

By: Hegar

H.B. No. 3563

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the creation of the Waller County Road Improvement  
3 District No. 1; providing authority to impose a tax and issue bonds.

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

5 SECTION 1. CREATION OF DISTRICT. (a) Waller County Road  
6 Improvement District No. 1 is created as a special district under  
7 Section 52, Article III, and Section 59, Article XVI, Texas  
8 Constitution.

9 (b) The board by resolution may change the district's name.

10 SECTION 2. DECLARATION OF INTENT. (a) The creation of the  
11 district is necessary to promote, develop, encourage, and maintain  
12 transportation, safety, employment, commerce, housing, tourism,  
13 recreation, the arts, entertainment, economic development, and the  
14 public welfare in the area of the district.

15 (b) The creation of the district is essential to accomplish  
16 the purposes of Sections 52 and 52-a, Article III, and Section 59,  
17 Article XVI, Texas Constitution, and other public purposes stated  
18 in this Act.

19 SECTION 3. DEFINITIONS. In this Act:

20 (1) "Board" means the board of directors of the  
21 district.

22 (2) "District" means Waller County Road Improvement  
23 District No. 1.

24 SECTION 4. BOUNDARIES. The district includes all the

1 territory contained in the following described area:

2 FIELD NOTES FOR A 31.6118 ACRE TRACT OF LAND IN THE H&TC RAILROAD  
3 COMPANY SURVEY, SECTION 103, ABSTRACT 169, WALLER COUNTY, TEXAS,  
4 SAID 31.6118 ACRE TRACT BEING THAT CERTAIN CALLED 31.6120 ACRE  
5 TRACT (PART OF TRACT 4) IN DEED TO K-B MANAGEMENT PARTNERS, LTD.,  
6 RECORDED IN VOLUME 305, PAGE 361, DEED RECORDS, WALLER COUNTY,  
7 TEXAS, AND FURTHER DESCRIBED IN VOLUME 236, PAGE 630, DEED RECORDS,  
8 WALLER COUNTY, TEXAS, BEARINGS FOR THE HEREIN DESCRIBED TRACT ARE  
9 GRID BASED UPON G.P.S. OBSERVATIONS OF TRIANGULATIONS STATION  
10 "BROOKSHIRE", DISTANCES ARE GEODETIC, SCALE FACTOR USED IS  
11 0.99988896, COORDINATES ARE TEXAS STATE PLANE, SOUTH CENTRAL ZONE,  
12 NAD 1983;

13 COMMENCING at a 3/4 inch iron pipe found in the east line of Igloo  
14 Road (80-feet wide) at the southwest corner of the K-B Management  
15 Partners, LTD., called 39.581 acre tract (Tract 2), recorded in  
16 Volume 305, Page 361, Deed Records, Waller County, Texas, and  
17 further described in Volume 235, Page 43, Deed Records, Waller  
18 County, Texas. surveyed this date as 39.3537 acres, same being the  
19 northwest corner of the K-B Management Partners, LTD. called  
20 161.383 acre tract (Tract 2), surveyed this date as 161.8245 acres,  
21 recorded in Volume 305, Page 361, Deed Records, Waller County,  
22 Texas, said point bears North 87 degrees 55 minutes 48 seconds East,  
23 11.5 feet from the southwest corner of the H&TC Railroad Company  
24 Survey, Section 103, Abstract 169, same being the northwest corner  
25 of the J.G. Bennett Survey, Abstract 292 (Section 104);

26 THENCE North 87 degrees 55 minutes 48 seconds East, along the common  
27 line of the H&TC Railroad Company Survey, Section 103, Abstract

1 169, and the J.G. Bennett Survey, Abstract 292 (Section 104), and  
2 the south line of said adjoining called 39.581 acre K-B Management  
3 Partners, LTD tract, 3.135.06 feet to a 1-1/4 inch iron pipe found  
4 on said line for the southwest corner of Place of Beginning of the  
5 herein described 31.6118 acre tract of land, same being the  
6 southeast corner of said adjoining K-B Management Partners, LTD.  
7 called 39.581 acre tract, surveyed this date as 39.3537 acres, and  
8 being in the north line of a certain adjoining Pennzoil Exploration  
9 and Production Company called 142 acre tract, recorded in Volume  
10 464, Page 271, Deed Records, Waller County, Texas;

11 THENCE North 02 degrees 00 minutes 55 seconds West along the common  
12 line of the herein described 31.6118 acre tract and the  
13 aforementioned adjoining called 39.581 acre K-B Management  
14 Partners, LTD tract, surveyed this date as 39.3537 acres (called  
15 North 02 degrees 01 minute West, 540.4 feet) for a distance of  
16 541.97 feet to a 1/2 inch iron pipe found on the south right-of-way  
17 line of Interstate Highway 10 for the northwest corner of the herein  
18 described 31.6118 acre tract, same being the northeast corner of  
19 said adjoining 39.581 acre K-B Management Partners, LTD tract, said  
20 point having coordinates of Y=13,844,652.304, X=2,954,875,326;

21 THENCE North 88 degrees 15 minutes 42 seconds East, along the north  
22 line of the herein described 31.6118 acre tract, being the south  
23 line of Interstate Highway 10 (called North 87 degrees 58 minutes 56  
24 seconds East, 2,047.09 feet) for a distance of 2,049.18 feet to a  
25 concrete right-of-way marker found on said line at the beginning of  
26 a curve to the right;

27 THENCE around said curve to the right with a central angle of 40

1 degrees 08 minutes 27 seconds, a radius of 534.68 feet, a length of  
2 374.59 feet, a tangent of 195.35 feet, and a chord bearing South 71  
3 degrees 40 minutes 04 seconds East, 366.98 feet to a 1/2 inch iron  
4 pipe with cap marked "Kalkomey Surveying" set at the tangency of  
5 said curve;

6 THENCE South 51 degrees 56 minutes 59 seconds East, 337.90 feet to a  
7 1/2 inch iron pipe with cap marked "Kalkomey Surveying" set at the  
8 beginning of a curve to the left;

9 THENCE around said curve to the left with a central angel of 40  
10 degrees 10 minutes 58 seconds, a radius of 617.97 feet, a length of  
11 433.39 feet, a tangent of 226.04 feet, and a chord bearing South 71  
12 degrees 13 minutes 35 seconds East, 424.57 feet to a concrete  
13 right-of-way marker found at the tangency of said curve;

14 THENCE North 88 degrees 13 minutes 11 seconds East continuing along  
15 the south right-of-way line of Interstate Highway 10, being the  
16 north line of the herein described tract (called North 88 degrees 17  
17 minutes 10 seconds East, 158.67 feet) for a distance of 158.16 feet  
18 to a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" set at  
19 its point of intersection with the west right-of-way line of  
20 Pederson Road, being the northeast-most corner of the herein  
21 described 31.6118 acre tract of land, and being located in the east  
22 line of said H&TC Railroad Company Survey, Section 103, Abstract,  
23 169, same being the west line of the H&TC Railroad Company Survey,  
24 Section 107, Abstract, 170;

25 THENCE South 02 degrees 33 minutes 46 seconds East (called South 02  
26 degrees 15 minutes East, 30 feet) along the east line of the herein  
27 described tract, the west right-of-way line of Pederson Road (50

1 feet wide), and the common line of said H&TC Railroad Company  
2 Survey, Section 103, Abstract, 169, and said H&TC Railroad Company  
3 Survey, Section 107, Abstract 170, a distance of 30.46 feet to a 1  
4 inch iron pipe found on said common line for the southeast-most  
5 corner of the herein described 31.6118 acre tract of land, same  
6 being the northeast corner of an adjoining Cooper Cameron Corp.  
7 called 58.6130 acre tract, recorded in Volume 0509, Page 919,  
8 Official Records, Waller County, Texas, and being the southeast  
9 corner of said H&TC Railroad Company Survey, Section 103, Abstract,  
10 169, and the northeast corner of the aforementioned J.G. Bennett  
11 Survey, Abstract 292 (Section 104), said point having coordinates  
12 of Y=13,844,228.624, X=2,958,099.425;

13 THENCE South 87 degrees 53 minutes 32 seconds West along the south  
14 line of the herein described tract, being the common line between  
15 the H&TC Railroad Company Survey, Section 103, Abstract 169, and  
16 the J.G. Bennett Survey, Abstract 292 (Section 104), same being the  
17 north line of said adjoining Cooper Cameron Corp. called 58.6130  
18 acre tract, and the north line of the aforementioned adjoining  
19 Pennzoil Exploration and Production Company called 142 acre tract  
20 (called South 87 degrees 43 minutes 39 seconds West, 3.204.36 feet)  
21 for a distance of 3,207.21 feet to the Place of Beginning containing  
22 31.6118 acres of land, more or less.

23 FIELD NOTES FOR 39.3537 ACRE TRACT OF LAND IN THE H&TC RAILROAD  
24 COMPANY SURVEY, SECTION 103, ABSTRACT 169, WALLER COUNTY, TEXAS,  
25 SAID 39.3537 ACRE TRACT BEING THAT CERTAIN CALLED 39.581 ACRE TRACT  
26 (TRACT 2) IN DEED TO K-B MANAGEMENT PARTNERS, LTD., RECORDED IN  
27 VOLUME 305, PAGE 361, DEED RECORDS, WALLER COUNTY, TEXAS, FURTHER

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1 DESCRIBED IN VOLUME 235, PAGE 43, DEED RECORDS, WALLER COUNTY,  
2 TEXAS, BEARINGS FOR THE HEREIN DESCRIBED TRACT ARE GRID BASED UPON  
3 G.P.S. OBSERVATIONS FROM TRANGULATION STATION "BROOKSHIRE",  
4 DISTANCES ARE GEODETIC, SCALE FACTOR USED IS 0.99988896,  
5 COORDINATES ARE TEXAS STATE PLANE, SOUTH CENTRAL ZONE, NAD 1983;  
6 BEGINNING at a 3/4 inch iron pipe found on the east tine of Igloo  
7 Road (80 feet right-of-way) for the southwest corner and Place of  
8 Beginning of the herein described 39.3537 acre tract of land, said  
9 point being North 87 degrees 55 minutes 48 seconds East, 11.5 feet  
10 from the southwest corner of the aforementioned H&TC Railroad  
11 Company Survey, Section 103, Abstract 169, same being the northwest  
12 corner of the J.G. Bennett Survey, Abstract 292 (Section 104), said  
13 beginning point also being the northwest corner of an adjoining  
14 161.8245 acre tract (called 161.383 acres), surveyed by the  
15 undersigned this date, being in deed to K-B Management Partners,  
16 LTD., recorded in Volume 305, Page 361, Deed Records, Waller  
17 County, Texas, said point having coordinates Y=13,843,997.417,  
18 X=2,951,761.369;  
19 THENCE North 01 degrees 50 minutes 00 seconds West along the east  
20 line of Igloo Road being the west line of the herein described tract  
21 (called North 00 degrees 14 minutes 57 seconds West, 125.66 feet)  
22 for a distance of 125.66 feet to a 1/2 inch iron pipe with cap marked  
23 "Kalkomey Surveying" set on said line for an angle point;  
24 THENCE North 06 degrees 04 minutes 27 seconds East continuing along  
25 the west line of the herein described tract (called North 07 degrees  
26 39 minutes 20 seconds East, 438.71 feet) for a distance of 438.71  
27 feet to a 1/2 inch iron pipe with cap marked "Kalkomey Surveying"

1 set at the point of intersection of said line with the south  
2 right-of-way line of Interstate Highway 10 for the northwest corner  
3 of the herein described 39.3537 acre tract of land;  
4 THENCE North 88 degrees 15 minutes 54 seconds East along the south  
5 right-of-way line of Interstate Highway 10, being the north line of  
6 the herein described tract (called North 89 degrees 44 minutes 20  
7 seconds East, 3,073.79 feet) for a distance of 3,072.96 feet to a  
8 1/2 inch iron pipe found on said line for the northeast corner of  
9 the herein described 39.3537 acre tract of land, same being the  
10 northwest corner of an adjoining K-B Management Partners, LTD.,  
11 called 31.6120 acre tract, surveyed this date as 31.6118 acres,  
12 recorded in Volume 305, Page 361 (Deed Description in Volume 236,  
13 Page 630), Deed Records, Waller County, Texas, said point having  
14 coordinates of Y=13,844,652.304, X=2,954,875.326;  
15 THENCE South 02 degrees 00 minutes 55 seconds East along the common  
16 line of the herein described 39.3537 acre tract and the  
17 aforementioned adjoining 31.6118 acre tract surveyed this date  
18 (called South 00 degrees 34 minutes 45 seconds East, 547.87 feet)  
19 for a distance of 541.97 feet to a 1-1/4 iron pipe found at the point  
20 of intersection of said line with the common line of the  
21 aforementioned H&TC Railroad Company Survey, Section 103, Abstract  
22 169, and the J.G. Bennett Survey, Abstract 292 (Section 104), the  
23 southeast corner of the herein described 39.3537 acre tract, same  
24 being the southwest corner of the aforementioned adjoining 31.6118  
25 acre tract surveyed this date, said point also being in the north  
26 line of an adjoining Pennzoil Exploration and Production Company  
27 called 142 acre tract, recorded in Volume 464, Page 271, Deed

1 Records, Waller County, Texas, said point having coordinates of  
2 Y=13,844,110.6650, X=2,954,894.385;  
3 THENCE South 87 degrees 55 minutes 48 seconds West along the common  
4 line of the H&TC Railroad Company Survey, Section 103, Abstract  
5 169, and the J.G. Bennett Survey, Abstract 292 (Section 104), being  
6 the north line of the aforementioned Pennzoil Exploration and  
7 Production Company called 142 acre tract, at 244.24 feet pass the  
8 northwest corner of said adjoining called 142 acre Pennzoil  
9 Exploration and Production Company tract, same being the upper  
10 northeast corner of a certain adjoining called 261.7841 acre tract  
11 conveyed to Margene West Lloyd and W.R. Lloyd, Jr., recorded in  
12 Volume 303, Page 584, Deed Records, Waller County, Texas, at 324.24  
13 feet pass a 1/2 inch iron pipe with cap marked "Kalkomey Surveying"  
14 set on said line being the upper northwest corner of said adjoining  
15 called 261.7841 acre Lloyd tract, same being the northeast corner  
16 of the aforementioned adjoining K-B Management Partners, LTD.  
17 called 161.383 acre tract (Tract 3), and continue along said line  
18 (called North 89 degrees 30 minutes 50 seconds West, 3,137.31 feet)  
19 for a distance of 3,135.06 feet to the Place of Beginning,  
20 containing 39.3537 acres of land, more or less.

21 FIELD NOTES FOR A 161.8245 ACRE TRACT OF LAND IN THE J.G. BENNETT  
22 SURVEY, ABSTRACT 292 (SECTION 104), WALLER COUNTY, TEXAS, SAID  
23 161.8245 ACRE TRACT BEING THAT CERTAIN CALLED 161.383 ACRE TRACT  
24 (TRACT 3) IN DEED TO K-B MANAGEMENT PARTNERS LTD. RECORDED IN VOLUME  
25 305, PAGE 361, DEED RECORDS, WALLER COUNTY, TEXAS, FURTHER  
26 DESCRIBED IN VOLUME 236, PAGE 223, DEED RECORDS, WALLER COUNTY,  
27 TEXAS. BEARINGS FOR THE HEREIN DESCRIBED TRACT ARE GRID BASED UPON



1 G.P.S. OBSERVATIONS OF TRIANGULATION STATION "BROOKSHIRE",  
2 DISTANCES ARE GEODETIC, SCALE FACTOR USED IS 0.99988896.  
3 COORDINATES ARE TEXAS STATE PLANE, SOUTH CENTRAL ZONE, NAD 1983;  
4 BEGINNING at a 3/4 inch iron pipe found on the east line of Igloo  
5 Road (80 feet wide) for the north west corner and Place of Beginning  
6 of the herein described 161.8245 acre tract of land, same being a  
7 southwest corner of an adjoining called 39.581 acre tract (surveyed  
8 by the undersigned this date as 39.3537 acres) conveyed to K-B  
9 Management Partners, LTD. recorded in Volume 305, Page 361, and  
10 further described in Volume 235, Page 43, Deed Records, Waller  
11 County, Texas, said beginning point having coordinates of  
12 Y=13,843,997.417, X=2,951,761.369, said point being North 87  
13 degrees 55 minutes 48 seconds East. 11.5 feet from. the southwest  
14 corner of the H&TC Railroad Company Survey, Section 103, Abstract  
15 169, same being the northwest corner of the J.G. Bennett Survey,  
16 Abstract 292 (Section 104);  
17 THENCE North 87 degrees 55 minutes 48 seconds East, along the common  
18 line of the aforementioned H&TC Railroad Company Survey, Section  
19 103, and the J.G. Bennett Survey, Abstract 292 (Section 104), being  
20 the common line between the herein described 161.8245 acre tract  
21 and said adjoining called 39.581 acre K-B Management Partners  
22 tract, (called North 89 degrees 30 minutes 50 seconds East,  
23 2,813.08 feet) for a distance of 2,810.83 feet to a 1/2 inch iron  
24 pipe with cap marked "Kalkomey Surveying" set on said line for the  
25 northeast corner of the herein described 161.8245 acre tract of  
26 land, same being the most northerly northwest corner of the  
27 adjoining Margene West Lloyd and W. R. Lloyd, Jr. called 261.7841

1 acre tract, recorded in Volume 303, Page 584, Deed Records, Waller  
2 County, Texas;

3 THENCE South 02 degrees 36 minutes 59 seconds East along the east  
4 line of the herein described tract, same being the upper west line  
5 of the aforementioned adjoining called 261.7841 acre Lloyd tract  
6 (called South 00 degrees 37 minutes 04 seconds East, 2,482.08 feet)  
7 for a distance of 2,493.17 feet to a 1/2 inch iron pipe with cap  
8 marked "Kalkomey Surveying" set for the southeast corner of the  
9 herein described 161.8245 acre tract of land, same being a re-entry  
10 corner to the aforementioned adjoining called 261.7841 acre Lloyd  
11 tract, said point having coordinates Y=13,841,608.37995,  
12 X=2,954,684.177568;

13 THENCE South 88 degrees 02 minutes 01 second West along the south  
14 line of the herein described tract, being the lower north line of  
15 the aforementioned adjoining called 261.7841 acre Lloyd tract  
16 (called South 89 degrees 30 minutes West, 2,850.65 feet), for a  
17 distance of 2,850.00 feet to a 1/2 inch iron pipe found on the east  
18 line of Igloo Road (80 feet) for the southwest corner of the herein  
19 described 161.8245 acre tract, same being the lower northwest  
20 corner of the aforementioned adjoining called 261.7841 acre Lloyd  
21 tract;

22 THENCE North 01 degree 42 minutes 56 seconds West, along the east  
23 line of Igloo Road and the west line of the herein described tract  
24 (called North 00 degrees 14 minutes 57 seconds West, 2,482.97 feet)  
25 for a distance of 2,487.95 feet to the Place of Beginning,  
26 containing 161.8245 acres of land, more or less.

27 SECTION 5. FINDINGS RELATING TO BOUNDARIES. The boundaries

1 and field notes of the district form a closure. A mistake in the  
2 field notes or in copying the field notes in the legislative process  
3 does not in any way affect the district's:

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

10 SECTION 6. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The  
11 district is created to serve a public use and benefit.

12 (b) All land and other property included in the district  
13 will benefit from the improvements and services to be provided by  
14 the district under powers conferred by Sections 52 and 52-a,  
15 Article III, and Section 59, Article XVI, Texas Constitution, and  
16 other powers granted under this Act.

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

- 19 (1) further the public purposes of the development and  
20 diversification of the economy of the state;
- 21 (2) eliminate unemployment and underemployment; and
- 22 (3) develop or expand transportation and commerce.

23 (d) The present and prospective traffic congestion in the  
24 district and the safety of pedestrians and the limited availability  
25 of funds require the promotion and development of public  
26 transportation and pedestrian facilities and systems, and the  
27 district will serve the public purpose of securing expanded and

1 improved transportation and pedestrian facilities and systems.

2 (e) The district will:

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

6 (2) provide needed funding to preserve, maintain, and  
7 enhance the economic health and vitality of the district as a  
8 community; and

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

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

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

21 SECTION 7. APPLICATION OF OTHER LAW. Chapter 311,  
22 Government Code (Code Construction Act), applies to this Act.

23 SECTION 8. CONSTRUCTION OF ACT. (a) This Act shall be  
24 liberally construed in conformity with the findings and purposes  
25 set forth in this Act.

26 (b) If any provision of the general law conflicts with this  
27 Act, this Act prevails.

1 SECTION 9. BOARD OF DIRECTORS; TERMS. (a) The district is  
2 governed by a board of five elected directors who serve staggered  
3 terms of four years.

4 (b) Elections for directors shall be held on the uniform  
5 election date in May in even-numbered years.

6 SECTION 10. QUALIFICATIONS. (a) A person must meet the  
7 qualifications of Section 375.063, Local Government Code, to serve  
8 as a director of the district.

9 (b) Section 49.052, Water Code, does not apply to directors  
10 of the district.

11 SECTION 11. POWERS OF DISTRICT. (a) The district has all  
12 powers and authority provided by the general laws on road districts  
13 and road utility districts created under Section 52, Article III,  
14 Texas Constitution, and conservation and reclamation districts and  
15 municipal management districts created under Section 59, Article  
16 XVI, Texas Constitution, including:

- 17 (1) Chapters 257 and 441, Transportation Code;  
18 (2) Chapter 375, Local Government Code; and  
19 (3) Chapters 49 and 54, Water Code.

20 (b) Authority granted by this Act shall in no way affect or  
21 impact the powers and authority of the Brookshire-Katy Drainage  
22 District of Waller County.

23 SECTION 12. AGREEMENTS; GRANTS. (a) The district may make  
24 an agreement with or accept a gift, grant, or loan from any person.

25 (b) The implementation of a project is a governmental  
26 function or service for the purposes of Chapter 791, Government  
27 Code.

1 SECTION 13. LAW ENFORCEMENT SERVICES. To protect the  
2 public interest, the district may contract with a municipality or  
3 county to provide law enforcement services in the district for a  
4 fee.

5 SECTION 14. AUTHORITY TO IMPOSE AD VALOREM TAXES,  
6 ASSESSMENTS, AND IMPACT FEES. The district may impose an ad valorem  
7 tax, assessment, or impact fee and use the proceeds of the tax,  
8 assessment, or impact fee for any district purpose, including the  
9 payment of debt or other contractual obligations, or the payment of  
10 maintenance and operating expenses.

11 SECTION 15. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
12 district must hold an election in the manner provided by Chapters 49  
13 and 54, Water Code, to obtain voter approval before the district may  
14 impose a maintenance tax or issue bonds payable from ad valorem  
15 taxes.

16 (b) The board may include more than one purpose in a single  
17 proposition at an election.

18 SECTION 16. MAINTENANCE TAX. (a) The district may impose  
19 an annual ad valorem tax on taxable property in the district for any  
20 district purpose, including to:

21 (1) maintain and operate the district, including  
22 improvements constructed or acquired by the district; or

23 (2) provide a service.

24 (b) The board shall determine the tax rate.

25 SECTION 17. ASSESSMENTS; PETITION REQUIRED FOR FINANCING  
26 SERVICES AND IMPROVEMENTS. (a) The board by resolution may impose  
27 and collect an assessment for any purpose authorized by this Act.

1           (b) The board may not finance a service or improvement  
2 project through an assessment under this Act unless a written  
3 petition requesting that service or improvement has been filed with  
4 the board. The petition must be signed by:

5           (1) the owners of a majority of the assessed value of  
6 real property in the district that will be subject to the assessment  
7 according to the most recent certified tax appraisal roll for the  
8 county in which the property is located; or

9           (2) at least 25 owners of land in the district that  
10 will be subject to the assessment, if more than 25 persons own land  
11 in the district that will be subject to the assessment according to  
12 the most recent certified tax appraisal roll for the county in which  
13 the property is located.

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

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

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

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

27          (d) The lien is effective from the date of the board's

1 resolution imposing the assessment until the date the assessment is  
2 paid. The board may enforce the lien in the same manner that the  
3 board may enforce an ad valorem tax lien against real property.

4 SECTION 18. OBLIGATIONS. (a) The district may issue bonds  
5 or other obligations payable in whole or in part from ad valorem  
6 taxes, assessments, impact fees, revenue, grants, or other money of  
7 the district, or any combination of those sources of money, to pay  
8 for any authorized purpose of the district.

9 (b) In exercising the district's borrowing power, the  
10 district may issue a bond or other obligation in the form of a bond,  
11 note, certificate of participation or other instrument evidencing a  
12 proportionate interest in payments to be made by the district, or  
13 other type of obligation.

14 SECTION 19. INITIAL DIRECTORS. (a) The initial board  
15 consists of the following persons:

- 16 (1) Julie Magness;  
17 (2) Craig Artze;  
18 (3) Julie Crum;  
19 (4) Gary Tankersley; and  
20 (5) Jennifer Kramer.

21 (b) Of the initial directors, the terms of the first three  
22 directors named in Subsection (a) expire on June 1, 2006, and the  
23 terms of the last two directors named in Subsection (a) expire on  
24 June 1, 2004.

25 (c) On the uniform election date in May 2004, the board  
26 shall hold an election for the directors whose terms expire on June  
27 1, 2004. On the uniform election date in May 2006, the board shall



1 hold an election for the directors whose terms expire on June 1,  
2 2006.

3 (d) This section expires September 1, 2006.

4 SECTION 20. UTILITIES. The district may not impose an  
5 impact fee or assessment on the property, equipment, rights-of-way,  
6 facilities, or improvements of an electric utility or a power  
7 generation company as defined by Section 31.002, Utilities Code, a  
8 telecommunications provider as defined by Section 51.002,  
9 Utilities Code, or a gas utility as defined by Section 101.003 or  
10 121.001, Utilities Code. If the district, in the exercise of the  
11 powers conferred upon it herein, requires or requests the  
12 relocation, rerouting, or removal of electric, gas, water, sewer,  
13 communications, or other public utilities, the relocation,  
14 rerouting, or removal shall be at the sole expense of the district.

15 SECTION 21. ADDITIONAL LEGISLATIVE FINDINGS. The  
16 legislature finds that:

17 (1) proper and legal notice of the intention to  
18 introduce this Act, setting forth the general substance of this  
19 Act, has been published as provided by law, and the notice and a  
20 copy of this Act have been furnished to all persons, agencies,  
21 officials, or entities to which they are required to be furnished by  
22 the constitution and laws of this state, including the governor,  
23 who has submitted the notice and Act to the Texas Commission on  
24 Environmental Quality;

25 (2) the Texas Commission on Environmental Quality has  
26 filed its recommendations relating to this Act with the governor,  
27 lieutenant governor, and speaker of the house of representatives

1 within the required time;

2 (3) the general law relating to consent by political  
3 subdivisions to the creation of districts with conservation,  
4 reclamation, and road powers and the inclusion of land in those  
5 districts has been complied with; and

6 (4) all requirements of the constitution and laws of  
7 this state and the rules and procedures of the legislature with  
8 respect to the notice, introduction, and passage of this Act have  
9 been fulfilled and accomplished.

10 SECTION 22. EFFECTIVE DATE. This Act takes effect  
11 immediately if it receives a vote of two-thirds of all the members  
12 elected to each house, as provided by Section 39, Article III, Texas  
13 Constitution. If this Act does not receive the vote necessary for  
14 immediate effect, this Act takes effect September 1, 2003.