

1-1 By: Hilderbran (Senate Sponsor - Fraser) H.B. No. 1756
1-2 (In the Senate - Received from the House May 24, 2003;
1-3 May 24, 2003, read first time and referred to Committee on Natural
1-4 Resources; May 26, 2003, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 26, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the name, administration, operations, powers, and
1-9 duties of the Menard County Water Control and Improvement District
1-10 No. 1 and the Menard County Underground Water District.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Sections 1 and 1A, Chapter 31, Acts of the 55th
1-13 Legislature, 1st Called Session, 1957 (Article 7880-147z6,
1-14 Vernon's Texas Civil Statutes), are amended to read as follows:

1-15 Sec. 1. The Menard County Water Conservation [~~Control~~] and
1-16 Improvement District [~~No. 1~~], hereinafter called "District,"
1-17 situated in Menard County, Texas, organized, established and
1-18 created pursuant to the provisions of Article XVI, Section 59, of
1-19 the Constitution of Texas and of Chapter 3a of Title 128, Vernon's
1-20 Annotated Civil Statutes of Texas, together with all amendments
1-21 thereto is, in all things, hereby validated, ratified, and
1-22 confirmed; provided, however, that nothing herein shall prevent the
1-23 annexation of additional territory to said District in the manner
1-24 now provided by general law. Said District is described by metes and
1-25 bounds as follows:

1-26 Beginning at the Southwest corner of Menard County, the
1-27 Northwest corner of Kimble County, the Northeast corner of Sutton
1-28 County, and the Southeast corner of Schleicher County near the
1-29 central part of the South one-fourth of M. L. Garcia Survey 10, TWNG
1-30 R. R. Co. Block 16, Abstract 176, Menard County, Texas, for the
1-31 Southwest corner of this district;

1-32 THENCE North with the West line of Menard County about 23
1-33 miles crossing said Survey 10; also A. O. Striegler Survey West Half
1-34 of Survey 129; Ellen M. Hugh Survey 2; GH&SA Ry. Co. Survey 51,
1-35 Block A; Thomas Ball Surveys 48 and 24; GH&SA Ry. Co. Survey 21,
1-36 Block A, to Southwest corner of L. L. Ball Survey 12;

1-37 THENCE continuing North with the West line of Menard County
1-38 and along West line of said L. L. Ball Survey 12; West line of
1-39 Theodore H. Kleinmetz Survey 292 to South Bank of San Saba River;

1-40 THENCE continuing North with the West line of Menard County
1-41 crossing said river, and crossing John H. Burkhard Survey 1496; G.
1-42 W. Hankamer Survey 1651; John Gibson Survey 9; C. E. Treadwell
1-43 Survey 62; A. B. & M. Survey 13; EL & RR R. R. Co. Survey 69; W. W.
1-44 Treadwell Survey 24; Michael Johannes Surveys 1633 and 1634; Jos.
1-45 T. Callan Survey 78; Clemens Hartmann Survey 1637; Johann F.
1-46 Wilhelm Survey 311; TWNG R. R. Co. Survey 3; John Kennedy Surveys 18
1-47 and 8 to stake in North line of GH & SA R. R. Co. Survey 13 and South
1-48 line of Ralph Tisdale Survey 6 about 86 varas East of Northwest
1-49 corner of said Survey 13 for the most western Northwest corner of
1-50 this District;

1-51 THENCE East one mile with the South line of said Survey 6 to
1-52 its Southeast corner and Southwest corner and Southwest corner BS&F
1-53 Survey 5;

1-54 THENCE North one mile to Northwest corner said Survey 5 in
1-55 South line J. S. Tisdale Survey 134;

1-56 THENCE East about 1/12th mile to Southeast corner of said
1-57 Survey 134;

1-58 THENCE North about 5/8ths mile to Northeast corner said
1-59 Survey 134 and Southwest corner of J. S. Tisdale Survey 128;

1-60 THENCE East one mile to Southeast corner said Survey 128;

1-61 THENCE North about 59/64ths mile to North line of Menard
1-62 County for the most northern Northwest corner of this district;

1-63 THENCE East about 6 miles with North line of Menard County,
1-64 crossing EL&RR R. C. Co. Survey 127, Pink Easley Survey West Half of

- 2-1 20, J. Hughes Survey East Half of 20, Fred Speck Survey 7, N.
 2-2 Gwatney Surveys 11 and 10, Fred Speck Survey 6, Thomas Green Surveys
 2-3 5, 4 and 3 to stake in East line of said Survey 3;
 2-4 THENCE South about 5/8ths mile to Southeast corner of said
 2-5 Survey 3 in North line of H&OB R. R. Co. Survey 69;
 2-6 THENCE East about 3/16ths mile passing Northeast corner said
 2-7 Survey 69 to an inner Southwest corner of Thomas Green Survey 2;
 2-8 THENCE South about 5/16ths mile with West line said Survey 2,
 2-9 to its Southwest corner;
 2-10 THENCE East about one mile with South line Thomas Green
 2-11 Surveys 2 and 1, and North line Owen Baker Survey 112 to its
 2-12 Northeast corner;
 2-13 THENCE South one mile to Southeast corner said Survey 112 and
 2-14 Southwest corner Hooper and Wade Survey 111 in North line W. C. Huey
 2-15 Survey 62;
 2-16 THENCE East one mile with said Survey 62 to its Northeast
 2-17 corner;
 2-18 THENCE South one mile to its Southeast corner and Southwest
 2-19 corner H. & W. Survey 101;
 2-20 THENCE East one mile with South line said Survey 101 to its
 2-21 Southeast corner;
 2-22 THENCE North one mile with East line said Survey 101 and West
 2-23 line P. C. Baird Survey 102 to its Northwest corner;
 2-24 THENCE East 2 miles with North line said Survey 102 and North
 2-25 line of H. & W. Survey 103 to its Northeast corner;
 2-26 THENCE South one mile with East line said Survey 103 to its
 2-27 Southeast corner and Southwest corner of A. B. & M. Survey 9;
 2-28 THENCE East 2 miles along South line said Survey 9 and A. B. &
 2-29 M. Survey 7 to its southeast corner, the Northeast corner of A. B. &
 2-30 M. Survey 5;
 2-31 THENCE South about 1/16th mile to stake in East line said
 2-32 Survey 5;
 2-33 THENCE East at 1/8th mile to Southwest corner A. B. & M.
 2-34 Survey 37, Northwest corner A. B. & M. Survey 25;
 2-35 THENCE East 4 miles with North line A. B. & M. Survey 25,
 2-36 William J. Smith Survey 28, R. J. Godfrey Survey 30, and A. B. & M.
 2-37 Survey 29 to its Northeast corner and Southeast corner of John B.
 2-38 Callan Survey 32;
 2-39 THENCE North 15/16ths mile to stake in East line said Survey
 2-40 32;
 2-41 THENCE East 1/8th mile to the Northwest corner of BS&F Survey
 2-42 17;
 2-43 THENCE East 2 miles with North line said Survey 17 and North
 2-44 line BS&F Survey 15 to its Northeast corner;
 2-45 THENCE South 2 miles with East line said Survey 15 and East
 2-46 line of R. J. Godfrey Survey 14 to its Southeast corner and
 2-47 Southwest corner BS&F Survey 11;
 2-48 THENCE East 3 miles with South lines of said Survey 11 and R.
 2-49 R. Russell Survey 10 and BS&F Survey 5 to its Southeast corner and
 2-50 Northeast corner BS&F Survey 1;
 2-51 THENCE South one mile to Southeast corner said Survey 1 and
 2-52 Northwest corner V. Sippel Survey 40;
 2-53 THENCE East about 5 and 15/16ths miles with the North line of
 2-54 said Survey 5 and the North line of BS&F Survey 3, H. Heynemann
 2-55 Survey 89, S. C. Pittman Survey 2 1/2, Ernest Raven Survey 91, C.
 2-56 Von Carlowitz Survey 741 to the East line of Menard County, the West
 2-57 line of McCulloch County for the middle Northeast corner of this
 2-58 district;
 2-59 THENCE South with the East line of Menard County and West line
 2-60 of McCulloch County about 4 and 10/16ths miles crossing C. Von
 2-61 Carlowitz Survey 741, heirs of Adam Bicking Survey 92, heirs of
 2-62 Johann Bicking Survey 93, J. F. Wilhelm Survey 102; Adolph Schultze
 2-63 Survey 99 and Daniel Holloway Survey 1 to the Southwest corner of
 2-64 McCulloch County located in said Daniel Holloway Survey 1 about
 2-65 1200 varas South of its North line, and about 250 varas West of its
 2-66 East line for inner corner of this district;
 2-67 THENCE East about 7 mile with the South line of McCulloch
 2-68 County and a North line of Menard County crossing the East part of
 2-69 Daniel Holloway Survey 1, North part of George Junke Survey 126;

3-1 H&TC Ry. Co. Survey 25, North part of Wolfgang Fochs Survey 145,
 3-2 IRRR Co. Survey 27, North part of John Berring Surveys 158 and 159,
 3-3 North part J. C. Harper Survey 72, North part Johann Mechels Surveys
 3-4 244 and 245 to the most southern Northeast corner of Menard County,
 3-5 and the most southern Northeast corner of this district and the
 3-6 Northwest corner of Mason County;
 3-7 THENCE South about 8 miles with the East line of Menard
 3-8 County, and the West line of Mason County, crossing said Johann
 3-9 Mechels Survey 245, J. B. Kerr Survey 46, Louis Brumme Survey 250,
 3-10 San Saba River, F. Doebbler Surveys 72 and 13, H & G N R. R. Co.
 3-11 Survey 939, Heinrich Frosch Survey 456, J. C. Harper Survey 70,
 3-12 HE&WT R. R. Co. Survey 123 to North line Fisher and Miller Survey 31
 3-13 for the most northern Southeast corner of this district;
 3-14 THENCE West about one and 5/8ths miles with the North line of
 3-15 said F. & M. Survey 31, W. Steinberg Survey 93, G. Weidemann Survey
 3-16 70 to its Northwest corner;
 3-17 THENCE South one mile to Northeast corner Heinrich Langkopf
 3-18 Survey 123;
 3-19 THENCE West 6 miles with the North line of H. Langkopf Surveys
 3-20 123 and 124, Eugene Ohlenburgers Surveys 2 and 20, Seth Mabry Survey
 3-21 8, TT R. R. Co. Survey 7, C. C. French Survey 29 to its Northwest
 3-22 corner and Northeast corner G. W. Littlefield Survey 14;
 3-23 THENCE South one mile to Southeast corner said Survey 14 and
 3-24 Northeast corner E. Ohlenburger Survey 24;
 3-25 THENCE West one mile with North line of said Survey 24 to its
 3-26 Northwest corner;
 3-27 THENCE South one mile with West line of said Survey 24 to its
 3-28 Southwest corner and the Northeast corner of T&NO R. R. Co. Survey
 3-29 9;
 3-30 THENCE West one mile to Northeast corner W. Grams Survey 217;
 3-31 THENCE South one mile with the East line of W. Grams Survey
 3-32 217 to its southeast corner and North east corner F. L. Banowsky
 3-33 Survey 10;
 3-34 THENCE West approximately two miles to Northwest corner of M.
 3-35 Pofskey Survey 220;
 3-36 THENCE South 1/8th mile to Northeast corner of Nancy Pierson
 3-37 Survey 104;
 3-38 THENCE West 3/8ths mile to Northwest corner of said Survey
 3-39 104 in East line of J. H. Gibson Survey 81;
 3-40 THENCE North 1/4th mile to Northeast corner said Survey 81
 3-41 and South line E. Carlin Survey 43;
 3-42 THENCE West one and 1/4th mile to Southwest corner A. Verite
 3-43 Survey 44, Northwest corner E. Carlin Survey 45;
 3-44 THENCE South one mile to Northeast corner J. J. Moore Survey
 3-45 48;
 3-46 THENCE West 2 miles to Northwest corner E. Carlin Survey 61,
 3-47 Northeast corner R. B. Hubbard Survey 62;
 3-48 THENCE South one mile to Southeast corners said Survey 62,
 3-49 the Northeast corner of V. O. Lane Survey 60;
 3-50 THENCE West 3 and 1/4th miles along North line of said Survey
 3-51 60, E. Carlin Survey 69, S. L. Steen Survey 70, crossing S. P.
 3-52 Merchant Survey 6, to Northwest corner S. L. Steen Survey 10;
 3-53 THENCE South one mile to Northeast corner J. H. Gibson Survey
 3-54 17;
 3-55 THENCE West one mile to Northwest corner said Survey 17 in
 3-56 East line T. M. Schrier Survey 26;
 3-57 THENCE South 3/8ths mile to Southeast corner said Survey 26;
 3-58 THENCE West at about 3/8ths mile the Northeast corner B&B
 3-59 Survey 9, at one and 1/8th miles a stake in North line of B&B Survey
 3-60 9 due South of Southeast corner N. H. Corder Survey 166;
 3-61 THENCE North about 3/8ths mile to Southeast corner said
 3-62 Survey 166;
 3-63 THENCE West 2 and 3/8ths miles with South lines of said Survey
 3-64 166, GC&SF Ry. Co. Survey 165 and S. Zettlemeyer Survey 14 to a
 3-65 stake due North of Northeast corner of Mrs. Mary Toliver Survey 133;
 3-66 THENCE South 1/8th mile to Northeast corner said Survey 133;
 3-67 THENCE West about 6 and 15/16ths miles with North lines of
 3-68 said Survey 133, T. O. Howell Survey 8, S. Zettlemeyer Survey 8, T.
 3-69 O. Howell Survey 54, BS&F Survey 53, J. T. Cox Survey 56, TWNG R. R.

4-1 Co. Survey 11, and J. T. Cox Survey 2 to Northeast corner TWNG R. R.
4-2 Co. Survey 3;

4-3 THENCE South about 6/8ths mile to South line of Menard County
4-4 in South part of said Survey 3;

4-5 THENCE West about 7 and 1/2 miles crossing TWNG R. R. Co.
4-6 Survey 3, J. W. Murr Survey 4, TWNG R. R. Co. Survey 5, J. W. Murr
4-7 Survey 6, TWNG R. R. Co. Survey 7, M. L. Garcia Survey 8, TWNG R. R.
4-8 Co. Survey 9 and M. L. Garcia Survey 10 to Southwest corner of
4-9 Menard County, the place of beginning.

4-10 Sec. 1A. The District is governed by a board of five
4-11 directors [~~composed of the persons who serve as directors of the~~
4-12 ~~Menard County Underground Water District~~]. A [Each] director of
4-13 [~~the Menard County Underground Water District serves on the board~~
4-14 ~~of directors of~~] the Menard County Water Conservation [Control] and
4-15 Improvement District may also serve on the board of directors of the
4-16 Menard County Underground Water District, and doing so does not
4-17 violate the common-law doctrine of incompatibility [No. 1 as an
4-18 additional duty of his office as director of the underground water
4-19 district]. A director is not entitled to compensation for service
4-20 on either [~~the~~] board of directors but may be reimbursed as provided
4-21 by board rules for expenses incurred in carrying out the business of
4-22 the districts [~~District~~].

4-23 SECTION 2. This Act takes effect immediately if it receives
4-24 a vote of two-thirds of all the members elected to each house, as
4-25 provided by Section 39, Article III, Texas Constitution. If this
4-26 Act does not receive the vote necessary for immediate effect, this
4-27 Act takes effect September 1, 2003.

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