

By: Strama

H.B. No. 3532

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Pflugerville Municipal Management District No. 1; providing authority to impose a tax and issue bonds.

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

SECTION 1. Chapter 376, Local Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER L. PFLUGERVILLE MUNICIPAL MANAGEMENT DISTRICT NO. 1

Sec. 376.501 CREATION OF DISTRICT. (a) The Pflugerville Municipal Management District No. 1 is created as a special district under Section 59, Article XVI, Texas Constitution.

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

(c) 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 subchapter.

Sec. 376.502 DECLARATION OF INTENT. (a) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, arts, entertainment, economic development, safety, and the public welfare in the district.

(b) The creation of the district and this legislation are not to be interpreted to relieve the county or the municipality from providing the level of services, as of the effective date of this subchapter, to the area in the district or to release the county or

1 the municipality from the obligations each entity has to provide  
2 services to that area. The district is created to supplement and  
3 not supplant the municipal or county services provided in the area  
4 in the district.

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

10 Sec. 376.503 DEFINITIONS. In this chapter:

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

13 (2) "County" means Travis County.

14 (3) "District" means the Pflugerville Municipal  
15 Management District No. 1.

16 (4) "Municipality" means the City of Pflugerville.

17 (5) "Utility" means a person that provides to the  
18 public gas, electricity, telephone, sewage, or water service.

19 Sec. 376.504 BOUNDARIES. The district includes all the  
20 territory contained within the following described area:

21 TRACT 1:

22 FIELD NOTES describing 256.63 acres of land, being portions of the  
23 John Davis Survey No. 13, Abstract No. 231 and the Sefrin Eiselin  
24 Survey No. 4, Abstract No. 265, situated in Travis County, Texas,  
25 and being a portion of that certain 535 acre tract of land conveyed  
26 to Timmerman & Hagn, Ltd. by deed recorded in Volume 8394, Page 544  
27 of the Deed Records of Travis County, Texas and a portion of that

1 certain 158.22 acre tract of land conveyed to Timmerman & Hagn, Ltd.  
2 by deed recorded in Volume 8394, Page 544 of said Deed Records, and  
3 being more particularly described by metes and bounds as follows;  
4 BEGINNING at a point being the intersection of the east  
5 right-of-way line of F.M. 685 and the south right-of-way line of  
6 Pflugger Lane, for the northwest corner and POINT OF BEGINNING of the  
7 hereinafter described 256.63 acre tract;  
8 THENCE along said south right-of-way line, being the north line of  
9 said 535 acre tract, S58°55'07"E, 2648.71 feet to a point in the  
10 Pflugerville one-half (1/2) mile ETJ line, for the northeast corner  
11 hereof;  
12 THENCE departing said south right-of-way line, along said  
13 Pflugerville one-half (1/2) mile ETJ line, for the east line  
14 hereof, the following three (3) courses:  
15 1.) S26°26'00"W, 2617.63 feet to a Point of Curvature hereof;  
16 2.) along the arc of a curve to the right having elements of delta=  
17 2°44'00", radius= 8419.58 feet, arc=401.66 feet, tangent= 200.87  
18 feet, chord and chord bearings= 401.62 feet, S27°48'00"W to a Point  
19 of Tangency hereof;  
20 3.) S29°10'00"W, 1180.12 feet to a point in the north line of that  
21 certain 71.67 acre tract of land conveyed to Lanier C. Bohls, et al,  
22 by deed recorded in Volume 3951, Page 2106 of said Deed Records,  
23 being the south line of said 158.22 acre tract, for the southeast  
24 corner hereof;  
25 THENCE along the north line of said 71.67 acre tract and the north  
26 line of that certain 95.39 acre tract of land conveyed to Lillian  
27 Thornton, et al, by deed recorded in Volume 4829, Page 737 of said

1 Deed Records, being the south line of said 158.22 acre tract, for  
2 the south line hereof, N64°04'00"W, 2046.53 feet to a point in the  
3 east right-of-way line of Gregg Lane, for the most southerly  
4 southwest corner hereof;

5 THENCE, along east and north lines of said Gregg Lane, for west and  
6 south lines hereof, the following three (3) courses:

7 1.) N19°30'00"E, 150.00 feet to an angle point hereof;

8 2.) N14°50'00"W, 393.33 feet to an angle point hereof;

9 3.) N58°15'00"W, 298.61 feet to a point in the east right-of-way  
10 line of F.M. 685, for the most westerly southwest corner hereof;

11 THENCE along said east right-of-way line of F.M. 685, along a line  
12 being 2640 feet west of and parallel to the east line herein  
13 described, for the west line hereof, the following three (3)  
14 courses:

15 1.) N29°10'00"E, 851.28 feet to a Point of Curvature hereof;

16 2.) along the arc of a curve to the left having elements of delta=  
17 2°44'00", radius= 5779.58 feet, arc= 275.72 feet, tangent= 137.89  
18 feet, chord and chord bearing= 275.69 feet, N27°48'00"E to a Point  
19 of Tangency hereof;

20 3.) N26°26'00"E, 2832.27 feet to the POINT OF BEGINNING of the  
21 herein described tract, containing 256.63 acres of land.

22 TRACT 2:

23 755.22 acres of land, being portions of the E. Kirkland Survey No.  
24 7, Abstract No. 458; the Sefrin Eiselin Survey No. 4, Abstract No.  
25 265; the J.P. Sherwood Survey and the Taylor S. Barnes Survey No.  
26 46, Abstract No. 267, situated in Travis County, Texas, said 755.22  
27 acres being more particularly described by metes and bounds as

1 Parcel "A" and Parcel "B", as follows:

2 Parcel "A"

3 BEING 458.89 acres of land, being portions of the E. Kirkland Survey  
4 No. 7, Abstract No. 458; the Sefrin Eiselin Survey No. 4, Abstract  
5 No. 265; the J.P. Sherwood Survey and the Taylor S. Barnes Survey  
6 No. 46, Abstract No. 267, and being comprised and consisting of the  
7 following five (5) tracts of land:

8 (1) all of that certain 50 acre tract conveyed to Timmerman & Hagn,  
9 Ltd. by deed recorded in Volume 8394, Page 544 of the Deed Records  
10 of Travis County, Texas;

11 (2) all of that certain 74.46 acre tract conveyed to Theo  
12 Timmerman, et al, by deed recorded in Volume 2546, Page 393 of said  
13 Deed Records;

14 (3) all of that certain 101.72 acre tract, being a portion of that  
15 certain 296.72 acre tract conveyed to Timmerman & Hagn, Ltd. by deed  
16 recorded in Volume 8394, Page 544 of said Deed Records;

17 (4) a portion of those two (2) certain 97.5 acre tracts, being a  
18 portion of that certain 296.72 acre tract conveyed to Timmerman &  
19 Hagn, Ltd. by deed recorded in Volume 8394, Page 544 of said Deed  
20 Records;

21 (5) a portion of that certain 97.5 acre tract conveyed to Theodor  
22 R. Timmerman by deed recorded in Volume 2470, Page 572 of said Deed  
23 Records;

24 said 458.89 acres of land being more particularly described by  
25 metes and bounds as follows:

26 BEGINNING at a point in the north right-of-way line of Pflugerville  
27 Road, being the southeast corner of that certain 71.67 acre tract of

1 land conveyed to Lanier C. Bohls, et al, being the southwest corner  
2 of said 50 acre tract, for the southwest corner and POINT OF  
3 BEGINNING of the hereinafter described 458.89 acre Parcel "A";  
4 THENCE along the east line of said 71.67 acre tract, being the west  
5 line of said 50 acre tract, for the west line hereof, N23°40'00"E,  
6 3628.06 feet to a point in the south line of that certain 158.22  
7 acre tract conveyed to Timmerman & Hagn, Ltd. by deed recorded in  
8 Volume 8394, Page 544 of said Deed Records, being the northeast  
9 corner of said 71.67 acre tract and the northwest corner of said 50  
10 acre tract, for the northwest corner hereof;  
11 THENCE along the south line of said 158.22 acre tract, being the  
12 north line of said 50 acre, said 74.46 acre and said 101.72 acre  
13 tracts, for the north line hereof, S64°04'00"E, at a distance of  
14 2818.61 feet pass the northeast corner of said 101.72 acre tract,  
15 being the southeast corner of said 158.22 acre tract, and continue  
16 across said three (3) 97.5 acre tracts, in all a total distance of  
17 5386.16 feet to a point in the west line of that certain 70.31 acre  
18 tract of land conveyed to Pflugerville 146 Joint Venture by deed  
19 recorded in Volume 8795, Page 25 of said Deed Records, being the  
20 east line of said 97.5 acre tract conveyed by said Volume 2470, Page  
21 572, for the northeast corner hereof;  
22 THENCE along the west line of said 70.31 acre tract, being an east  
23 line of said 97.5 acre tract, for an east line hereof, S28°50'00"W,  
24 1005.25 feet to a point in the north line of that certain 96.90 acre  
25 tract of land conveyed to Edgar W. Smith by deed recorded in Volume  
26 3708, Page 1363 of said Deed Records, being the southwest corner of  
27 said 70.31 acre tract, also being an ell corner in the east line of

1 said 97.5 acre tract, for an ell corner hereof;  
2 THENCE along the north line of said 96.90 acre tract, N61°05'00"W,  
3 108.89 feet to a point being the northwest corner of said 96.90 acre  
4 tract, also being an ell corner in the east line of said 97.5 acre  
5 tract, for an ell corner hereof;  
6 THENCE along the west line of said 96.90 acre tract, being an east  
7 line of said 97.5 acre tract, for an east line hereof, S28°50'00"W,  
8 3107.61 feet to a point in the centerline of said Pflugerville Road,  
9 being the southeast corner of said 97.5 acre tract, for the  
10 southeast corner hereof;  
11 THENCE along said centerline, for a south line hereof, the  
12 following four (4) courses:  
13 (1) N66°00'00"W, 798.44 feet to an angle point hereof;  
14 (2) N65°50'00"W, 490.83 feet to an angle point hereof;  
15 (3) N53°05'00"W, 587.50 feet to an angle point hereof;  
16 (4) N51°05'00"W, 600.00 feet to the southwest corner of a 97.5 acre  
17 tract, for an angle point hereof;  
18 THENCE along the west line of said 97.5 acre tract, N28°51'37"E,  
19 15.52 feet to a point in the north right-of-way line of said  
20 Pflugerville Road, being the southeast corner of said 101.72 acre  
21 tract, for an angle point hereof;  
22 THENCE along said north right-of-way line of Pflugerville Road, for  
23 the south line hereof, the following three (3) courses:  
24 (1) N51°26'00"W, 451.39 feet to an angle point hereof;  
25 (6) N58°15'00"W, 911.11 feet to an angle point hereof;  
26 (7) N60°45'00"W, 1131.67 feet to the POINT OF BEGINNING of the  
27 herein described Parcel "A", containing 458.89 acres of land.

1 Parcel "B"

2 BEING 296.33 acres of land, being portions of the Sefrin Eiselin  
3 Survey No. 4, Abstract No. 265 and the Taylor S. Barnes Survey No.  
4 46, Abstract No. 267, and being comprised and consisting of the  
5 following three (3) tracts of land:

6 (1) all of that certain 165.15 acre tract conveyed to Theo  
7 Timmerman and Leah J. Hagn by deed recorded in Volume 9409, Page 144  
8 of the Deed Records of Travis County, Texas;

9 (2) all of that certain 0.35 acre tract described in deed recorded  
10 in Volume 9409, Page 144 of the Deed Records;

11 (3) all of that certain 130.81 acre tract conveyed to Theodor R.  
12 Timmerman by deed recorded in Volume 857, Page 331 of said deed  
13 records;

14 said 296.33 acres of land being more particularly described by  
15 metes and bounds as follows:

16 BEGINNING FOR REFERENCE at a point in the north right-of-way line of  
17 Pflugerville Road, being the southeast corner of that certain 71.67  
18 acre tract of land conveyed to Lanier C. Bohls, et al, by deed  
19 recorded in Volume 3951, Page 2106 of said Deed Records, being the  
20 southwest corner of said 50 acre tract; thence along said north  
21 right-of-way line, S60°45'00"E, 439.76 feet to a point; thence  
22 crossing said right-of-way, S28°49'23"W, 61.37 feet to a point in  
23 the south right-of-way line of said Pflugerville Road, being at or  
24 near the northeast corner of that certain 17.316 acre tract of land  
25 conveyed to Richard L. Matz, Trustee, by deed recorded in Volume  
26 8911, Page 270 of said Deed Records, being the northwest corner of  
27 said 130.81 acre tract, for the northwest corner and POINT OF



1 BEGINNING of the hereinafter described 296.33 acre Parcel "B";  
2 THENCE along said south right-of-way line of Pflugerville Road, for  
3 the north line hereof, the following nine (9) courses:  
4 (1) S61°01'36"E, 753.89 feet to an angle point hereof;  
5 (2) S58°48'36"E, 777.66 feet to a point in the west line of said  
6 165.15 acre tract, being the northeast corner of said 1308.81 acre  
7 tract, for an angle point hereof;  
8 (3) along the west line of said 165.15 acre tract, N29°02'03"E,  
9 2.19 feet to a point being the northwest corner of said 165.15 acre  
10 tract, for a Point of Curvature hereof;  
11 (4) along the arc of a curve to the right having elements of delta=  
12 6°19'31", radius= 906.91 feet, arc= 100.12 feet, tangent= 50.11  
13 feet, chord and chord bearing= 100.07 feet, S54°33'58"E to a Point  
14 of Tangency hereof;  
15 (5) S51°24'12"E, 1006.88 feet to a Point of Curvature hereof;  
16 (6) along the arc of a curve to the left having elements of delta=  
17 2°11'45", radius= 2895.88 feet, arc= 110.98 feet, tangent= 55.50  
18 feet, chord and chord bearing= 110.98 feet, S52°30'05"E to a Point  
19 of Tangency hereof;  
20 (7) S53°35'57"E, 426.26 feet to a Point of Curvature hereof;  
21 (8) along the arc of a curve to the left having elements of delta=  
22 12°37'37", radius= 603.00 feet, arc= 132.89 feet, tangent= 66.72  
23 feet, chord and chord bearing= 132.62 feet, S59°54'46"E to a Point  
24 of Tangency hereof;  
25 (9) S66°13'34"E, 519.14 feet to a point being the northwest corner  
26 of that certain 75.29 acre tract of land conveyed to E.T. Timmerman  
27 and E.T. Timmerman, Trustee, by deed recorded in Volume 9409, Page

1 144 of said Deed Records, being the northeast corner of said 165.15  
2 acre tract, for the northeast corner hereof;  
3 THENCE along the east line of said 75.29 acre tract, being the west  
4 line of said 165.15 acre and said 0.35 acre tracts, for the east  
5 line hereof, S29°30'13"W, at a distance of 3491.42 feet pass the  
6 southeast corner of said 165.15 acre tract, being the southwest  
7 corner of said 75.29 acre tract, and continue in all a total  
8 distance of 3511.42 feet to a point in the north line of that  
9 certain 157.69 acre tract conveyed to Thomas A. Goebel by deed  
10 recorded in Volume 9818, Page 540 of said Deed Records, being the  
11 southeast corner of said 0.35 acre tract and the southwest corner of  
12 that certain 2.21 acre remainder of that certain 2.56 acre tract of  
13 land conveyed to the City of Pflugerville by deed recorded in Volume  
14 9236, Page 954 of said Deed Records, for the southeast corner  
15 hereof;  
16 THENCE along the north line of said 157.69 acre tract, being the  
17 south line of said 0.35 acre tract, for a south line hereof, the  
18 following two (2) courses:  
19 (1) N60°55'16"W, 732.21 feet to an angle point hereof;  
20 (2) N61°13'57"W, 32.78 feet to a point being the southeast corner  
21 of that certain 19.00 acre tract of land conveyed to the City of  
22 Pflugerville by deed recorded in Volume 9236, Page 954 of said Deed  
23 Records, being the southwest corner of said 0.35 acre tract, for an  
24 ell corner hereof;  
25 THENCE along the east line of said 19.00 acre tract, being a west  
26 line of said 0.35 acre and said 165.15 acre tracts, for an interior  
27 line hereof, N29°00'13"E, at a distance of 20.00 feet pass the

1 northwest corner of said 0.35 acre tract, being a lower southwest  
2 corner of said 165.15 acre tract, and continue in all a total  
3 distance of 558.04 feet to a point being the northeast corner of  
4 said 19.00 acre tract and an ell corner of said 165.15 acre tract,  
5 for an ell corner hereof;

6 THENCE along the north line of said 19.00 acre tract, being a south  
7 line of said 165.15 acre tract, for a south line hereof,  
8 N60°59'47"W, 1476.23 feet to a point in the east line of said 130.81  
9 acre tract, being the northwest corner of said 19.00 acre tract,  
10 also being the southwest corner of said 165.15 acre tract, for an  
11 ell corner hereof;

12 THENCE along the west line of said 19.00 acre tract, being an east  
13 line of said 130.81 acre tract, for an interior line hereof,  
14 S28°55'24"W, 560.00 feet to a point in the north line of that certain  
15 238.00 acre tract of land conveyed to Carl Lisso by deed recorded in  
16 Volume 588, Page 550 of said Deed Records, being the southwest  
17 corner of said 19.00 acre tract and the southeast corner of said  
18 130.81 acre tract, for an ell corner hereof;

19 THENCE along the north line of said 238.00 acre tract, being the  
20 south line of said 130.81 acre tract, for a south line hereof, the  
21 following four (4) courses:

22 (1) N57°22'36"W, 265.83 feet to an angle point hereof;

23 (2) N62°24'36"W, 386.94 feet to an angle point hereof;

24 (3) S28°58'24"W, 10.00 feet to an angle point hereof;

25 (4) N61°01'36"W, 870.28 feet to a point being an angle point in the  
26 north line of said 238.00 acre tract, also being the southwest  
27 corner of said 130.81 acre tract, for the southwest corner hereof;

1 THENCE along an east line of said 238.00 acre tract; the east line  
2 of Gatlinburg-Section 5; the east line of Gatlinburg-Section Four,  
3 as shown on a Plat of Record in Volume 83, Pages 131C-131D of the  
4 Plat Records of Travis County, Texas; the east line of that certain  
5 10.07 acre tract of land conveyed to the City of Pflugerville by  
6 deed recorded in Volume 5674, Page 9 of said Deed Records; and the  
7 east line of said 17.316 acre tract, being the west line of said  
8 130.81 acre tract, for the west line hereof, N28°49'23"E, 3748.21  
9 feet to the Point of Beginning of the herein described Parcel "B",  
10 containing 296.33 acres of land.

11 TRACT 3:

12 699.38 acres of land, being portions of the George M. Martin Survey  
13 No. 9, Abstract No. 529; the E. Kirkland Survey No. 7, Abstract No.  
14 458; the Sefrin Eiselin Survey No. 4, Abstract No. 265; and the John  
15 Davis Survey No. 13, Abstract No. 231, situated in Travis County,  
16 Texas, said 699.38 acres being more particularly described by metes  
17 and bounds as Parcel "A" and Parcel "B" as follows:

18 Parcel "A"

19 BEING 501.52 acres of land, being portions of the George M. Martin  
20 Survey No. 9, Abstract No. 529; the E. Kirkland Survey No. 7,  
21 Abstract No. 458; the Sefrin Eiselin Survey No. 4, Abstract No. 265;  
22 and the John Davis Survey No. 13, Abstract No. 231, and being  
23 comprised and consisting of the following four (4) tracts of land:

24 (1) a portion of that certain 535 acre tract conveyed to Timmerman  
25 & Hagn, Ltd. by deed recorded in Volume 8394, Page 544 of the Deed  
26 Records of Travis County, Texas;

27 (2) a portion of that certain 158.22 acre tract conveyed to

1 Timmerman & Hagn, Ltd. by deed recorded in Volume 8394, Page 544 of  
2 said Deed Records;

3 (3) a portion of those two (2) certain 97.5 acre tracts, being a  
4 portion of that certain 296.72 acre tract conveyed to Timmerman &  
5 Hagn, Ltd. by deed recorded in Volume 8394, Page 544 of said Deed  
6 Records;

7 (4) a portion of that certain 97.5 acre tract conveyed to Theodor  
8 R. Timmerman by deed recorded in Volume 2470, Page 572 of said Deed  
9 Records;

10 said 501.52 acres of land being more particularly described by  
11 metes and bounds as follows;

12 BEGINNING FOR REFERENCE at a point being the intersection of the  
13 east right-of-way line of F.M. 685 and the south right-of-way line  
14 of Pfluger Lane; thence along said south right-of-way line, being  
15 the north line of said 535 acre tract, S58°55'07"E, 2648.71 feet to a  
16 point for the northwest corner and POINT OF BEGINNING of the  
17 hereinafter described 501.52 acre Parcel "A";

18 THENCE continuing along said south right-of-way line, being the  
19 north line of said 535 acre tract, for the north line hereof,  
20 S58°55'07"E, 5616.61 feet to a point being at or near the northwest  
21 corner of that certain 58.06 acre tract of land conveyed to  
22 Remington Savings Association by deed recorded in Volume 9680, Page  
23 744 of said Deed Records, being the northeast corner of said 535  
24 acre tract, for the northeast corner hereof;

25 THENCE along the east line of said 535 acre tract, being the west  
26 line of said 58.06 acre tract; the west line of that certain 7.00  
27 acre tract and that certain 11.00 acre tract conveyed to Remington

1 Savings Association by deed recorded in Volume 9680, Page 744 of  
2 said Deed Records; and the west line of that certain 70.31 acre  
3 tract of land conveyed to Pflugerville 146 Joint Venture, for the  
4 west line hereof, S28°50'00"W, at a distance of 2775.97 feet pass  
5 the southeast corner of said 535 acre tract, being the northeast  
6 corner of said 97.5 acre tract conveyed by said Volume 2470, Page  
7 572, and continue in all a total distance of 3697.94 feet to a point  
8 for the southeast corner hereof;

9 THENCE crossing said three (3) 97.5 acre tracts, for the south line  
10 hereof, N64°04'00"W, at a distance of 2567.55 feet pass the  
11 northeast corner of that certain 101.72 acre portion of that  
12 certain 296.72 acre tract conveyed to Timmerman & Hagn, Ltd. by deed  
13 recorded in Volume 8394, Page 544 of said Deed Records, being the  
14 southeast corner of said 158.22 acre tract, and continue in all a  
15 total distance of 5509.35 feet to a point in the Pflugerville  
16 one-half (1/2) mile ETJ line, being the north line of that certain  
17 71.67 acre tract of land conveyed to Lanier C. Bohls, et al, by deed  
18 recorded in Volume 3951, Page 2106 of said Deed Records, for the  
19 southwest corner hereof;

20 THENCE along said Pflugerville one-half (1/2) mile ETJ line, for  
21 the west line hereof, the following three (3) courses:

22 (1) N29°10'00"E, 1180.12 feet to a Point of Curvature hereof;  
23 (2) along the arc of a curve to the left having elements of delta=  
24 2°44'00", radius= 8419.58 feet, arc= 401.66 feet, tangent= 200.87  
25 feet, chord and chord bearing= 401.62 feet, N27°48'00"E, to the  
26 Point of Tangency hereof;

27 (3) N26°26'00"E, 2617.63 feet to the POINT OF BEGINNING of the

1 herein described Parcel "A", containing 501.52 acres of land.

2 Parcel "B"

3 BEING 197.86 acres of land, and being a portion of the John Davis  
4 Survey No. 13, Abstract No. 231, and being all of that certain  
5 197.27 acre tract of land conveyed to Timmerman & Hagn, Ltd., by  
6 deed recorded in Volume 8394, Page 542 of the Deed Records of Travis  
7 County, Texas, and being more particularly described by metes and  
8 bounds as follows;

9 BEGINNING FOR REFERENCE at a point being the intersection of the  
10 east right-of-way line of F.M. 685 and the south right-of-way line  
11 of Pfluger Lane; thence along said south right-of-way line, being  
12 the north line of said 235 acre tract, S58°55'07"E, 4821.00 feet to a  
13 point; thence crossing said right-of-way, N31°04'53"E, 60.00 feet  
14 to a point being in the north right-of-way line of said Pfluger  
15 Lane, being the southeast corner of that certain 193.85 acre tract  
16 of land conveyed to Willard Pfluger, et ux, by deed recorded in  
17 Volume 8317, Page 474 of said Deed Records, being the southwest  
18 corner of said 197.27 acre tract, for the southwest corner and POINT  
19 OF BEGINNING of the hereinafter described 197.86 acre Parcel "B";  
20 THENCE departing said north right-of-way line of Pfluger Lane,  
21 along the division line between said 193.85 acre tract and said  
22 197.27 acre tract, for the west line hereof, N29°14'53"E, 3293.00  
23 feet to a point in a lower north line of said 193.85 acre tract,  
24 being the south line of that certain 50.795 acre tract of land  
25 conveyed to Duane Kihne, et ux, by deed recorded in Volume 8066,  
26 Page 826 of said Deed Records, being the northwest corner of said  
27 197.27 acre tract, for the northwest corner hereof;

1 THENCE along the south line of said 50.795 acre tract and the south  
2 line of that certain 123.95 acre tract of land conveyed to Billy W.  
3 Glenn, et ux, by deed recorded in Volume 8555, Page 901 of said Deed  
4 Records, being the north line of said 197.27 acre tract, for the  
5 north line hereof, S60°45'07"E, 2576.40 feet to a point in the west  
6 line of that certain 107.40 acre tract of land conveyed to Lawrence  
7 L. Pfluger, et al, by deed recorded in Volume 4349, Page 62 of said  
8 Deed Records, being the southeast corner of said 123.95 acre tract,  
9 also being the northeast corner of said 197.27 acre tract, for the  
10 northeast corner hereof;

11 THENCE along the west line of said 107.40 acre tract and the west  
12 line of that certain 50.00 acre tract of land conveyed to E.G.  
13 Priesmeyer by deed recorded in Volume 8658, Page 823 of said Deed  
14 Records, being the east line of said 197.27 acre tract, for the east  
15 line hereof, the following three (3) courses:

- 16 (1) S29°14'53"W, 1583.00 feet to an angle point hereof;  
17 (2) S07°14'53"W, 45.00 feet to an angle point hereof;  
18 (3) S29°18'00"W, 1751.23 feet to a point in said north right-of-way  
19 line of Pfluger Lane, being the southwest corner of said 50.00 acre  
20 tract, being the southeast corner of said 197.27 acre tract, for the  
21 southeast corner hereof;

22 THENCE along said north right-of-way line, being the south line of  
23 said 197.27 acre tract, for the south line hereof, N58°55'07"W,  
24 2593.00 feet to the POINT OF BEGINNING of the herein described  
25 Parcel "B", containing 197.86 acres of land.

26 Sec. 376.505 FINDINGS RELATING TO BOUNDARIES. The  
27 boundaries and field notes of the district form a closure. If a



1 mistake is made in the field notes or in copying the field notes in  
2 the legislative process, it does not affect the district's:

3 (1) organization, existence, or validity;

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

7 (3) right to impose or collect an assessment or taxes;

8 or

9 (4) legality or operation.

10 Sec. 376.506 FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

11 All the land and other property included in the district will be  
12 benefited by the improvements and services to be provided by the  
13 district under powers conferred by Sections 52 and 52-a, Article  
14 III, and Section 59, Article XVI, Texas Constitution, and other  
15 powers granted under this subchapter, and the district is created  
16 to serve a public use and benefit.

17 (b) 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; and

21 (2) eliminate unemployment and underemployment and  
22 develop or expand transportation and commerce.

23 (c) The district will:

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

27 (2) provide needed funding to preserve, maintain, and

1 enhance the economic health and vitality of the area as a community  
2 and business center; and

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

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

13 (e) The district may not act as the agent or instrumentality  
14 of any private interest even though many private interests will be  
15 benefited by the district, as will the general public.

16 Sec. 376.507 APPLICATION OF OTHER LAW. Except as otherwise  
17 provided by this subchapter, Chapter 375 applies to the district.

18 Sec. 376.508 LIBERAL CONSTRUCTION OF SUBCHAPTER. This  
19 subchapter shall be liberally construed in conformity with the  
20 findings and purposes stated in this subchapter.

21 Sec. 376.509 BOARD OF DIRECTORS IN GENERAL. (a) The  
22 district is governed by a board of 11 directors who serve staggered  
23 terms of four years.

24 (b) A director shall receive compensation as provided by  
25 Section 49.060, Water Code.

26 Sec. 376.510 APPOINTMENT OF DIRECTORS. (a) The mayor and  
27 members of the governing body of the municipality shall appoint

1 directors from persons recommended by the board. A person is  
2 appointed if a majority of the members and the mayor vote to appoint  
3 that person.

4 (b) A person may not be appointed to the board if the  
5 appointment of that person would result in less than two-thirds of  
6 the directors residing in the municipality.

7 Sec. 376.511 EX OFFICIO BOARD MEMBERS. (a) The following  
8 persons shall serve as a nonvoting ex officio director:

9 (1) the director of the following departments of the  
10 municipality:

11 (A) parks and recreation;

12 (B) planning and development;

13 (C) public works; and

14 (D) civic center;

15 (2) the municipality's chief of police;

16 (3) the county's general manager of the Metropolitan  
17 Transit Authority; and

18 (4) the presidents of any institutions of higher  
19 learning located in the district.

20 (b) If a department described by Subsection (a) is  
21 consolidated, renamed, or changed, the board may appoint a director  
22 of the consolidated, renamed, or changed department as a nonvoting  
23 ex officio board member. If a department described by Subsection  
24 (a) is abolished, the board may appoint a representative of another  
25 department of the municipality that performs duties comparable to  
26 those performed by the abolished department.

27 (c) The board may appoint the presiding officer of a

1 nonprofit corporation that is actively involved in activities in  
2 the municipality's midtown area to serve as a nonvoting ex officio  
3 director.

4 Sec. 376.512 CONFLICTS OF INTEREST; ONE-TIME AFFIDAVIT.

5 (a) Except as provided in this section:

6 (1) a director may participate in all board votes and  
7 decisions; and

8 (2) Chapter 171 governs conflict of interest for board  
9 members.

10 (b) Section 171.004 does not apply to the district. A  
11 director who has a substantial interest in a business or charitable  
12 entity that will receive a pecuniary benefit from a board action  
13 shall file a one-time affidavit declaring the interest. An  
14 additional affidavit is not required if the director's interest  
15 changes. After the affidavit is filed with the board secretary, the  
16 director may participate in a discussion or vote on that action if:

17 (1) a majority of the directors have a similar  
18 interest in the same entity; or

19 (2) all other similar business or charitable entities  
20 in the district will receive a similar pecuniary benefit.

21 (c) A director who is also an officer or employee of a public  
22 entity may not participate in the discussion of or vote on a matter  
23 regarding a contract with that same public entity.

24 (d) For purposes of this section, a director has a  
25 substantial interest in a charitable entity in the same manner that  
26 a person would have a substantial interest in a business entity  
27 under Section 171.002.

1       Sec. 376.513 ADDITIONAL POWERS OF DISTRICT. (a) The  
2 district may exercise the powers given to a corporation created  
3 under Section 4B, Development Corporation Act of 1979 (Article  
4 5190.6, Vernon's Texas Civil Statutes).

5       (b) The district may exercise the powers given to a housing  
6 finance corporation created under Chapter 394 to provide housing or  
7 residential development projects in the district.

8       (c) The district may exercise the powers granted to an  
9 eligible political subdivision under Chapter 221, Natural  
10 Resources Code.

11       (d) The district may exercise its powers in areas outside  
12 the boundaries of the district if the board determines that there is  
13 a benefit to the district in exercising that power.

14       Sec. 376.514 AGREEMENTS: GENERAL; DONATIONS, INTERLOCAL  
15 AGREEMENTS, AND LAW ENFORCEMENT SERVICES. (a) The district may  
16 make an agreement with or accept a donation, grant, or loan from any  
17 person.

18       (b) The implementation of a project is a governmental  
19 function or service for the purposes of Chapter 791, Government  
20 Code.

21       (c) To protect the public interest, the district may  
22 contract with the municipality or the county for the municipality  
23 or county to provide law enforcement services in the district for a  
24 fee.

25       Sec. 376.515 NONPROFIT CORPORATION. (a) The board by  
26 resolution may authorize the creation of a nonprofit corporation to  
27 assist and act on behalf of the district in implementing a project

1 or providing a service authorized by this subchapter.

2 (b) The board shall appoint the board of directors of a  
3 nonprofit corporation created under this section. The board of  
4 directors of the nonprofit corporation shall serve in the same  
5 manner, term, and conditions as a board of directors of a local  
6 government corporation created under Chapter 431, Transportation  
7 Code.

8 (c) A nonprofit corporation created under this section has  
9 the powers of and is considered for purposes of this subchapter to  
10 be a local government corporation created under Chapter 431,  
11 Transportation Code.

12 (d) A nonprofit corporation created under this section may  
13 implement any project and provide any service authorized by this  
14 subchapter.

15 Sec. 376.516 ANNEXATION. The district may:

16 (1) annex territory as provided by Subchapter C,  
17 Chapter 375; and

18 (2) annex territory located inside the boundaries of a  
19 reinvestment zone created by the municipality under Chapter 311,  
20 Tax Code, if the governing body of the municipality consents to the  
21 annexation.

22 Sec. 376.517 ASSESSMENTS. (a) The board may impose and  
23 collect an assessment for any purpose authorized by this  
24 subchapter. The imposition of an assessment requires that  
25 two-thirds of the board members vote in favor of the imposition.

26 (b) Assessments, reassessments, or assessments resulting  
27 from an addition to or correction of the assessment roll by the

1 district, penalties and interest on an assessment or reassessment,  
2 expenses of collection, and reasonable attorney's fees incurred by  
3 the district:

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

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

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

12 (c) The lien is effective from the date of the resolution of  
13 the board levying the assessment until the assessment is paid. The  
14 board may enforce the lien in the same manner that the board may  
15 enforce an ad valorem tax lien against real property.

16 Sec. 376.518 PETITION REQUIRED FOR FINANCING SERVICES AND  
17 IMPROVEMENTS. The board may not finance a service or improvement  
18 project under this subchapter unless a written petition requesting  
19 the improvement or service has been filed with the board. The  
20 petition must be signed by the owners of a majority of the assessed  
21 value of real property in the district as determined by the most  
22 recent certified county property tax rolls.

23 Sec. 376.519 ELECTIONS. (a) In addition to the elections  
24 the district must hold under Subchapter L, Chapter 375, the  
25 district shall hold an election in the manner provided by that  
26 subchapter to obtain voter approval before the district imposes a  
27 maintenance tax or issues bonds payable from ad valorem taxes or

1 assessments.

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

4 Sec. 376.520 MAINTENANCE TAX. (a) The district may impose  
5 and collect an annual ad valorem tax on taxable property in the  
6 district for the maintenance and operation of the district and the  
7 improvements constructed or acquired by the district or for the  
8 provision of services only if:

9 (1) two-thirds of the board members vote in favor of  
10 imposing the tax; and

11 (2) the tax is authorized at an election held in  
12 accordance with Section 376.319.

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

14 Sec. 376.521 UTILITIES. The district may not impose an  
15 assessment or impact fee on a utility's property.

16 Sec. 376.522 MUNICIPAL APPROVAL. (a) Except as provided by  
17 Subsection (b), the district must obtain approval from the  
18 municipality's governing body of:

19 (1) the issuance of bonds for an improvement project;  
20 and

21 (2) the plans and specifications of an improvement  
22 project financed by the bonds.

23 (b) If the district obtains approval from the  
24 municipality's governing body of a capital improvements budget for  
25 a period not to exceed five years, the district may finance the  
26 capital improvements and issue bonds specified in the budget  
27 without further approval from the municipality.



1       (c) The district must obtain approval from the  
2 municipality's governing body of the plans and specifications of  
3 any district improvement project related to the use of land owned by  
4 the municipality, an easement granted by the municipality, or a  
5 right-of-way of a street, road, or highway.

6       (d) Except as provided by Section 375.263, a municipality is  
7 not obligated to pay any bonds, notes, or other obligations of the  
8 district.

9       Sec. 376.523 DISBURSEMENTS OR TRANSFERS OF FUNDS. The  
10 board by resolution shall establish the number of directors'  
11 signatures and the procedure required for a disbursement or  
12 transfer of the district's money.

13       Sec. 376.524 COMPETITIVE BIDDING LIMIT. Section 375.221  
14 does not apply to the district unless the contract is for more than  
15 \$25,000.

16       Sec. 376.525 EXCEPTION FOR DISSOLUTION OF DISTRICT WITH  
17 OUTSTANDING DEBTS. (a) The board may vote to dissolve a district  
18 that has debt. If the vote is in favor of dissolution, the district  
19 shall remain in existence solely for the limited purpose of  
20 discharging its debts. The dissolution is effective when all debts  
21 have been discharged.

22       (b) Section 375.264 does not apply to the district.

23       SECTION 2. The legislature finds that:

24           (1) proper and legal notice of the intention to  
25 introduce this Act, setting forth the general substance of this  
26 Act, has been published as provided by law, and the notice and a  
27 copy of this Act have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished by  
2 the constitution and laws of this state, including the governor,  
3 who has submitted the notice and Act to the Texas Commission on  
4 Environmental Quality;

5 (2) the Texas Commission on Environmental Quality has  
6 filed its recommendations relating to this Act with the governor,  
7 lieutenant governor, and speaker of the house of representatives  
8 within the required time;

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

13 (4) all requirements of the constitution and laws of  
14 this state and the rules and procedures of the legislature with  
15 respect to the notice, introduction, and passage of this Act have  
16 been fulfilled and accomplished.

17 SECTION 3. Notwithstanding Section 376.310, Local  
18 Government Code, as added by this Act:

19 (1) the initial board of directors of the Pflugerville  
20 Municipal Management District No. 1 consists of:

	Pos. No.	Name of Board Member
22	1.	John Franklin
23	2.	_____
24	3.	_____
25	4.	_____
26	5.	_____
27	6.	_____

1            7. \_\_\_\_\_  
2            8. \_\_\_\_\_  
3            9. \_\_\_\_\_  
4            10. \_\_\_\_\_  
5            11. \_\_\_\_\_; and

6            (2) of the initial board members, the members  
7 appointed for positions 1 through 6 serve until June 1, 2009, and  
8 the members appointed for positions 7 through 11 serve until June 1,  
9 2007.

10            SECTION 4. The importance of this legislation and the  
11 crowded condition of the calendars in both houses create an  
12 emergency and an imperative public necessity that the  
13 constitutional rule requiring bills to be read on three several  
14 days in each house be suspended, and this rule is hereby suspended,  
15 and that this Act take effect and be in force from and after its  
16 passage, and it is so enacted.