

By: Flynn

H.B. No. 813

Substitute the following for H.B. No. 813:

By: Puente

C.S.H.B. No. 813

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Union Valley Ranch Municipal Utility District of Hunt County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8108 to read as follows:

CHAPTER 8108. UNION VALLEY RANCH MUNICIPAL UTILITY DISTRICT OF HUNT COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8108.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a member of the board.

(3) "District" means the Union Valley Ranch Municipal Utility District of Hunt County.

Sec. 8108.002. NATURE OF DISTRICT. The district is a municipal utility district in Hunt County created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution. The district is created to serve a public use and benefit.

Sec. 8108.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8108.023 before September 1, 2007:

1 (1) the district is dissolved September 1, 2007,
2 except that:

3 (A) any debts incurred shall be paid;

4 (B) any assets that remain after the payment of
5 debts shall be transferred to Hunt County; and

6 (C) the organization of the district shall be
7 maintained until all debts are paid and remaining assets are
8 transferred; and

9 (2) this chapter expires September 1, 2010.

10 Sec. 8108.004. INITIAL DISTRICT TERRITORY. (a) The
11 district is initially composed of the territory described by
12 Section 2 of the Act creating this chapter.

13 (b) The boundaries and field notes contained in Section 2 of
14 the Act creating this chapter form a closure. A mistake made in the
15 field notes or in copying the field notes in the legislative process
16 does not affect:

17 (1) the organization, existence, or validity of the
18 district;

19 (2) the right of the district to impose taxes; or

20 (3) the legality or operation of the board.

21 [Sections 8108.005-8108.020 reserved for expansion]

22 SUBCHAPTER A1. TEMPORARY PROVISIONS

23 Sec. 8108.021. TEMPORARY DIRECTORS. (a) The temporary
24 board consists of:

25 (1) Charles Scott Brown;

26 (2) W. Thurston Witt, Jr.;

27 (3) Stephen Herbert Hill;

1 (4) Tomas Castella; and

2 (5) Jamie LaurAnn Kaufmann.

3 (b) If a temporary director fails to qualify for office, the
4 temporary directors who have qualified shall appoint a person to
5 fill the vacancy. If at any time there are fewer than three
6 qualified temporary directors, the Texas Commission on
7 Environmental Quality shall appoint the necessary number of persons
8 to fill all vacancies on the board.

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

10 (1) the date directors are elected under Section
11 8108.023; or

12 (2) the date this chapter expires under Section
13 8108.003.

14 Sec. 8108.022. ORGANIZATIONAL MEETING OF TEMPORARY
15 DIRECTORS. As soon as practicable after all the temporary
16 directors have qualified under Section 49.055, Water Code, the
17 temporary directors shall convene the organizational meeting of the
18 district at a location in the district agreeable to a majority of
19 the directors. If a location cannot be agreed upon, the
20 organizational meeting shall be at the Hunt County Courthouse.

21 Sec. 8108.023. CONFIRMATION AND INITIAL DIRECTORS'
22 ELECTION. The temporary directors shall hold an election to
23 confirm the creation of the district and to elect five directors as
24 provided by Section 49.102, Water Code.

25 Sec. 8108.024. INITIAL ELECTED DIRECTORS; TERMS. The
26 directors elected under Section 8108.023 shall draw lots to
27 determine which two shall serve until the first regularly scheduled

1 election of directors under Section 8108.052 and which three shall
2 serve until the second regularly scheduled election of directors.

3 Sec. 8108.025. EXPIRATION OF SUBCHAPTER. This subchapter
4 expires September 1, 2010.

5 [Sections 8108.026-8108.050 reserved for expansion]

6 SUBCHAPTER B. BOARD OF DIRECTORS

7 Sec. 8108.051. DIRECTORS; TERMS. (a) The district is
8 governed by a board of five directors.

9 (b) Directors serve staggered four-year terms.

10 Sec. 8108.052. ELECTION OF DIRECTORS. On the uniform
11 election date in May of each even-numbered year, the appropriate
12 number of directors shall be elected.

13 [Sections 8108.053-8108.100 reserved for expansion]

14 SUBCHAPTER C. POWERS AND DUTIES

15 Sec. 8108.101. MUNICIPAL UTILITY DISTRICT POWERS AND
16 DUTIES. The district has the powers and duties provided by the
17 general law of this state, including Chapters 49 and 54, Water Code,
18 applicable to municipal utility districts created under Section 59,
19 Article XVI, Texas Constitution.

20 Sec. 8108.102. ROAD PROJECTS. (a) The district may
21 construct, acquire, improve, maintain, or operate macadamized,
22 graveled, or paved roads or turnpikes, or improvements in aid of
23 those roads or turnpikes, inside or outside the district.

24 (b) A project authorized by this section must meet only the
25 construction standards adopted by the North Central Texas Council
26 of Governments, or its successor agency.

27 Sec. 8108.103. ROAD CONTRACTS. The district may contract

1 for a road project in the same manner as provided by Subchapter I,
2 Chapter 49, Water Code.

3 Sec. 8108.104. CERTIFICATE OF CONVENIENCE AND NECESSITY.

4 (a) The district may pay out of bond proceeds or other available
5 district money all expenses, including legal, engineering, and
6 other fees, related to obtaining a new certificate of convenience
7 and necessity under Chapter 13, Water Code, authorizing the
8 district to provide retail water or sewer service inside or outside
9 the district.

10 (b) The district may pay out of bond proceeds or other
11 available district money all expenses, including the purchase
12 price, related to acquiring certificate of convenience and
13 necessity rights from another retail public utility to allow the
14 district to provide retail water or sewer service in the district.

15 Sec. 8108.105. CONTRACT WITH POLITICAL SUBDIVISION FOR

16 WATER OR SEWER SERVICES. (a) The district may enter into a
17 contract to allow a political subdivision to provide retail water
18 or sewer service in the district. The contract may contain terms
19 the board considers desirable, fair, and advantageous to the
20 district.

21 (b) The contract may provide that the district will
22 construct or acquire and convey to the political subdivision a
23 water supply or treatment system, a water distribution system, or a
24 sanitary sewage collection or treatment system as necessary to
25 provide water or sewer service in the district.

26 (c) The district may use bond proceeds or other available
27 district money to pay for its obligations and for services and

1 facilities provided under the contract.

2 (d) If the contract requires the district to make payments
3 from taxes other than operation and maintenance taxes, the contract
4 is subject to Section 49.108, Water Code.

5 [Sections 8108.106-8108.150 reserved for expansion]

6 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

7 Sec. 8108.151. OPERATION AND MAINTENANCE TAX. (a) The
8 district may impose a tax for any district operation and
9 maintenance purpose in the manner provided by Section 49.107, Water
10 Code.

11 (b) Section 49.107(f), Water Code, does not apply to
12 reimbursements for projects constructed or acquired under Section
13 8108.102.

14 Sec. 8108.152. TAX TO REPAY BONDS. The district may impose
15 a tax to pay the principal of and interest on bonds issued under
16 Section 8108.201.

17 Sec. 8108.153. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
18 ASSESSMENTS. The district may not impose an impact fee or
19 assessment on the property, including the equipment,
20 rights-of-way, facilities, or improvements, of:

21 (1) an electric utility or a power generation company
22 as defined by Section 31.002, Utilities Code;

23 (2) a gas utility as defined by Section 101.003 or
24 121.001, Utilities Code;

25 (3) a telecommunications provider as defined by
26 Section 51.002, Utilities Code;

27 (4) a cable operator as defined by 47 U.S.C. Section

1 522; or

2 (5) a person who provides to the public advanced
3 telecommunications services.

4 [Sections 8108.154-8108.200 reserved for expansion]

5 SUBCHAPTER E. BONDS

6 Sec. 8108.201. AUTHORITY TO ISSUE BONDS AND OTHER
7 OBLIGATIONS. (a) The district may issue bonds or other obligations
8 as provided by Chapters 49 and 54, Water Code, and to finance:

9 (1) the construction, maintenance, or operation of
10 projects under Section 8108.102; or

11 (2) the district's contractual obligations under
12 Section 8108.105.

13 (b) The district may not issue bonds or other obligations
14 secured wholly or partly by ad valorem taxation to finance projects
15 authorized by Section 8108.102 unless the issuance is approved by a
16 vote of a two-thirds majority of the voters of the district voting
17 at an election called for that purpose.

18 (c) Bonds or other obligations issued or incurred to finance
19 projects authorized by Section 8108.102 may not exceed one-fourth
20 of the assessed value of the real property in the district.

21 (d) Sections 49.181 and 49.182, Water Code, do not apply to
22 a project undertaken by the district under Section 8108.102 or to
23 bonds issued by the district to finance the project.

24 [Sections 8108.202-8108.250 reserved for expansion]

25 SUBCHAPTER F. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

26 Sec. 8108.251. DIVISION OF DISTRICT; REQUIREMENTS. (a) At
27 any time before the district issues indebtedness secured by taxes

1 or net revenues, the district, including any annexed territory, may
2 be divided into two or more new districts.

3 (b) A new district created by division of the district must
4 be at least 100 acres.

5 (c) The board may consider a proposal to divide the district
6 on:

7 (1) a petition of a landowner in the district; or

8 (2) a motion by the board.

9 (d) If the board decides to divide the district, the board
10 shall:

11 (1) set the terms of the division, including names for
12 the new districts and a plan for the payment or performance of any
13 outstanding district obligations; and

14 (2) prepare a metes and bounds description for each
15 proposed district.

16 Sec. 8108.252. ELECTION FOR DIVISION OF DISTRICT. (a)
17 After the board has complied with Section 8108.251(d), the board
18 shall hold an election in the district to determine whether the
19 district should be divided as proposed.

20 (b) The board shall give notice of the election not later
21 than the 35th day before the date of the election. The notice must
22 state:

23 (1) the date and location of the election; and

24 (2) the proposition to be voted on.

25 (c) If a majority of the votes cast are in favor of the
26 division:

27 (1) the district shall be divided; and

1 (2) not later than the 30th day after the date of the
2 election, the district shall provide written notice of the division
3 to:

4 (A) the Texas Commission on Environmental
5 Quality;

6 (B) the attorney general;

7 (C) the commissioners court of each county in
8 which a new district is located; and

9 (D) any municipality having extraterritorial
10 jurisdiction over territory in each new district.

11 (d) If a majority of the votes cast are not in favor of the
12 division, the district may not be divided.

13 Sec. 8108.253. ELECTION OF DIRECTORS OF NEW DISTRICTS. (a)
14 Not later than the 90th day after the date of an election in favor of
15 the division of the district, the board shall:

16 (1) appoint itself as the board of one of the new
17 districts; and

18 (2) appoint five directors for each of the other new
19 districts.

20 (b) Directors appointed under Subsection (a)(1) serve the
21 staggered terms to which they were elected in the original
22 district. Directors appointed under Subsection (a)(2) serve until
23 the election for directors under Subsection (c).

24 (c) On the uniform election date in May of the first
25 even-numbered year after the year in which the directors are
26 appointed, an election shall be held to elect five directors in each
27 district for which directors were appointed under Subsection

1 (a)(2). The directors shall draw lots to determine which two shall
2 serve two-year terms and which three shall serve four-year terms.

3 (d) Except as provided by Subsection (c), directors serve
4 staggered four-year terms. On the uniform election date in May of
5 each even-numbered year, the appropriate number of directors shall
6 be elected.

7 Sec. 8108.254. CONTINUING POWERS AND OBLIGATIONS OF NEW
8 DISTRICTS. (a) Each new district may incur and pay debts and has
9 all powers of the original district created by this chapter.

10 (b) If the district is divided as provided by this
11 subchapter, the current obligations and any bond authorizations of
12 the district are not impaired. Debts shall be paid by revenues or
13 by taxes or assessments imposed on real property in the district as
14 if the district had not been divided or by contributions from each
15 new district as stated in the terms set by the board under Section
16 8108.251(d).

17 (c) Any other district obligation shall be divided pro rata
18 among the new districts on an acreage basis or on other terms that
19 are satisfactory to the new districts.

20 Sec. 8108.255. CONTRACT AUTHORITY OF NEW DISTRICTS. The
21 new districts may contract with each other for:

22 (1) water and wastewater services; or

23 (2) any other matter the boards of the new districts
24 consider appropriate.

25 SECTION 2. The district initially includes all the
26 territory contained in the following described area:

27 TRACT 1

1 All that certain lot, tract or parcel of land situated in the H. H.
2 HALL SURVEY, ABSTRACT NO. 505 AND F. B. PANKEY SURVEY, ABSTRACT NO.
3 831, Hunt County, Texas and being all of that 50.00 acres described
4 as Tract One "A" and all of that 211.089 acre described as Tract One
5 "B" in a Warranty Deed from Hunt County Venture No. 1, J.V. to
6 Lowell D. English and wife, Ann English and Don W. Turner and wife,
7 Marjorie Turner, dated December 15, 1975 and being recorded in
8 Volume 772, Page 29 of the Deed Records of Hunt County, Texas, and
9 also being conveyed in a Warranty Deed from Lowell D. English and
10 wife, Ann C. English to Bonder Corporation, dated March 31, 1995 and
11 being recorded in Volume 354, Page 316 of the Real Property Records
12 of Hunt County, Texas, and being more particularly described as
13 follows:

14 BEGINNING at a 1/2" iron rod found for corner at the base of a fence
15 corner post at the Northeast corner of said 211.089 acre tract, said
16 point being at the Northwest corner of a 101.85 acres tract of land
17 as described in a Deed from L.B. Houston, Jr. to Robert C. Houston,
18 Jr., as recorded in Volume 388, Page 18 of the Real Property Records
19 of Hunt County, Texas;

20 THENCE S. 09 deg. 11 min. 33 sec. E. a distance of 3200.33 feet to a
21 1/2" iron rod found for corner in the North right-of-way line of
22 State Highway 276;

23 THENCE in a Northwesterly direction along the North right-of-way
24 line of State Highway 276, the following:

25 In a Northwesterly direction along a curve to the right having a
26 central angle of 20 deg. 04 min. 31 sec., a radius of 1869.86 feet, a
27 tangent of 330.97 feet, a chord of N. 83 deg. 45 min. 08 sec. W.,

1 651.82 feet, and an arc distance of 655.16 feet to a concrete
2 highway monument found for corner;
3 N. 73 deg. 45 min. 18 sec. W. a distance of 822.26 feet to a concrete
4 highway monument found for corner;
5 N. 65 deg. 13 min. 22 sec. W. a distance of 404.68 feet to a concrete
6 highway monument found for corner;
7 N. 73 deg. 43 min. 46 sec. W. a distance of 400.17 feet to a concrete
8 highway monument found for corner;
9 N. 82 deg. 16 min. 29 sec. W. a distance of 404.25 feet to a concrete
10 highway monument found for corner;
11 N. 73 deg. 46 min. 55 sec. W. a distance of 1958.92 feet to a
12 concrete highway monument found for corner;
13 In a Northwesterly direction along a curve to the right having a
14 central angle of 20 deg. 21 min. 11 sec., a radius of 2824.79 feet, a
15 tangent of 330.97 feet, a chord of N. 63 deg. 27 min. 02 sec. W.,
16 998.18 feet an arc distance of 655.16 feet to a broken concrete
17 monument found for corner;
18 THENCE N. 55 deg. 41 min. 02 sec. W. along said right-of-way line, a
19 distance of 7.88 feet to a 1/2" iron rod found for corner at the
20 Southwest corner of said 50.00 acres tract of land, said point also
21 being at the Southeast corner of a 9.85 acres tract of land as
22 described in a Warranty Deed from NCNB Texas National Bank to James
23 and Venetia Peach, as recorded in Volume 166, Page 85 of the Deed
24 Records of Hunt County, Texas;
25 THENCE N. 09 deg. 06 min. 07 sec. W. along the East line of said 9.85
26 acres tract, a distance of 942.16 feet to a 2" steel fence corner
27 post found at the Northwest corner of said 50.00 acres tract;

1 THENCE N. 81 deg. 40 min. 46 sec. E. a distance of 1056.12 feet to a
2 1/2" iron rod found for corner at the Southeast corner of a 69.981
3 acres tract of land as described in a Warranty Deed from William and
4 J. J. Hurley to Patricia P. Hensley as recorded in Volume 349, Page
5 883 of the Real Property Records of Hunt County, Texas;

6 THENCE N. 80 deg. 55 min. 20 sec. E. a distance of 455.51 feet to a
7 1/2" iron rod found for corner at the Northeast corner of said 50.00
8 acres tract;

9 THENCE N. 81 deg. 56 min. 01 sec. E. a distance of 1963.50 feet to a
10 3/8" iron rod found for corner at the Southeast corner of a 30 acres
11 tract as described in a Quit Claim Deed to A. G. Tyree, Jr. and Tammy
12 Tyree, as recorded in Volume 239, Page 595 of the Deed Records of
13 Hunt County, Texas;

14 THENCE N. 81 deg. 19 min. 02 sec. E. a distance of 192.04 feet to a
15 3/8" iron rod found for corner at the Southwest corner of a 30.26
16 acres tract as described in a Deed to Charles Slater, as recorded in
17 Volume 581, Page 284 of the Real Property Records of Hunt County,
18 Texas;

19 THENCE N. 85 deg. 54 min. 51 sec. E. along the South line of said
20 Slater tract, a distance of 706.42 feet to a 1/2" iron rod found for
21 corner at the Southeast corner of same;

22 THENCE N. 88 deg. 06 min. 40 sec. E. a distance of 328.42 feet to a
23 1/2" iron rod found for corner at the Southeast corner of a 15.0
24 acres tract of land as described in a Deed to Thomas and Lavenda
25 Swafford, as recorded in Volume 911, Page 585 of the Deed Records of
26 Hunt County, Texas;

27 THENCE N. 89 deg. 21 min. 57 sec. E. a distance of 346.13 feet to the

1 POINT OF BEGINNING and containing 261.67 acres of land.

2 TRACT 2

3 All that certain lot, tract or parcel of land situated in the H. H.
4 HALL SURVEY, ABSTRACT NO. 505, A. STRICKLAND SURVEY, ABSTRACT NO.
5 941 AND F. B. PANKEY SURVEY, ABSTRACT NO. 831, Hunt County, Texas
6 and being all of that 311.043 acres described as Tract Two in a
7 Warranty Deed from Hunt County Venture No. 1, J.V. to Lowell D.
8 English and wife, Ann English and Don W. Turner and wife, Marjorie
9 Turner, dated December 15, 1975 and being recorded in Volume 772,
10 Page 29 of the Deed Records of Hunt County, Texas, and also being
11 conveyed in a Warranty Deed from Lowell D. English and wife, Ann C.
12 English to Bonder Corporation, dated March 31, 1995 and being
13 recorded in Volume 354, Page 316 of the Real Property Records of
14 Hunt County, Texas, and also being all of that 79.81 acres described
15 in a Warranty Deed from Clarence Alexander Turner, Lola Estell
16 Lanier and Herman Eugene Turner to Doug English, dated June 30,
17 1980, and being recorded in Volume 853, Page 12 of the Deed Records
18 of Hunt County, Texas, and being more particularly described as
19 follows:

20 BEGINNING at a P-K nail set in asphalt for corner at the
21 intersection of the center of County Road 2422 with the Southwest
22 right-of-way line of State Highway 276, said point being at the
23 North most Northwest corner of said 311.043 acres tract of land;

24 THENCE in a Southeasterly direction along the Southwest
25 right-of-way line of State Highway 276, the following:

26 S. 52 deg. 03 min. 54 sec. E. a distance of 36.10 feet to a concrete
27 highway monument found for corner;

1 N. 74 deg. 56 min. 30 sec. E. a distance of 200.06 feet to a concrete
2 highway monument found for corner;
3 S. 51 deg. 59 min. 56 sec. E. a distance of 235.18 feet to a concrete
4 highway monument found for corner;
5 N. 19 deg. 29 min. 01 sec. E. a distance of 106.62 feet to a concrete
6 highway monument found for corner;
7 S. 73 deg. 45 min. 45 sec. E. a distance of 2200.95 feet to a
8 concrete highway monument found for corner;
9 S. 57 deg. 58 min. 45 sec. E. a distance of 82.46 feet to a concrete
10 highway monument found for corner;
11 S. 74 deg. 00 min. 58 sec. E. a distance of 620.00 feet to a concrete
12 highway monument found for corner;
13 S. 84 deg. 40 min. 18 sec. E. a distance of 102.56 feet to a concrete
14 highway monument found for corner;
15 S. 73 deg. 45 min. 18 sec. E. a distance of 1463.29 feet to a 1/2"
16 iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set
17 for corner;
18 S. 86 deg. 17 min. 55 sec. E. a distance of 183.42 feet to a concrete
19 highway monument found for corner;
20 N. 81 deg. 13 min. 28 sec. E. a distance of 604.60 feet to a 1/2"
21 iron rod found for corner at the Northeast corner of said 79.81
22 acres tract, said point being at the Northwest corner of a 59.595
23 acres tract of land as described in a Warranty Deed from Martha Noel
24 Drummond to Glen Cummins, as recorded in Volume 286, Page 107 of the
25 Real Property Records of Hunt County, Texas;
26 THENCE S. 08 deg. 36 min. 16 sec. E. a distance of 2002.09 feet to a
27 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034"

1 set for corner at the Southeast corner of said 79.81 acres tract,
2 said point being in the North line of CRAZY HORSE RANCHOS NO. 1
3 REVISED, an Addition to Hunt County, Texas, according to the Plat
4 thereof recorded in Volume 400, Page 609 of the Plat Records of Hunt
5 County, Texas;

6 THENCE S. 81 deg. 57 min. 00 sec. W. along the North line of said
7 Addition, at 1129.27 feet pass a 1/2" iron rod with yellow plastic
8 cap stamped "R.S.C.I. RPLS 5034" set for witness and continuing for
9 a total distance of 1164.27 feet to a P-K nail set for corner in
10 asphalt pavement of County Road 2412;

11 THENCE S. 53 deg. 43 min. 42 sec. E. along the center of County Road
12 2412, a distance of 81.47 feet to a P-K nail set for corner in
13 asphalt pavement at the North corner of CRAZY HORSE RANCHOS
14 INSTALLMENT NO. 2, an Addition to Hunt County, Texas, according to
15 the Plat thereof recorded in Volume 400, Page 585 of the Plat
16 Records of Hunt County, Texas;

17 THENCE S. 37 deg. 16 min. 40 sec. W., at 30.0 feet pass a 1/2" iron
18 rod for witness at the base of a fence post, and continuing along
19 the Northwest line of said Addition, for a total distance of 1564.57
20 feet to a 1/2" iron rod found for corner at the East corner of Lot
21 408 of said Addition;

22 THENCE N. 53 deg. 02 min. 10 sec. W. (Controlling bearing line)
23 along the Northeast line of said Addition, a distance of 3106.74
24 feet to a 1/2" iron rod found for corner at the North corner of Lot
25 419 of said Addition;

26 THENCE S. 35 deg. 59 min. 15 sec. W. along the Northwest line of said
27 Lot 419, at 458.53 feet pass a 1/2" iron rod with yellow plastic cap

1 stamped "R.S.C.I. RPLS 5034" set for witness and continuing for a
2 total distance of 473.33 feet to a 1/2" iron rod with yellow plastic
3 cap stamped "R.S.C.I. RPLS 5034" set for corner in the center of
4 County Road 2418, at the East corner of HIGHLAND RIDGE, an Addition
5 to Hunt County, Texas, according to the Plat thereof recorded in
6 Volume 400, Page 1469 of the Plat Records of Hunt County, Texas;
7 THENCE N. 53 deg. 00 min. 54 sec. W. along the center of County Road
8 2733.58 feet to a 1/2" iron rod found for corner at the intersection
9 of said road with the center of County Road 2422;
10 THENCE N. 38 deg. 09 min. 40 sec. E. along the center of County Road
11 2422, a distance of 1893.64 feet to the POINT OF BEGINNING and
12 containing 391.79 acres of land.

13 SECTION 3. (a) The legal notice of the intention to
14 introduce this Act, setting forth the general substance of this
15 Act, has been published as provided by law, and the notice and a
16 copy of this Act have been furnished to all persons, agencies,
17 officials, or entities to which they are required to be furnished
18 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
19 Government Code.

20 (b) The governor, one of the required recipients, has
21 submitted the notice and Act to the Texas Commission on
22 Environmental Quality.

23 (c) The Texas Commission on Environmental Quality has filed
24 its recommendations relating to this Act with the governor, the
25 lieutenant governor, and the speaker of the house of
26 representatives within the required time.

27 (d) All requirements of the constitution and laws of this

1 state and the rules and procedures of the legislature with respect
2 to the notice, introduction, and passage of this Act are fulfilled
3 and accomplished.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2005.