:

THENCE S 21°08'10" E, departing the south boundary line of said 64.797 acre tract, with the west boundary line of said 177.5 acre tract, same being the east boundary line of said 113 acre tract, a distance of 2244.92 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set in the north boundary line of said 169.5 acre tract, said point being the southwest corner of said 177.5 acre tract, same being the southeast corner of said 113 acre tract, for the southeast corner hereof;

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

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

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

3. S 68°47'37" W, a distance of 1275.22 feet to the POINT OF BEGINNING and containing 110.720 acres of land in Williamson County, Texas. Said tract being described in accordance with a survey prepared by Pape Dawson Engineers, Inc. under Job

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No. 51303-00.

TRACT 3:

A 172.890 ACRE TRACT OF LAND SITUATED IN THE ELISHA DAVIS SURVEY, SECTION 23, ABSTRACT NO. 172, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF A CALLED 169.5 ACRE TRACT CONVEYED TO R.D. HOPPER AND MARGARET HOPPER LETT BY A 172.890 ACRE TRACT OF LAND SITUATED IN THE ELISHA DAVIS SURVEY, SECTION 23, ABSTRACT NO. 172, IN WILLIAMSON COUNTY, TEXAS. BEING ALL OF A CALLED 169.5 ACRE TRACT CONVEYED TO R.D. HOPPER AND MARGARET HOPPER LETT BY INSTRUMENT RECORDED IN VOLUME 478, PAGE 349 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 172.890 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.:

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

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

hereof;

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

THENCE N 21°05'48" W, with the west boundary line of said 169.5-acre tract, and in part, crossing through the right-of-way of said County Road 308, a distance of 2071.04 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set, being the southwest corner of a called 113 acre tract of land conveyed to the Letts Family Trust, by instrument recorded in Volume 486, Page 442 of said deed records, same being the northwest corner of said 169.5-acre tract, for the northwest corner hereof, from which a 5/8" iron rod found for the northwest corner of said 113 acre tract bears N 21°22'58" W, 2048.33 feet;

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

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

hereof,

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

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

THENCE S 22°06'37" E, with the south boundary line of said 177.5-acre tract, same being the east boundary line of said 169.5-acre tract, a distance of 392.10 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set in the north boundary line of a called 50-acre tract of land conveyed to Cheryl A. Chamberlain, by instrument recorded in Document No. 2013019239 of the Official Public Records of said County, same being an angle point in the east boundary line of said 169.5-acre tract, for an angle point hereof;

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

THENCE S 20°59'42" E, with, in part, the west boundary line of said 50-acre tract and, in part, the west boundary line of a called 47.5 acre tract of land conveyed to D.C. Blackman, by instrument recorded in Volume 734, Page 931 of said Deed Records

and, in part, the west boundary line of the aforementioned 0.58-acre tract, same being the east boundary line of said 169.5-acre tract, a distance of 2080.08 feet to the POINT OF BEGINNING and containing 172.890 acres of land in Williamson County, Texas. Said tract being described in accordance with a survey prepared by Pape Dawson Engineers, Inc. under Job No. 51303-00.

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

Sec. 8010A.0306. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) A township that is required by Chapter [175](#), Local Government Code, as amended by this Act, to provide continued health benefits coverage but that is not allowed to provide the coverage under the terms of the township's existing group health plan shall ensure that the required continued health benefits coverage is provided for in any new plan that is adopted by the township on or after January 1, 2024, unless the township is exempted under Section [175.007](#), Local Government Code.

Explanation: This change is necessary to:

(1) allow a firefighter, police officer, or



emergency services provider employed by certain townships to receive retirement benefits;

(2) create certain special purpose districts; and

(3) change the name and certain duties of the 3 B&J Municipal Utility District.

(2) Senate Rule 12.03(1) is suspended to permit the committee to change, alter, or amend text not in disagreement in SECTION 5 of the bill, in added Sections 7968A.0106(a) and (b), Special District Local Laws Code, by striking "Section 2" and substituting "Section 5(b)".

Explanation: This change is necessary to correct the cross-references.

(3) Senate Rule 12.03(1) is suspended to permit the committee to change, alter, or amend text which is not in disagreement in proposed SECTIONS 9 and 11 of the bill, adding local notice and effective date language, to read as follows:

SECTION 9. (a) The legal notice of the intention to file bills creating or affecting each district described by this Act, as applicable, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

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

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

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

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

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

Explanation: This change is necessary to comply with the constitutional requirements of publishing notice and to clarify the dates on which the Act takes effect.

S.R. No. 710

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President of the Senate

I hereby certify that the  
above Resolution was adopted by  
the Senate on May 28, 2023, by the  
following vote: Yeas 31, Nays 0.

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Secretary of the Senate